



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Local access forums

94 Local access forums

- (1) The appointing authority for any area shall in accordance with regulations establish for that area, or for each part of it, an advisory body to be known as a local access forum.
- (2) For the purposes of this section—
 - (a) the local highway authority is the appointing authority for their area, except any part of it in a National Park, and
 - (b) the National Park authority for a National Park is the appointing authority for the National Park.
- (3) A local access forum consists of members appointed by the appointing authority in accordance with regulations.
- (4) It is the function of a local access forum, as respects the area for which it is established, to advise—
 - (a) the appointing authority,
 - (b) any body exercising functions under Part I in relation to land in that area,
 - (c) if the appointing authority is a National Park authority, the local highway authority for any part of that area, and
 - (d) such other bodies as may be prescribed,as to the improvement of public access to land 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.

- (5) The bodies mentioned in paragraphs (a) to (d) of subsection (4) shall have regard, in carrying out their functions, to any relevant advice given to them by a local access forum under that subsection or any other provision of this Act.
- (6) In carrying out its functions, a local access forum 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 (as respects England) or the National Assembly for Wales (as respects Wales).
- (7) Subsection (1) does not apply to the council of a London borough or to any part of their area unless the council so resolve.
- (8) The Secretary of State, as respects England, or the National Assembly for Wales, as respects Wales, if satisfied that no local access forum is required for any area or part of any area, may direct that subsection (1) is not to apply in relation to that area or part.
- (9) Before giving a direction under subsection (8) as respects an area or part of an area, the Secretary of State or the National Assembly for Wales must consult the appointing authority for the area and the appropriate countryside body.
- (10) In this section—
 - “appropriate countryside body” has the same meaning as in Part I;
 - “local highway authority” has the same meaning as in the 1980 Act;
 - “prescribed” means prescribed by regulations;
 - “regulations” means regulations made, as respects England, by the Secretary of State, and, as respects Wales, by the National Assembly for Wales.

95 Local access forums: supplementary

- (1) Regulations under section 94 may in particular include provision—
 - (a) as to the appointment as members of a local access forum of persons appearing to the appointing authority to be representative of persons of any specified description or of any specified body;
 - (b) as to the establishment by appointing authorities of joint local access forums.
- (2) The regulations must provide for the appointment of persons appearing to the appointing authority to be representative of—
 - (a) users of local rights of way or the right conferred by section 2(1);
 - (b) owners and occupiers of access land or land over which local rights of way subsist;
 - (c) any other interests especially relevant to the authority’s area.
- (3) In subsection (2)—
 - “access land” has the same meaning as in Part I;
 - “local rights of way” has the meaning given by section 60(5), but as if the references there to a local highway authority and their area were references to an appointing authority and their area.

- (4) The Secretary of State and the National Assembly for Wales, in making regulations under section 94 containing such provision as is mentioned in subsection (2), must have regard to the desirability of maintaining a reasonable balance between the number of members of any local access forum appointed in accordance with paragraph (a) and in accordance with paragraph (b) of subsection (2).
- (5) Regulations under section 94 may include such supplementary or incidental provision as appears to the Secretary of State or National Assembly for Wales (as the case may be) to be necessary or expedient.
- (6) For the purposes of section 94, the Broads are to be treated as a National Park and the Broads Authority as a National Park authority.
- (7) In subsection (6) “the Broads” has the same meaning as in the Norfolk and Suffolk Broads Act 1988.
- (8) Regulations under section 94 shall be made by statutory instrument, and a statutory instrument containing such regulations made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.