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New Guidance for Local Access Forums

Tim Squire

New regulations, The Local Access Forums (England) Regulations 2007, came into force on 19th March 2007 and as a result there is also new guidance from the Secretary of State. The Guidance aims both to disseminate good practice to forum members and outline the changes that have been made in the Regulations.

One of the changes in the Regulations is to extend the list of bodies to whom the forums may give advice. Consequently these bodies are required to have regard to the advice given to them. The new and appealingly entitled "section 94(4) bodies" are;

- Sport England
- Area of Outstanding Natural Beauty Conservation Boards
- Parish and Town Councils

Forums will need to consider how to engage with these bodies. Some have decided to write to these bodies to introduce themselves. A very useful model statement is provided in the Guidance which makes clear to all bodies receiving advice, the legal status

of the advice given. Annex C gives a useful summary of the function of the main section 94(4) bodies.

The new Guidance also explains how the remit of forums has been widened to include "functional" or "utility" issues rather than merely recreation. This means that forums should now consider how land or rights of way might be used for journeys to work, school or amenities.

In a section dealing with business between meetings it is recommended that forums have agreed position statements on key issues. This will enable a response to be made to requests for advice which can't be considered due to the timing of meetings.

The Guidance also lays out good practice on how to focus on strategic issues, the value of a forward work programme and the need for cross boundary working.

Advice is also given on requirements in the regulations for public access to meetings, declarations of interest, managing sub-groups and other administrative issues.

Annex A in the Guidance is a list of matters on

which forums may give advice. This covers everything from gating orders to developing national policy. It runs to a mere 8 pages but it is pointed out that it is not a comprehensive list. Nevertheless there is enough to keep us all busy for the foreseeable future.

The new Guidance will provide members and officers with valuable advice on how forums should function and a good reference for best practice. Although not a particularly lightweight document it does serve its purpose. In general the new Guidance bolsters the role of local access forums and can be a useful tool to ensure the effectiveness of their work.

Cutting the Red Tape

A Local Access Forum's approach to simplify the process of creating permitted paths by Andrew Fletcher, Public Rights of Way Officer, Royal Borough of Windsor and Maidenhead.

Introduction

The Royal Borough of Windsor and Maidenhead Local Access Forum was established in 2003 and consists of 20 members, meeting 3 times a year.

Keen to be proactive in its duties, the forum decided to set up working groups in order to assist in its activities, and to keep formal meeting times down! These groups are managed and run by the members of the LAF and look at detailed issues and come up with recommendations for the main forum.

Forming the Group

After examining the Council's existing procedures for dealing with permitted paths, the LAF formed a small working group in September 2006 to look at ways in which the Council and the LAF could encourage landowners in the Borough to create permitted paths to supplement the Rights of Way Network.

The working group consisted of the Chair and Vice-Chair of the Forum, and a Rights of Way Officer from the Council. As well as being an issue that the LAF wished to examine strategically, particular permitted path negotiations that are currently underway allowed the Chair to bring to discussions

issues from a landowner point of view, and from the Vice-Chair from a user-group point of view.

Moving forward

In February 2007 the first meeting of the group was held, and after looking at the issue the group decided one of the big issues that prevented landowners from creating permitted paths was the perceived complexity of doing so. The group decided to develop a "Permitted Path Pack" for landowners to attempt to simplify the process.

The proposed pack will contain:

- A flow chart for landowners simplifying the process
- A template agreement / notification to the Council for landowners to create permitted paths
- A template agreement to cover situations where an external party, for example a local user group, was provided funds for the path. This provides for the right for the landowner to close the path if necessary, but contains a sliding scale of compensation to be paid if the path is closed within a certain period (for example 5 years).

This pack is still in development and is expected to be complete by the next meeting of the LAF in September, but should prove to be a very way for the LAF to directly contribute to improving how the Council deal with permitted paths.

For more information, please contact Andrew Fletcher, RBWM LAF Secretary on 01628 683800 or email pro@rbwm.gov.uk

LAF ROUND-UP

Bracknell Forest

The LAF continues to represent a good mix of countryside managers, users and other interested parties and currently has 13 members. Continuing their involvement in the published Bracknell Forest ROWIP, the forum continues with work revolving around the implementation of these projects such as the recent publication of a horse riding leaflet

and a new bridleway creation through a planning agreement. Members also come forward with suggestions of local issues which they can usefully explore at meetings and these are added to the forum's work programme which is reviewed at each meeting.

