Northamptonshire County Council Obligations & Governance Review of Northamptonshire Local Access Forum

Northamptonshire Country Council (NCC) has obligations under ‘The Local Access Forum (England) Regulations 2007’ (Statutory Instrument 2007 No 268) to have a Local Access Forum (LAF) for the county. These are advisory bodies established under section 94 of the Countryside and Rights of Way Act 2000 (the “CROW Act”) and operate in accordance with the provisions of that Act, and the Local Access Forums (England) Regulations 2007.

NCC is the ‘Appointing Authority’ for the Northamptonshire Local Access Forum (NLAF) and under the 2007 Regulations has functions which it needs to support and fund for the operation of NLAF. NLAF has been operating since approx. 2008 with secretary and administrative function being delivered by Northamptonshire Highways, which has since undergone significant restructuring.

The Local Access Forums are advisory bodies whose statutory function is 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, to the following bodies referred to as section 94(4) bodies which includes: the appointing authority – being a highway authority or National Park authority; any county, unitary, district or borough council within the area of the forum; the Secretary of State as well as “executive agencies”; Natural England, the Forestry Commission and English Heritage. And makes provision for the LAF to advise Sport England, Area of Outstanding Natural Beauty (AONB) Conservation Boards and Parish and town councils.

These bodies are required by CROW to have regard for any relevant advice given to them by the forum. This means that although not bound to follow advice given, they are legally required to take it into account in carrying out their functions.

The members shall be persons who appear to the appointing authority to be representative of—

a) users of local rights of way or the right conferred by section 2(1) (rights of public in relation to access land);
b) owners and occupiers of access land or land over which local rights of way subsist; or
c) Any other interests especially relevant to the authority’s area (or to any of the authorities’ areas, in the case of a joint local access forum).

The advice which forums give should fall within one (or more) of the following categories:

a) Improvement of public access (whether on foot or by horse, cycle, mechanically propelled vehicle or any other lawful means) to land in the area for the purposes of open-air recreation and the enjoyment of the area;
b) public access to land in the area for any other lawful purpose (whether on foot, horse, cycle or by any means other than by mechanically propelled vehicle);
c) public access to land in the area by means of a mechanically propelled vehicle for any other lawful purpose, but only insofar as the access relates to byways open to all traffic (BOAT).
NLAF – Delivering meaningful outcomes for Local Access

- What are NLAF members looking to achieve being on the NLAF?
- What do NLAF members want forum ‘outcomes’ to be?

Whilst NLAF still operates recent member queries have raised questions: What is the current function of NLAF? What are its outcomes? What is the County Council’s role is shaping NLAF? And is it ‘Fit for Purpose’? As the running of NLAF utilises local government money there is a need to comply with rules and regulation, with clear records for auditable purpose, and demonstrating value for money, hence the review and recommendations set out below in the appendices.

The function of the Northamptonshire Local Access Forum (NLAF) is to advise Northamptonshire County Council, as appointing authority for the area, regarding matters affecting public access within the County.

The main remit of the group is to advise the county council, as well as district and borough councils, on the management of the county’s public rights of way. The advice of the group is to ensure the continued improvement and protection of public rights of way in Northamptonshire for the purposes of open air recreation and the enjoyment of the countryside.

Recent topics of discussion have included the government’s proposals for the new high speed rail network (HS2), the A43 Corby Link Road, the A509 Isham Bypass and Natural England’s Paths for...

It is set out in the regulations (6.1) that the LAF is to determine the format of its meetings and it’s forward plan of work however in order to try and ensure meaningful outcomes are set up and delivery/impact can be assessed it is proposed that NLAF operate meetings with a bit more structure and have forward plan to allow other interests of the group to be explored.

**Proposed Standardising Order of Business /Agenda**

**Standing Orders of Business**

- Progress of Issues and Actions raised, Declaration of Interest - directly or indirectly, Review of RoW issues identified, diversion/modifications (TRO) recommendations. Creating a Forward plan of RoW to walk and review to identify missing links and issues for accessibility and report to NCC. Providing update of issues facing local authority, restructure of services, legislation changes, budgets for RoW etc. and addressing Membership/Governance issues.

Regular/Annual presentation on issues the forum want to know more about i.e. Major planning applications - Major Road Schemes - County and District level issues a identified by NLAF – inviting appropriate officers to present.

Set a forward plan for the group of areas for exploration e.g.

