

Terms of Reference

WEST LoTHIAN LOCAL ACCESS FORUM - TERMS OF REFERENCE

1.0 Name and Area of Operation

1.1 The group will be known as the West Lothian Local Access Forum (hereinafter referred to as “LAF” or “the Forum”).

2.0 Equal Opportunities

2.1 The Forum will follow the policies adopted by West Lothian Council (“the Council”) in relation to acts relating to non-discriminatory behaviour and equal opportunities.

3.0 Aim

3.1 The aim of the Forum is to advise and assist the Council on a consensual basis in relation to the development, promotion, monitoring and management of responsible public access to the outdoors in the Forum area.

4.0 Advice and Mediation

4.1 To act as the local access forum for West Lothian as required under the Land Reform (Scotland) Act 2003; in particular as a consultee in relation to West Lothian Council’s duties and powers under the Land Reform (Scotland) Act 2003 which include: upholding access rights through the removal of signs and obstructions, dealing with requests to exempt land from access rights, making and reviewing byelaws

4.2 To advise West Lothian Council on strategic access issues throughout the Council area to include advice on West Lothian’s access strategies and the development and review of the Core Path plan.

4.3 To mediate and offer advice to West Lothian Council parties to help resolve access conflicts by a process of seeking consensus.

4.4 To promote responsible access through the Scottish Outdoor Access Code.

4.5 To promote the sharing of knowledge, awareness, and good practice in access.

5.0 Core Paths Planning

5.1 To advise the Council on priorities for implementation, particularly with regard to Core Paths Plan.

6.0 Publicity and Promotion

6.1 To promote the sharing of knowledge, awareness of different viewpoints and good practice in responsible outdoor access in accordance with the Land Reform (Scotland) Act 2003.

6.2 To assist in publicising the Land Reform (Scotland) Act 2003 and interpreting it to the public.

6.3 To promote and help publicise the Scottish Outdoor Access Code.

6.4 To prepare and implement a Communication Strategy for the Forum.

7.0 Structure

7.1 Members will number between 8 and 12 excluding Council Members and officials with a balance of members so far as possible representing each of four interest groups being:

- 7.1.1 Agency & Other Appropriate Bodies;
- 7.1.2 Landowner/Manager;
- 7.1.3 Recreation; and
- 7.1.4 Community.

7.2 Membership of the Forum will include no more than two elected members of West Lothian Council with appropriate interests in access matters.

7.3 The Forum may appoint Working Groups to advise the Forum on topic-based access issues if and when judged necessary. Any Working Group will comprise a fair and representative number of Forum representatives and may include knowledgeable individuals drawn from the wider public. Working Groups will have clear remits, terms of reference and expected life-spans and will report outcomes and recommendations to the Forum for approval and further guidance.

7.4 A wider group of people who wish to be kept in contact with the Forum and have authorised their contact details to be kept will be known as the Forum Contact Group. These individuals and groups will be invited to meetings of the Forum or Working Group (unless or to the extent such meetings are closed to non-members).

8.0 Membership

8.1 Members must live or work within the West Lothian Council Area.

8.2 Members of the Forum will be selected by West Lothian Council.

8.3 Agencies & other appropriate bodies expected to be represented on the Forum are West Lothian Council, NatureScot, Scottish Forestry.

8.4 Members of the Forum will be selected for a 3-year period with an option to be re-selected. One member from each interest group will retire every second year in rotation. Those to stand down before having served for 3 years will be selected by lot.

8.5 Working Groups should so far as possible have balanced representation from the 4 interest groups.

8.6 Members of Working Groups should be drawn from the Forum or co-opted from those with appropriate interests and or qualifications.

8.7 Only members of the Forum are eligible to make decisions relating to the stated aims of the Forum.

8.8 The Forum will elect annually a Convener and Vice Convener from the membership.

8.9 In the event of any member failing to attend 3 consecutive meetings without due cause, the member will be contacted by the Chair to discuss whether the member should stand down.

8.10 In the event of a member behaving in an unsatisfactory manner in relation to Forum business they may be invited to stand down. Any complaint in respect of the behaviour of a member should be sent in writing to the Convener who will invite the member to submit an explanation or statement with regard to the complaint. The Convener will then form a disciplinary subgroup to consider the matter and decide whether the member should be invited to stand down.

9.0 Meetings & Administration

9.1 Forum meetings will be held three times in each year. Additional meetings of the Forum and of Working Groups may be called as required.

9.2 At the first Forum meeting in each calendar year a report of the actions of the Forum for the previous year will be presented.

9.3 The Convener will agree agenda items for each Forum meeting with the nominated Council Officer in time for papers to be sent to members. These will be sent to members at least 1 week in advance of the meeting.

9.4 Individual members of the Forum requesting items to be placed on the agenda must submit these at least 3 weeks in advance of the meeting.

9.5 Forum sub-group meetings will be conducted as appropriate considering the nature of business in accordance with the above principles where possible and practicable.

9.6 The Council will provide rooms and facilities and administration for meetings.

9.7 Action minutes of meetings will be kept by the Council Officer and agreed at each subsequent meeting.

9.8 The Forum may invite Correspondent members of the Forum and/or any other speakers to provide expert advice or observers to meetings as appropriate.

9.9 Openness of meetings:

9.9.1 agendas and minutes of meetings will be made available on the Forum page on the Council website as soon as their content is agreed, and

9.9.2 Only Forum members and associated and invited persons and anyone who has indicated their intention to attend in advance will be able attend meetings other than open meetings.

9.10 Decisions made at meetings should be by consensus. If necessary voting on motions and amendments, duly moved and seconded will be undertaken. Anyone not agreeing with the majority vote can ask to have this recorded in the minutes.

9.11 Members should disclose any personal interests relevant to the business of the meeting at the beginning of each forum or working group meeting stating the nature of the interest. If there is a conflict of interest in a matter to be discussed the member should temporarily leave the meeting while the matter is discussed and will not be permitted to vote on this matter.

9.12 Documentation and training regarding relevant access issues will be made available for members as appropriate.

10.0 Communication Strategy

10.1 All contact with the media should be directed through the Convener.

10.2 The Forum will follow the agreed procedure for the resolution of disputes.

11.0 Alterations to the Terms of Reference

11.1 The Terms of Reference were adopted by the Forum on [] 202[2]. Any amendment of the Terms of Reference must be approved by West Lothian Council.