



WIGAN LOCAL ACCESS FORUM
Terms of Reference

EXPLANATORY NOTES

1.0 Introduction

1.1 Wigan Local Access Forum was established in the summer of 2004 and Members were appointed in accordance with Regulations published by the Government in August 2002.

2.0 Role of the Local Access Forum

2.1 The role of Local Access Forums has evolved since the original conception in 2002. In Wigan the role of the LAF is seen as an important consultee to major strategic and development projects within the Borough and as such opportunities exist for involvement with the:

- Core Strategy & the other development plans
- Transport Strategy
- Rights of Way Improvement Plan
- Cycle Development Plan
- Major planning applications
- Relevant strategic council policy

2.2 As part of this process and in identifying a Forward Plan, it will also be opportune to identify indicators for measuring the effectiveness of the LAF.

2.3 Local Access Forums are advisory bodies with their main function to provide independent advice. The recipient of such advice; being the Council or other body, should 'have regard' to that which is given, however the recipient is not bound by that advice. It is a misconception that the recipient must abide by the advice given by the LAF, they should consider the information given within their decision making process.

2.4 Wigan Council in its capacity as appointing authority oversees the terms of reference for the LAF and sets down the rules for the selection of members, procedures at meetings and protocols for how members should behave.

3.0 Membership

3.1 The membership will:

- Be balanced to avoid dominance by any single user / interest group or coalition of interests
- Avoid any geographical bias
- Include a cross-section of local interests in the countryside and access issues, and
- Will show respect to all members of the group.

3.2 The membership will include:

- A chair and vice chair (elected by the Forum on an annual basis);
- An optimum number of 12 – 16 with a maximum of 20 members.

3.3 Members in total must bring a broad range of overall experience, which should include:

- Recreational use, for example cycling, disabled interests, horse riding, off road vehicles, outdoor pursuits and walking;
- Land management, for example, tenants, landowners and occupiers, plus others with an interest in the land; and
- Nature conservation, heritage, tourism, health, business and transport.

3.4 Applications and Appointments

3.4.1 Anyone wishing to join the Forum must complete an application form and demonstrate that their interests and experience would contribute and be beneficial to the aims of the Forum and the borough as a whole. A person specification and application form is included within this Terms of Reference for potential candidates.

3.4.2 Appointment of members to the Forum will be determined solely by the Council, based on the information contained within the application forms and references where appropriate. All applicants will have to sign up to the new Terms of Reference relevant at that date.

3.4.3 The chair and vice chair will be elected by the LAF Members on an annual basis.

3.4.4 Council Members can sit on the Forum and appointment will be made by the Council. Councillors can play a useful role for the forum, such as raising the profile and status of the group. A maximum of two appointed Councillors can sit on the Forum.

3.5 Attendance

3.5.1 Members are expected to be able to devote the necessary time to study agenda papers and attend meetings. Where a member misses two consecutive meetings in one year the Council shall review his/her position (this will be carried out even if a substitute attends in their absence).

3.5.2 Where a member's appointment is terminated, the replacement should ideally be from the same interest group and the appointment shall be subject to the application procedure.

3.6 *Period of Membership and Terms of Appointment*

- 3.6.1 Forum members may be appointed for between one to three years and are eligible for reappointment when their term has ended. The Regulations allow for a member to resign at any time by giving written notice to the Council.
- 3.6.2 Wigan Council will automatically terminate the appointment of a Forum Member if he or she has failed to attend any the Forum's meetings within one year, or has contravened any aspect of the Terms of Reference.

3.7 *Disclosure of Personal Interests*

- 3.7.1 The Regulations require any member of a Local Access Forum who has a personal interest, whether direct or indirect, to disclose the nature of that interest prior to a matter being discussed by the Forum at each meeting.
- 3.7.2 A personal interest may be anything which affects a member's well being, financial position or business, or that of a relative or friend. The interest does not prevent the member from contributing to the discussion, so long as the interest is disclosed.

3.8 *Disclosure of Affiliations relevant to LAF business*

- 3.8.1 Applicants will be asked to disclose affiliations / membership to other groups where there may be a shared or mutual interest, or a potential conflict on the application form. In addition details of membership to other Local Access Forums must be disclosed.

3.9 *Expenses*

- 3.9.1 Local Access Forum members may claim travel and subsistence costs directly incurred in respect of their duties as a member of the Forum in accordance with the Council allowances:
- Subsistence - maximum claim £8.38 for dinner
 - Travel – all public transport costs or mileage claim rate of 45p per mile
 - Parking – parking is available free of charge at various location in Wigan Town Centre.
- 3.9.2 Claim forms are available from the Secretary and all claims must be supported by a receipt. Receipts must relate to expenditure which is reasonably considered to be in support of attending a Wigan LAF meeting.
- 3.9.3 Members may also claim expenses for childcare or dependants as necessary. This will require prior notification in writing and authorisation by the Secretary.
- 3.9.4 Claims will not be supported where subsistence and travel costs are already provided by any event a Member is attending on behalf of the Wigan LAF.

