

**NORTH YORKSHIRE**

**LOCAL ACCESS FORUM**

**18 May 2006**

**APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

1. The appointment of a Chairman is the first item of business on the Agenda.
2. A copy of the Local Access Forums (England) Regulations 2002 are attached. Regulation 6 (3) to 6(6) refers to the appointment of the Chairman.
3. Regulation 6 (5) says that the period of appointment of the Chairman or Vice Chairman should be determined by the Forum, but should not exceed the period of appointment as a member of the Forum. Previous appointments of Chairman and Vice Chairman have been only for a period of one year. This is allowed maximum flexibility in the operation of the Forum.
4. Attached to the Agenda is a list of the Members of the Local Access Forum. This list indicates which interest group Members of the Forum have been allocated to. In some instances the allocations are, I believe, quite clear. In other cases, however, I recognise that allocations have been made based on an officers' assessment of the relative balance of interests of Members of the Forum. This particularly applies to those Members stated to represent "other interests" – see Regulation 4 (3) of the Regulations.
5. Regulation 6 (6) makes clear that the Forum should not appoint as Vice Chairman a Member of the Forum who is considered to be representative of the same interest group identified in Regulation 4(3) as the Chairman – except in the case where the Chairman represents interests in sub-Regulation (c) and the candidate for appointment as Vice-Chairman represents some different interest under that sub-regulation.
6. The Forum is, therefore, free to appoint a representative of any of the interest groups as Chairman, but the Chairman should then rule as inadmissible any nomination for Vice Chairman of a Member who represents the same interest group as him/her, unless the Chairman represents "other" interests and the nominee for the Vice Chairmanship can be shown to represent **different** "other" interests.
7. In considering which Member of the Forum should be appointed as Chairman and Vice Chairman, the Members of the Forum may wish to give thought to – and may wish to express a view on – what the role of the Chairman should be and the extent of the Chairman's powers. I believe that the basic duties of a Chairman might be summarised as:-
  - To preserve order;
  - To ensure that the proceedings of the meeting are properly conducted, according to law and according to any Standing Orders or rules of the body concerned;
  - To ensure that all shades of opinion are given a firm and fair hearing as so far as is practicable; and
  - To ensure that the sense of the meeting is accurately ascertained and recorded.
8. In carrying out those basic duties the Chairman might be expected to:-
  - Seek to bring a meeting, or members of the public attending a meeting, to order and, if that cannot be achieved, decide to adjourn the meeting to a future time and, if necessary, date;

- To ensure the meeting starts and finishes on time and to manage the conduct of business accordingly;
  - To ensure that any rules about length of speeches are followed;
  - The speeches are addressed to the Chair and receive a fair hearing;
  - That speeches are relevant to the matter before the meeting and that speakers are not offensive;
  - To rule on questions relating to procedure.
  - To remain impartial.
9. Outside the meeting I would expect the Chairman of the Forum to have limited powers, but these might include:-
- Being consulted on dates, times, venues for future meetings;
  - Being consulted on items for the agenda, the order of the agenda and guide timings for agenda items, if a Forum wishes to adopt such an approach.
  - Agreeing the terms of any decision record coming from a meeting of the Forum which needs to be submitted to the County Council, as part of the Forum's advisory function, before the minutes have been confirmed by the Forum itself.

While the Chairman might be consulted on the items on the agenda, I do not believe that the Chairman should be able to control the agenda (recognising the need to maintain a reasonable balance between interests represented on the Forum).

JANE WILKINSON  
Secretary to the North Yorkshire Local Access Forum  
Head of Committee Services

County Hall  
NORTHALLERTON

10 May 2006  
JW/ALJ

Background Documents: None