

Plan of Engagement between Natural England, Defra and the Local Access Forums

1. Purpose

1.1 This plan summarises the role of Local Access Forums (LAFs) and clarifies the relationship between the LAFs, Natural England and Defra. It is designed to be a dynamic document that informs and guides all three parties to direct and focus effort, and has been produced in part, as a result of feedback received from the LAFs at the 2013 conference and in general discussions. It will be kept under regular review and revised as necessary.

1.2 In parallel Natural England will produce a LAF Annual Report to Defra which will highlight achievements and current issues.

2. Introduction

2.1 Local Access Forums (LAFs) are advisory bodies established under the *Countryside and Rights of Way Act 2000*. LAFs are established by local highway authorities and National Park Authorities (termed the Appointing Authorities in the legislation) and their main function is to provide independent advice to the Government and to section 94 bodies¹ on the improvement of public access to land in that area for the purposes of open air recreation and the enjoyment of the area, and on other matters prescribed.

2.2 'Guidance on Local Access Forums in England' was issued by the Secretary of State in 2007. It remains an essential reference guide which details respective roles and responsibilities and can be found on the LAF section of the Natural England Website and on Huddle².

2.3 Whilst LAFs have clear statutory duties, they can add value to their local access agenda by going beyond their statutory brief and embracing a wider role.

2.4 There are currently 83 active LAFs in England and they are made up of voluntary members appointed by the Appointing Authority. The Appointing Authority provides secretariat support for the meetings as well as expenses for the LAF members.

2.5 The importance of LAFs was recognised in the Natural Environment White Paper, June 2011, particularly in para 4.33 which recognised that *'Clear, well maintained paths and bridleways are important to give people access to the natural environment and can be enjoyed by cyclists, walkers and horse riders. There is considerable scope to improve and extend this network for example through LAFs and Rights of Way Improvement Plans.'*

¹ The Countryside and Rights of Way Act, 2000, Section 94(4) specifies that it is the function of a local access forum, as respects to the area for which it is established, to advise the appointing authority; the local highway authority; other bodies exercising functions under CROW Act Part 1 (Natural England, Forestry Commission and English Heritage) and such other bodies as may be prescribed. These other bodies are set out in the LAF Regulations 2007, paragraph 21, and include: any conservation board established by the Secretary of State, any parish or town council in the area covered by the LAF, and Sport England.

² Huddle is the Defra social network which has a section dedicated to Local Access Forums.

3. The LAF role

3.1 The primary purpose of LAFs is to provide advice to a range of organisations specified in the CROW Act, 2000 and in supplementary regulations and guidance. Specifically to:

‘advise as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area, and as to such other matters as may be prescribed (Secretary of State, Guidance on LAFs, 2007, para 3.1.1).’

The LAFs set their own priorities depending on local issues and what is of interest to the group members, as well as providing a local input to consultations and draft policy documents.

Matters of interest are likely to include:

- the management of access land;
- the condition of PROW and work to record PROW;
- improvements to the network of routes and open spaces in an area including PROW and access land;
- provision of greenspace (including woodland and coast);
- relationship with other sectors with an interest in providing opportunities to enjoy open air recreation including health, sport tourism, land management and biodiversity;
- how local authorities prioritise their spend on access and recreation;

3.2 Each forum meets at least twice per year, but generally more often. Members of the public are entitled to attend meetings and may be permitted to contribute to discussion.

3.3 Members serve in a personal capacity to represent interests rather than particular organisations.

4. Role of the Appointing Authority

4.1 Appointing authorities have a duty to support their forum and contribute to its effectiveness, by:

- setting the Terms of Appointment for forum members;
- appointing suitable forum members and notifying them of their Terms of Appointment;
- providing a secretary to administer the forum;
- publicising the forum agenda, minutes and papers for public inspection;

- publishing the forum's annual report (and if necessary assisting with writing), and sending a copy to Natural England;
- assisting LAFs with producing their Annual Report Proforma (see below), and adding comments where required;
- meeting the forum's reasonable running costs and reasonable training needs;
- providing suitable venues and refreshments for forum meetings;
- maintaining a good working relationship with the forum, and assisting the forum in developing its forward work programme, promotional material and events, etc;
- helping the forum to develop criteria for measuring effectiveness; and
- reimbursing members' expenses in respect of travel and subsistence costs, and any expenses for the care of children or dependants (and notifying the forum members of the rules for claiming expenses).

