

# TERMS OF REFERENCE

## 1 TITLE

- 1.1 The forum shall be known as the Herefordshire Local Access Forum

## 2 REFERENCE AREA

- 2.1 The County of Herefordshire.

## 3 STATUS

The LAF will be a Statutory Advisory Forum. It will provide advice and guidance to Natural England, the Secretary of State (e.g. DEFRA and the Highways Agency), Forestry Commission, English Heritage, Sport England, AONB's and parish, town and the Herefordshire Councils on how to make the countryside more accessible and enjoyable for open-air recreation in ways that have regard to social, economic and environmental interests. The LAF will encourage and assist access provision, giving advice on issues of particular local relevance.

## 4 THE ROLE OF HEREFORDSHIRE COUNCIL

- 4.1 To prescribe a system of voting by which the LAF can take decisions.
- 4.2 Appoint members according to selection criteria that assess if candidates have sufficient experience of access to the countryside in the local area to be able to make informed and constructive contributions to improving access provision.
- 4.3 Provide a venue for meetings with full and appropriate facilities.
- 4.4 Organise and advertise the LAF meetings.
- 4.5 Set the agenda for the LAF and take minutes.
- 4.6 Ensure that the LAF operates openly.
- 4.7 Provide a dedicated officer to support the LAF.
- 4.8 Reimburse reasonable travel expenses incurred by members in attending meetings of the LAF and other approved activities, including subsistence and childcare in the course of members undertaking their duties.
- 4.9 Reimburse the cost of places on organised training courses considered appropriate and necessary by the Chair and the Secretariat.
- 4.10 Publish an annual report on the LAF's activities.
- 4.11 Formalise an 'associate' membership Forum for all those authorities/organisations/individuals who have requested links with the Herefordshire LAF.
- 4.12 Provide an initial response to any comments or suggestions/questions made by the HLAF within 28 days.

## 5 MEMBERSHIP OF THE LAF

- 5.1 The LAF will consist of no fewer than 10 and no more than 22 members.
- 5.2 Membership will be balanced to avoid dominance by any single interest group and include cross-sectional interests.
- 5.3 Members will act in the best interests of the people of Herefordshire and not through individual interest agendas.
- 5.4 The appointment of Council Members to the Local access Forum will be included in the process of appointing councillors to outside bodies.
- 5.5 A Chairman and Vice-Chairman for the LAF will be elected by the LAF from amongst those persons appointed to be members. Their terms of office will also be decided by

- the LAF, with a time limit provided by the length of time that they were appointed to serve as members.
- 5.6 LAF members will commit necessary time and will be willing to 'work' to produce outputs.
  - 5.7 LAF members will represent a broad range of experience and interests in recreational use of the countryside, land management and other relevant interests (e.g. tourism, local transport, health, disabled).
  - 5.8 Members will be expected to confirm their support to the positive purpose of LAF's, commit to working within the Terms of Reference and through constructive working with other members and devote necessary time to attend meetings, training etc.
  - 5.9 Members must be prepared to take back information/recommendations/ advice from the LAF to the members of their own group or organisation or area of interest.
  - 5.10 Members must be prepared to bring forward information/recommendations/ advice to the LAF from the members of their own group or organisation or area of interest as appropriate.
  - 5.11 Members must be prepared to work up ideas or actions outside of the confines of the meeting of the Forum, reporting back as necessary.
  - 5.12 Members will respond quickly and efficiently to requests for information from the Secretariat.
  - 5.13 The Herefordshire Council will regularly review membership of the LAF, with formal reviews every 3 years. Each appointment of a member shall be for a period of one to three years, with the option of renewal on expiry in each case.
  - 5.14 Members of the LAF may have their appointments terminated because of prolonged absences from meetings, including working groups, and misconduct.
  - 5.15 Members of the LAF who are directly or indirectly interested in any matter brought up for consideration at a meeting of the forum shall disclose the nature of their interest to the meeting.
  - 5.16 Removal of members from the LAF must be agreed in writing by the Chairman and the selection panel.
  - 5.17 Members will be expected to give 3 months notice in writing should he/she wish to leave the LAF.
  - 5.18 Half of the Forum members must be present to form a quorum.

