

## **Terms of Reference of the Leicestershire Local Access Forum**

The local access forum for the County of Leicestershire shall be known as the Leicestershire Local Access Forum (herein referred to as 'the Forum').

Local Access Forums (LAFs) are advisory bodies established under the Countryside and Rights of Way Act 2000 (CROW). LAFs are established by local highway authorities. Leicestershire County Council is the Appointing Authority for the Forum (herein referred to as 'the Appointing Authority').

In 2007 Defra published the Local Access Forums (England) Regulations 2007 (herein referred to as 'the Regulations'). These came into force on 19th March 2007 with additional Guidance from the Secretary of State and form the basis of the Terms of Reference of the Local Access Forum for Leicestershire.

### **1. Role**

The primary purpose of the Forum is to provide advice to a range of organisations specified in the CROW Act 2000 and in supplementary regulations and guidance. Specifically to: 'advise as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area, and as to such other matters as may be prescribed.

The Forum will set its own priorities depending on local issues, as well as providing a local input to consultations and draft policy documents.

The Forum shall:

- 1.1. Provide advice to the Appointing Authority and other authorities 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 consultations by Government Departments and Agencies on Access land, registered common land and other open country.
- 1.3. Advise the appointing authority on the management of the Rights of Way network through the Improvement Plan for the County.
- 1.4. Comment on the Appointing Authority's and other relevant local authorities' access strategies with a view to developing additional opportunities for people to enjoy access to the environment.
- 1.5. Seek representation on and offer advice to other bodies working to similar aims.
- 1.6. Advise Natural England on the operation of open access restrictions, management and mapping.
- 1.7. Advise on the promotion of opportunities for the appropriate use and enjoyment of the countryside.
- 1.8. Advise on the opportunities afforded to the Forum through engagement with Local Nature Partnerships (LNPs) and Local Enterprise Partnerships (LEPs); and other

matters relating to the provision of access and opportunities for the enjoyment of the natural environment.

- 1.9. Seek opportunities to engage with managers of land to advise them of the opportunities available to promote and manage the provision of access including green spaces.

## **2. Responsibilities**

- 2.1. In carrying out its function the Forum will have regard to biodiversity, wildlife management, the flora, fauna and geological and physiographical features of the area and the needs and interests of landowners, land managers, user groups and the public at large.
- 2.2. Respect local circumstances as well as environmental, social, economic and educational interests
- 2.3. Take into account statutory guidance issued by the Secretary of State whilst operating within the Countryside and Rights of Way Act and regulations made thereafter.

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

- 3.1. The Forum shall consist of a maximum of 22 members and a minimum of 10;
- 3.2. The maximum number of members of the Forum who may also be members of a district or borough council, or the appointing authority is:-
  - a) In the case of the Forum consisting of not more than 16 members, two, and
  - b) In the case of the Forum consisting of no fewer than 17 members, three.
- 3.3. 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 should 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
  - Any other interests especially relevant to the authorities area
- 3.4. Members will be appointed for a period of three years.
- 3.5. A member may resign by notice in writing.
- 3.6. The appointing authority may terminate the appointment of a member if:
  - a) Without consent they fail to attend meetings for a year; or
  - b) Fail to declare an interest they have in a matter to be considered by the Forum; or

- c) If the appointing authority is satisfied that they have become a member of a local authority in the area covered by the Forum and as a result paragraph 3.2 has not been complied with.

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

- 4.1. The Chair and Vice Chair will be drawn from Forum members. They will be elected by two ballots. Whenever possible the Chair and Vice Chair should represent different categories of interest. Members of the appointing authority will not be eligible for either position.
- 4.2. The appointment to these posts will be renewed on an annual basis. In the event that either post becomes vacant during the period of appointment, the Forum may decide that both posts should be filled afresh. The total period during which a member may be Chair or Vice Chair will not exceed the period of their appointment as a member.
- 4.3. For the purposes of the election of officers the Forum year is deemed to be the calendar year and elections will be held at the first meeting each year.
- 4.4. Where neither the Chair nor Vice Chair are able to attend a meeting, the Forum may choose to elect a Chair for the duration of that meeting only.

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

- 5.1. Meetings are to be held at least two times a year.
- 5.2. The meetings shall be deemed to be quorate when half the then membership or nine members are present, whichever is the smaller number.
- 5.3. 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 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.
- 5.4. 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 five days prior to the meeting or as soon as possible if a meeting is convened at short notice.
- 5.5. 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.
- 5.6. The Chair may, with the permission of the Forum, vary the order of business to that set out on the agenda.
- 5.7. With the exception of voting for Chair or Vice Chair, voting shall be by show of hands and all decisions shall be decided by a majority of the Members present. In the event of an equality of votes the Chair may exercise a second or casting vote.

#### **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. Members of the public wishing to speak at the meeting must inform the Appointing Authority at least one working day before the meeting is held.
- 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 Appointing Authority will nominate an officer to act as the interface with the Forum and advise the Forum, and fulfil the responsibilities of a secretary.
- 7.2. The Secretary will, in conjunction with the Chairman, 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 available online.

## **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. Sub-groups will be created and/or disbanded at the first meeting of each calendar year depending on the potential work programme for the year.
- 9.2. The work of any sub-group will be to act in an advisory capacity to the Forum. Its scope and work programme will be set 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 only for the purposes of representing the sub-group at Forum meetings and administration.
- 9.4. The Forum as an official body supersedes all work of the sub-groups. Sub groups must produce a report of their meetings to the Forum and all work that is undertaken by a sub-group must be approved at the Forum.
- 9.5. The administration and logistics of sub-groups will be arranged by the sub-group itself.

## **10. Communication.**

- 10.1. All communication received and sent by the Forum must be noted and/or approved at meetings of the Forum. Correspondence having then been agreed at the Forum, it should be sent by the Chair or Secretary on behalf of the Forum.
- 10.2. The timing of requests for advice or consultations may not always correspond with the Forum's meeting cycle. Liaison with the appointing authority in preparing the forward work programme and setting meeting dates should minimise this. The Forum may also

anticipate the need for advice and plan ahead by developing (and keeping under review) generic “position statements” setting out advice on broad principles or key issues which can be used, when appropriate, for responding when advice is required between forum meetings.

10.3. The Chair may discuss the handling of the issues with other forum members by telephone, e-mail, social media etc. Depending on the importance of the issues raised it may be decided that:-

- the issue should be added to the agenda of the next Forum meeting;
- previous advice or a pre-agreed position statement provides adequate or interim advice.

10.4. In the event that communication as described in paragraph 10.2 is required, 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 3.3. Any communication sent in this manner must still be noted at a meeting of the Forum.

10.5. Chairs of sub-groups may write to third parties on routine matters e.g. seeking information, booking venues, inviting guests, but must not offer the views of the Forum.