

Perth & Kinross Outdoor Access Forum

Terms of Reference

1.0 Name and Area of Operation

- 1.1 The group will be known as the Perth & Kinross Outdoor Access Forum (hereinafter referred to as “PKOAF” or “the Forum”) and will cover the Perth & Kinross Council area excluding that part which falls within the boundaries of Loch Lomond and the Trossachs National Park and Cairngorms National Park as shown on the attached map as Appendix 1.

2.0 Equal Opportunities

- 2.1 The Forum will follow the policies adopted by Perth & Kinross 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 and other parties in relation to the development, promotion, monitoring and management of responsible public access to the outdoors in the Forum area.

Objectives

4.0 Advice and Mediation

- 4.1 To advise the Council on strategic access issues throughout Perth & Kinross - this includes the review of any relevant Community Greenspace Strategies.
- 4.2 To act as a consultee in relation to the 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.
- 4.3 To mediate and offer advice to the Council and other parties to help resolve access conflicts by a process of seeking consensus.

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 16 with 4 members representing each of 4 interest groups being: Agency & Other Appropriate Bodies (see 8.2), Landowner/manager, Recreation and Community.
- 7.2 Each member will name a substitute who may attend meetings in place of that member by prior arrangement. Substitutes can be invited to attend one meeting per year with the member and will be invited to training events.
- 7.3 The Forum may appoint Working Groups to advise the Forum on topic based access issues if and when judged necessary. Working Groups will have clear remits 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 open meetings.

8.0 Membership

- 8.1 Members must live and/or work within Perth & Kinross Council Area.
- 8.2 Members representing agencies and other appropriate bodies will not be elected but are invited onto the Forum by Perth and Kinross Council. Agencies & other appropriate bodies currently represented on the Forum are Perth & Kinross Council, Scottish Natural Heritage, Forestry Commission (Scotland) and the Centre for Inclusive Living Perth & Kinross.
- 8.3 Members representing interest groups (excluding agency reps) will be elected at open meetings by all those attending within the respective interest group. Only those eligible for membership of that interest group shall be entitled to vote.

- 8.4 Elections will be held at a public meeting in April/May of every year. In March/April nominations for re-election will be submitted and nominations for election from a wider interest group will also be sought. Candidates successfully elected to seats, and candidates to be held as reserves for seats which may fall vacant during the period of appointment, will be put forward for formal appointment by the Council at the next available meeting of the appropriate committee.
- 8.5 Members of the Forum will be elected for a 4 year period with an option to be re-elected. One member from each interest group will retire each year in rotation. Those to stand down before having served for 4 years will be selected by lot.
- 8.6 Any vacancies which may arise within the period of appointment will be filled by a reserve candidate. In the event that no reserve candidates are available the relevant interest group on the Forum can nominate a suitable candidate to fill the vacancy. In this event the nominated candidate must be confirmed by the Council.
- 8.7 Working Groups should have balanced representation from the 4 interest groups.
- 8.8 Members of Working Groups should be drawn from the Forum or co-opted from those with appropriate interests and or qualifications.
- 8.9 Substitutes can be drawn from the wider contact group.
- 8.10 Only members of the Forum are eligible to make decisions relating to the stated aims of the Forum.
- 8.11 The Forum will elect a Convener and Vice Convener from the membership following elections of members in April/May and Council confirmation (see 8.4 above).
- 8.12 In the event of any elected member failing to attend 3 consecutive meetings without making arrangement for their substitute to attend in their place the member will be contacted by the Convenor to discuss whether the member should stand down.
- 8.13 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 quarterly in February, May, August & November. Additional meetings of the Forum and of Working Groups may be called as required.
- 9.2 An annual open meeting will be held in April/May at which an election of members will be held. A report of the actions of the Forum for the previous year will be presented.
- 9.3 The Convener will agree agenda items for the quarterly or full Forum meetings with the nominated Council Officer in time for papers to be sent to members. These will be sent to members 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 speakers to provide expert advice or observers to meetings as appropriate.
- 9.9 Openness of meetings – agendas and minutes of meetings will be made available on the Forum page on the Council website as soon as their content is agreed. Only Forum members and associated and invited persons and anyone who has indicated their intention to attend in advance will be able attend meetings apart from an annual open meeting.
- 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 Any decisions must be made by a quorate representation. A meeting shall not be quorate unless at least two members (or their nominated substitutes) from each of the Landowner/Manager, Recreation and Community groups are present.

- 9.12 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.
- 9.13 Travelling expenses for members attending meetings can be claimed on the basis of home to meeting venue mileage.
- 9.14 Documentation and training regarding relevant access issues will be made available for members as appropriate and associated costs met by the Council.

