



Hertfordshire Local Access Forum CONSTITUTION



(Version 3: Includes updated email address changed; 21st June 2016)

- 1.1 This is the constitution of the Hertfordshire Local Access Forum (the Forum). It sets out the purpose of the Forum, its membership, and rules under which it conducts its business where these are not specified by the regulations¹.
- 1.2 The Forum has been established by Hertfordshire County Council (the appointing authority) to meet its duty, as a local highway authority, under Section 94 of the Countryside and Rights of Way Act 2000.
- 1.3 The Forum is an independent advisory body and is not part of Local Government. It has no executive functions.
- 1.4 The Forum is required to advise the County Council and other organisations about improving public access to land in Hertfordshire for open-air recreation and the enjoyment of the county. The County Council is required to have regard to any relevant advice given to them by the Forum.
- 1.5 In carrying out its functions, the Forum shall have regard to:
 - (a) the needs of land management,
 - (b) the desirability of conserving the natural beauty of Hertfordshire.

Membership

- 2.1 The Forum shall maintain a balance of interests between users of land and owners/occupiers of land². Therefore, if an individual who mainly represents land management leaves the Forum they will be replaced by an individual who also mainly represents land management.
- 2.2 It is expected that most members will represent more than one area of interest. Indeed membership will be encouraged from those who can bring a range of interests to the forum.
- 2.2 If there are less than 17 members on the Forum two places shall be filled by elected member nominations. In Hertfordshire these will be:
 - one District Councillor nominated by the Herts Local Government Association
 - one County Councillor nominated by the Executive Member of Environment

¹ [The Local Access Forums \(England\) Regulations 2002](#) Statutory Instrument 2002 No. 1836

² Categories identified in Countryside & Rights of Way Act 2000 Clause 95 (2) (a) and (b)

- 2.4 The Forum may suggest changes to the numbers or the representation of members so long as the 'balance of interests' required by the regulations is maintained.

Terms of membership

- 3.1 The length of an appointment to the Forum shall be determined by the County Council and be agreed and recorded at a meeting of the Forum.
- 3.2 In order to ensure consistency normal terms would be 3 years. However, initial appointments will be for one year, and then followed up with a two year term. Appointments made mid-term (to fill vacancies etc) will be arranged to finish at the end of a three year cycle. This will enable the County Council to arrange recruitment more efficiently.
- 3.3 A member of the Forum may resign by notice in writing to the County Council.
- 3.4 The County Council will terminate the appointment of a Forum member should they become an elected representative of a district or county council.
- 3.5 The County Council may terminate the appointment of a Forum member if they have been absent from all meetings of the forum during a period of one year, or are acting in an unreasonable manner during meetings.
- 3.6 The County Council may re-appoint a person who ceases to be a member of the Forum.

Election of Chairman/Vice-Chairman

- 4.1 The Forum shall have a chairman and a vice-chairman, who shall be appointed at the first meeting of the Forum by election from amongst the members of the forum.
- 4.2 The period of appointment of the chairman and vice-chairman shall be determined by the Forum, but in each case it may not exceed the period of their appointment as a member of the Forum.
- 4.3 Appointments of the chairman and vice-chairman will need to ensure that the balance of interests is maintained. Therefore nominees should **not be** from same category of interest i.e. users or landowners. Where a user is elected to be chairman every effort should be made to ensure a landowner/manager is elected to the Vice-chairman position. This applies equally if nominees are from category c interests, such that they should not represent the same area of interest.

Meetings

- 5.1 The Forum shall hold no fewer than four meetings every year.

- 5.2 A member of a local access forum who has a personal interest in any matter brought up for consideration at a meeting of the forum shall disclose the nature of his interest to the meeting so that it can be noted in the minutes.³
- 5.3 Where a consensus view cannot be reached matters shall be determined by a show of hands by a majority of members present. Any Forum member may require a recorded vote. If the result of any vote is equal the Chairman shall have a second (casting) vote.
- 5.4 If any member dissents on a decision of the Forum they may request that their dissent is recorded in the minutes.
- 5.5 The Chairman shall control the conduct of meetings and the ruling of the Chairman on any point of order shall be final and shall not be questioned during the meeting. In ruling on such matters the Chairman shall have regard to any advice given by the Secretary.
- 5.6 The quorum of the Forum will be equal to half the number of members plus one (rounded up in the case of a Forum with an odd number of members).

Access to meetings and documents of a local access forum

- 6.1 The meetings of the Forum will be open public meetings and held in venues that are accessible to all. The Forum's Chair will be able to exclude people in order to suppress or prevent disorderly conduct or other misbehaviour.
- 6.2 Copies of the agenda for a meeting of the Forum and copies of any report for the meeting will be available on the Forum website. Papers shall also be open to inspection by members of the public at the offices of the County Council at least five clear days before the meeting.
- 6.3 Items of business not publicised in accordance with paragraph 6.2 will not be considered at a meeting of the Forum unless the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Such special circumstances shall be specified in the minutes. The Chairman's ruling is final.
- 6.4 Members of the public will have the opportunity to ask questions relating to an item on the published agenda after each item. Speaking time may be limited according to the length of the agenda or the number of people wishing to speak.
- 6.5 An open Question and Answers session will be held at the end of each meeting, normally for fifteen minutes, where members of the public may ask direct questions

³ Personal interest: One which might affect the well-being, financial position or business of the individual, a relative or friend to a greater extent than other Hertfordshire people

on any subject related to the work of the Forum. Questions must be submitted on a pro-forma in advance or during the meeting.

- 6.6 A written submission should be submitted to the Secretary by the person wishing to speak and give full details of the matter to be raised, including details of any questions that will be asked. It should also indicate if the notice is on behalf of a group or delegation. Name, full postal address, telephone number, and email if available, must be given. Correspondence will be accepted by email or letter to the LAF Secretary.
- 6.7 The Chair may need to limit the number of speakers from the public at any one meeting if it looks as if considerable time will be taken up by several speakers. Similarly, the Chair may decide that the Forum will provide a written response to a particular question and that this will be provided during the week following the meeting.
- 6.8 The Chair's decision shall be final on all matters relating to public participation in Forum meetings.

Inspection of minutes and other documents after meetings of a local access forum

- 7.1 The following documents will be available on the Forum website and will be available for public inspection⁴ at the offices of the appointing authority for at least two years after the date of the meeting:
the minutes, or a copy of the minutes, of the meeting,
a copy of the agenda for the meeting, and
a copy of any report for the meeting.
- 7.2 In addition a list of any relevant⁵ background papers for reports under paragraph 7.1 and at least one copy of each of the documents included in that list, shall be available for public inspection at the offices of the County Council.
- 7.3 Where a document is available for public inspection the person may, subject to relevant copyright restrictions, make copies of or extracts from the document, or require the person having custody of the document to supply to him a copy of or extracts from the document. The County Council may charge a fee to cover reasonable expenses incurred.

⁴ Available for public inspection: arrangements exist for its production to members of the public as soon as is reasonably practicable after the making of a request to inspect it and at all reasonable hours.

⁵ Relevant documents are those documents relating to the subject matter of the report which: disclose any facts or matters on which, in the opinion of the secretary to the Forum, the report or an important part of the report is based, and have, in his opinion, been relied on to a material extent in preparing the report, but do not include any published works