

NORTH YORKSHIRE COUNTY COUNCIL

NORTH YORKSHIRE LOCAL ACCESS FORUM

THURSDAY 17 FEBRUARY 2005

MERGER OF LOCAL ACCESS FORUM

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of an approach that had been received from the City of York Local Access Forum with a view to possible merger, and to obtain Members' response.
- 1.2 To inform Members of research being conducted on behalf of the Countryside Agency.

2.0 APPROACH FROM YORK CITY COUNCIL

- 2.1 An approach has been received from the City of York Council asking that consideration in principle be given to the merger of York Local Access Forum with the North Yorkshire County Council Local Access Forum. A copy of the City of York's letter dated 14 January 2005 is appended at Appendix 1.
- 2.2 Advice taken from the County Council's Legal Department indicates that there is no legal power under the Local Access Forum's Regulations (England) 2002 to dissolve existing Local Access Forums and reform them into a single body. Whilst the regulations did provide for two or more appointing Authorities to establish a joint Local Access Forum for their areas initially by appointing the Members of a joint Forum before 8 August 2003, there is no provision for Forums once established to be dissolved and reformed. Following consultation with the Chairman, a reply to the City of York Council to this effect was sent.
- 2.3 The City of York are in contact with DEFRA on this matter, and a copy of an e-mail from DEFRA to the Rights of Way Officer at York is appended at Appendix 2 of the report. Members will see that DEFRA offer no definite view as to whether merger is permitted by the current Regulations, but indicate that one option might be for the Secretary of State to amend the Regulations by introducing procedures for modifying Local Access Forum arrangements.
- 2.4 Pending further consideration of the matter by DEFRA, I would suggest that no positive action towards the merger could be taken at this stage, but Members are invited to consider whether they would support the principle of merger, if permitted, by amendment to the Regulations. Clearly, before any positive action towards merger could be taken, consideration would need to be given to the administrative arrangements and other details concerning the operation of a joint Forum.

3.0 RESEARCH PROJECT

- 3.1 The Countryside Agency has appointed the University of Gloucester's Countryside and Community Research Unit to carry out research into better supporting the work of Local Access Forums. The purpose of this research will be to provide the Agency and DEFRA with:-

- Detailed information on the structure, geographical extent and activities of all existing LAFs in England;
- A summary of which characteristics could be widely recognised as contributing to a “Successful” LAF;
- Information about factors that contribute to the successful working of LAFs and, conversely, an assessment of the barriers;
- Information about matters affecting LAFs work, now and in the future;
- An assessment of whether LAFs require additional support and guidance, and if so, how (and from whom), this could best be delivered;
- Recommendations on further action required at national, regional and local level.

3.2 As part of the research, the following information was requested and has been supplied:-

- The latest NYCC LAF Annual Report;
- A copy of every Agenda and Minutes of meetings of NYCC LAF since its inception as a statutory LAF ie. since 8 August 2003;
- A list of current Members and their area of interest and affiliations;
- A list of observers, officers, administrators also normally present;
- Any inception documents with mission, duties, purposes etc., including any terms of reference that have been prepared;
- Brief details of the Sub-Group established by the LAF;
- The internet address for the LAF website (if applicable);
- LAF contact details (which you would be happy to have published on the internet);
- Any recorded publicity relating to the LAF;
- A map that shows the boundary of the area covered by your LAF, in a form that allows us to link it with local Highway Authority and/or National Park Authority boundaries.

3.3 A copy of the information supplied will be available for inspection at the meeting, or subsequently if Members so wish.

3.4 Details of the approach from the City of York, and of the legal opinion expressed by the County Council’s Legal Department, have also been included in the response to the University.

3.5 The University proposes distributing shortly a questionnaire for completion by LAF Members, which I will circulate when it is received.

4.0 RECOMMENDATIONS

- (i) That Members note the report.
- (ii) That Members indicate whether they would support, in principle, a merger with the City of York LAF, if the Regulations are in due course amended, so as to permit this.

JANE WILKINSON
Secretary to the North Yorkshire Local Access Forum

County Hall
NORTHALLERTON

9 February 2005