## **6 ROLE AND RESPONSIBILITIES OF THE FORUM**

- 6.1 To give advice on the strategic development and implementation of recreation and access provision which;
  - 6.1.1 Sets right of way and open access in a broad context, integrating provision for access, all forms of open-air recreation, transport, tourism, health and public information.
  - 6.1.2 Ensures provision is made for all users, and reflects the needs of local people.
  - 6.1.3 Addresses the co-ordinated use of resources to deliver integrated recreation and access provision and management.
  - 6.1.4 Considers the needs of all users of land and water based open air recreation
- 6.2 To give advice on public access to land in the area for 'any lawful purpose' other than the purposes mentioned above. (For mechanically propelled vehicles this is limited to BOAT's)
- 6.3 It will work to;
  - 6.3.1 Develop a constructive and inclusive approach to the improvement of recreational access to the countryside.
  - 6.3.2 Respect local circumstances and different interests while operating within national guidance
  - 6.3.3 Engage in constructive debate and seek consensus wherever possible.
  - 6.3.4 Where consensus is not possible, make clear the nature of the differing views and suggest how they might be resolved.

- 6.4 It will work to improve the public rights of way network as required by the Countryside and Rights of Way Act by:
  - 6.4.1 Assisting with the review of Herefordshire's public rights of way network, including commenting on the extent to which the network meets the present and likely future needs of the public;
  - 6.4.2 Assisting with the regular review of the Rights of Way Improvement Plan;
  - 6.4.3 Evaluating the results of any public consultation and any particularly significant issues arising from it;
  - 6.4.4 Assist in the implementation of actions arising from the Rights of Way Improvement Plan.
- 6.5 It will assist the implementation, management and review of the statutory right of Open Access to the countryside by:
  - 6.5.1 Providing advice to the Council, Natural England and other section 94(4) bodies;
- 6.6 It will assist Natural England in respect of local restrictions of access to the countryside by:
  - 6.6.1 Identifying any local issues that need to be taken into account in deciding how best to implement any advice received from Natural England and English Heritage and in considering applications made on land management grounds, where consulted;
  - 6.6.2 Advising on the consistency and general approach that the Natural England is taking;
  - 6.6.3 Helping to identify best practice for the management of access restrictions in Herefordshire.
- 6.7 The LAF will aim to:
  - 6.7.1 Develop a constructive and inclusive approach to the improvement of recreational access to the Herefordshire countryside;
  - 6.7.2 Adopt an inclusive and consistent approach with neighbouring Access Forums;
  - 6.7.3 Disseminate its advice to Members of the Council and other bodies as appropriate;
  - 6.7.4 Seek specialist technical advice when needed and appropriate;
  - 6.7.5 Work as a cohesive team engaging in constructive debate, seeking consensus on all reports;
  - 6.7.6 Where consensus is not possible, issues will be decided by vote.

## **7 Administration**

- 7.1 The LAF will meet 3-4 times a year as necessary. The frequency of the meetings can be reviewed by the LAF
- 7.2 Agendas will be agreed between the Chairman and the Secretariat.
- 7.3 The LAF will be open to the public and advertised in advance
- 7.4 Past agendas, papers and minutes of meetings will be available to the public
- 7.5 Questions must be sent to the Herefordshire Council in advance of the LAF
- 7.6 The Chair will invite observers to the LAF when appropriate
- 7.7 Observers will be able to contribute to the proceedings at the discretion of the Chairman
- 7.8 Minutes of the Forum meetings will be considered by the Herefordshire Council's Cabinet/Policy Advisory Group/Scrutiny Committee/Local Area Committee as appropriate
- 7.9 The LAF will prepare an annual report on its activities. This will be published by the Herefordshire Council