

Broads Authority

24 July 2020

Agenda item number 12

Broads Local Access Forum – Annual Report and revised constitution

Report by Waterways and Recreation Officer

Purpose

This report presents the Broads Local Access Forum (BLAF) Annual Report 2019/2020 on the development and improvement of public access within the Broads.

A significant revision to the BLAF constitution was also carried out and supported by BLAF in June 2020. The revised constitution requires endorsement by the Broads Authority, as the sponsoring body, prior to formal adoption.

Recommended decision

To note the BLAF Annual Report 2019/20 and to endorse the revised constitution.

1. Annual Report

- 1.1. The Broads Local Access Forum (BLAF) Annual Report 2019/20 is at Appendix 1.
- 1.2. BLAF held three public meetings in 2019/20 to consider and agree its advice to the Broads Authority on access matters and potential improvements. Due to COVID-19 restrictions, one meeting was held remotely and another was cancelled. However, members were able to contribute to the review of the Broads Integrated Access Strategy action plan and advise the Waterways and Recreation Officer when requested.

2. BLAF Constitution

- 2.1. Earlier this year, the BLAF updated and agreed to the adoption of an updated constitution. The new constitution was written in line with the Countryside and Rights of Way Act 2000 and the Local Access Forum Regulations 2007, following consultation and input from other local access forum groups.
- 2.2. The revised BLAF constitution (with track changes) is at Appendix 2, and the endorsed revised version at Appendix 3.

Author: Lewis Treloar

Date of report: 23 June 2020

[Broads Plan](#) objectives: 6.1, 6.2

Appendix 1 – [BLAF Annual Report 2019/20](#)

Appendix 2 – BLAF constitution (track change version)

Appendix 3 – BLAF constitution (endorsed version)

Broads Local Access Forum constitution

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c/o Broads Authority

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BLAF@broads-authority.gov.uk

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The constitution applies these regulations for the Broads Local Access Forum (BLAF). Forum members are given technical and administrative support by the Broads Authority officers to enable them to undertake their advisory role as effectively as possible.

1. Terms of reference

- 1.1. The Broads Local Access Forum ('the Forum') members are volunteers appointed to the Forum by the Broads Authority (as the appointing body) to represent a range of local interests.
- 1.2. The Forum gives advice to Section 94(4) bodies as follows: Broads Authority; Norfolk County Council; Suffolk County Council; District and Borough Councils within the Broads Authority executive area; Government Departments (e.g. Defra, Planning Inspectorate); Highways England; Natural England; Forestry Commission; Environment Agency; Sports England; and parish and town councils within the Broads Authority executive area. These bodies should have regard, in carrying out their functions, to any relevant advice given to them by the Forum.
- 1.3. The advice the Forum gives falls within one or more of the following categories:
 - a. Improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area;
 - b. Issues relating to public access to and from water;
 - c. The promotion and appropriate use of opportunities for all types of user to enjoy access to the countryside;
 - d. Promoting closer liaison and understanding between the various interest bodies and organisations which have an interest in access to the Broads and its wider catchment area, and in particular with Norfolk and Suffolk LAFs.
- 1.4. The Forum is a statutory consultee for:
 - a. Draft maps showing open country and registered common land;
 - b. Byelaws affecting access land;
 - c. The appointment of access wardens on access land;
 - d. Directions that would restrict or exclude long-term access;
 - e. Rights of way improvement plans;
 - f. Dog control orders which apply to access land.

- 1.5. In providing advice, the Forum will have regard to the duties of the Broads Authority as set up in the legislation, including:
 - a. Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
 - b. Promoting opportunities for understanding and enjoyment of the special qualities of the Broads by the public;
 - c. Protecting the interests of navigation.

2. Principles

- 2.1. The Chair will set the agenda, taking account of eligible proposals from members of the Forum. If there are no items of business to consider, the Chair may cancel a meeting as long as it does not contravene principle 2.4 below.
- 2.2. The Forum will produce an annual report to the Broads Authority.
- 2.3. The advice or comments of the Forum will be reported to by the appropriate bodies as set out in section 1.3.
- 2.4. The Forum will meet at least twice a year, and aim to meet four times in the year.

3. Membership

- 3.1. The Forum will comprise at least 10 and not more than 22 representatives, appointed by the Broads Authority in accordance with The Local Access Forums (England) Regulations 2007. Under 3(5) of the Regulations, membership of the Forum is representative of the following groups:
 - a. users of local rights of way or the right conferred by section 2(1) (rights of public in relation to access land);
 - b. owners and occupiers of access land or land over which local rights of way subsist;
or
 - c. any other interests especially relevant to the Broads Authority's executive area.
- 3.2. Members of the Forum shall be appointed for not less than one and not more than three years.
- 3.3. The appointment of a member of the Forum shall be determined by the Broads Authority and notified to the applicant in writing.
- 3.4. A member of the Forum may resign by giving notice in writing.
- 3.5. The Broads Authority shall terminate the appointment of a member of the Local Access Forum in the following circumstances:

- a. If a member has become a district or county council member and therefore exceeds our permitted number of representatives as per The Local Access Forum Regulations 2007 Part 2 S3(4).
 - b. If a member, without consent of the Broads Authority, failed to attend all meetings for one year.
 - c. If a member has failed to declare an interest in any matter brought up at a meeting.
 - d. Where two Forums merge.
- 3.6. The Broads Authority may reappoint a person who ceases to be a member of the Local Access Forum.
- 3.7. The Forum will appoint a Chair and Vice Chair on an annual basis. The Forum must ensure that they are not drawn from the same interest group referred to in paragraph 3.1.
- 3.8. The length of time served as the Chair and Vice-Chair is for the Forum to determine, but must not extend over the maximum term of their appointment as a Forum member (see 6(5) and 4(2) of the Regulations).
- 3.9. Officers of the Broads Authority, where appropriate, will attend meetings, present reports and answer queries. The Forum may also invite other persons to attend and participate but they will not have the option to vote.
- 3.10. Norfolk and Suffolk LAFs will each be invited to nominate one of their members to participate in all BLAF business, and who will be treated as if a member in all respects save voting rights.

4. Declarations of interest

- 4.1. A member of the Forum who is directly or indirectly interested in any matter brought up for consideration at a meeting of the Forum must disclose the nature of that interest to the Forum. Failure to do so may mean that the Broads Authority will terminate the member's appointment.

5. Access to meetings and documents

- 5.1. Meetings of the Forum are open to the public, subject to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.
- 5.2. Copies of the agenda and any reports for meetings must be open to inspection by members of the public at the Broads Authority's head office at least three days before the meeting, except:
- i. where the meeting is convened at shorter notice, the copies of the agenda and reports must be open to inspection from the time the meeting is convened; or

- ii. where an item is added to an agenda, copies of the document adding the item, and the copies of any report for the meeting relating to the item, must be open to inspection from the time the item is added to the agenda.
- 5.3. An item of business may not be considered at a meeting unless these requirements are complied with or, by reason of special circumstances to be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered as a matter of urgency.
- 5.4. After the meeting of the Forum the minutes, agenda and reports must be open to public inspection at the Broads Authority's head office for at least two years after the meeting. Copies of a list of any background papers for the report must also be available for inspection, together with a copy of any documents included on that list.

6. The role of the Broads Authority

- 6.1. The Broads Authority will support the Forum by providing administrative support.
- 6.2. Broads Authority officers will provide the following functions:
- i. arranging a venue for Forum meetings;
 - ii. organising and advertising Forum meetings;
 - iii. preparing the agenda on receipt from the Chair, compiling supporting documents, and distributing agenda papers by email;
 - iv. assisting the Chair in conducting meetings;
 - v. producing draft minutes of meetings;
 - vi. reimbursing members expenses for travel, subsistence and care of dependents where appropriate; and
 - vii. organising and providing training for members if deemed appropriate.
- 6.3. The Broads Authority will also support the Forum by:
- i. liaising between the Forum and the appointing authority and neighbouring Local Access Forums;
 - ii. communicating the Forum's advice to relevant authorities and bodies;
 - iii. providing ongoing support and advice to the Forum and its members;
 - iv. ensuring that the Forum's advice is made available to the relevant Broads Authority committees, Broads Authority members and officers; and
 - v. promoting the Forum's work through press releases, on its website or on social media as required.

7. Amendments

- 7.1. Any amendments to the Constitution must be agreed by the Broads Authority following consultation with the Forum.

Reference documents

1. [The Local Access Forums \(England\) Regulations 2007](#)
2. [Guidance on Local Access Forums in England \(Revised guidance 2007\)](#)

Appendix – BLAF rules

1. Quorum

The minimum number of members that must be present at any of the BLAF meetings to make the proceedings valid is seven (7).

2. Voting in meetings

- Will be by a show of hands.
- Every issue will be determined by simple majority of the votes cast at the meeting.
- Every member of the Forum has one vote on each issue, except for:
 - The Chair of the meeting, who has a second or casting vote; and
 - Any members from other Local Access Forum groups, who may not vote (see paragraph 3.10).

3. Substitutes

Members of the Forum cannot appoint substitutes to represent them in their absence from meetings.

4. Minutes

The Chair will sign the minutes of the proceedings at the next suitable meeting.

5. Record of attendance

Each member attending a meeting of the Forum must, with a view to securing the recording of his or her attendance, sign the attendance sheet provided by the Administrative Officer for that purpose. If any member arrives after the attendance sheet has been circulated, they must intimate their presence to the Administrative Officer.

6. Public questions

~~Any member of the public A person resident in the Broads Authority executive area or within close proximity to this boundary~~ may attend meetings of the Forum and, by giving four working days' notice, may ask any question on any matter in respect of the Forum's Terms of Reference.

Any questions submitted in time will be included on the agenda and will be the subject of response by the Chairman.

If the person asking the question is not present at the meeting, the answer as reported at the meeting will be sent by post or email to the questioner following the meeting.

The number of questions which may be asked by any one person at any one meeting will be limited to one.

7. Chair's ruling

The ruling of the Chair as to the construction or application of these rules or as to any proceedings of the Forum will be final for the purposes of the meeting at which it is given.

8. Allocation of duties

The Chair (with Broads Authority officer support) will:

- Appoint and convene sub-groups with responsibility for replying to incoming correspondence, subject to there being:
 - at least one representative from each category of interest appointed where practicable; and
 - at least seven days' notice of proposed response to all Forum representatives to allow them to comment.
- Grant responsibility to individual representatives for maintaining contact with Broads Authority committees, Local Access Forums, Liaison Groups, etc.
- Grant responsibility to categories of interest to invite speakers and arrange training
- Submit the agenda to the administrative officer at least a month before the date of the next main meeting
- Sign outward correspondence

9. Changes to these rules

The Forum may change the rules in this Appendix (as long as they still comply with the Regulations) by a simple majority. Similarly, the Forum may add new rules of procedure.

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