4.2 As a section 94(4) body, an appointing authority should also:

- have regard to relevant advice from the LAF;
- consult the LAF at an early stage on relevant (not just statutory) matters;
- provide information, reports, background papers, speakers etc;
- give timely feedback on advice received from the LAF;
- raise awareness of the LAF amongst officers and members throughout the authority.

4.3 The appointing authority must ensure the LAF is made up from a range of different people from the local community representing landowners / managers, access users (such as walkers, cyclists and horse riders) and other interests (such as health and conservation. Members are appointed to provide **independent, constructive, relevant, inclusive, incisive and informed** advice which takes account of a broad range and balance of local interests about access issues and priorities affecting the local area or which influence national policy.

5. Defra role

5.1 Defra is the Government department with responsibility for policy on access and recreation in England, including access to open country under the CROW Act and management of public rights of way. Defra is also responsible for policy on local access forums.

5.2 Defra's core purpose is to improve the current and future quality of life. It brings together the interests of farmers and the countryside; the environment and the rural economy; the food we eat, the air we breathe and the water we drink. This is achieved by integrating environmental, social and economic objectives - putting

sustainable development into practice every day, and by championing sustainable development as the way forward for Government.

5.3 Defra will work with ministers and departments to promote LAFs and their work. It will work with Natural England to report annually to ministers, based on the information gathered from the LAF annual reports. It will also provide Natural England with the direction for LAFs from Ministerial interests.

5.4 Defra is responsible for the creation of regulations and guidance to support the CROW Act. It keeps this under review and updates it as necessary.

5.5 Defra is keen to support the success of LAFs and will assist with the development and delivery of training when possible.

6. Natural England role

6.1 Natural England is the Government's advisor for the natural environment in England. Its job is to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations. Its work is a significant component in the delivery of the Government's aspirations for improving the natural environment in England as described in the Natural Environment White Paper of 2011, and is the lead body for the Government's Biodiversity 2020 programme.

Natural England is charged with conserving the natural environment as a resource for people to enjoy, understand and study. We are also responsible for promoting access to the countryside and open spaces and encouraging open air recreation.

Natural England's access and engagement work includes supporting the maintenance and promotion of 13 National Trails and managing 143 National Nature Reserves (NNRs), delivering coastal access, regulating open access and working in partnership with others to deliver and promote responsible public access and engagement.

6.2 Natural England's statutory role in respect to LAFs is limited and covers:

- receiving copies of all local access forum annual reports; and
- being notified of changes made to forum arrangements and changes in the Secretary.

6.3 In addition, as a section 94 body (see paragraph 2.1) Natural England welcomes advice from the LAFs on:

- the operation of open access restrictions, management and mapping;
- the condition of National Trails;
- access to the coast;
- the implementation of HLS/conservation management on access land;
- the effects of HLS/conservation management on rights of way;

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- facilities and services for visitors at National Nature Reserves;
- opportunities afforded to LAFs through engagement with Local Nature Partnerships (LNPs) and Local Enterprise Partnerships (LEPs); and
- other matters relating to the provision of access and opportunities for the enjoyment of the natural environment.

6.4 In addition to its statutory function, Natural England provides support to LAFs by championing their role at national and local levels and by facilitating the exchange of good practice. To do this, where resources allow, Natural England will:

- maintain an online LAF workspace (e.g. Huddle) which enables LAF members, NE and Defra to communicate and work together nationally;
- produce an annual national LAF report for Defra;
- facilitate the sharing of knowledge and good practice gathered from meetings, annual reporting, meetings and events. To support this, in 2013/14 Natural England will issue a quarterly newsletter and will create a themed good practice section on Huddle;
- facilitate the provision of external Regional Coordinators who support LAFs by providing advice, training and facilitation as well as encouraging the production of annual reports and organising regional LAF meetings and conferences;
- hold a regular LAF Chairs conference;
- provide focussed input to LAF meetings (through an agreed targeted plan of engagement), particularly regional groupings, seeking to attend where it can make a difference;
- maintain a LAF section on its website which includes information and up to date contact links to all LAFs;
- manage communication between LAFs, Defra and Natural England (and other national bodies) via meetings, email, Huddle (in effect providing a conduit between local LAF interests and Defra / Ministerial interests).

Martin Shaw, Natural England, May 2013