

NORTH YORKSHIRE COUNTY COUNCIL
NORTH YORKSHIRE LOCAL ACCESS FORUM

24 November 2005

Review of the Local Access Forum

1.0 Purpose Of Report

- 1.1 To consider the effectiveness of the Local Access Forum and possible options for change.

2.0 Background

- 1.1 Recent events suggest that it would be an appropriate time to review the operation of the Local Access Forum and to consider whether any changes could be introduced to make it more effective. This is suggested for four separate but related reasons.
- 1.2 At its last meeting, the Local Access Forum considered a report from the Countryside Agency on the findings of research undertaken by the University of Gloucestershire into the activities and operation of Local Access Forums in England. Members agreed to defer discussion on the report until the next meeting. The 'Good Practice Checklist' from this report is considered in more detail below.
- 1.3 On 16 September 2005 the Countryside Agency arranged a training day for representatives of all the Local Access Forums in the region. This was attended by Edward Flexman, Judith Ratcliffe and John Edwards. It provided a valuable opportunity to take stock of how LAFs are operating across the region and to discuss the relative strengths and weaknesses of our own Forum with colleagues from a similar background. A summary of the event, prepared by the Countryside Agency, is attached as Appendix 1 for information. Members who attended the training day will provide further feedback at the meeting if required.
- 1.4 DEFRA has recently published a consultation paper on amendments to the Local Access Forum Regulations. This contains recommendations that if accepted would lead to changes to the administration and organisation of all Local Access Forums. A separate report on the consultation paper appears on the agenda.
- 1.5 The County Council's Environment and Heritage Overview and Scrutiny Committee has taken an interest in the work of the North Yorkshire Local Access Forum. It has asked to be given the opportunity to comment before any response is made to DEFRA on the consultation paper.
- 3.0 Countryside Agency Research Report

- 3.1 A full copy of the research report was included with the papers for the last meeting of the Local Access Forum on 11 August 2005. Table 7.1 (p. 51-52) contains a 'checklist of good and poor practice' and the report suggests that, "this list is disseminated to all LAFs for internal discussion. The outcome of this should be minuted in the normal way and might be a focus for the Annual Report."
- 3.2 If Members consider that this would be useful, it is suggested that, rather than consider the full report in detail, the Forum should debate how far it feels the North Yorkshire Local Access Forum measures against the checklist of good and poor practice. This may then provide some useful pointers towards improving existing arrangements at an early stage.
- 3.3 The checklist is reproduced in Appendix 2. Members are therefore asked to note the officer comments on existing practice and to make specific suggestions or recommendations on how existing practice and procedures can be improved. Wherever possible these will be implemented immediately but, depending on the nature of the recommendations made, some may require further consideration. A report will be made to the next meeting summarising the modifications that have been put in place.
- 3.4 It is also recommended that the review of the operation of the Local Access Forum is repeated in a year's time, or at any earlier stage if revised Government guidance is issued, to give an opportunity for members to monitor the effectiveness of any changes made.

4.0 Recommendation

- 2.1 It is recommended that:

- (a) Members consider the current operation of the North Yorkshire LAF against the checklist of good and poor practice contained in Table 7.1 of the Research Report and, where appropriate, make recommendations for improvements that will make the LAF more effective;
- (b) A copy of Appendix 2, amended to incorporate member's views, is submitted to the Countryside Agency;
- (c) A report is submitted to the next meeting summarising the modifications that have been put in place; and
- (d) A further review of the operation of the LAF is undertaken in November 2006.

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Appendix 2

Countryside Agency Checklist of Good and Poor Practice

Comments on the Effectiveness of the North Yorkshire Local Access Forum and Recommendations for Change

Good Practice	Poor Practice	The North Yorkshire Experience – NYCC Officer Comments	LAF Members' Recommendations for Improvement.
1. Membership			
1.1 New members are not known to the authority through previous involvement.	All members are the 'usual suspects.'	Recruitment is through a process of open advert, competitive interview and selection by elected Members.	
1.2 Members are selected for their diverse and broad knowledge of the issues relating to access.	Members have little knowledge on other aspects of access except the area they represent.	Application forms request details of an applicant's range of interests and experience and the recruitment process enables these to be tested.	
1.3 Volunteers are solicited for related areas (e.g. health, local government expertise)	Other interests are not represented.	Recruitment is to 3 broad groups representing landowners, recreation interests and others. The 'other' category permits related interests to be accommodated but these are not specifically solicited in advance.	
1.4 Councillors attend meetings frequently and contribute fully	Councillors attend meetings infrequently and contribute little.	Details of attendance during 2004/2005 are included in the Annual Report. Councillors collectively attended 7 out of 12 meetings.	