3.10 Training

3.10.1 Local Access Forum Members will identify training requirements on an annual basis and this will be incorporated into the Forward Plan.

4.0 Administration

4.1 Wigan Council will provide secretarial support for the Forum, and will undertake the following:

- Organise and advertise meetings;
- Prepare and circulate the agenda and papers in consultation with the Chair in advance of meetings;
- Prepare a Forward Plan in consultation with the Chair and the Forum Members;
- Organise training events in consultation with the Chair and the Forum Members;
- Produce the minutes of the meetings in consultation with the Chair;
- Review meeting proceedings and Terms of Reference as applicable; and
- Liaise with DEFRA, Natural England and with neighbouring Forums as appropriate.

4.2 Meetings

4.2.1 The Regulations require that the Forum will meet at least twice a year.

4.2.2 The Forum may decide to meet more regularly as deemed appropriate.

4.2.3 Additional meetings will be organised and arranged by the Secretary, however secretarial support at these additional sessions will need to be agreed and confirmed.

4.3 Attendance by the public

4.3.1 Meetings are open to the public who can attend as observers. Non-Forum members will be able to participate in discussions at the sole discretion of the Chair.

4.4 Attendance of Invited Speakers

4.4.1 Invitees can attend Forum meetings following consent being given by the Forum at the previous meeting.

4.4.2 In situations where notice of a consultation exercise for major development or a strategic matter is given between meetings, the decision to put presentations on the next agenda will be taken by the Chair and the Council in accordance with the Forward Plan.

4.4.3 Alternatively, the Chair will discuss the issue with other Forum members and advise the Council as to whether additional meetings may be required to facilitate the provision of a consultation response.

4.5 Business of Meetings

4.5.1 The role of the Local Access Forum is to prioritise and focus on strategic issues which impact on and are relevant to the borough of Wigan.

4.5.2 The Forward Plan will identify the key priorities and special areas of interest. This Plan will ensure that the forum focuses on strategic matters and will identify issues which the Council would benefit from the forums advice.

4.6 Quorum of Meetings

4.6.1 A minimum of one third of Members must be present for quorum.

5.0 Protocols

5.1 Agenda / Minutes

5.1.1 The Chair and Secretary will set the agenda and the aim will be to circulate document two weeks prior to the meeting date.

5.1.2 The Secretary will aim to send to the Chair a set of draft minutes within four weeks from the date of the last meeting, which will then be circulated to Forum members as appropriate.

5.2 Absenteeism

5.2.1 When a Member is not able to attend a meeting he/she is expected to notify the Chair or Secretary in advance.

5.2.2 If a representative is able to attend instead then again notification should be given to the Chair and Secretary in advance.

5.3 Behaviour at Meetings

5.3.1 It is important that LAF Members show respect at all times for attending members, presenters, invitees and officers.

5.3.2 The Chair will oversee the running of the meeting and keep proceedings on schedule.

- 5.3.3 In line with Council protocol, if a Forum member disregards the ruling of the Chair, does not show respect to others, is offensive or deliberately obstructs business, the Regulations state that any member may move that the disruptive member be not heard further for the remainder of the meeting. If seconded, the motion will be voted on without discussion.
- 5.3.4 If the member continues to behave improperly after such a motion is carried, the Chair may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

5.4 Complaints

- 5.4.1 Should a member wish to make a complaint, the matter should be put in writing to the Chair and Secretary in the first instance.
- 5.4.2 The complaint will be investigated and a written response provided within 10 days of receipt.
- 5.4.3 If the matter is not resolved, or the Chair wishes assistance in dealing with the complaint, then the matter will need referring to the Council for the attention of to Emma Barton, Transport Strategy Manager:

By Email: e.barton@wigan.gov.uk

By Post: Emma Barton
Transport Strategy Manager
Places Directorate
Wigan Council
PO Box 100
Wigan
WN1 3DS

- 5.4.4 In the event that a resolution cannot be found, the complaint can be escalated to the Assistant Director for Planning and Transport:

By Email: m.worden@wigan.gov.uk

By Post: Mike Worden
Assistant Director for Planning and Transport
Places Directorate
Wigan Council
PO Box 100
Wigan
WN1 3DS

- 5.4.5 Details of the Council's formal complaints procedure is set out on the Council's website: <http://www.wigan.gov.uk/Docs/PDF/Council/Comments-and-Complaints/CorporateComplaintsProcedure.pdf>.