

## **SOUTH EAST REGION LOCAL ACCESS FORUM WORKSHOP** **How to be a good Local Access Forum**

**21 February 2008 • Ashdown House, Victoria London**



*South East Local Access Forum members discuss the revised Defra guidance in small groups*

### **Headline outcomes:**

- 21 LAF member participants.
- Participants reviewed role of LAF in light of revised Defra guidance.
- Increasing the LAF's profile and influence is central to its success.
- Delegates greatly valued the value of facilitated networking with other LAFs.
- Flexible workshop format allowed discussion of key issues for participants.
- 100% of participants rated the workshop as “very helpful” or “helpful” to attend.

### **Workshop aims**

This event for LAF members aimed to help them identify and implement changes about how their LAF operates, to make it more influential and rewarding to be involved with.

### **Introductions and what's new?**

Following a welcome and introductions from Nicola Trafford of Natural England, participants described the item they had brought along, and explained how this illustrated what was personally important to them about public access in their LAF areas.

Their items and thus personal interests were used to remind participants that the LAF belongs to them, and is not, eg, a sub-committee of the Appointing Authority (county council or unitary authority). Moreover, the value of the LAF's statutory independence was emphasised, as was the fact that, if it wanted to, the LAF could cover a very wide range of issues, reflecting what participants thought was important above.

In essence, the relevant legislation says that LAFs can consider and give statutory advice on public access to land in the area for “any lawful purpose”, although for mechanically propelled vehicles this is limited to byways open to all traffic. ‘Land’ is defined as including “buildings and other structures, land covered with water, and any estate, interest, easement, servitude or right in or over land.”

Participants were encouraged to consider if their LAF work programmes and agendas actually reflected their own interests, or those of the appointing authority, and to thus consider making any changes they felt necessary.

### **Setting your sights**

To help participants consider how LAFs could act as a catalyst for joined-up access management, Margaret Bowdery from the Royal Borough of Windsor & Maidenhead LAF kindly described a situation on the “Green Way” multi-user route in her area, where structures placed along it were causing significant obstructions for many users. Involvement of a number of different council departments and external bodies complicated matters in putting things right.

Alan Marlow from the Hampshire Countryside Access Forum then gave participants an update on the National Access Forum, which was set to help LAFs to have a more influential and consistent voice at a national level, in particular with Natural England. Two delegates were to be appointed from each Natural England region. This region needed to decide who would be its representatives for 3 or 4 meetings per year. Alan also highlighted that this may help LAFs develop a more effective regional voice too.

David Gear from Natural England then gave an informal presentation on the LAF member handbook that was nearing completion. He described how its flexible format would allow it to be easily updated, and allow LAFs to include relevant local information too. Whilst not originally planned as part of the day, delegates found David’s update helpful and this ran on until lunch.

### **Expect the unexpected!**

Following lunch, it was originally planned for participants to review their LAF’s successes and the “good news” that LAFs can bring, that can in turn make them more attractive and influential with decision makers. However, due to a fire alert, the whole building was evacuated for nearly an hour. Ever resourceful, participants used the opportunity for informal networking stood outside Westminster Cathedral!

### **Becoming more effective**

The afternoon session restarted with participants exploring eight sections from the revised Defra LAF guidance, that research had found to be characteristics of the best performing LAFs. A further topic was included, related to the National Access Forum described in the morning. The nine topics considered were:

- Regional and national liaison (11)
- Giving advice to a range of “Section 94(4) bodies” (13)
- Emphasising the status of LAF advice (5)
- Influencing decision-makers (15)
- Proactively advising (11)
- Prioritising and focusing on strategic issues (7)
- Measuring its effectiveness (11)
- Accommodating business between meetings (4)
- Using sub-groups (5)

*Note: Section 94(4) bodies are those bodies that are required by law to have due regard to a LAF’s advice*

Participants read the summaries for all nine areas and voted on the topics they felt most relevant. Their votes are indicated after the nine topics above.

The top five topics were then brainstormed by all participants, who were asked to explore what they could do to improve in this respect, and who needed to act to take things forward.

Participants' ideas are summarised on the following pages:

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### **Giving advice to Section 94(4) bodies**

#### **What can you do?**

- write to all section 94 bodies
- invite representatives of such bodies to discuss issues
- respond to consultations and ask for feedback
- monitor activities and opportunities
- keep ear to the ground

#### **Who needs to act?**

- LAF secretary to write to bodies
- subcommittees and individual members
- chair/vice-chair establish contact with bodies
- section 94 bodies need to respond in return
- National Access Forum to lobby Natural England/Defra to enforce and encourage dialogue from section 94 bodies

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### **Measuring effectiveness**

#### **What can you do?**

- set annual agenda
- count number of items of guidance given and accepted (versus rejected)
- asked section 94 (4) bodies for feedback
- count number and percentage of action points which bring positive results
- recruit and retain members - diversity
- good annual report; shows what has been done (ownership/involvement)
- identify examples where LAF action has been acted upon

#### **Who needs to act?**

- all members - especially in annual report
- need for self assessment, reflection and audit in annual report
- chair
- LAF officer
- who is going to take notice of the annual report?
- LAF needs to ensure transparent recruitment

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### **Proactively advising**

#### **What can you do?**

- ask for an agenda item and request attendance from body
- write to bodies asking to be included on consultation list
- keep "ears to the ground" - watch local press/media
- regular follow-up requests
- allocate members to watch specific topics/bodies
- check major planning applications
- local authorities to have a page for LAF on their website to publicise meetings/agenda items/achievements of LAF

- initiate contacts with section 94 (4) bodies through conferences
- monitor the results
- can't be proactive if you can't remember discussions; draft minutes need to be circulated within two weeks to stimulate timely action
- all LAF members need to be involved in setting the agenda, not just the chair/secretary; circulate request for items ahead of meeting

- LAF members must be advised of their powers of complaint if a reason for not following advice is not given
- LAFs must/should identify issues and initiate action on general issues, perhaps by going directly to regions and National Access Forum

#### **Who needs to act**

- chair/LAF officer
- all members
- LAF members and subgroups
- LAF secretary

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### **Influencing decision-makers**

#### **What can you do?**

- structure of authority; rights of way should not be a poor relation within highways
- get interdepartmental communication going
- request relevant officers to attend meetings of LAF to discuss issues
- raise profile with parish councils as well as districts and boroughs; establish two-way exchange of information
- use of the media
- make use of elected members on LAF
- what sanctions are available to ensure effectiveness and raising profile? Obtain feedback from appointing authority
- target key decision-makers
- relate to measuring effectiveness
- question whether section 94 body employees should be on the LAF
- find out how to influence the health agenda
- identify relevant budget holders and clarify when best to influence them
- identify key media contacts
- explore dialogue with political party groups
- instigate conferences/workshops to inform/advise councillors and section 94 bodies

- asked to speak at council meetings - parish/district/county or Westminster!
- establish mechanism for consulting and communication across the region and nationally
- identify regional bodies to advise
- identify clear aims and objectives for any regional LAF body
- invite neighbours to meetings and attend
- organise regional meetings - hosting in turn

#### **Who needs to act?**

- chair to have has good links with local authority
- members to request information / presentations
- subgroups to work on particular projects, e.g., conferences and also to support chair in working on contacts
- have more flexibility to react at the correct point in others' committee cycles
- LAF secretary is key
- officers/chair
- individual members to attend neighbours' meetings

## Regional and national liaison

### What can you do?

- LAF is to be proactive in the region and with neighbouring LAFs
- effective publications and newsletters; e.g. “from the four corners”
- internet forum for LAFs and individual members
- raise finance for LAF
- establish a regional structure

### Who needs to act?

- LAF officers must implement
  - LAF secretaries’ forum
  - treat LAF members like councillors for allowances
  - authorities to pay LAF members in lieu of time off work (like civic duty leave) for LAFs, regional and national LAF work
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## Summing up

Towards the end of the workshop, participants were asked to reflect on their feelings for their LAF, and think about what they are going to do as a result of the workshop.

The words participants used describe their feelings about their LAF after today were:

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|--------------------|--|--------------------------------------|
| • more potential   | • more motivated                         | • encouraged                         |
| • enthused x2      | • committed                              | • not bad but must raise our profile |
| • above-average    | • stimulated                             | • thoughtful about role              |
| • need for change! | • hopeful                                | • could do better                    |
| • inspired         | • good                                   | • ineffective                        |
| • reinvigorated!   | • better informed about aims and actions |                                      |
| • improving        |  |                                      |

As a result of today, participants said they would make their LAF more influential by:

