

# Luton Local Access Forum

## Terms of Reference

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## 1. Introduction

The Local Access Forum (LAF) for the Borough of Luton will be known as Luton Local Access Forum (LLAF).

The Countryside and Rights of Way Act 2000 (the Act) places a duty on Highway Authorities for any area to establish a LAF for that area. The Act defines these authorities as appointing authorities. Luton Borough Council is the appointing authority for LLAF.

The LAF is a statutory and independent advisory body with no executive powers. However, the appointing authority and Natural England must have regard to the advice of the LAF.

## 2. Purpose

The main purpose of LLAF will be to give advice on the improvement of public access in Luton for the purposes of open-air recreation, responsible enjoyment and other related matters. The LLAF will provide advice on access within the Luton Borough boundary and land outside Luton that is owned, managed or controlled by Luton.

The advisory and consultation issues that may be addressed include:

- Rights of way improvement plans
- Recreation, transport and access strategies, with emphasis on inclusion
- Proposals for new Rights of Way or changes to existing Rights of Way, including Public Space Protection Orders.
- Public open space management: access, local restrictions and bylaws.
- Promoting visitor understanding
- Impact of proposed development on access

LLAF will set its own agenda and will be able to give advice on any issues concerning public access that it feels fall within its remit.

LLAF will endeavour to respond to consultations and draft policy documents. When making recommendations, LLAF members will consider:

- the needs and interests of the public at large and specific user groups
- the need to conserve flora, fauna, geological and physical features
- the needs and interests of landowners and land managers including the needs of land management
- guidance given by the Secretary of State.

LLAF will respect local circumstances as well as environmental, social, economic and educational interests.

## 3. Membership

Luton Council will appoint members of LLAF. LLAF will consist of a minimum of ten and maximum of 22 members. The membership should be a balanced representation of

- users of local paths and open spaces, including walkers, cyclists and horse riders
- owners or occupiers of land over which there are local rights of access
- other interests that may be relevant to Luton.

Members of Luton Council (councillors) may be members of LLAF. The maximum number of councillors is two, unless LLAF consists of at least 17 members, in which case there can be three councillors.

Councillors must be clear if they are representing 'public agency' interests or 'community' interests in their responses at LLAF meetings.

Appointment to the LLAF will be for a period of three years but members can be reappointed at the end of their term. Luton Council will advertise vacancies as soon as possible once they arise. Luton Council can make appointments at any time.

Members should work towards consensus and be part of a team.

Individual members will, through consultation, represent a field of interest rather than a particular organisation of which they might also be a member. To maintain a reasonable balance, members will represent different interests.

Members will aim towards forming advice which will benefit the residents of, and visitors to, Luton.

Members of LLAF must not use their position to seek or gain an unfair advantage by pursuing their own interests or issues. Members are there to represent their wider group, for example, land management representatives must think beyond their own land holdings and seek to express the views of the land management community.

Members will take active steps to stay in touch with the community they represent so that they can convey its views to the LLAF.

LLAF can request that Luton Council terminate a member's appointment if they:

- fail to attend meetings for a year, without consent;
- fail to reflect wider community views;
- act against the interests of LLAF; or
- are rude or abusive to other LLAF members or officers of the appointing authority.

### 3.1. Chair and vice chair

At the first meeting of LLAF, and at the annual general meeting (AGM) each year, the members will elect a chair and vice chair.

Where possible, the chair and vice chair will represent different interests. Councillors will not be eligible for either position.

If either post becomes vacant during the period of appointment, LLAF may decide to hold elections for both posts.

Where neither the chair nor vice chair can attend a meeting, LLAF may elect a chair on a casual basis for the duration of that meeting only.

The chair and secretary will draft the agenda for LLAF meetings.

### 3.2. Secretary

Luton Council will provide a secretary who will take minutes and conduct administrative work.

Luton Council will reimburse reasonable expenses incurred by members attending meetings of LLAF and other approved activities associated with their duties, including travel, subsistence and dependent care.

LLAF will prepare an annual report on their activities which Luton Council will publish.

## 4. Meetings

There will be at least two LLAF meetings every year. LLAF may meet more frequently but no more than four times every year.

Meetings will be quorate when half the current members plus one is present.

Members of LLAF requesting items for inclusion in the agenda of any meeting should inform the secretary at least three weeks before the meeting.

Members who have a personal interest, whether direct or indirect, in any matter discussed by LLAF shall disclose the nature of the interest to the meeting.

A personal interest is one which might affect a member's wellbeing, financial position or business, or that of a relative or friend, to a greater extent than that of other council taxpayers, rate payers or other inhabitants of the area.

The regulations do not prohibit that member from participating in the discussion, but it is necessary that the member declares their interest to other members of LLAF. The secretary will record declarations of interest in the minutes of the meeting.

#### 4.1. Public access to meetings

The secretary will make the agenda available to the public at least three working days prior to a meeting.

The meetings will be open to the public as observers.

Members of the public will be able to speak at the meetings at the discretion of the Chair, subject to agenda and time constraints, but for a maximum of 3 minutes per agenda item.

Speakers must keep to the subject, avoid using offensive or abusive language, and keep to time.

Observers cannot vote on or take part in the decision-making.

A rights of way representative of Luton Council will attend all meetings as an observer.

#### 4.2. Voting

It should be the aim of LLAF to conduct its business by discussion and consensus without the need for frequent formal voting. However, where this is not possible, each member of LLAF present at a meeting can exercise one vote. Voting on any issue shall be determined using the simple majority method by show of hands. In the event of an equality of votes the Chair shall have a second or casting vote.

## 5. Communication

LLAF will maintain a shared email distribution list and membership of LLAF will be on the understanding that members consent to sharing their email address with other members of the forum.

Members should be aware that there will be a need to communicate and work on LLAF business between meetings; we need cross-communication to formulate a LAF view.

## 6. Review

A review of these terms of reference will occur at the AGM.

Date: September 2024