

Future of the Lancashire Local Access Forum and Public Rights of Way & Access Forum

In the context of the significant resource pressures facing all public sector bodies, and the changing public sector partnership landscape it is felt to be a reasonable time to review the role and effectiveness of the LLAFF and the PROWA.

In presenting a paper for discussion, attention is drawn to a number of issues and considerations, including:

a. The future of the LLAFF

1. The statutory status of the LLAFF
2. The resource pressures on the County Council and other partners
3. How the LLAFF can most effectively link to other partnership work in the County
4. Ensuring that the voice of the LLAFF and its members is heard
5. Ensuring that the LLAFF is focussing on strategic priorities

b. The future of the PROWA

c. Next steps

a. the future of the LLAFF

1. The statutory status of the LLAFF

Local Access Forums (LAFs) were established in the Countryside and Rights of Way Act 2000 (usually known as "CROW"). It is a legal requirement for highways authorities to establish and support a LAF. In Lancashire, the three Highways authorities (Lancashire County Council, Blackburn with Darwen Council and Blackpool Council have agreed to establish a joint LAF for Lancashire.

The statutory role of the LLAFF is to advise relevant organisations "as to the improvement of public access to lands in that area for the purposes of open-air recreation and the enjoyment of the area, and as to such other matters as may be prescribed". Organisations so advised are required to "have regard" to any relevant advice given by the LLAFF.

In addition, in carrying out its functions, the LLAFF "shall have regard to-

- a. the needs of land management,
- b. the desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area, and
- c. guidance given from time to time by the Secretary of State"

Regulations produced in 2007 set out details of the arrangements for LAFS, such as membership, terms of office, meeting rules, and provision of secretarial support for the group.

The PROWA has no statutory basis, meaning that there is no legal requirement for an area to have a PROWA type committee.

2. Resources

As is well known, local authorities and other public sector bodies continue to experience major reductions in available resources. Councils are making significant service reductions, and focussing expenditure on statutory services and where maximum value can be obtained. The LLAF, as a statutory requirement, is not itself at risk. However, it is clear that the LLAF is operating in a changed environment, which represents both a challenge and an opportunity.

Resources available for some non-statutory services related to the work of the LLAF (such as the County Council's countryside service) are severely reduced or in some cases, gone completely. Levels of finance available for maintaining and improving rights of way and the countryside generally are simply not available as they may have been in the past – even taking into account that levels of spending were never as high as many would have liked in the first place.

This means that the LLAF needs to adjust its expectations of what it can influence, and recognise that it may not be able to influence individual works that may have in the past been able to be undertaken by the local authorities.

However, as a statutory body with a clearly defined role and remit in law, the LLAF has a significant area of opportunity to make its voice heard at a higher, strategic level. The statutory protection afforded to the LLAF does not exist for other partnership bodies which may be looking at some of the same strategic issue, and it is perhaps here that the LLAF can take advantage of its' position as well as the expertise represented by its membership to influence large projects and the strategic direction of services in Lancashire related to public spaces.

3. Links to partnership working in Lancashire

If the LLAF is to enjoy a significant profile in Lancashire, it is important that it understands and links in with other bodies and organisations in Lancashire. This needs to be a two way process, where the LLAF is actively approached by other bodies for its views, in recognition of the LLAFs status as the expert body on those matters within its remit, and where the LLAF itself seeks to identify the best opportunities and most appropriate organisations to seek to influence and advise.

This requires the LLAF to be clear about its own priorities and to be prepared to focus on large scale strategic issues affecting significant areas or numbers of people. The LLAF needs to demonstrate that it is able to make a valuable contribution to these big issues in order for other organisations to start to recognise the LLAF and positively engage with it.

Examples of where the LLAF could most usefully link to would include Marketing Lancashire from issues around the visitor economy and working with health and wellbeing bodies on the role that the use and enjoyment of public space can positively impact on the wellbeing of the population, either for specific leisure activities or for the more general benefits that come from an attractive and welcoming environment.

4. Ensuring that the voice of the LLAF and its members is heard

Whilst it is a statutory body, it does not automatically follow that the views of the LLAF are heard or taken seriously in policy development. To achieve this, the LLAF needs to engage in the right issues in a timely and constructive manner. This is likely to mean spending more time engaging with strategic planning and some of the bigger issues facing Lancashire, and moving away from smaller, locally focussed issues (although the LLAF can have a powerful voice on these issues at times). The LLAF also needs to ensure that it has the right mix of membership representing the different interest groups and expertise that exists.

5. Ensuring the LLAF is focussed on strategic priorities

For the LLAF to become a valued and trusted part of the partnership landscape in Lancashire, it needs to engage in those big issues which are of strategic importance. The LLAF may also need to be relatively strict in how it determines its own future workplan to make sure that the focus remains, whilst being flexible and responsive enough to emerging issues.

Negotiating the various high level partnerships and organisations that exist in Lancashire is, however, not an easy task. The LLAF will need to consider its own role and function and it may need to take a step back to consider its own position in relation to bodies like Marketing Lancashire, the LEP and issues such as health and well-being and planning, and how and where the LLAF can most positively contribute to influence policy and practice.

This does not in any sense, mean neglecting core issues around the use of open spaces in Lancashire, and key projects such as the England Coast Path. However, being able to relate these issues to the broader context will both help the LLAF understand its position and ensure that any interventions and recommendations made by the LLAF in relation to such projects is relevant, timely and much more likely to be taken into account; and when it is taken into account, because it is focussed on the bigger picture, the impact will be greater.

b. The role of the PROWA

The PROWA pre-dates the LLAF, and has, in its time, made a valuable contribution to the rights of way agenda. However, in recent times, its work has significantly overlapped with that of the LLAF, and to an extent, the statutory nature and areas of work of the LLAF has superseded the PROWA and the latter's influence.

In recent times, the decision was made to effectively combine the two meetings, so they meet one after the other on the same date, and additionally to allow members of one observer status at the other. This has further demonstrated the overlap and duplication.

The PROWA, unlike the LLAf, operates on a Lancashire County Council footprint (and therefore does not include representatives from Blackburn with Darwen or Blackpool). It therefore does not have the same capacity to act on a Lancashire – wide footprint, which is increasingly the relevant geographic and political sub-regional area.

Next Steps

The LLAf and the PROWA will need to consider the above issues and how it would like to respond and develop. However, it may wish to consider some or all of the following actions

1. Review the Terms of Reference of the LLAf
2. Review the membership of the LLAf
3. Consider abolishing the PROWA and merging any remaining functions with the LLAf
4. Review the partnership working capacity of the LLAf, and consider how it can begin engaging with key partners, for example, by seeking reports to future committees from Marketing Lancashire of health and wellbeing partners
5. Consider the structure of meetings and formalising recommendations on matters discussed
6. Consider how issues which would no longer be considered appropriate for the LLAf agenda be dealt with

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