

CHESHIRE EAST COUNCIL

Cabinet Member for Health and Wellbeing

Date of meeting: 10 July 2009

Report of: Head of Health and Well-being

Title: Cheshire and Warrington Local Access Forum

1.0 Report Summary

- 1.1 To consider the continuation of the Cheshire and Warrington Local Access Forum ("the LAF") and to appoint an elected Member to represent Cheshire East Council.

2.0 Recommendations

- 2.1 That the Cabinet Member for Health and Wellbeing approves that
- (1) Cheshire East Council enter into a Joint Local Access Forum with Cheshire West and Chester Council and Warrington Borough Council (subject to the Executive decision of Warrington Borough Council on 20 July 2009); and
 - (2) Councillor Rachel Bailey be appointed to the Cheshire and Warrington Local Access Forum as the elected Member representing Cheshire East Council.

3.0 Reasons for Recommendation

- 3.1 The authority is required to meet its obligation under the appropriate legislation/regulations.
- 3.2 A joint Forum has the capacity to build on relationships it has developed with Cheshire and Warrington and will enable it to have an influencing "voice" at regional and national level.
- 3.3 A joint Forum was the preferred option of the former Cheshire and Warrington Local Access Forum, which considered that it would have a strong and vibrant role in the sub-region.
- 3.4 The benefits of a joint Forum include minimising costs and maintaining a large enough population to attract good quality candidates for membership of the Forum. Failure to establish a joint Forum would require the Authority to set up its own with a consequent increase in costs.

4.0 Wards Affected

All wards.

5.0 Local Ward Members

All Councillors.

6.0 Policy Implications

None.

7.0 Financial Implications for Transition Costs

3.1 None.

8.0 Financial Implications 2009/10 and beyond

8.1 The recommendation carries with it an estimated cost to Cheshire East Council of £2,574.00 annually except in years where the recruitment of external members to the LAF occurs (triennially). In those years the estimated cost is £3,928.00.

8.2 The process for recruiting external members will start in the Autumn of 2009, and it is important for Cheshire East Council to have made a decision on this matter by 20th July 2009. Warrington Borough Council is also required to make a decision by 20th July. The Culture and Recreation Portfolio Holder for Cheshire West and Chester Council made a decision on 9th March 2009 to enter into a joint arrangement.

8.3 In addition to this, there are costs associated with the secretarial support required to be provided to the LAF (historically provided by Cheshire County Council's Committee Services) which are difficult to quantify.

9.0 Legal Implications

9.1 The LAF is a statutory advisory body which each Council is under a duty to establish either singularly or by joint arrangement with other authorities.

10.0 Risk Assessment

10.1 Failure to establish a LAF in a timely manner may result in monitored intervention by Natural England/DEFRA. It may generate complaint and/or challenge amongst those groups currently represented by the LAF and have associated reputational impact on Cheshire East Council.

11.0 Background and Options

- 11.1 The Cheshire and Warrington Local Access Forum is a statutory advisory body established in 2001, in accordance with the requirements of S.94 of the Countryside and Rights of Way Act 2000. The current legislation governing the operation of LAFs is the Local Access Forum (England) Regulations 2007. The LAF is a non-executive body whose role is to advise member authorities and Natural England on the improvement of public access to, and enjoyment of, land for open air recreation.
- 11.2 The outgoing LAF was established as a joint Forum with the approval of Members of Cheshire County Council and Warrington Borough Council. The LAF covers the geographical areas of Cheshire and Warrington, excluding that part of Cheshire East which falls within the Peak District National Park, which has its own LAF.
- 11.3 LAFs are designed to balance interests in countryside access and recreation between users, landowners and managers, and others (eg health, education, conservation, transport, rural economy).
- 11.4 Prior to vesting day, Mr John White, the Chairman of the LAF, wrote to Cheshire East Council, Cheshire West and Chester Council and Warrington Borough Council, drawing attention to the need for a decision on the future of the LAF and expressing the LAF's preference to continue as a joint body, representing the three authorities. The letter is attached as an **Appendix**.
- 11.5 An effective LAF works in partnership with the Councils whose area it covers and provides an opportunity for two-way consultation and advice in respect of countryside access and recreation
- 11.6 It should be noted that as a result of the proposed changes to the Sub Regional Architecture, the Local Access Forum will sit as part of the Prosperity Commission. The nature of the relationship of the LAF to the Commission is still to be determined, but Members should note that it will fit within this framework and will not be outside of it.
- 11.7 It is possible that Warrington Borough Council will opt for an alternative option of a joint LAF with Halton Borough Council. In that case the Cheshire Local Access Forum would be established with Cheshire West and Chester and Cheshire east as the two partners.

12.0 Overview of Year One and Term One Issues

None arising for the attention of the Cabinet. The LAF will continue to monitor the Council's progress with the existing Cheshire County Council Rights of Way Improvement Plan (2006-2011) and the development of the new Cheshire East Council Rights of Way Improvement Plan (2011-2026).

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer.

Background paper: Annual Report 2008-2009

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