

How do Local Access Forums influence others?

Real Consultation! Real Influence!

North Yorkshire has over 10,000k of rights of way, the longest network in the country.

Enjoyment of the network is estimated to involve 23 million visitor days each year.

People, Paths, and Places.
North Yorkshire Rights of Way Improvement Plan
2007 – 2011

Of 80 Local Access Forums established by the Government, three cover North Yorkshire:

- North Yorkshire Local Access Forum
- North York Moors Local Access Forum
- Yorkshire Dales Local Access Forum

The Role of a Local Access Forum

They are advisory bodies established under section 94 of the Countryside Rights of Way (CROW) Act 2000.

To give advice to a range of organisations on the use, development and maintenance of public rights of way.

These are known as the Section 94(4) Bodies and include:

- the appointing authorities,
- any county, district or borough council;
- DEFRA,
- MOD,
- Highways,
- Natural England,
- The Forestry Commission,
- English Heritage,
- Sport England;
- AONBs,
- Conservation Boards;
- parish and town councils.

Any Local Access Forum advice must be considered by these organisations, and feedback given on request.

Forums provide a statutory function and all section 94(4) bodies are required, under section 94(5) of the CROW Act to

'have regard, in carrying out their functions, to any relevant advice given to them'

by a forum. 'Having regard' means that although not bound to follow such advice, section 94(4) bodies are legally required to take it into account in carrying out their functions.

*Guidance on Local Access Forums in England
Issued by the Secretary of State February 2007, effective from 19 March 2007.*

- The North Yorkshire Local Access Forums should have a significant influence on the formulation and delivery of annual business plans arising from the ROWIP.
- Forums should take account of the needs of both recreational and non-recreational usage and potential.
- Forums may 'occasionally' consider that individuals or organisations which are not section 94(4) bodies) would benefit from receiving advice or information. E.g. landowners, the police, transport providers.

Regarding 'influence', this is described as a forum providing:

- independent,
- constructive,
- relevant,
- inclusive,
- incisive and informed
- advice

which takes into account a broad range and balance of local interests.

Local Access Forums should focus on those issues that are most relevant to their own area.

Members are volunteers.

In the early days of the North Yorkshire Local Access Forum its role was largely

- supporting officers with the roll-out of Open Access in North Yorkshire
- receiving reports of interest from officers about the work of the ROW team in North Yorkshire

Since the publication of the 'post Open Access' DEFRA guidance in 2006 the North Yorkshire Local Access Forum has reviewed its role and effectiveness.

Members are keen to be helpful and proactive.

Local Access Forums should focus on those issues that are most relevant to their own area, considering issues at the strategic level, taking care to direct advice to the most appropriate recipients and adopting a proactive approach.

In return members expect that:

Authorities must have regard to forums' views in reaching decisions on access and public rights of way issues.

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The North Yorkshire Local Access Forum

In order to prepare its role effectively for its consultative role the North Yorkshire Local Access Forum has established a number of principles underpinning its work.

Furthermore, it has recently produced an action plan / forward business plan to guide its work

The North Yorkshire Local Access Forum is particularly interested in how effective is the shared development between ROW and Transport Asset Management in North Yorkshire. (DEFRA evaluation rated North Yorkshire 'satisfactory' only; 14 other counties were very highly, or highly satisfactory):

The best Local Transport Plans acknowledge rights of way as a countryside and urban resource for utility as well as recreational purposes which contribute to all of the Local Transport priorities. They consider the needs of the full range of users. The poorest give rights of way a brief consideration.

Current priorities identified by the North Yorkshire Local Access Forum

1. Ensuring that the NY Local Access Forum is supported in carrying out its consultation duties with respect to Section 94 (4) bodies.
2. Increasing the involvement of volunteers
3. Improving access to Water in North Yorkshire
4. Implementing North Yorkshire's ROW Improvement Plan
5. Improving communities' knowledge of ROW
6. Improving communities' knowledge of the Local Access Forum
7. Improving ROW signage
8. Supporting the development of North Yorkshire's Countryside Strategy
9. Serious concerns about the future of unsurfaced and unclassified roads.
10. The development of a Local Access Forum website
11. Improving annual recruitment to the Local Access Forum

It has two further pieces of work in development:

Toolkits for

1. Primary Schools in North Yorkshire – Exploring Your Rights of Way
2. Opportunities for Parish Councils in Improving Access to ROW in North Yorkshire

Case Study
Membership of a Forum represents a range of different interests, expressing a wide range of views.
The North Yorkshire Local Access Forum has spent almost a year agreeing a range of principles to underpin its work. These principles are to be promoted to a range of statutory bodies that have an interest in Rights of Way.
The members must now decide how best to do this.

North Yorkshire Local Access Forum

Principles to Underpin the Forum's Work

1	All rights of way should be maintained to the standard required and, where appropriate, upgraded physically and legally to a higher standard.
2	The Forum will work to get rights of way developed to redress the fragmentation of the network, connect communities and improve links to places of demand.
3	Any new access should be at the most practicable and appropriate rights.
4	The Forum will work to develop more access opportunities for the widest possible range of users, especially families, children, minority groups and the less able.
5	The Forum expects the establishment of an annual budget to fund the fulfilment of the Rights of Way Improvement Plan.
6	All new access is welcomed but the Forum stresses that permissive (temporary) access does not equate with definitive (permanent) rights, which are preferred.
7	The Forum wishes to raise awareness of how different users can enjoy responsible sharing of routes whilst supporting challenge to illegal usage when appropriate.
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9	The Forum recognises the establishment and challenges of new initiatives e.g. coastal access, access to water, access to forests and woodland, and dedication of land for public access.
10	The Forum supports the continuation of the Best Value Performance Indicator for Rights of Way (BVPI 178) to measure the overall ease of routes in the County.

Local Access Forum - Principles to Underpin the Forum's Work - Revised November 2008/2

Prompts for Further Discussion:

1. How do the three North Yorkshire Local Access Forums exercise their right to consultation effectively across all of the Section 94 bodies in and adjacent to the County?
2. How do the forums differentiate between these varied agencies / organisations?
3. How does the role and function of a LAF become known and understood by section 94 agencies? And by the general public?
4. Consultation is a two way process.
 - 4.1. When should a LAF initiate consultation?
 - 4.2. When should a Section 94 body initiate consultation?
5. What role is there for officers to initiate and support forums with their consultative duties?
6. For the North Yorkshire forum, how can the 10 principles be communicated to relevant organisations? How should the principles be targeted?
7. Once awareness has been raised within Section 94 bodies there is a likelihood of a significant uplift in business coming to forums. How can a local access forum actually manage this, given the relatively infrequent meetings, rules of conducting its business and the fact that all members give their time voluntarily?