

# Stirling Area Local Access Forum

## Terms of Reference

### 1 TITLE

- 1.1 The forum shall be known as the Stirling Area Local Access Forum (referred to as SALAF in this document)

### 2 REFERENCE AREA

- 2.1 The Stirling Council area (excluding the area under the jurisdiction of the Loch Lomond and the Trossachs National Park)

### 3 STATUS

- 3.1 The forum is set up in accordance with the Land Reform (Scotland) Act 2003. It is an advisory body established to advise Stirling Council and any other person or body on any matters pertaining to the exercise of access rights, the delineation of rights of way and towards the resolution of disputes.

### 4 THE ROLE OF STIRLING COUNCIL

- 4.1 To prescribe a system of voting by which the SALAF can take decisions.
- 4.2 Appoint members according to selection criteria that assess if candidates have sufficient experience of access to the countryside in the local area to be able to make informed and constructive contributions to improving access provision.
- 4.3 Provide a venue for meetings with full and appropriate facilities.
- 4.4 Organise and advertise the SALAF meetings.
- 4.5 Set the agenda for the SALAF and take minutes.
- 4.6 Ensure that the SALAF operates openly.
- 4.7 Provide a dedicated support to the SALAF.
- 4.8 Reimburse reasonable travel expenses incurred by members in attending meetings of the SALAF and other approved activities, including subsistence and childcare in the course of members undertaking their duties.
- 4.9 Reimburse the cost of places on organised training courses considered appropriate and necessary by the Chair and the Secretariat.
- 4.10 Publish an annual report on the SALAF's activities.
- 4.11 Formalise an 'associate' membership forum for all those authorities/organisations/individuals who have requested links with the SALAF.

### 5 MEMBERSHIP OF THE SALAF

- 5.1 The SALAF will consist of no fewer than 10 and no more than 20 members.
- 5.2 Membership will be balanced to avoid dominance by any single interest group and include cross-sectional interests.
- 5.3 Members will act in the best interests of the people of the Stirling Council area and not through individual interest agendas.
- 5.4 The appointment of Council Members to the Stirling Area Local Access Forum will be included in the process of appointing councillors to outside bodies.
- 5.5 A Chairman and Vice-Chairman for the SALAF will be elected by the SALAF from amongst those persons appointed to be members. Their terms of office will also be decided by the SALAF, with a time limit provided by the length of time that they were appointed to serve as members.
- 5.6 SALAF members will commit necessary time and will be willing to 'work' to produce outputs.
- 5.7 SALAF members will represent a broad range of experience and interests in recreational use of the countryside, land management and other relevant interests (e.g. tourism, local transport, health, disabled).

- 5.8 Members will be expected to confirm their support to the positive purpose of SALAF's, commit to working within the Terms of Reference and through constructive working with other members and devote necessary time to attend meetings, training etc.
- 5.9 Members must be prepared to take back information/recommendations/ advice from the SALAF to the members of their own group or organisation or area of interest.
- 5.10 Members must be prepared to bring forward information/recommendations/advice to the SALAF from the members of their own group or organisation or area of interest as appropriate.
- 5.11 Members must be prepared to work up ideas or actions outside of the confines of the meeting of the forum, reporting back as necessary.
- 5.12 Members will respond quickly and efficiently to requests for information from the Secretariat.
- 5.13 The Stirling Council will regularly review membership of the SALAF. Each appointment of a member shall be for a period of one to three years, with the option of renewal on expiry in each case.
- 5.14 Members of the SALAF may have their appointments terminated because of prolonged, un-notified, absences from meetings and misconduct.
- 5.15 Members of the SALAF who are directly or indirectly interested in any matter brought up for consideration at a meeting of the forum shall disclose the nature of their interest to the meeting.
- 5.16 Removal of members from the SALAF must be agreed in writing by the Chairman and the selection panel.
- 5.17 Members will be expected to give 3 months notice in writing should he/she wish to leave the SALAF.
- 5.18 Stirling Council officers with responsibilities for access and rights of way have a useful role to play and therefore will attend meetings in order to provide technical advice, but will not be members of the forum.

## **6 ROLE AND RESPONSIBILITIES OF THE FORUM**

- 6.1 To give advice on the development and implementation of recreation and access strategies which
  - 6.1.1 Sets rights of way, core paths and general access in a broad context, integrating provision for access, all forms of open-air recreation, transport, tourism, health and public information.
  - 6.1.2 Ensures provision is made for all users, and reflects the needs of local people.
  - 6.1.3 Addresses the co-ordinated use of resources to deliver integrated recreation and access provision and management.
- 6.2 It will work to;
  - 6.2.1 Develop a constructive and inclusive approach to the improvement of recreational access to the countryside.
  - 6.2.2 Respect local circumstances and different interests while operating within national guidance
  - 6.2.3 Engage in constructive debate and seek consensus wherever possible.
  - 6.2.4 Where consensus is not possible, make clear the nature of the differing views and suggest how they might be resolved.

