Sandwell MBC Local Access Forum

Constitution/ Terms of Reference

1. Background

1.1 Section 94 of the Countryside and Rights of Way Act 2000 (CRoW) imposes a duty on Local Highway Authorities to establish a LAF for their area.

1.2 This constitution has taken regard of the CRoW Act, The Local Access Forum (England) Regulations 2007 and the guidance from the Department of the Environment Food and Rural Affairs (DEFRA)

2. Title

2.1 The single local access Forum for the borough shall be formally known as the **Sandwell Local Access Forum (**SLAF).

3. Purpose

3.1 The purpose of SLAF will be to provide advice to Sandwell MBC (and other bodies and organisations specified in S94(4) of the CRoW Act if required to do so) on how to improve public access to land for open-air recreation and enjoyment of the area.

3.2 SLAF must have regard to the needs of land management, the desirability of conserving natural beauty (including flora, fauna and geology) and any guidance issued by the Secretary of State.

3.3 SLAF will be a partnership, independent of Sandwell MBC, but with strong and meaningful relationships with the Borough Authority and all other partners.

3.4 SLAF will consider the benefits of working with all organisations when considering access around the Borough and will welcome representatives to the meetings, such as , Active Travel, Cycling, Public Transport, Ramblers, Disabled Access Groups, other stakeholders and landowners.

4. Membership

4.1 Membership should be selected to achieve a reasonable balance between users of rights of way (walkers, horse riders, cyclists, people with limited mobility) and owners and occupiers of access land or land crossed by local rights of way. Additionally interests such as wildlife conservation, tourism, sport and recreation, health, and outdoor education can be represented if relevant

4.2 Members are appointed for two years but may be re-appointed for a further term or terms, without limit.

4.3 A member shall cease to hold office if he/she resigns by written notice; if the appointing authority terminates the appointment of a member; if the representative has been absent from meetings of SLAF for at least 12 months without consent and if any member fails to declare an interest in any matter brought up for consideration before SLAF.

5. Meetings

5.1 SLAF will meet at least biannually with additional meetings at the discretion of the SLAF.

5.2 A Chair and Vice-Chair will be appointed at the first meeting and shall hold office for one year. They shall be eligible for re-election as chair and/or vice chair after this period.

5.3 The serving Vice-Chair shall at no time be from the same interest group as the serving Chair. Elected Council members are debarred from being elected Chair or Vice Chair.

5.4 The terms of reference will be agreed at the first meeting.

5.5 The Council shall employ a Secretary to support the work of SLAF. The Secretary may not be an elected member or a member of SLAF. The Secretary will be responsible for the overall administration of SLAF

5.6 The Council shall meet any reasonable expenses incurred by SLAF and its work

5.7 Meetings shall be advertised in advance.

5.8 Agendas, papers and minutes of the meeting shall be available to the public and be included on the council's website.

5.9 Any member may submit an item for the agenda. Such items should be advised to the Secretary no less than 14 days before the meeting.

5.10 The draft minutes shall be approved by the Chair and shall be circulated to Members following approval. The minutes shall be ratified at the next meeting of SLAF.

5.11 All meetings are open to the public.

5.12 The agenda and reports to be considered by SLAF will be deposited and be available for inspection seven days prior to the date of the meeting.

5.13 Every member of SLAF shall be given at least seven working days before the date of every meeting, a written notice of the date, time and place of the meeting and a copy of the agenda for the meeting.

5.14 The Secretary may cancel or postpone any meeting, in consultation with the Chair, prior to the issue of the agenda, or subsequently, if there is no business to be transacted.

6. Quorum

6.1 The minimum number of voting members necessary for business to be dealt with shall be 4 members.

7. Voting

7.1 Matters will be resolved by majority voting.

7.2 Each member shall have one vote and in the event of a tie, the Chair shall have a casting vote.

8. Interests

8.1 A member of SLAF who is directly or indirectly interested in any matter brought up for consideration at a meeting of SLAF shall disclose the nature of his interest to the meeting, and if necessary, withdraw from the meeting during discussion on the specific matter.

9. Review of Constitution

9.1 The Constitution may be revised at any time by majority voting, but a formal review shall be undertaken at the Annual Meeting of SLAF.

10. Annual Report

10.1 SLAF will prepare an annual report on its work, to be published by the Council. The annual report will include such information as SLAF thinks fit and set out the issues on which SLAF has provided advice in the preceding year.

10.2 The SLAF shall always act in accordance with the Local Access Forums (England) Regulations 2007