1.5 There is a good geographical spread of representation.	Representation is limited to certain areas.	A reasonable geographical spread balanced against other factors is sought through the recruitment process. Current members come from: <u>Within North Yorkshire</u> - Craven (2), Hambleton (3), Harrogate (6), Richmondshire (1), Ryedale (2), Scarborough (2), Selby (0) <u>AONBs</u> - Howardian Hills (1), Nidderdale (4) <u>Outside North Yorks</u> – Darlington (2)	
1.6 Balance of representation is clearly stated in the terms of reference and is maintained.	Required balance is not explicit within the terms of reference and an imbalance in representation is allowed to develop	During recruitment an equal balance is sought between landowners, recreation interests and others and this is made known publicly e.g. through the Annual report.	
1.7 Re-appointments are staggered so that continuity can be maintained.	Re-appointments work on an all-in/all-out basis every three years.	One third of members retires each year on a 3 year cycle but members can seek re-appointment if they wish.	
1.8 New members are given a welcome pack with useful information in context	New members are not given any useful or useable information	A welcome pack is not provided. Background information on the functions and operation of the LAF is provided in presentations to candidates selected for interview.	
2. Effectiveness			
2.1 Targets are set, together with an annual work plan	No targets are set, and there is no annual programme.	In the past a programme has not been set in advance and the agenda for each meeting has reflected the priorities identified at that time. The current agenda includes a Forward Plan for the year ahead.	

<p>2.2 LAF has ‘flagship’ projects in which it has close involvement</p>	<p>LAF has no specific involvement in anything.</p>	<p>Regular reports are provided to each meeting on Open Access and the Rights of Way Improvement Plan. The LAF has also taken a particular interest in the implications of old mines and quarries for open access, leading to a DEFRA meeting and the issuing of Government guidance.</p>	
<p>2.3 LAF achieves tangible and beneficial outcomes, including feedback from access authority on advice offered.</p>	<p>LAF is just a talking shop – may be well informed but contributes nothing and no feedback from access authority on advice offered.</p>	<p>LAF advice was a contributory factor in prompting Government action on open access (see above). It has advised on the development of an Access Management Plan and moorland fire planning. It considered the need for access improvements in the Skipton area which led to a Rights of Way Improvement Plan pilot project using volunteers.</p>	
<p>2.4 Access authority requests advice and asks questions (regarding policy, technical matters etc) and seeks LAF support on issues.</p>	<p>Access authority does not engage with LAF and regards LAF as a waste of time.</p>	<p>Regular reports are submitted seeking LAF input on Government consultation papers. Regular input is sought on the Rights of Way Improvement Plan process, on open access management planning and topical issues such as Green Lanes. LAF has sought improvements in access through the local government planning process.</p>	
<p>2.5 LAF members are willing to assist in resolving site specific issues</p>	<p>LAF shies away from conflict situations.</p>	<p>Suggestions for specific access improvements in the Skipton area have been considered. LAF has expressed a willingness to get involved in more site specific matters and is currently considering diversions affecting farmyards.</p>	

2.6 Members have an integral role in ROW Improvement Plan preparation	Members are kept informed of progress with ROW Improvement Plan but no substantive issues discussed.	Regular reports are provided to each meeting on the Rights of Way Improvement Plan and some related issues have been considered in more detail e.g. access improvements in the Skipton area. A 'training day' was organised focusing upon a range of specific ROWIP related issues.	
2.7 Members promote the work of LAFs in their other work on access.	Members do little to promote the work of their LAF.	Comments from the LAF would be welcome.	
3. Meetings			
3.1 LAF meetings include site visits	All meetings are held indoors	2 site meetings have been held to date to look at access improvements in the Skipton area and open access in Nidderdale	
3.2 Outside speakers are frequently invited to speak to the LAF.	Outside speakers are invited to speak to the LAF but only infrequently.	Outside speakers have attended 5 out of the 12 LAF meetings from English Nature, Countryside Agency, DEFRA and Highways North Yorkshire. A separate 'training day' was also organised involving a wide range of outside speakers focusing upon ROWIP related issues.	
3.4 Opportunities are provided for informal gatherings during meetings and outside	There are no opportunities for informal gatherings.	Members are invited to meet informally over lunch prior to each meeting.	