- Assessing the extent to which local rights of way meet present and likely future needs of the public, Lost Ways and recommendations. Looking at cross boundary liaison with other LAFs for support & campaigning Government. Commenting on opportunities for access to the open spaces from within towns as well as consider Recreational and Utilitarian access issues. Assisting the Highways Authority in setting priorities for implementing their Local Transport Plans (Northamptonshire Transport Plan and daughter documents). Commenting on draft improvement plans (RoWIP) prior to publication. Commenting on the results of public consultation of the draft plans as well as Land use planning, Planning applications / Local Development Frameworks.
Members Issues and outcome Log
There should be regular reporting back to the Forum about steps taken as a result of previous discussions and what the outcome was, this can feed into the LAF Annual Report.

<table>
<thead>
<tr>
<th>Date Raised</th>
<th>Issue</th>
<th>LAF Advice</th>
<th>Member/Officer responsible</th>
<th>NCC Response</th>
<th>Outcome</th>
</tr>
</thead>
</table>

Meetings shouldn’t be a way to side step functions already in place – Street Doctor etc. but it’s important that a flow chart for escalation of issues/advice arising and reporting back – identify correct channels for escalation.
- Quick identification of none county council issues (Borough/District open space, Highways England, Network Rail) and identification of correct contact for escalation by members.
- Management of expectations for scale of county council actions (cost of enforcement/success of enforcement etc.)

Supporting Information:

Appendix 1: Northamptonshire Local Access Forum Governance Review
Ensuring NLAF functions in accordance with the Regulations and provide support as set in the Regulations including ensuring that: - Actions to agree

Appendix 2: Northamptonshire Local Access Forum Members Log
Ensuring NLAF member’s details and interests are logged - ACTION – update and add to Website

Appendix 3: Proposed Order of Business / Agenda
Ensuring effective use of group to address issues - ACTION – Agree and use

Appendix 4: Northamptonshire Local Access Forum – Terms of Reference
Shows current ToR that are not Compliant with 2007 Regulations and where NLAF are not Operating in Compliance - ACTION –Agree to change Terms of Reference to those in Appendix 5.

Appendix 5: For Consideration in addition/revision of Terms of Reference:
All sections must be made to comply with the 2007 Regulations, pick best practice from Defra 2007 guidance, and consider points picked up from research of other LAF’s. ACTION – Agree new ToR and add to Website

Appendix 6: Northamptonshire Local Access Forum (NLAF) Mileage Claims

Reference Documents:
The Local Access Forum (England) Regulations 2007’ (Statutory Instrument 2007 No 268)
LAF Terms of Reference August 2014
Rights of Way Improvement Plan 2007-11 – extended to 2017
Northamptonshire Transport Plan and Daughter Documents (published 2012-2014)
Northamptonshire Network Management Plan
Appendix 1: Northamptonshire Local Access For u m Governance Review: The Appointing Authority is to ensure the LAF functions in accordance with the Regulations and provide support as set in the Regulations including ensuring that:

<table>
<thead>
<tr>
<th>Obligation (LAF Regulations 2007)</th>
<th>NLAF Current Activity</th>
<th>Action / Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 The local access forum shall consist of at least 10 and not more than 22 members – ensuring care for the regulation regarding maximum number of members of a LAF who may also be members of a district or county council (3.1)</td>
<td>Website indicates 7 member but 2 have attended 1 or less meetings since sept 2014.</td>
<td>NLAF members to confirm they are still committed and NCC to increase members to 10 ** Action Ongoing **</td>
</tr>
<tr>
<td>2 The number of members of a local access forum falls below ten at any time, the appointing authority must, appoint a new member or members. (3.3)</td>
<td>Membership is below 10 with no recruitment</td>
<td>NCC must undertake advertising of any the vacancy for members to the LAF to ensure membership is over 10. Adverts in such newspapers circulating in the authority’s area as they consider appropriate; and on the County Council website. Existing members to recommend any parties they feel may be interested and approach them to apply to become members. ** Areas to be approached Directly by NCC: BC/DC Rural Forums, Northamptonshire ACRE, NFU, Horse Riding schools/groups, Parish Councils, Young Farmers, Public Health, volunteer groups, Ramblers, Forestry Commission, Canal &amp; Rivers Trust, CTC, Groundwork’s, NCC Country Parks, local disability groups, local walking or cycling groups. And any other area identified by NLAF members ** Action Ongoing **</td>
</tr>
<tr>
<td><strong>3</strong></td>
<td>The appointing authority must ensure a reasonable balance is maintained between the numbers of members appointed in each of these representative groups. (3.6)</td>
<td>Unsure of current interests</td>
</tr>
</tbody>
</table>
| **4** | Save as provided in the regulations, the terms of appointment of a member of a local access forum shall be determined by the appointing authority and notified in writing.  
- A member of a local access forum shall be appointed for not less than one and **not more than three years**.  
- An appointing authority may re-appoint a person who ceases to be a member of a local access forum on the expiry of his term.  
- A member of a local access forum may resign by notice in writing to the appointing authority for the area of the forum at the time of the member’s resignation. (4.1 & 4.4) | All Appointed August 2014 | TO DO  
Secretary to check members appointment details and add to website as per table proposed in Appendix 1  
If reappointing current member Secretary send new letter |
<p>| | | |</p>
<table>
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<tr>
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<th></th>
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</tr>
</thead>
</table>
| **5** | A local access forum must hold at least two meetings every year. (6.2) | Scheduled every 6 weeks (5/6 pa) meeting attendance NLAF members Plus: Representatives from Northamptonshire Highways plus Councillor has attended | **TO DO:**  
Review regularity in line with reviewing roles and function to 3-4 pa & Set dates for the year. |
| **6** | A local access forum must have a chairman and a vice-chairman, who must be appointed by election from amongst the members of the forum. (6.4 > 6.7) | Currently only Acting Chair | **TO DO:**  
**NLAF member to Discus** if they want to run election, or maintain Acting Chair while there is a recruitment drive |
| **7** | A member of a local access forum who is directly or indirectly interested in any matter brought up for consideration at a meeting of the forum must disclose the nature of his interest to the meeting. (6.8) | Part of Terms of Reference | Content this remains something to be declared as issue arises that would be conflict – would be part of order of business.  
**Secretary** to maintain record within Minutes  
**Action Ongoing** |
| **8** | A meeting of a local access forum shall be open to the public, subject to provisions set out in the regulations (7.1) | Set out in Terms of Reference Dates of meeting are on website | Website to be updated to make it clear public can attend, ensure details are correct for future meetings and locations so public are aware of where and when so could attend.  
**Secretary** to maintain web updates as needed  
**Action Ongoing** |
<p>| <strong>9</strong> | Copies of the agenda for a meeting of a local access forum and copies of any report for the meeting shall be open to inspection by members of the public at the offices of the appointing authority &amp; | Documents not currently made public prior to meeting, or even after however Minutes are online | <strong>NLAF member to agree</strong> to publishing Agenda etc. before meeting on website. |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Any such document must be open to inspection at least three clear days before the meeting except as subject to provisions set out in the regulations (7.4)</strong></td>
<td><strong>Do all agenda items supporting Documents need publishing? If so add to website – need awareness of Data Protection and Information Management</strong>&lt;br&gt;<strong>TO DO</strong>&lt;br&gt;Regulations mention printing however NCC are trying to limit unnecessary printing. <strong>NLAF to agree</strong> that online is ok for public and agree the amount of printing required for meetings. <strong>Secretary</strong> to action.</td>
<td></td>
</tr>
<tr>
<td><strong>10</strong></td>
<td><strong>After a meeting of a local access forum the following documents must be open to inspection by members of the public at the offices of the appointing authority until the expiration of the period of two years beginning with the date of the meeting, namely— minutes of the meeting; agenda for the meeting; any report for the meeting; and any other documents (8.1)</strong></td>
<td><strong>Only minutes online</strong>&lt;br&gt;<strong>TO DO</strong>&lt;br&gt;<strong>NLAF members to agree</strong> that updated Webpages to hold all this information and only print if there is a public request</td>
</tr>
<tr>
<td><strong>11</strong></td>
<td><strong>Employ a secretary for each LAF within their area. The secretary shall be responsible for the administration of the local access forum. But the secretary may not be; a member of the local access forum; or a member of the appointing authority (11.1)</strong></td>
<td>** Provided from Travel Choices team in Northamptonshire Highways**</td>
</tr>
<tr>
<td>12</td>
<td>Prepare an annual report on the discharge of its functions. The report shall be published by the local access forum’s appointing authority &amp; issued to Natural England within 21 days of the report being published.  (13.1 &gt; 13.2)</td>
<td>???</td>
</tr>
<tr>
<td>13</td>
<td>The appointing authority is responsible for making financial provisions to support any reasonable expenses incurred by the LAF or by the members of that forum.  - Provision of Secretary and necessary secretarial support to group activities.  - Room Hire and Refreshments  - Reasonable expenses incurred by the members of a local access forum are such expenses as are incurred by them in connection with their attendance at meetings of the forum and any other activities relating to the discharge of the functions of the forum, but only in respect of:  a. travel and subsistence costs; and  b. any expenses of arranging for the care of their children or dependants.  (12.1 &gt; 12.2)</td>
<td>NCC provide Secretary and room Expenses are in Terms of Reference but not paid</td>
</tr>
</tbody>
</table>
|   | A local access forum should have clear Terms of Reference (ToR) (DEfRA 2007 Guidance) | ToR are in place see Appendix 2. However they are not consistent with some of the Regulations. | **TO Agree:**  
**Revision of Terms of Reference** for NLAF to include Regulation requirements and best practices points set out in DEFRA Guidance, update roles & responsibilities, and to set out how the forum will record its activities and achievements.  
See Appendix 4 |
Appendix 2: Northamptonshire Local Access Forum – Membership Log

