

Warwickshire, Solihull and Coventry Local Access Forum

TERMS OF REFERENCE

revisions approved by the Forum on 11 May 2006 and 5 October 2006.

1 Title

1.1 The Warwickshire, Solihull and Coventry Local Access Forum.

2 Reference Area

2.1 The County of Warwickshire, Borough of Solihull and City of Coventry (“the Area”).

3 Status

3.1 The Warwickshire, Solihull and Coventry Local Access Forum (“the Forum”) will be a statutory advisory body having no executive functions, administered by Warwickshire County Council. Established under section 94 of the Countryside and Rights of Way Act 2000 and Statutory Instrument 2002 No 1836 The Local Access Forums (England) Regulations 2002.

4 The Role of Warwickshire County Council, Solihull Metropolitan Borough Council and Coventry City Council (“the Appointing Authorities”)

4.1 Provide a Secretary and other officer support to the Forum.

4.2 Prescribe a system of voting by which the Forum can take decisions.

4.3 Arrange a venue for meetings with full and appropriate facilities.

4.4 Organise and advertise the Forum meetings.

4.5 Ensure that the Forum operates openly.

4.6 Establish a selection panel who will appoint members equitably according to selection criteria and the member’s purpose and role.

4.7 Reimburse reasonable expenses incurred by members in attending meetings of the Forum and other approved activities, including travel, subsistence and dependent care, in the course of members undertaking their duties. The total cost of these expenses will be shared equally between the Appointing Authorities.

4.8 Reimburse the cost of places on organised training courses considered appropriate and necessary by the Chair and Vice-chair. The total cost of these expenses will be shared equally between the Appointing Authorities.

4.9 Publish an annual report on the Forum’s activities.

5 Membership of the Forum

- 5.1 The Forum will consist of no fewer than 17 and no more than 22 members, including an elected member (Councillor) representing each of the Appointing Authorities.
- 5.2 Membership will be balanced to avoid dominance by any single interest group and encourage cross-sectional interests that will include a broad range of experience and interests in recreational use of the countryside, land management and other relevant interests (e.g. tourism, local transport, enterprise and economy, health, people with mobility/disability issues, urban access etc).
- 5.3 Members appointed will be those that appear to the Appointing Authorities to be representative of the interests of:
 - 5.3.1 Users of local public rights of way and the new access land.
 - 5.3.2 Owners and occupiers of countryside mapped as access land or land crossed by rights of way.
 - 5.3.3 Any other interest especially relevant to the Area.
- 5.4 Forum members will be appointed by a selection panel who will assess if applicants have sufficient experience of countryside access issues to make an informed and constructive contribution to improving access provision. This assessment will be based on an application form and selection criteria. The selection process will aim to ensure a reasonable balance between members representing the interests in paragraphs 5.3.1 and 5.3.2 above.
- 5.5 Members will act in the best interests of the people of the Area and not through individual interest agendas. Members of the Forum, once appointed, will be acting in an individual capacity, with the exception of Appointing Authority elected members who shall represent their Authority.
- 5.6 Members who have a personal interest, whether direct or indirect, in any matter to be discussed by the Forum shall disclose the nature of the interest to the meeting. The regulations do not prohibit members from participating in the discussion but it is necessary that the member's interest is made known to other members of the Forum and will normally be recorded in the minutes of the meeting.
- 5.7 Members will be expected to confirm their support to the positive purpose of the Forum, commit to working within the Terms of Reference and through constructive working with other members.
- 5.8 Members must be willing to commit the necessary time to attend meetings, training etc. and be willing to actively contribute to produce outputs.
- 5.9 Members must be prepared to disseminate information, recommendations and advice to the Forum from the members of their own group, organisation or area of interest and vice versa.

- 5.10 Members must be prepared, within reason, to work up ideas or actions outside of the confines of the Forum, reporting back as necessary.
- 5.11 Members will respond quickly and efficiently to reasonable requests for information from the Secretary.
- 5.12 Members will be appointed for up to three years, with the option of reappointment at the Appointing Authorities' discretion. The Forum's membership and operation will be reviewed periodically by the Appointing Authorities to ensure that the Forum remains relevant to the needs of the Area.
- 5.13 The Forum will have a Chair and Vice-Chair appointed by nomination and election from amongst members of the Forum. The Chair and Vice-Chair will be elected annually, and will not be from the same interest group and will not be elected representatives of the Appointing Authorities.
- 5.14 Members may have their appointments terminated because of prolonged absences from meetings or misconduct. Removal of members from the Forum must be agreed in writing by the Chair or Vice-Chair and the Secretary.
- 5.15 Members will be expected to give notice in writing to the Secretary should he/she wish to resign from the Forum.