3.5 Continuity is maintained between formal meetings through, for example, mailings, sub-groups, site visits etc	There is no contact between officers and members between meetings.	A sub-group has been established to consider open access restrictions.	
3.6 There is contact with neighbouring LAFs and at regional level.	There is no contact with other LAFs.	A 'training day' was organised focusing upon a range of specific ROWIP related issues and National Park and other neighbouring LAFs were invited to attend. There is regular receipt of minutes from some local LAFs, including North York Moors and Cumbria. In addition 2 North Yorkshire LAF members sit on other LAFs ie. North York Moors and Yorkshire Dales.	
3.7 Agenda items are selected on the grounds of relevance – i.e. it is within the LAFs competence and it is either something they need to be aware of or is something on which a view/decision is needed.	Agenda items include everything of possible relevance or of interest.	Agenda items are selected on the basis of relevance.	
3.8 Sub-groups are formed and report back to the LAF for decisions or recommendations to be agreed.	There are no sub-groups, or where there are sub-groups, they are not accountable	A sub-group has been established to consider open access restrictions. Members sitting on other committees report back on matters of interest e.g.Green Lanes Liaison Group.	
4. Communications			
4.1 A list of LAF members (with short biographies) has been published.	There is no published list of members and their interests.	LAF members and their background/interests are listed in the Annual Report.	
4.2 The Chair and officers communicate regularly and effectively between meetings.	Chair and officers do not meet other than at meetings (or immediately before).	There has in the past been little contact between meetings. Officers met with the Chair to discuss the current agenda.	

4.3 The Chair decides the final agenda.	Secretary or officers decide the final agenda.	Officers have in the past decided the agenda mostly without reference to the Chair. The current agenda was agreed with the Chair.	
4.4 Agendas and minutes are available to the public via the access authority website.	No agenda or minutes are made available on the internet, or are not in readily accessible places on the website, or appearance is much delayed.	Agendas and minutes are published on the NYCC website	
4.5 Access authority officers listen to the LAF and follow good advice.	Access authority officers listen to the LAF and ignore good advice.	The LAF provides a useful steer on a variety of issues and wherever possible its advice is taken into account by officers.	
4.6 Access authority officers give feedback and feel accountable to the LAF.	Access authority officers do not give feedback and/or do not feel accountable.	Feedback tends to take place when considering minutes of the previous meeting. Occasionally follow-up reports are prepared on specific issues considered by the LAF at an earlier meeting e.g. Skipton pilot and Diversions reports on current agenda.	
4.7 Members clearly understand their remit relative to other access groups	Members may be unaware of the existence of other access groups and their remit.	Comments from the LAF would be welcome	
4.8 LAF has its own headed notepaper	LAF communicates on access authority's notepaper or without any heading.	All correspondence is undertaken by the Secretariat on NYCC headed paper through Committee Services.	
5. Chairmanship			

5.1 Encourages LAF to be assertive in deciding their own remit	Allows LAF to be reactive only, by responding to access authority agenda.	Comments from the LAF would be welcome	
5.2 Encourages everyone on the LAF to have their say.	Allows a few individuals to dominate.	Comments from the LAF would be welcome	
5.3 Overtly impartial but well informed.	Overtly partial towards a particular interest or viewpoint.	Comments from the LAF would be welcome	
5.4 Reins in anyone trying to push their interests or dominate.	Fails to restrain anyone pushing their interests to an unreasonable degree.	Comments from the LAF would be welcome	
5.5 Manages business so that meetings end on time	Manages business poorly, or it runs late or fails to cover all items.	Comments from the LAF would be welcome	
6. Other aspects			
6.1 Access authority has a budget for operating and administering the LAF.	LAF costs are met out of the general budget.	The LAF has no independent budget. LAF costs are met from the Committee Services budget and cover providing the secretariat function, annual recruitment, room hire, lunch prior to each meeting and member's travelling expenses. The Countryside Service contributes an annual sum to Committee Services to help support these costs and also funded the cost of the Annual Report in the current year.	
6.2 LAF has a project 'fighting fund' to spend on relevant projects it has prioritised.	LAF has no power over access authority spending decisions	The LAF has no independent budget.	