The correct administration of the NLAF means that each member must be un-instated and re-elected after a maximum of a 3 year period to keep the group open and fair.

Membership of the NLAF may be applied for from Northamptonshire County Council, whose responsibility it is to ensure there is a reasonable balance in the representation of the interests of public access user groups and landowner/occupier groups.

Members must serve in a personal capacity to represent public interests rather than the views of any particular organisations.

Current Members (Information needed to be published to meet regulations)

<table>
<thead>
<tr>
<th>Member</th>
<th>Key Areas of Interest / Representation</th>
<th>Appointment Date</th>
<th>Term End Date / Reappointment Review Date</th>
<th>Meetings attended Sept ’14 &gt; Nov ’16 (Max 10)</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Shenfield</td>
<td></td>
<td>August 2014</td>
<td>August 2017</td>
<td>10</td>
</tr>
<tr>
<td>(Acting Chair)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dave Knight</td>
<td></td>
<td>August 2014</td>
<td>August 2017</td>
<td>2</td>
</tr>
<tr>
<td>Robert Martin</td>
<td></td>
<td>August 2014</td>
<td>August 2017</td>
<td>3</td>
</tr>
<tr>
<td>Lisa Fell</td>
<td></td>
<td>August 2014</td>
<td>August 2017</td>
<td>7</td>
</tr>
<tr>
<td>Chris Glasspool</td>
<td></td>
<td>August 2014</td>
<td>August 2017</td>
<td>6 (member for 7)</td>
</tr>
</tbody>
</table>

Secretary – Provide by Travel Choices team in Northamptonshire Highways.

ACTION – UPDATE and add to Website
Appendix 3: Proposed Order of Business

**Northamptonshire Local Access Forum Order of Business - Agenda**

1: Attendance & Apologies

2: Standing Orders of Business
   - Declaration of Interest - directly or indirectly
   - Review of RoW issues, diversion/modifications (TRO) recommendations
   - Forward plan of RoW to walk and review to identify missing links and issues for accessibility and report to NCC. – Agree any site visits.
   - Update of issues facing local authority, restructure of services, legislation changes, budgets for RoW etc. and people to request attend for specific topic
   - Membership issues (mileage/governance)

3: (As Required) Presentation on Local Issues i.e.
   - i.e. Major planning applications/Road Scheme - County and District level

4. Forward plan
   - Annual Report – Timeline and items to include
   - Assessing the extent to which local rights of way meet present and likely future needs of the public, Lost Ways and recommendations
   - Cross boundary liaison with other LAFs for support & campaigning Government
   - Commenting on opportunities for access to the open spaces from within towns.
   - Consider Recreational and Utilitarian access issues
   - Assisting the Highways Authority in setting priorities for implementing their Local Transport Plans (Northamptonshire Transport Plan and daughter documents).
   - Commenting on draft improvement plans (RoWIP) prior to publication.
   - Commenting on the results of public consultation of the draft plans
   - Land use planning, Planning applications / Local Development Frameworks

5. Members Issues and Outcomes
   - Progress of Issues and Actions (see table below)

<table>
<thead>
<tr>
<th>Date Raised</th>
<th>Issue</th>
<th>LAF Advice</th>
<th>Member/Officer responsible</th>
<th>NCC Response</th>
<th>Outcome</th>
</tr>
</thead>
</table>

6. Matter added by members

7. Any Other business

**ACTION – Agree and use**
Appendix 4: Northamptonshire Local Access – Current Terms of Reference - August 2014

Highlights - None Compliant with 2007 Reg NLAF not Operating in Compliance

The Local Access Forum for the County of Northamptonshire shall be known as The Northamptonshire Local Access Forum (NLAF). The Local Access Forums (England) Regulations 2002 which came into force on 7th August 2002 and subsequent revisions will govern the operation of the Northamptonshire Local Access 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 open-air recreation and enjoyment of the area.