In addition, approval has been sought for the use of Section 106 funds to undertake capital works which will enhance a number of recreational routes throughout the borough. These works include access improvements, surfacing of paths and the creation of new access opportunities. Linked to this, the forum has expressed a wish to carry out site visits to keep all members informed about access routes affected by capital works and ROWIP projects and also to increase the regularity of informal meetings.

[Bracknell Forest LCAF](#)

Brighton and Hove

B&HLAF have been working hard on a couple of projects recently. The City Council have been looking into the possibility of making a couple of Gating Orders under the new powers introduced by the Clean Neighbourhoods and Environment Act 2005. The LAF were consulted at an early stage and a sub-group examined both cases. They presented their findings to the Forum who endorsed their recommendations.

The forum have also been heavily involved with the preparation of the Rights of Way Improvement Plan. Again work was carried out through a sub-group. The members of this group looked at the working document at various stages and helped shape it into the draft for public consultation.

[Brighton & Hove LAF](#)



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Buckinghamshire

Buckinghamshire County Council are nearing the time, when the next Local Access Forum Annual Report is due to be produced. To build on the success of last year's glossy "summary" style report, we are hoping to get further input from our Local Access Forum on what they would like to see for this year's edition. We are keen to move focus away from what the council achieved and more toward our Forum and their future planning. To do this, we have set up a sub-meeting with our Chair and Vice-Chair of the Forum, to decide on the format and content of the report. Running alongside this, we are continuing to hold sub-group meetings with volunteers from the Forum, to assist with the Improvement Plan - which is rapidly approaching completion. The Improvement Plan is set for external consultation between May to July, with approval for the final document in October.

[Buckinghamshire LAF](#)

East Sussex

[East Sussex LAF](#)

Hampshire

LAF for Hampshire (excluding New Forest), Southampton and Portsmouth

Following open discussion among the whole Forum, a Vehicles Task Group was formed to draft a revised policy for Hampshire County Council. 'Off-road' motor vehicle use is probably the most contentious issue that the Forum has tackled, and similarly the Task Group has members with radically different views. However, discussion has always remained courteous and productive, and a fair and reasonable policy is well on its way - our vehicles representative has even organised a site visit (by vehicle!) for Forum members to look at a variety of routes. The value of having LAFs has really shown through here; if the Council had formed a group of known interested parties, with established attitudes, it is doubted that the outcome would have been so positive.

Together with New Forest Access Forum we are also considering coastal access, with a site visit to Beaulieu Estate in April - this area received much attention in the national press, as the coast and beautiful estuary is

claimed to be one of the places that walkers nationally are most hoping to be able to access more fully.

The site visit ably demonstrated all sides of the argument, and enabled the Forum to form a considered and balanced position prior to the consultation, with its effect on our local coast in mind.

[Hampshire Countryside Access Forum](#)



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Isle of Wight [Isle of Wight Local Access Forum](#)

Kent



The Kent Local Access Forum has changed its name to become the **Kent Countryside Access Forum**. This is reflected in the attached logo and marks the beginning of a positive new era. Some extensive changes have taken place since the Forum's last meeting in September 2006 to reflect the wishes of the members and the excellent advice given in the improved Guidance from the Secretary of State. There are a number of new members representing users, landowner/managers and other interests and all will be welcomed onto the Forum at a lunch followed by their first formal meeting in April 2007. The members will be encouraged to promote the Forum amongst their wider networks and seek the best ways to advise the new bodies identified in the guidance.

[Kent Local Access Forum](#)

Mid and West Berkshire

The Forum is jointly appointed by 3 unitary

authorities – Reading, West Berkshire and Wokingham. The Members of the Forum have, therefore, to advise 3 councils with quite starkly differing demography and geography. The 3 Councils are not under the same political control and have differing policy objectives.

The Forum is in the throes, therefore, of commenting on 3 draft ROWIPs. To facilitate this, 3 working groups of Members have been established, each with a remit to review 1 draft ROWIP. At the time of writing, the Forum has commented on the Reading ROWIP and that exercise in respect of the similar plans for West Berkshire and Wokingham is imminent. The review exercise has already emphasised the divergent approaches of the 3 councils.

The Forum has adopted a rolling forward work programme and Members have been proactive in suggesting issues for discussion. To this end, at recent meetings the Forum has discussed:

- impact of major road schemes on public rights of way
- rights of way not included on definitive maps
- cul-de-sac BOATS
- volume of business for definitive map modification orders.

