

MEETING : CHESHIRE LOCAL ACCESS FORUM
DATE : 18 JUNE 2010

REPORT OF : Cheshire West and Chester
Contact : Angela Simpson
Officer : Greenspace Manager

PUBLIC RIGHTS OF WAY REGULATORY DECISION MAKING & GREENSPACE COMMUNITY ENGAGEMENT IN CHESHIRE WEST AND CHESTER

Summary:

1. Cheshire West and Chester Council is currently in the process of changing the way in which its Public Rights of Way (PROW) Committee functions. The Committee currently has two main areas of operation:-
 - 1.1 Firstly, the Committee makes regulatory decisions on PROW matters such as Definitive Map Modification Orders (DMMOs), Public Path Orders (PPOs) and Village Green applications.
 - 1.2 Secondly, the Committee provides a forum through which reports on operational PROW policy and budget matters can be received and debated in public leading to the formation of recommendations to the Council's Executive
2. The proposed changes to the regulatory decision making process involve delegating all such matters to officers with provision for certain decisions to be referred up by officers or "called-in" by Members for decision by the Committee where appropriate. The Rights of Way Committee would meet on an ad hoc basis as and when required to determine the matters that have been referred up or called in.
3. As a result, it is anticipated that the Committee will not meet as frequently as it currently does and so the Committee and the Executive Member for Culture and Regeneration are exploring alternative mechanisms through which recommendations to the Executive on PROW policy and budget matters can be debated and formulated.
4. Mindful that the Local Access Forum (LAF) is a statutorily constituted body which already serves such a purpose, which already receives the types of reports currently taken to Committee under 1.2 above, the proposal is to request that the Local Access Forum formally undertake the role currently discharged by the Committee in respect of matters falling under 1.2 above.

5. In practice this will mean that, in regard to Cheshire West and Chester Greenspace policy matters, the views of the Local Access Forum will be sought and formally reported to the Council's Executive.
6. It is understood that no changes will be required to the LAF Terms of Reference, since such matters are already reported to this group. However, under the current arrangements where such matters are brought before the Public Rights of Way Committee there is scope for broad public participation because the Committee's terms of reference permit any member of the public to attend and address the PROW Committee on agenda items.
7. Thus if any transfer in this function to the LAF is to be of an equivalent status there may be a need to allow for wider public participation in LAF meetings on a similar basis by allowing for public attendance in LAF meetings and for questions and observations to be put, at the Chairman's discretion, "from the floor".
8. It is hoped that the LAF will appreciate that there are clear benefits in aligning itself more directly with the Executive advisory function, currently performed by the Council's PROW Committee, and that it will embrace such a role for itself introducing any associated alterations that may be required to increase the scope for public participation at its meetings accordingly.
9. The Forum's view on this proposals, or indeed any other proposal it may have to serve the same purpose, is sought and shall be used to inform the Council's decision making on the executive advisory arrangements that will ultimately be put in place.

For further information:

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