- 6.3 It will work to improve access to the countryside as required by the Land Reform (Scotland) Act by:
  - 6.3.1 Assisting with the production of Core Path Plan;
  - 6.3.2 Evaluating the results of any public consultation on the draft plan and any particularly significant issues arising from it;
  - 6.3.3 Commenting on action plans that follow from the review and assist with their implementation;
  - 6.3.4 Participating in the review of the Core Path Plan as necessary;
  - 6.3.5 Acting as a consultee on any proposed diversion or extinguishment of core paths or rights of way.
  
- 6.4 It will assist the implementation, management and review of the statutory right of access to the countryside by providing advice to the Council, individuals and other agencies on:
  - 6.4.1 Any matter relating to access rights;
  - 6.4.2 The delineation of rights of way;
  
- 6.5 It will assist Stirling Council in respect of local restrictions of the right of access to the countryside by:
  - 6.5.1 Acting as a consultee on applications to restrict the right of access for six days or more;
  - 6.5.2 Helping to identify best practice for the management of access restrictions in the Stirling Council area.
  
- 6.6 The SALAF will aim to:
  - 6.6.1 Develop a constructive and inclusive approach to the improvement of access to the Stirling Council area countryside;
  - 6.6.2 Adopt inclusive and consistent approaches with neighbouring Access Forums;
  - 6.6.3 Disseminate its advice to Members of the Council and other bodies as appropriate;
  - 6.6.4 Seek specialist technical advice when needed and appropriate;
  - 6.6.5 Work as a cohesive team engaging in constructive debate, seeking consensus on all reports;
  - 6.6.6 Where consensus is not possible, issues will be decided by vote.
  
- 6.7 The SALAF will offer to, and where this is accepted, give assistance to individuals or organisations towards the resolution of disputes about:
  - 6.7.1 The exercise of access rights
  - 6.7.2 The existence and delineation of rights of way
  - 6.7.3 The use of core paths

## **7 Administration**

- 7.1 The SALAF will meet at least twice a year as necessary. The frequency of the meetings can be reviewed by the SALAF
- 7.2 Agendas will be agreed between the Chairman and the Secretariat.
- 7.3 The SALAF will be open to the public and advertised in advance.
- 7.4 Past agendas, papers and minutes of meetings will be available to the public
- 7.5 Questions must be sent to the Stirling Council in advance of the SALAF
- 7.6 The Chair will invite observers to the SALAF when appropriate
- 7.7 Observers will be able to contribute to the proceedings at the discretion of the Chairman
- 7.8 The SALAF will prepare an annual report on its activities that will be published by Stirling Council.

### **Public participation at meetings of the Stirling Area Local Access Forum (the Forum)**

- 1) Members of the public may ask questions, make statements or representations, on matters relating to items on the published agenda subject to written notice being received by Stirling Council at least 5 days before the meeting.
- 2) The notice must be signed by the person wishing to speak and give full details of the matter to be raised, including details of any questions that will be asked. It should also indicate if the notice is on behalf of a group or delegation. Name, full postal address, telephone number, and email if available, must be given. Correspondence sent via email will be classed as a signed letter.
- 3) Any item deemed by Stirling Council to be;
  - a) defamatory
  - b) relate to a specific Council Officer or Forum Member
  - c) repetition of subjects dealt with at previous meetings will not be accepted and the speaker will be informed in writing accordingly.
- 4) A speaker, or spokesperson for a delegation, will normally be allowed up to 3 minutes to make a brief statement explaining the background if necessary.
- 5) Subject to the Chair's permission, Members of the Forum or County Council Officers, may ask relevant questions of a speaker
- 6) If a speaker is unable to attend the meeting the Chair may read out their submission. The response will be included in the minutes of the meeting. Minutes will be posted on [www.stirling.gov.uk/countryside](http://www.stirling.gov.uk/countryside). Hard copies will be available on request.
- 7) Subject to the Chairs approval members of the public may comment on matters of accuracy only at the end of an agenda item.
- 8) The Chair's decision shall be final on all matters relating to public participation in forum meetings.

Approved by Stirling Council, 16 June 2005.