In addition, the Forum has commented on 1 Council's Open Spaces Strategy (a part of the Local Development Framework) and on a gating order.

Sadly, despite advertising in the local media, and writing to all the parish and town councils in the Forum's area, recruitment of new members remains a difficulty.

[Mid & West Berkshire LAF](#)

Milton Keynes

[Milton Keynes LAF](#)

New Forest

During 2006/7, their first year of operation, the Forum held four meetings and one workshop. Attendance at meetings averaged 88% over the year. Members considered a range of topics and issues including:

- Participation in a Small Grants Scheme to help fund local access improvements
- Improvements to cycling infrastructure and promotion
- Commenting on local and national consultation papers
- Preparing for the forthcoming proposals for Coastal Access

The Forum is now preparing to hold a second workshop to examine access opportunities, this time in the northern part of its area. The workshop will include presentations from local land and access managers, and delegates will be invited to make suggestions as to how recreational and utility access opportunities can be improved at a local level.

[New Forest Access Forum](#)

Oxfordshire [Oxfordshire Countryside Access Forum](#)



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Royal Borough of Windsor and Maidenhead

Over the past year, the Royal Borough of Windsor and Maidenhead Local Access Forum has been discussing (amongst others) the following issues:

- Implementation of the Public Rights of Way Improvement Plan
- Stiles and gates on paths
- Setting up LAF Working Groups to discuss issues of shared routes and permitted paths
- Grant funding for countryside access schemes
- Healthy lifestyles and encouraging people to use the path network for exercise.
- Promotion of the Local Access Forum, particularly to gain more representation from landowner/ land manager interest areas.
- Safe Routes to Schools
- The use of Developer Contributions to improve rights of way and access

The LAF is keen to work with the Council to help realise the aspirations of the Rights of Way Improvement Plan published in 2005. To this end the work programme for the next year includes the following:

- Suggesting updates to the list of approved Developer Contributions schemes
- Achieve 3 objectives in the Rights of Way Improvement Plan
- Support and work to help implement School Travel Plans
- Work with the Council to create a fully accessible route at one part of the Borough

[Royal Borough of Windsor and Maidenhead LAF](#)

Slough

Slough Local Access Forum (SLAF) started 2007 with an excellent meeting in January! Attendance is rising and relationships are being consolidated with officers from Parks and Community Safety coming along to provide reports on issues important to an urban borough.

The SLAF is currently interested in promoting cycling training amongst schools and is also working on developing its advisory relationship with the Council's Transport planners through working out the

best method of recommending what walking and cycling routes should be realised.

However, probably the most important matter for this coming year is for the SLAF to feel it is achieving something of value. Hopefully this will be partially accomplished with the next meeting focusing on the draft improvement plan due for publication this year.

[Slough Local Access Forum](#)

South Downs

[South Downs Access Forum](#)



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Surrey

Recent meetings of the Surrey Countryside Access Forum have been dominated by two strategic documents currently being drafted by the County Council. The first is the Surrey Rights of Way Improvement Plan, a draft version of which is due to go to public consultation this month. The second is a draft report entitled Sustainable Countryside Access, which is intended as a first step towards the development of a vision for countryside access in Surrey and will feed into both the Improvement Plan and the next Local Transport Plan.

Other issues currently being considered by the Forum include long term restrictions to open access land, the Thames Basin Heath Special Protection Area Delivery Plan and the status of routes contained on the list of streets.

[Surrey Local Access Forum](#)

West Sussex (CAFWS)

CAFWS has had a good year and looking to the future will be using working groups to work proactively to:

- maximise access opportunities through major new developments
- investigate access opportunities for disabled and less mobile people
- encourage cyclists to ride responsibly off-road.

Raising concerns about future Forum support and funding from West Sussex County Council (WSCC), resulting from its recent Fundamental Service Review, has had welcome positive benefits, including raising the profile with senior officers. The relevant cabinet member also attended a recent meeting assuring the Forum that the County Council values its work.

CAFWS has been pro-active in responding to many and varied consultations. As well as many of national relevance, more locally it commented on the Pagham to East Head Coastal Strategy, which resulted in a press article, the South Downs Management Plan and the WSCC Rights of Way Improvement Plan.

WSCC hosted an introductory training session on rights of way and countryside access for the four newest members.

The Annual Report for 2006/07 will be available in June.

[West Sussex Countryside Access Forum](#)