1.2 Respond to Natural England 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 open-air recreation.

2. Responsibilities

2.1 To have regard to the needs of land management, biodiversity, wildlife management and the interests of landowners.

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 there under.

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 a minimum of 17 and maximum of 22 members of whom 3 may be County or District 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.

3.3 Appointment to the forum will be for a period of three years. Vacancies will be filled as soon as they arise.
3.4 If a member does not attend for six months they will be asked to review their membership commitment. After non-attendance for one year their membership will be terminated.

4. Chair and Vice Chair

4.1 The Chair and Vice Chair will be drawn from Forum members and be elected by whichever method the Forum decides appropriate. The Chair and Vice Chair will represent different categories of interest and members of the appointing authority will not be eligible for either position. The period of appointment to these posts will be for 1 year that can be renewed for a further year, after which the post-holder cannot be elected to the same post for the subsequent year. If 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 at least twice every year, but more frequently if the Forum considers it necessary.

5.2 The meetings shall be deemed to be quorate when one third of the current membership (rounded down) is present.

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 council tax payers, rate payers or other inhabitants of the area. Personal interests will be recorded in the minutes but will not prohibit that member from taking part in the discussion of that item.

5.4 The chair in consultation with the forum and the secretariat will draft the agenda for NLAF meetings.

5.5 Copies of the agenda for each meeting, 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 agenda will be made available to the public no less than seven working days prior to a meeting being held.

5.1 Public Access to Meetings

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

5.1.2 Members of the public may submit questions to the Forum. The questions asked by members of the public must be on a subject pertinent to the Terms of Reference of the Northamptonshire Local Access. The questions must be submitted to the secretariat (Northamptonshire County Council) at least one working day prior to the NLAF meeting.

5.1.3 Members of the public who wish to speak on a particular subject may do so for a maximum of 3 minutes.
5.1.4 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.

5.1.5 A representative of the Rights of Way section, Northamptonshire County Council shall attend all meetings as an observer.

6. Secretary

6.1 The Secretary to the Forum will be responsible for the overall administration of the Forum including organising the meetings, drafting the minutes and other documents as required, and liaising with neighbouring Forums and the appointing authority.

6.2 Northamptonshire County Council will provide the secretariat.

7. Annual Report

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

7.2 The NLAF Annual Report shall be presented to the Cabinet of Northamptonshire County Council.

8. Expenses

8.1 Reasonable expenses associated with the normal work of the Forum may be reimbursed; for an expense claim to be processed, the associated work must be agreed in advance by the Forum.

**ACTION – Agree to change Terms of Reference to those in Appendix 5.**
Appendix 5: Proposed Revised Terms of Reference – July 2017

The Local Access Forum for the County of Northamptonshire is known as The Northamptonshire Local Access Forum (NLAF) was formed to comply with government legislation.


Operation of NLAF will comply with the guidance within these regulations and any subsequent revisions, NLAF will also see to adoption examples of Best Practice to ensure NLAF is operating in the most efficient and effective manner.

1. New Purpose / Aim
The Purpose/Aim of Northamptonshire Local Access Forum is......ADD

2. Role
2.1. Provide advice to the County Council on the improvement of public access to land within the County for the purpose of open-air recreation and enjoyment of the area.
2.2. Respond to Natural England on the draft maps of open country and registered common land.
2.3. In an advisory capacity, contribute to the development of the Rights of Way Improvement Plan for the County.
2.4. 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.
2.5. Advise on the promotion of opportunities for the appropriate use and enjoyment of the countryside.
2.6. Advise upon the appropriate management and maintenance of access to land in the County to which the public have access for open-air recreation.
2.7. NLAF will set their priorities and forward plan for investigations depending on local issues on an annual basis, but they will endeavor to respond to consultations and draft policy documents. When making recommendations, NLAF members will consider land use, as well as the need to conserve flora, fauna, geological and physical features.
2.8. NLAF will provide advice to Section 94 bodies being:
- The Appointing Authority (Northamptonshire County Council)
- Any County, Borough, District, Unitary within the area of the Forum
- The Secretary of State (meaning any Government Dept. with Secretary of State)
- Natural England
- Forestry Commission
- English Heritage
- Regulation 21 also permits advice to:
  - Sport England (English Sports Council)
  - Area of Outstanding Natural Beauty (AONB) Conservation Boards
  - Parish and Town Councils
2.9. Advice to Section 94 Bodies will be one or more of the following
  - Improvements to Public Access to land (by foot, cycle, horse or mechanically propelled vehicle that is lawful to status of the land) for purpose of recreation and enjoyment
  - Public Access to land for lawful purposes
  - Public Access to land by mechanically propelled vehicle for Byways open to Traffic
2.10. NLAF Advice to Section 94 bodies will be sent with clarity surrounding their advice
This Letter Constitutes formal advice from the Northamptonshire Local Access Forum. (Insert name of section 94 body) is required in accordance with section 94 (5) of The Countryside and Rights of Way Act 2000, to have regard to the relevant advice from this forum in carrying out its functions.