10.0 Communication Strategy

- 10.1 All contact with the media should be directed through the Convener.
- 10.2 The Communication Strategy will be used to guide communications.
- 10.3 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 agreed by the Forum in August 2006 and have been reviewed, updated and, amended as required since. The Terms of Reference must be formally approved by Perth & Kinross Council following any and all amendments.

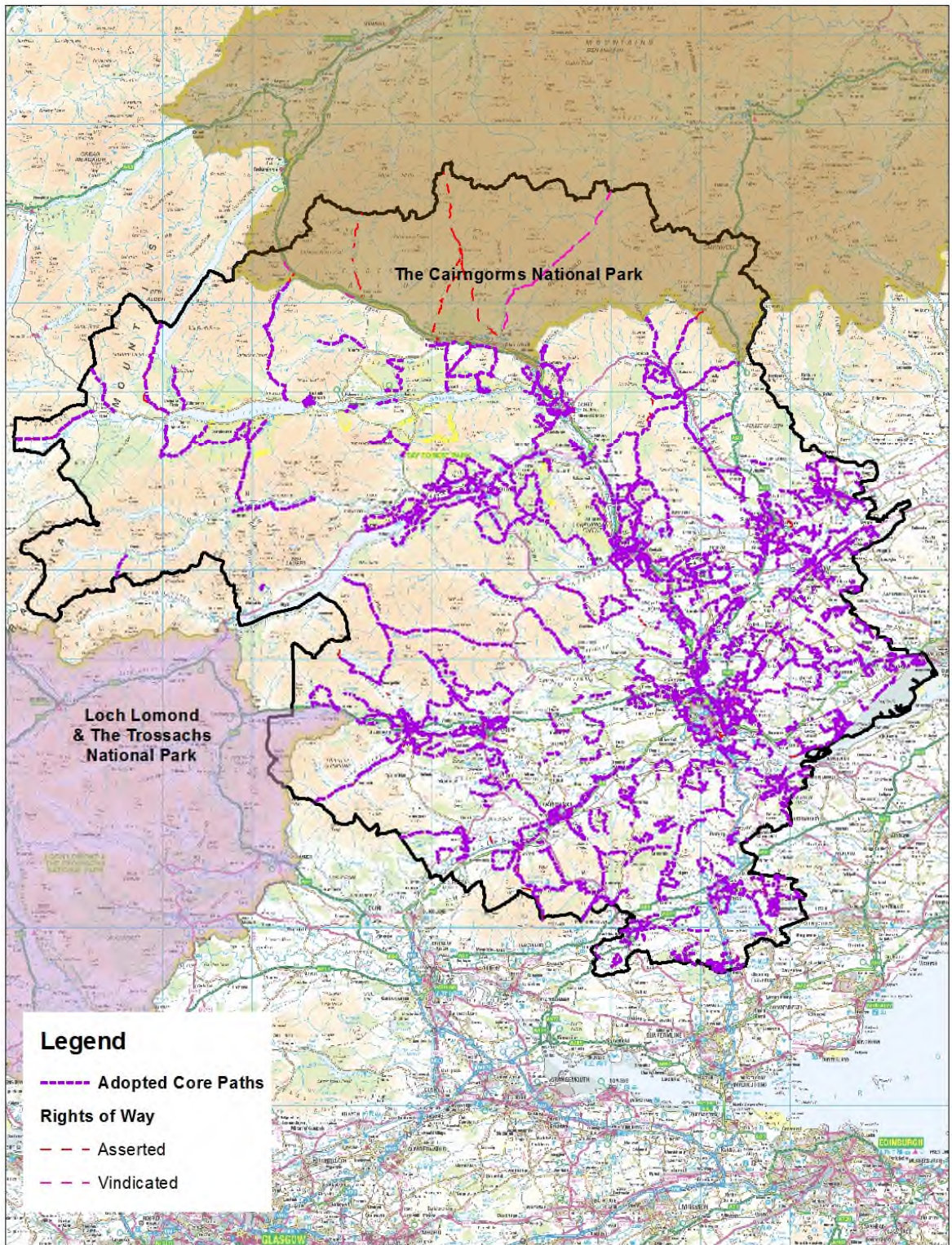
Signed on behalf of the Forum on 2016

Convener Date

Vice Convener..... Date

Signed on behalf of the Council on 2016

Appendix 1 – Area of Perth & Kinross Outdoor Access Forum



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Perth & Kinross Outdoor Access Forum Area

Contact: Greenspace Coordinator
Date: August 2016

Map for use in connection with Council duties
under the Land Reform (Scotland) Act 2003

↑ Scale:
1:550,000

