

Information about Brighton & Hove Local Access Forum

Introduction

The Countryside and Rights of Way Act 2000 places a duty on Highway Authorities and National Park Authorities for any area to establish a Local Access Forum for that area. The Act defines these authorities as appointing authorities. The forum will be an advisory body with no executive powers. However the appointing authority and the Countryside Agency must have regard to the advice of the forum.

The main purpose of the Forum will be to give advice on the improvement of public access in the area. Some of the issues that may be addressed include

- i) Management of Access Land
- ii) Rights of Way Improvement Plans
- iii) Recreation, transport and access strategies
- iv) Appointment of wardens on access land
- v) Local restrictions
- vi) Proposals for bylaws on access land

The forum will be able to set its own agenda and give advice on any issues concerning public access that it feels falls within its remit.

The forum will, in carrying out its function, have regard to

- i) the needs of land management
- ii) conserving the natural beauty
- iii) protection of flora and fauna, and geographical and physiographical features
- iv) guidance given by the Secretary of State

South Downs National Park

The National Park Authority has a statutory duty to establish a local access forum. Concurrently there are statutory fora established by Brighton & Hove City Council, East & West Sussex and Hampshire County Councils.

The intention is for there to be close links between these fora with observers from each attending the South Downs Forum. There will also be one member from each of them who will also be a member of the South Downs Forum.

Membership

The membership must have a balance of numbers between members who are landowners and members who are countryside users. Elected members of the Council may be members of the forum (maximum 3). The following balance is desired:

Landowner/occupier
User representatives
Others (inc. elected members)

A chairman and vice-chairman is elected at the AGM meeting of the forum.

Members will have an active interest in countryside issues. They may have a background in land management, recreation, conservation or rural business. They may possibly have a range of interests in the use of the countryside or bring a fresh approach from groups not normally associated with or excluded from countryside access.

Members will be expected to be able to work towards consensus and be part of a team. They will have the ability to liaise with others and discuss and disseminate information.

Members will not be expected to simply be representatives of their particular interest group but to act in an individual capacity aiming towards forming advice which will benefit the people of Brighton & Hove.

Timetable for Meetings

The forum has a duty to meet at least twice a year. Brighton & Hove LAF meets quarterly, with working group meetings tabled as necessary.

Secretariat

Secretarial and administrative work will be carried out by the Rights of Way Officer with help from colleagues in the countryside service.

Brighton & Hove Local Access Forum

TERMS OF REFERENCE

1. **Title**

1.1 The Brighton & Hove Local Access Forum

2 **Reference Area**

2.1 The Unitary Authority of Brighton & Hove although the forum may have a wider outlook on cross-boundary issues

2.2 The Brighton & Hove Access Forum (“The Forum”) will be a statutory advisory body having no executive functions administered by Brighton & Hove City 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.

3 **The Role of Brighton & Hove City Council**

3.1 Provide a secretariat and other officer support to the Forum.

3.2 Provide a venue for meetings with full and appropriate facilities.

3.3 Organise and advertise the Forum meetings.

3.4 Ensure that the Forum operates openly.

3.5 Establish a selection panel who will appoint members.

3.6 Reimburse reasonable expenses incurred by members attending meetings of the Forum and other approved activities, including travel, subsistence and dependent care, in the course of members undertaking their duties.

3.7 Reimburse the cost of places on organised training courses considered appropriate and necessary by the Chair and Vice-chair.

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

4 **Membership of the Forum**

- 4.1 The Forum will consist of no fewer than 8 and no more than 22 members.
- 4.2 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, disabled people).
- 4.3 Members appointed will be those that appear to the appointing authority to be representative of the interests of a) users of local public rights of way and the new access land; b) owners and occupiers of countryside mapped as access land or land crossed by rights of way; or c) any other interest especially relevant to Brighton & Hove's countryside.
- 4.4 Forum members will be appointed by a selection panel who will assess if applicants have sufficient experience of countryside access issues within Brighton & Hove to be able to make an informed and constructive contribution to improving access provision. This assessment will be based on the application form and selection criteria. The selection process will aim to ensure a reasonable balance between the number of members representing the interests in paragraph 5.3(a) above, and those representing the interests in 5.3(b). The regulations contain no provision for the appointment of 'independent' members.
- 4.5 Members will act in the best interests of the people of Brighton & Hove and not through individual interest agendas. Members of the Forum, once appointed, will be acting in an individual capacity rather than as a representative of a particular organisation.
- 4.6 Members who have 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 that member 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.

- 4.7 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.
- 4.8 Members must be willing to commit the necessary time to attend meetings, training etc. and be willing to actively contribute to produce outputs.
- 4.9 Members will not be able to send deputies to the meetings of the forum.
- 4.10 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.
- 4.11 Members must be prepared, within reason, to work up ideas or actions outside of the confines of the Forum, reporting back as necessary.
- 4.12 Members will respond quickly and efficiently to reasonable requests for information from the Secretariat.
- 4.13 The Forum's membership and operation will be reviewed by the City Council periodically to ensure that the Forum remains relevant to the needs of the area.
- 4.14 The Forum will have a Chair and a Vice-chair appointed by nomination and election from amongst members at the AGM meetings of the Forum. The Chair and the Vice-chair will each be elected for a period of one year. The Chair and Vice-chair should not be from the same interest group. When the term of office has expired or either post has become vacant for any reason, both posts will put forward for re-election. Individual members may only be elected to either post for a maximum of three consecutive years.
- 4.15 Members may have their appointments terminated because of prolonged unauthorised absences from meetings or misconduct.