3. Responsibilities
3.1. To have regard to the needs of land management, biodiversity, wildlife management and the interests of landowners.
3.2. Take into account statutory guidance issued by the Secretary of State whilst operating within the Countryside and Rights of Way Act and regulations made there under.
3.3. Respect local circumstances as well as environmental, social, economic and educational interests.
3.4. Members are not on the Forum to express their own views, pursue their own enthusiasms or pet projects, or resolve personal issues. Members are there to speak for everyone, not just the concerns of their own community group, i.e. Land management representatives must think beyond their own land holdings and express the views of the land management community.
3.5. Members must take active steps to stay in touch with the community they represent so that they can convey its views to the Forum
3.6. Members of the County Council can be appointed to serve on the Forum, but these members must be clear if they are represent ‘public agency’ interests or ‘community’ interests in their responses.
3.7. Forum members will ensure that time invested in NLAF is worthwhile and that advice makes a positive contribution to decisions affecting the local area. NLAF should therefore consider and agree criteria against which to measure their effectiveness, namely the amount, relevance, range of advice given; feedback from section 94(4) bodies; assessments of where advice has made a difference, and actions taken in response to issues raised.
3.8. NLAF will ensure they remain up to date with policies and wider political and local changes affecting Northamptonshire County Council and Northamptonshire Highways services to ensure they remain effective in providing advice.
3.9. Members will not use meetings to side step escalation functions already in place – Street Doctor etc.

4. Membership of the Forum
4.1. The Forum shall consist of a minimum of 10 and maximum of 22 members of whom 3 may be County or District councillors. A record of Members appointment terms and interests will be recorded and kept up to date on the NLAF Webpages.
4.2. 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.
4.3. Authority Officer Membership is permitted however there are restrictions.
   4.3.1. If NLAF has no more than 16 members, can have 2 Authority Officer Members
   4.3.2. If over 17 can have 3 Authority Officer Members
4.4. Appointment to the forum will be for a period of three years, but members can be reappointed at the end of their term. Vacancies will be advertised to be filled as soon as possible once they arise. NLAF Chair will advise NCC of membership vacancies and request recruitment.
4.5. NLAF can request the access authority to terminate a member’s appointment if they:
   • Repeatedly fail to attend meetings
   • Fail to reflect wider community views

16 | P a g e
5. **Chair and Vice Chair**
   
   5.1. The Chair and Vice Chair will be drawn from Forum members and be elected by whichever method the Forum decides appropriate. The Chair and Vice Chair will represent different categories of interest and members of the appointing authority will not be eligible for either position.
   
   5.2. The period of appointment to these posts will be for 1 year that can be renewed for a further year, after which the post-holder cannot be elected to the same post for the subsequent year. If either post becomes vacant during the period of appointment, the Forum may decide that both posts should be filled afresh.
   
   5.3. The chairman should work with the forum secretary (and the appointing authority) to ensure meetings are arranged well in advance, and are advertised.
   
   5.4. The chair in consultation with the forum and the secretary will draft the agenda for NLAF meetings.
   
   5.5. The chair will get to see the ‘scope’ of new applicants to NLAF prior to their appointment for consideration of suitability to joint NLAF

6. **Meetings of the Forum**
   
   6.1. Meetings are to be held at **least twice every year**, but more frequently if the Forum considers it necessary – **but no more than 4**.
   
   6.2. The meetings shall be deemed to be quorate when one third of the current membership (rounded down) is present.
   
   6.3. 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 council tax payers, rate payers or other inhabitants of the area.
       
       Personal interests will be recorded in the minutes but will not prohibit that member from taking part in the discussion of that item.
   
