

LEICESTERSHIRE LOCAL ACCESS FORUM – 16 APRIL 2015

REPORT OF THE CHIEF EXECUTIVE

**THE CONDUCT OF MEMBERS AND AMENDMENTS TO THE TERMS OF
REFERENCE OF THE LEICESTERSHIRE LOCAL ACCESS FORUM**

Purpose of the Report

1. The purpose of this report is to update the Terms of Reference for the Leicestershire Local Access Forum (the Forum), deal with issues relating to the conduct its members, and set out recommendations for dealing with communication to and from the Forum. The amended Terms of Reference are attached as an appendix to this report.
2. The report also seeks to remind members of their roles and responsibilities as members of an advisory body, and the level of support available for the Forum by the Council as the servicing authority in view of the financial position it currently finds itself in.

Background

3. In recent years the Forum has increasingly used sub groups and committees (herein referred to as 'sub-groups') as a means to support the work it undertakes between formal meetings. As such an additional section to the Terms of Reference is proposed to outline the structure and relationship of the sub-groups to the Forum itself. The amended Terms of Reference also include changes to the meeting procedures, and include a section on communication received and sent by the Forum.
4. Members will also be aware of the difficult financial position that the Council currently finds itself in. In February 2015, the County Council approved the 2015/16 – 2018/19 Medium Term Financial Strategy which outlined £82m worth of savings needing to be made in the next four years. This will affect all areas of the Council and the services that it can provide.

Sub-groups

5. The Forum has, over time, developed the use of sub groups. Currently three sub-groups support its work: Verges Committee, Network Opportunities Committee, and Planning and Access Committee. The sub-groups report on their work at each Forum meeting and will meet depending on the work programme of the Forum.

6. Up to now there has not been a formal mechanism for approving and disbanding sub-groups, or a formal statement of their relationship with the Forum other than their general acceptance at Forum meetings.

Terms of Reference

7. The amended Terms of Reference reflect the need to clarify the role of any sub-groups and their relationship with the Forum. The amendments also make provision for the establishment and dissolution of sub-groups.
8. As the work of the sub-groups has increased, so has the communication received and sent by the Forum. As such the amended Terms of Reference include a section on communication which reaffirms the Forum as the recipient and sender of all communication (rather than a particular individual or sub-group). However the section also allows some flexibility by providing provision to send communication when time constraints exist.
9. The amended Terms of Reference also provide for the meeting procedures of the Forum to be those set out in the Standing Orders of the Constitution of Leicestershire County Council, subject to any modifications which the Forum may specify. This might include provision for a different number of members to constitute a quorate meeting.
10. Other minor amendments have been made to the Terms of Reference over issues of formatting, grammar and updates to the legislation to which it refers.

Conduct and Resources

11. In addition to the Forum as the official body for discussion, members of the Forum make extensive use of a Google group to circulate items of interest. However DEFRA guidance makes it clear that any business of the Forum has to be conducted in accordance with the Regulations in relation to public access to documents and the meeting itself. A Google group cannot therefore be used as a decision making process.
12. At present there are no formal guidelines regarding the conduct of members of the Forum. DEFRA guidance suggest this should be in line with the procedures of the Appointing Authority. The current expectation is that members act in a way as would be expected of any Leicestershire County Council elected member or officer (which can be found in the Constitution of Leicestershire County Council). Specifically to the Forum, it should ensure that the balance of interests is maintained between access users and land managers as per the Terms of Reference and the Local Access Forum (England) Regulations 2007.

13. Currently the Council provides resources for four Forum meetings per year, plus an extra meeting time before for a workshop and or use by a sub group. It has also been agreed that the Network Opportunities Committee can use Council resources for four meetings in 2015. Altogether this amounts to 12 meetings taking place during 2015 (with the exception of site visits and training sessions).
14. In addition to this, as per the Council's statutory obligations, it will continue to cover appropriate expenses for members and will support training where necessary.
15. Members should be aware that this level of support is far above its statutory minimum requirements (which is two Forum meetings per year). Any supported meetings outside of those above will be at the discretion of the Council officers as to whether or not to provide Council resources (including access to committee rooms). However members should be advised that due to the unprecedented financial situation that the Council finds itself in, it is highly unlikely that it will be able to support meetings outside of the arrangements outlined above.
16. Members are asked to conduct their work with regard to the recently approved Medium Term Financial Strategy 2015/16 – 2018/19 in mind, which outlined £82m of savings needing to be made within the next four years. £23.4m of these savings are expected to come from the Environment and Transport Department.

Recommendation

17. The Forum is recommended to
 - a) Note the contents of this report; and
 - b) Approve the amendments to the Terms of Reference for the Leicestershire Local Access Forum.

Appendices

Appendix A - Amended Terms of Reference of the Leicestershire Local Access Forum.

Appendix B - Meetings Schedule for 2015.

Background Papers

The Local Access Forum (England) Regulations 2007.

http://www.legislation.gov.uk/uksi/2007/268/pdfs/uksi_20070268_en.pdf

DEFRA Guidance on Local Access Forums in England.

<http://ow.ly/L8jsa>

The Constitution of Leicestershire County Council.

<http://ow.ly/KIRzF>

Medium Term Financial Strategy 2015/16 – 2018/19.

<http://ow.ly/KJ6hE>

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