

## **Forum Structure**

The local access forum for the County of Leicestershire shall be known as the Leicestershire Local Access Forum.

The Forum is established under the Countryside and Rights of Way Act 2000. In 2007 Defra published the Local Access Forums (England) Regulations 2007 – see [www.legislation.gov.uk/ukxi/2007/268/pdfs/ukxi\\_20070268\\_en.pdf](http://www.legislation.gov.uk/ukxi/2007/268/pdfs/ukxi_20070268_en.pdf) (herein referred to as ‘the Regulations’). These came into force on 19th March 2007 with additional Guidance from the Secretary of State.

These form the basis of the Constitution of the Leicestershire Local Access Forum. Leicestershire County Council is the appointing authority for the forum.

### **1. Role**

- 1.1. Provide advice to the County Council on the improvement of public access to land within the County for the purpose of travel, open-air recreation and enjoyment of the area or any other lawful purpose.
- 1.2. Respond to the Countryside Agency on the draft maps of open country and registered common land.
- 1.3. In an advisory capacity, contribute to the development of the Rights of Way Improvement Plan for the County.
- 1.4. Comment on the County Council's access strategies with a view to developing additional opportunities for everyone to enjoy the rights of way network, with particular emphasis on encouraging those who might feel excluded, for example people with disabilities.
- 1.5. Advise on the promotion of opportunities for the appropriate use and enjoyment of the countryside.
- 1.6. Advise upon the appropriate management and maintenance of access to land in the County to which the public have access for travel and open-air recreation.

### **2. Responsibilities**

- 2.1. In carrying out its function the Forum will have regard to the needs of land management, biodiversity, wildlife management and the interests of landowners and the flora, fauna and geological and geographical features of the area.
- 2.2. Take into account statutory guidance issued by the Secretary of State whilst operating within the Countryside and Rights of Way Act and regulations made thereunder.

- 2.3. Respect local circumstances as well as environmental, social, economic and educational interests.

### **3. Membership of the Forum**

- 3.1. The Forum shall consist of 22 members of whom 3 shall be County Councillors.
- 3.2. Individual members will, through consultation, represent a field of interest rather than a particular organisation of which they might also be a member. A reasonable balance of members representing different interests will be maintained. These will be representative of:
  - Users of rights of way and open access land
  - Owners and occupiers of land affected by public access
- 3.3. Members will be appointed for a period of three years. In the event the post becomes vacant during that period it will be re-advertised within the prescribed format and a new member appointed for a period of three years.
- 3.4. A member may resign by notice in writing.
- 3.5. The appointing authority may terminate the appointment of a member if without consent they fail to attend meetings for a year or if they fail to disclose an interest to the meeting as set out in 6(8) of the Regulations.

### **4. Chair and Vice Chair**

- 4.1. The Chair and Vice Chair will be drawn from Forum members. They will be elected by two secret ballots. The first ballot will elect the Chair. The Chair and Vice Chair will represent different categories of interest and members of the appointing authority will not be eligible for either position. Only members considered to be representing a different area of interest from the Chair would then be eligible on the second ballot.
- 4.2. The period of appointment to these posts will be decided by the Forum but the maximum period is three years. In the event that either post becomes vacant during the period of appointment, the Forum may decide that both posts should be filled afresh.

### **5. Meetings of the Forum**

- 5.1. Meetings are to be held four times a year.
- 5.2. The Access to Information Procedure Rules and Meeting Procedure Rules (Standing Orders) laid down by the County Council will apply with any necessary modifications.
- 5.3. The meetings shall be deemed to be quorate when 9 members or half the membership at that time, whichever is smaller, are present.

5.4. Members who have a personal interest, whether direct or indirect, in a matter to be discussed by the Forum should disclose that interest at the meeting. A personal interest is defined as one which might affect a member's wellbeing, financial position or business, or that of a relative or friend, to a greater extent than that of other council tax payers, rate payers or other inhabitants of the area. Personal interests will be recorded in the minutes but will not necessarily prohibit that member from taking part in the discussion of that item.

5.5. Copies of the agenda for each meeting and any reports will be made available for inspection by the public at County Hall and on the Forum website at least three days prior to the meeting or as soon as possible if a meeting is convened at short notice.

5.6. The papers and minutes of each meeting will be made available for inspection by the public at County Hall and on the Forum website for a period of two years after the meeting.

## **6. Public Access to Meetings**

6.1. The meetings will be open to the public but people may be excluded if necessary to prevent disorderly conduct or misbehaviour.

6.2. A period of time will be made available for representations from members of the public at each Forum meeting.

6.3. Observers may (at the discretion of the Forum's Chair) attend and take part in the discussion but cannot vote on or take part in the decision-making.

## **7. Secretary**

7.1. The Secretary to the Forum will be responsible for the overall administration of the Forum; including organising the meetings, drafting the minutes, producing the draft annual report and liaising with neighbouring Forums and the appointing authority.

## **8. Annual Report**

8.1. The Forum shall produce an annual report on its work which the appointing authority will publish and make widely available in the area.

## **9. Sub-groups, working groups and committees.**

9.1. The Forum may approve the creation of sub-groups, working groups and committees (herein referred to as 'sub-groups') to assist with the work of the Forum. Any sub-groups in existence at the beginning of the year will be approved or disbanded at the first meeting of the Forum in each year. Forum members may propose to create or disband a sub-group at any Forum meeting.

- 9.2. The Terms of Reference of any sub-group will be laid down by the Forum.
- 9.3. Members of the sub-groups will be appointed at the start of each year at the Forum. From these members the sub-group may appoint a Chair to represent the sub-group at Forum meetings.
- 9.4. The Forum as an official body supersedes all work of the sub-groups, and all work that is undertaken by a sub-group must be approved at the Forum, or if time-constraints exist that make this unfeasible, then must be circulated to all Forum members and approved by the Chair of the Forum.
- 9.5. The work of any sub-group will be to act in an advisory capacity to the Forum, and is therefore responsible for arranging its own work programme and administration, including the logistics of the meetings themselves.

## **10. Communication.**

- 10.1. All communication received and sent by the Forum must be noted and/or approved at meetings of the Forum. Having been approved at the Forum, it will be sent by the Chair on behalf of the Forum.
- 10.2. In the event that time constraints exist which make paragraph 10.1 unfeasible, the Chair must seek general approval by the members of the Forum before sending any communication, and must take into account all interests of the Forum as outlined in paragraph 3.2. Any communication sent in this manner must still be noted at a meeting of the Forum.

## **MEMBERS' ROLES AND RESPONSIBILITIES**

Members should:

- Be representative of users of the new rights of access and users of local rights of way, owners and occupiers of access land or land crossed by local rights of way, or other related interests especially relevant to the County of Leicestershire.
- represent a field of interest rather than particular organisations of which they might also be a member.
- publicise the Forum's work and obtain feedback from others with similar interests including the Member's own organisation(s).
- be expected to attend all meetings of the Forum, but must attend a minimum of one meeting a year; deputies will not be allowed.
- be willing to serve on the Forum for a period of up to three years.
- be prepared to contribute to any sub groups formed by the Forum.

## **AUTHORITY'S ROLES AND RESPONSIBILITIES**

- Advertise and appoint Members to the Forum taking into account the need for fairness, transparency and compliance with the Council's policy on social inclusion and diversity.
- Have regard to the Forum's advice when making its decisions.
- Provide a venue and refreshments for the Leicestershire Local Access Forum meetings.
- Provide a secretariat and ongoing support and advice to the Forum.
- Reimburse Forum Members for out of pocket expenses, principally travel, childcare and subsistence costs directly incurred in respect of members' duties.
- Promote the work of the Forum on the Council's website and through other available means including press releases.
- The Terms of Reference are based on regulations and guidance drawn up under the provisions of the Countryside and Rights of Way Act 2000 and subsequent amendments by the Local Access Forums (England) Regulations 2007.