   6.4. Copies of the agenda for each meeting, the papers and minutes of each meeting will be made available for on the County Councils Forum website for a period of two years after the meeting.
   
   6.5. The agenda will be made available to the public no less than **seven three working days prior to a meeting being held**.
   
   6.6. The timing of meetings (e.g. whether daytime or evenings, weekdays or weekends) and the venue, should take account of the needs and preferences of forum members and others who may attend the meetings. Where appropriate the NLAF will vary the location and timing of meetings to enable a larger number and range of people to attend.
   
   6.7. **NLAF procedures for voting** ...(may wish to seek advice from NCC on the procedure to be followed).
   
   6.8. Meetings will not be used to side step functions for escalation already in place – Street Doctor etc.

7. **Public Access to Meetings**
   
   7.1. The meetings will be open to the public but people may be excluded if necessary to prevent disorderly conduct or misbehaviour.
7.2. Members of the public may submit questions to the Forum. The questions asked by members of the public must be on a subject pertinent to the Terms of Reference of NLAF. The questions must be submitted to the secretariat at least one working day prior to the NLAF meeting.

7.3. Members of the public who wish to speak on a particular subject may do so for a maximum of 3 minutes.

7.4. 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.

7.5. A representative of the Rights of Way section, Northamptonshire County Council shall attend all meetings as an observer.

8. Secretary

8.1. The Secretary to the Forum will be responsible for the overall administration of the Forum including organising the meetings, drafting the minutes and other documents as required, and liaising with neighbouring Forums and the appointing authority.

8.2. The Secretary will ensure awareness of Data Protection and Information Management when publishing information ensuring censoring documents prior to publication where necessary.

8.3. Northamptonshire County Council will provide the secretariat or funding to appoint one.

8.3.1. Where an existing employee is appointed as secretary, a clear separation between their forum and any other responsibilities should be maintained. An existing employee may come from a relevant department of the authority.

8.4. Secretary Roles and Expectations

8.4.1. Acting as the point of contact for anyone wishing to contact the forum, and forwarding information on to the chairman and/or members as appropriate

8.4.2. Liaising with NCC to ensure the meetings and proceedings of the forum are publicised

8.4.3. Receiving, prioritising and processing consultations and requests for advice.

8.4.4. Organising and advertising meetings

8.4.5. Ensure copies of the agenda for each meeting, the papers and minutes of each meeting will be made available on the Forum website

8.4.6. Taking the minutes of meetings;

8.4.7. Assisting the chairman and members in conducting meetings so as to comply with statutory requirements.

8.4.8. Assisting with production of the forward work programme and annual report

8.4.9. Ascertaining the appropriate named individual or team to which forum advice should be sent, and sending the forums advice.

8.4.10. The forum secretary will request feedback at the time of submitting advice to a section 94(4) body, and then follow up the request if necessary, so that the results can be reported to the forum

8.4.11. Liaising with NCC regarding financial management of the forum and processing of members expenses.

9. Annual Report

9.1. The Forum shall prepare an annual report on its work which the NCC will publish on its Website.

9.1.1. The Report should briefly set out the main issues and occasions on which the forum gave advice during the year, and indicate the bodies to whom advice was given. The report may also:

9.1.1.1. Success or effectiveness and completing its forward work programme;
9.1.1.2. Give information on the members (interests) meetings held and the main issues discussed;
9.1.1.3. Summarise any feedback received from section 94(4) bodies;
9.1.1.4. identify issues which posed a particular challenge for the forum;

9.2. The NLAF Annual Report shall be presented to the Cabinet of Northamptonshire County Council prior to 9.3.
9.3. A copy will be sent a copy to Natural England within 21 days of publication.

10. Expenses
10.1. Reasonable expenses associated with the normal work of the Forum may be reimbursed; but only in respect of:
10.1.1. travel and subsistence costs; and
10.1.2. any expenses of arranging for the care of their children or dependants.
10.2. Any site visits requested of NLAF must be agreed in advance by the Forum anyone who goes to do them under their own steam without group agreement would not be paid.
10.3. Mileage will be based on the same rates as paid to NCC rates staff, and will be solely based on Home address to Meeting address and return as per BING Maps - https://www.bing.com/maps
10.4. Mileage claims will be signed off annually with regard to meetings attended and any additional journeys details as held by the Secretary.
10.5. Members must keep all receipts relating to claims made for up to six years. It is important that these receipts are retained, as they will need to be provided in the event of a VAT inspection. Failure to provide receipts covering business travel and expense claims made could result in NCC incurring unexpected costs

11. Complaints
11.1. Although NLAF is an independent advisory body, NCC will should ensure that NLAF conducts its business within its statutory remit having regard to the Regulations and Guidance issued by Government.