Removal of members from the Forum must be agreed in writing by the Chair, Vice-chair and the City Council.

- 4.16 Members will be expected to give at least one months notice in writing to the appointing authority should he/she wish to resign from the Forum.

5 **Role and Responsibilities**

5.1 **To give advice on the implementation, management and review of the statutory right of Open Access to the countryside by acting as a consultee for Natural England by;**

- 5.1.1 Providing advice to the City Council and Natural England;

- 5.1.2 Reviewing the maps of Open Access land.

5.2 **To assist the Natural England in respect of local restrictions on access to the countryside by;**

- 5.2.1 Identifying relevant issues that need to be taken into account in deciding how best to implement any advice received from Natural England, and in considering applications made on land management grounds, where consulted;

- 5.2.2 Helping to identify best practice for the management of access restrictions in Brighton & Hove.

5.3 **To provide advice to Brighton & Hove City Council on preparation of a Rights of Way Improvement Plan by;**

- 5.3.1 Assisting with the review of Brighton & Hove's public Rights of Way network, including commenting on the extent to which it meets the present needs of the public;

- 5.3.2 Evaluating the likely future needs of users of public rights of way;

- 5.3.3 Evaluating the results of any public consultation on the draft plan and any particularly significant issues arising from it;

- 5.3.4 Commenting on action plans that follow from the review and assist with their implementation.
- 5.4 **To give advice on the development and implementation of recreation and access strategies which;**
 - 5.4.1 Sets public rights 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;
 - 5.4.2 Ensures provision is made for all users, and reflects the needs of local people;
 - 5.4.3 Addresses the co-ordinated use of resources to deliver integrated recreation and access provision and management.
- 5.5 **The Forum will aim to;**
 - 5.5.1 Develop a constructive and inclusive approach to the improvement of recreational access to the Brighton & Hove countryside;
 - 5.5.2 Disseminate its advice to Members of the City Council and other bodies as appropriate;
 - 5.5.3 Seek specialist technical advice when needed and appropriate;
 - 5.5.4 Work as a cohesive team engaging in constructive debate, seeking consensus on all reports.
 - 5.5.5 It should be the aim of the Forum to 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 second or casting vote.

6 **Administration**

- 6.1 No meeting shall conduct business unless there are i) at least one half plus one of the membership present and ii) the Chair or Vice-chair is present.
- 6.2 Agendas will be agreed between the Chair, Vice-chair and the Secretariat.
- 6.3 Members of the Forum may request items for inclusion in the agenda of any meeting provided that they inform the Secretariat no later than eight working days before any meeting.
- 6.4 Meetings will be advertised in advance on the City Council's website and be accessible to the public.
- 6.5 Agendas, papers and minutes of the meeting will be available to the public on the City Council's website and office as specified in the regulations.
- 6.6 The Meetings of the Forum and any sub-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 the meeting.
- 6.7 Members of the public will not be able to speak at the meetings, except where they have given two working days notice to the Secretariat. This will normally be limited to 5 minutes and relate to an item on the published agenda. The Chair may reduce this time limit because of the length of the agenda or the number of people wanting to speak. Speakers must keep to the subject, avoid using offensive or abusive language, and keep to time.
- 6.8 An open Q&A session will be held at the end of each meeting, normally for fifteen minutes, where members of the public may ask direct 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.
- 6.9 The Chair and Vice-chair will invite observers to the meeting when appropriate.

6.10 Observers will be able to contribute to the proceedings at the discretion of the Chair, but will not be able to vote.

PERSON SPECIFICATION

Membership of Brighton & Hove Local Access Forum

CRITERIA	ESSENTIAL	DESIRABLE
Knowledge	<ul style="list-style-type: none"> • Knowledge of countryside issues, particularly in Brighton & Hove • Knowledge of access to the countryside and the interrelationship between recreation, land management, conservation and other issues 	<ul style="list-style-type: none"> • Knowledge of more than one countryside interest group
Experience	<ul style="list-style-type: none"> • Active professional or voluntary interest in the countryside • Experience of recreational, land use, conservation or tourism in the countryside 	<ul style="list-style-type: none"> • Experience of dealing with and discussing strategic issues • Experience of fundraising • Experience of attending formal (public) meetings
Skills	<ul style="list-style-type: none"> • Good communication and interpersonal skills at all levels. 	
Abilities	<ul style="list-style-type: none"> • Ability to reach consensus with people of differing viewpoints • Ability to liaise with relevant groups and disseminate information • Ability to commit time over next three years to attend meetings, training and to networking with outside organisations 	
Other Attributes	<ul style="list-style-type: none"> • Genuine interest in improving access to the countryside • Commitment to an inclusive attitude to providing access for enjoyable open air recreation for all 	

Applications from people who have specific knowledge of groups who are normally excluded from using the countryside or of non-traditional users will be considered who do not have countryside knowledge but can demonstrate an ability to contribute towards an inclusive access strategy.