6 Role and Responsibilities of the Forum

- 6.1 To give advice on the implementation, management and review of the statutory right of open access to the countryside.
- 6.2 To assist the Countryside Agency (and, subsequently, Natural England) in respect of local restrictions on access to the countryside.
- 6.3 To provide advice to the Appointing Authorities on the preparation of Rights of Way Improvement Plans (ROWIP) by:
 - 6.3.1 Assisting with the review of the public rights of way network within the Area, including commenting on the extent to which it meets the present needs of the public.
 - 6.3.2 Evaluating the likely future needs of users of public rights of way.
 - 6.3.3 Evaluating the results of any public consultation on the draft ROWIP and any particularly significant issues arising from it.
 - 6.3.4 Commenting on action plans that follow from the review and assist with their implementation.

- 6.4 To comment and give advice on the development and implementation of recreation and access strategies which:
- 6.4.1 Set public rights of way and open access in a broad context, integrating provision for access, open-air recreation, tourism, health and public information.
 - 6.4.2 Ensure provision is made for all users, and reflects the needs of local people.
 - 6.4.3 Addresses the co-ordinated use of resources to deliver integrated recreation and access provision and management.
 - 6.4.4 Take account of the need to provide access by public and private transport in a sustainable manner whilst preserving the amenities in the rural villages and countryside.
- 6.5 As a statutory consultee, to comment on proposed Gating Orders under the Clean Neighbourhoods and Environment Act 2005.
- 6.6 The Forum will aim to:
- 6.6.1 Develop a constructive and inclusive approach to the improvement of recreational access to the countryside within the Area.
 - 6.6.2 Adopt inclusive and consistent approaches with neighbouring Access Forums.
 - 6.6.3 Disseminate its advice to Members of the Appointing Authorities and other bodies as appropriate.
 - 6.6.4 Seek specialist technical advice when needed and appropriate.
 - 6.6.5 Work as a cohesive team engaging in constructive debate, seeking consensus on all reports where possible, but highlighting areas of divergence in all reports.
 - 6.6.6 Carry out its business by discussion and consensus without the need for frequent formal voting. However, where this is not possible, each member of the Forum present at a meeting shall be entitled to exercise one vote. Voting on any issue shall be determined using the simple majority method by show of hands. In the event of an equality of votes the Chair shall have a casting vote.

7 Administration

- 7.1 The Forum is required to hold at least three meetings per year. The frequency of the meetings can be reviewed by the Forum.
- 7.2 A meeting shall not be quorate and no decisions may be taken unless there is at least fifty percent of the membership present. If there are fewer members present the meeting may proceed and any proposals will be carried forward to the next quorate meeting.

- 7.2a The Secretary may call an extraordinary meeting of LAF members in the event that
- the LAF is a Statutory Consultee **AND**
 - where the deadline for a Statutory Consultation e.g. Gating Orders is before the next scheduled ordinary meeting of the LAF **AND**
 - where the Chair or, in their absence, the Vice-Chair of the LAF is in agreement.
- Such a meeting will be called a “Statutory Consultee Meeting”. A Statutory Consultee Meeting shall be quorate if four or more LAF members are present, provided that more than one interest is represented.
- 7.3 Agendas will be agreed between the Chair and the Secretary.
- 7.4 Members of the Forum may request items for inclusion in the agenda of any meeting, provided that they inform the Secretary no later than fifteen working days before the meeting. Agendas and any relevant papers will be circulated to members no later than ten working days before any meeting. Items can be added to the agenda at the meeting in cases where the Chair believes they should be considered as a matter of urgency.
- 7.5 Meetings will be advertised in advance on the Appointing Authorities websites.
- 7.6 The meetings of the Forum and any committees established will be open public meetings. However the Chair retains the power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.
- 7.7 An open Question and Answer session will be held at the beginning of each meeting, normally for up to fifteen minutes, where members of the public may ask questions on any subject related to the work of the Forum. The Chair may reduce or increase this time limit with regard to the number of people wanting to speak. Speakers must keep to the subject, avoid using offensive or abusive language, and keep to time.
- 7.8 The Chair may invite observers to the meeting when appropriate.
- 7.9 Observers will be able to contribute to the proceedings at the discretion of the Chair.
- 7.10 When the Chair is not present at a meeting, the Vice-Chair will chair the meeting and any role of the Chair above will be taken by the Vice-Chair. If neither is present at a meeting then the meeting will elect a Chair for that meeting.
- 7.11 Each Appointing Authority shall be responsible for determining which elected member (Councillor) sits on the Forum. Where they are unable to attend a meeting, they may send another elected member as a substitute.