11.2. Any complaints about the conduct of a forum, or a forum member, should be dealt with through the appointing authority’s normal complaints procedures.

ACTION – Agree to change Terms of Reference – add to website
Appendix 6 - Northamptonshire Local Access Forum (NLAF) Mileage Claims

Northamptonshire Country Council (NCC) is the ‘The appointing authority’ for NLAF which operates under The Local Access Forum (England) Regulations 2007’ (Statutory Instrument 2007 No 268). These Regulations (12.1 > 12.2) require the appointing authority to make financial provisions to support any reasonable expenses incurred by NLAF or by the members of that forum, including.

Reasonable expenses incurred by the members of a local access forum are such expenses as are incurred by them in connection with their attendance at meetings of the forum and any other activities relating to the discharge of the functions of the forum, but only in respect of:

a. travel and subsistence (parking) costs; and
b. any expenses of arranging for the care of their children or dependants.

Payment of Expenses:

NCC agree to pay mileage for attending NLAF meetings (based on home to meeting venue mileage) and for pre agreed site visits – agreed in writing by the Chairman (cc to the Secretary) (based on Home to Site mileage). Mileage is paid as per HMRC rates as set for NCC staff.

- **Car:** 45 pence per mile for the first 10,000 miles (pa) and 25 pence per mile thereafter.
- **Motorcycle:** 24 pence per mile
- **Cycle:** 20 pence per mile.
- **Car Parking:** Parking fees will only be reimbursed on production of a valid receipt where incurred as an additional expense whilst travelling on NLAF business. Car parking costs will not be paid when Free parking provision is provided as part of the meeting.

Submitting Claims

Member must submit claims for travel, expenses and parking within the financial year to which they relate and in all cases no later than 3 months 31st March in the year to which they relate. Late claims will not be paid.

These must be submitted to the Secretary who will log claim details and process payments.

**Members must keep all receipts relating to claims made for up to six years.** It is important that these receipts are retained, as they will need to be provided in the event of a VAT inspection. Failure to provide receipts covering business travel and expense claims made could result in NCC incurring unexpected costs.
### Northamptonshire Local Access Forum Mileage/Expense Claim Form

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
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<tbody>
<tr>
<td>Address</td>
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</tr>
<tr>
<td>Postcode</td>
<td></td>
</tr>
<tr>
<td>Phone Number</td>
<td></td>
</tr>
</tbody>
</table>

Have any of your details (including bank) changed since last payment?  Yes  No  (circle)

(If yes please submit change form to Secretary)

#### Mileage

<table>
<thead>
<tr>
<th>Date</th>
<th>Reason for Journey</th>
<th>TO: Address (inc Postcode)</th>
<th>Travel Mode</th>
<th>Miles Travelled</th>
<th>Verified by Secretary</th>
<th>Claim Amount (£)</th>
</tr>
</thead>
<tbody>
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</table>

#### Expenses (Parking/ Child Care)

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Expense</th>
<th>Receipt</th>
<th>Verified by Secretary</th>
<th>Claim Amount (£)</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

**Total Claim**

### Travel Mode - Mileage Rates

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<thead>
<tr>
<th>Car</th>
<th>Motorbike</th>
<th>Cycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>45p</td>
<td>24p</td>
<td>20p</td>
</tr>
</tbody>
</table>

**Members must keep all receipts relating to claims made for up to six years.** It is important that these receipts are retained, as they will need to be provided in the event of a VAT inspection. Failure to provide receipts covering business travel and expense claims made could result in the organisation paying back thousands of pounds to HMRC.
Northamptonshire Local Access Forum Mileage/Expense Claim

Change of Details From

Current Membership details:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Postcode</th>
<th>Phone Number</th>
<th>Email Address</th>
</tr>
</thead>
</table>

Name/ Address / Phone Number /Email - Change:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Postcode</th>
<th>Phone Number</th>
<th>Email Address</th>
</tr>
</thead>
</table>

Bank Details Change

<table>
<thead>
<tr>
<th>Account Name</th>
<th>Bank</th>
<th>Bank Address</th>
<th>Sort Code</th>
<th>Account Number</th>
</tr>
</thead>
</table>

Please submit this form direct to NLAF Secretary:

Name:

Address:

Email: