

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Decision Maker:</b>	Executive Member for Culture, Recreation and Countryside
<b>Decision Date:</b>	7 December 2017
<b>Title:</b>	Membership of the Hampshire Countryside Access Forum
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact name:** Jonathan Woods

**Tell:** 01962 667921

**Email:** Jonathan.woods@hants.gov.uk

### **1 Executive Summary**

- 1.1 The purpose of this paper is to appoint members to the Local Access Forum for Hampshire (excluding the New Forest and South Downs), Portsmouth and Southampton for the period December 2017-20.
- 1.2 The County Council is required to establish a Local Access Forum in accordance with the Countryside and Rights of Way Act 2000, to advise on and promote improvements in access to the countryside. The national regulations require the Forum to be re-established every three years. This report proposes the membership for the next three year term of the Hampshire Countryside Access Forum, as the Local Access Forum for Hampshire (excluding the New Forest and South Downs), Portsmouth and Southampton.
- 1.3 In carrying out the recruitment and making recommendations for membership, officers followed the process adopted by the council in 2002 and the subsequent national regulations and guidance.

### **2 Contextual information**

- 2.1 The Countryside and Rights of Way Act 2000 (the Act) requires highway authorities to appoint a Local Access Forum. The duty of the Forum under the Act is to advise the Council, and any other body which has functions relating to access over land in the area, on the improvement of public access to this land for the purposes of open-air recreation and the enjoyment of the area. In preparing this advice, the Local Access Forum must have regard to the needs of land management and the desirability of conserving the natural beauty of the area, including the flora, fauna and geological and physiographical features of the area. The recipients of advice from the Local Access Forum are required to have regard to this advice in carrying out their functions.

- 2.2 Locally, the duty to establish a Forum affects Hampshire County Council, Portsmouth City Council and Southampton City Council. Following wide consultation among stakeholders, support from Councillors in all three authorities and a decision by the Executive Member in 2002, one Forum was established to cover all three authorities, known as the 'Hampshire Countryside Access Forum'. This joint approach has been found to be effective, and was cited in national research on Local Access Forums (LAFs): "Where new (often unitary) authorities have combined with old more established authorities, as in Lancashire and Hampshire LAFs, a productive and stable relationship has been created."
- 2.3 Sub-groups were established in the New Forest and South Downs to provide advice on the potential National Park areas. Following the establishment of the New Forest National Park in April 2006, the National Park Authority and Hampshire County Council jointly appoint to the New Forest Access Forum which covers the wider New Forest area, incorporating the National Park and the New Forest District. As of April 2011, following the establishment of the South Downs National Park, the National Park Authority appoint to the South Downs Local Access Forum which covers the South Downs National Park area. The remit of the Hampshire Forum has subsequently been amended to exclude the New Forest and South Downs. (A map is shown at Appendix 1).

### **3 Work to date**

- 3.1 Hampshire Countryside Access Forum complies with good practice and is acknowledged as one of the leading Forums in the South East, with officers and members frequently approached for advice and information. In particular the Forum is acknowledged for securing Heritage Lottery Funding for its successful Providing Access to Hampshire's Heritage project.
- 3.2 The Forum has assisted officers in forming many policies which have been formally adopted by the County Council, has responded to numerous national and local consultations and has developed its own projects. The Forum actively contributed to the development of the Hampshire Countryside Access Plan (the Rights of Way Improvement Plan for Hampshire, a requirement for all highway authorities under the CROW Act), which was first published in 2008 and updated in 2015. A sub-group comprising a balance of membership has also met regularly to advise Natural England on the delivery of the England Coast Path in Hampshire.
- 3.3 Current work includes advice and comment on a new approach to managing byways and the development of guidance to local planners and developers, with the aim of minimising adverse effects of development on public rights of way and generating opportunities to improve access to the countryside around new developments.

### **4 Finance**

- 4.1 In accordance with national regulations, Forum members attending full meetings, sub-group meetings, site visits or training for the Forum are entitled to claim travel and subsistence expenses, and any expenses in arranging for

the care of their children or dependants. This has played no bearing on recommendations for membership.

## **5 Recruitment**

- 5.1 Hampshire Countryside Access Forum was established in 2002 and re-recruited in 2005, 2008, 2011 and 2014, as required by national regulations. It currently comprises 18 members of the public (including 2 vacancies), Councillor Edward Heron on behalf of Hampshire County Council and a Portsmouth City Council representative.
- 5.2 Three of the current members have been recruited since December 2016 to fill gaps in user-group representation, two of which had opened as a result of resignations. Initially appointed for one year (regulations require that members be appointed for between 1 and 3 years), these representatives for off-road cycling, horse riding and disability have been active and balanced contributors to the work of the Forum. It is therefore recommended that their membership should be extended from March 2018 to December 2020 to bring them in line with the rest of the Forum
- 5.3 In recruiting to the Forum for its sixth term of three years, officers followed the process adopted by the Council in 2002, which conforms to the national regulations and the County Council Constitution and has the support of current Forum members. Applications were invited through articles in the local press and direct contact with relevant groups and individuals. A small group of officers, comprising a representative of all three councils, examined the applications and made recommendations for membership as contained in this report.
- 5.4 The regulations and the Act together require that:
  - Membership should be broadly balanced between different interests, principally those of land owners/managers and those of recreational users of the land; it is a non-political body. The requirement for balance is important to ensure that fair, workable and consistent advice is given on what can be sensitive issues.
  - Members must be representative of users of local rights of way and Access Land, and owners and occupiers whose land comes under either of these categories.
  - The Council may also appoint persons appearing to them to be representative of other interests which are especially relevant to the area, for example rural employment, conservation, or education.
  - The Forum should comprise 10-22 members, including representatives of the appointing authorities.

## **6 Proposed membership**

- 6.1 The names of the proposed Forum members are set out below. Details of the spread of primary and secondary interests represented are provided in Appendix 2.

### **Proposed members with predominantly land-holding interests**

1. Robin Edwards (*existing member*) – Land Management
2. Lyndsay Marshall (*existing member*) – Farming
3. Sandra Nichols (*new member*) – Land Management/Farming
4. Alan Taylor (*existing member*) – Land Management
5. Nigel Wolstenholme (*existing member*) – Land Management/Rural Business

### **Proposed members with predominantly user interests**

6. Sue Coles (*existing member*) – Cycling (on-road)
7. Melanie Fortescue (*existing member*) – Motorised Vehicles
8. Anna Hammond (*new member*) – Disability and Dog walking
9. Gail Johnson (*existing member*) – Carriage Driving
10. Mark Ludlow (*existing member*) – Motor Vehicles
11. Alan Marlow (*existing member*) – Walking
12. Jim Morey (*existing member*) – Disability
13. Gill Plumbley (*existing member*) – Horse Riding
14. Andrew Whincup (*existing member*) – Cycling (off-road)

### **Proposed members with other interests of relevance to the Forum**

15. Rachel Bryan (*existing member and current Chair*) – Volunteering
16. Jacqueline England (*new member*) – Tourism/Business and Education
17. Graham Flatt (*existing member*) – Access and Community Planning
18. Paul Knipe (*existing member*) – Conservation
19. Aileen Wood (*existing member*) – Youth

### **For information: Elected Member representation of the appointing authorities**

20. Councillor Edward Heron (*existing member*) – Hampshire County Council
21. Councillor Alicia Denny (*existing member*) – Portsmouth City Council

There is currently no Elected Member representative for Southampton City Council.

- 6.2 Re-appointment of existing members for further terms is permitted, and indeed was found to provide valuable continuity and consistency in the national research referred to at paragraph 2.2. Officers are therefore keen to retain active Forum members who have reapplied; these comprise the majority of the proposed members.
- 6.3 Individuals have been chosen for their ability to represent their own interest, knowledge of wider countryside issues, ability to build consensus, and ability to disseminate information to their interest groups. A pragmatic approach and knowledge of more than one area of interest are particularly important; experience both in Hampshire and nationally has shown that this breadth of understanding assists in finding a reasonable consensus. The category that each proposed member is assigned to is therefore only a guide, as most have an understanding which reaches across these categories.

## **7 Recommendation**

- 7.1 That the Executive Member for Culture and Recreation approve the proposed membership of the Hampshire Countryside Access Forum as described in this report (Paragraph 6.1).

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategy**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	Yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Membership of the Hampshire Countryside Access Forum	Executive Member for Culture, Recreation and Countryside	04 December 2014
Membership of Hampshire Countryside Access Forum	Exec Member for Culture & Recreation	04 November 2011
Membership of Hampshire Countryside Access Forum	R&H Exec Member	11 September 2008
Proposed Appointments to Hampshire Countryside Access Forum	R&H Exec Member	15 September 2005
Membership of Hampshire Countryside Access Forum and proposals for countryside Access Plans	R&H Exec Member	23 September 2002
Establishing a Local Access Forum for Hampshire	R&H Exec Member	04 April 2002
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	
Countryside and Rights of Way Act	2000	
Local Access Forums (England) Regulations	2007	
Guidance on Local Access Forums in England	2007	

**Section 100 D - Local Government Act 1972 - background documents** The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

**IMPACT ASSESSMENTS:**

**1 Equalities Impact Assessment:**

- 1.1 Membership opportunities with the Forum were advertised widely and applications were accepted from all. Forum meetings will be open for all members of the public to attend as observers.
- 1.2 As part of the appointment process applicants were referred to the Disability Discrimination Act 1995 and 2005 and the Equality Act 2010

**2 Impact on Crime and Disorder:**

- 2.1 No impact.

**3 Climate Change**

- 3.1 Not applicable