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|--|---|
| • seek fresh opportunities and contacts                            | • feed back on today’s issues/ideas/possible actions                                |
| • be better briefed  | • considering additional measures of effectiveness                                  |
| • contact section 94 bodies  | • raise profile - more publicity beyond annual report                               |
| • raise their LAF’s profile with the three councils we represent   | • feedback this workshop  |
| • be more proactive on specific issues x3                          | • make sure that we use our powers  |
| • submit agenda items to get topics I think important discussed    | • press for more publicity  |
| • more of a lead in setting agenda items                           | • research into the constitution  |
| • give more informed input into meetings                           | • write concise and effective reports and work up my own LAF project (village plan) |
| • raise LAF profile with section 94 bodies and the public at large |   |

Participants were finally asked what they thought was the best issue that LAFs in this region could collaborate on to improve things. Their suggestions were:

- more liaison / meetings / newsletters / networking x4
- raising the LAF profile x3
- sharing good practice on administrative structures; get the appointing authority to work for us, not lead us by the nose!
- getting feedback from section 94 (4) bodies
- highlight the value of ROWIPs
- helping LAFs to network, innovate, adapt ideas and adopt them
- impact of major roads, need for better crossings
- capturing common issues and taking them forward regionally
- liaison between adjoining LAFs' rights of way and working with Hampshire County Council
- building sites and public access
- holding a regional conference
- coordination on cross boundary matters x2

### **Issues Park**

A number of related and relevant issues came up during the day. Whilst there was not time to explore these topics, they were noted for subsequent consideration and are summarised here:

- National Access Forum: teleconferencing as a better way for national meetings?
- London boroughs are not required to have a LAF. Can the outer 20 boroughs become more involved?
- Can LAFs raise their own budgets to appoint own officers or consultants?
- Where can LAFs raise their own funds to publicise their aims and advice?
- Income and subsistence allowances
- How can LAFs influence decision-makers when the use and exercise of those powers requires funding that is not available?
- Need for a regional voice to a variety of regional bodies, as well as national influence.
- How to encourage more users/volunteers to join, ie not paid employees. Encouraging claiming of expenses.
- Why can volunteers not be rewarded, as many people on the LAF are there as employees of land managers, national parks, local authorities, and wildlife trusts?
- Coordination/sharing of information between regions.
- Policing of pathways and access.
- Website for LAFs.
- Technical issues: illegal encampments on common land and other public open space; traffic regulation orders used as an undemocratic way of downgrading routes; exchange land - the Highways Agency not acting lawfully.



**Evaluation**

Summary of comments on evaluation cards.

**“How helpful has the event been to the future effectiveness of your LAF?”**

<i>Very helpful</i> 53%	<i>Helpful</i> 47%	<i>Unhelpful</i> 0%	<i>Very unhelpful</i> 0%
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**“How much has your awareness changed today about opportunities for your LAF to increase its profile, influence and effectiveness?”**

<i>A large amount</i> 47%	<i>A moderate amount</i> 53%	<i>A small amount</i> 0%	<i>Not changed at all</i> 0%
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**“Compared to before the event, how motivated do you now feel about your role with your Local Access Forum?”**

<i>Much more motivated</i> 47%	<i>A little more motivated</i> 53%	<i>A bit less motivated</i> 0%	<i>Much less motivated</i> 0%
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**“The most useful part of today was:”**

- networking and hearing what is happening in other LAFs x5
- learning /sharing from others’ experiences x5
- hearing that LAFs should make waves
- presentations good
- small groups very effective
- a better understanding of LAFs
- to understand our rights
- the morning; finding out about National Access Forum and where LAFs have influence
- being inspired by other LAFs
- presentations and discussions
- afternoon discussions

Note: not all respondents answered each question.

The revised Defra Guidance on Local Access Forums in England (2007) used in this workshop can be downloaded from: [www.defra.gov.uk/wildlife-countryside/cl/local-access-forums.htm](http://www.defra.gov.uk/wildlife-countryside/cl/local-access-forums.htm)

Other supporting materials and presentations can be found at: [www.theaccesscompany.com](http://www.theaccesscompany.com)

**Facilitators note:** at this event there was an absence of appointing authority officers; at similar events in other regions, officers have been present. Today, this “member only” event seemed to allow for a much more open and productive discussion of issues related to LAF operation. LAFs have many different types of relationships with appointing authorities, and this does not mean there is a general lack of openness or mutual respect. However, it is suggested that having some events as “member only” can be helpful, depending on the event’s aims and subject matter.

The event also raised the value of some LAF members having access to an independent third party for advice, when they are concerned that the appointing authority may not be giving them impartial advice, for example when a LAF may be challenging an appointing authority’s decision.

Stephen Jenkinson – March 2008  
The Access Company