
STATUTORY INSTRUMENTS

2007 No. 268

The Local Access Forums (England) Regulations 2007

PART 3

Changes to local access forum arrangements

Changes to local access forum arrangements

14.—(1) In this regulation, “relevant area” means an area in respect of which an appointing authority has a duty to establish a local access forum under section 94(1).

(2) If no local access forum exists for a relevant area, the appointing authority for that area must, as soon as reasonably practicable—

- (a) establish a local access forum for the relevant area in accordance with regulation 15(1) (a) or (b); or
- (b) change the area for which an existing local access forum is established, in accordance with regulation 16, so that the area in respect of which the forum has functions includes the relevant area or any part of that area.

(3) Where a local access forum exists for a relevant area, the appointing authority for that area may—

- (a) change the area for which it is established, in accordance with regulation 16; or
- (b) merge it with another local access forum, in accordance with regulation 17.

(4) Where a joint local access forum exists for a relevant area, any of the appointing authorities concerned may terminate the functions of the joint local access forum in respect of their area, in accordance with regulation 18.

Establishment of a local access forum

15.—(1) An appointing authority may—

- (a) establish a local access forum for their area, or for any part of their area; or
- (b) together with any other appointing authority establish a joint local access forum for their areas or for any parts of their areas.

(2) The local access forum referred to in paragraph (1)(a) or (b) shall be established by appointing the members of the forum in accordance with regulations 3 to 5.

(3) Before establishing any local access forum, an appointing authority which is a local highway authority must consult—

- (a) any district council in their area, and
- (b) such other persons as they consider appropriate,

as to the area for which the forum is to be established.

(4) Before establishing any local access forum an appointing authority which is a National Park authority must consult—

- (a) any district or county council for any part of the area of the National Park for which the National Park authority is the appointing authority, and
 - (b) such other persons as they consider appropriate,
- as to the area for which the forum is to be established.
- (5) An appointing authority must not establish a local access forum for any area in respect of which another forum already has functions.

Changes to the area for which a local access forum is established

- 16.**—(1) An appointing authority may, by giving 21 days’ notice in writing to a local access forum, and the relevant appointing authorities may, by giving 21 days’ joint notice in writing to the joint local access forum, change the area for which the forum is established—
- (a) so that the forum thereafter exercises its functions in respect of an additional area; or
 - (b) so that the forum thereafter exercises its functions in respect of a reduced area.
- (2) If an appointing authority makes a change under paragraph (1)(b), they must, as soon as reasonably practicable after making such change—
- (a) establish a new local access forum for the area in respect of which the original forum ceases to have functions; or
 - (b) change the area for which another existing local access forum is established, being a forum for which the authority is the appointing authority, so that such other forum exercises its functions in respect of that area.
- (3) Before giving notice under paragraph (1), an appointing authority must consult any appointing authority or local access forum which they consider will be affected by the change.

Merging local access forums

- 17.**—(1) For the purposes of paragraphs (2) and (3), references to local access forums do not include joint local access forums.
- (2) An appointing authority may merge any two or more local access forums in their area by giving such forums 21 days’ notice in writing.
- (3) An appointing authority may agree to merge any one or more local access forums in their area with any one or more local access forums in another authority’s area to form a joint local access forum, and such merger shall be effected by the appointing authorities, acting jointly, giving each forum that is to be merged 21 days’ notice in writing.
- (4) The relevant appointing authorities may agree to merge a joint local access forum with any other local access forum with the agreement of—
- (a) each appointing authority whose local access forum is to be merged; and
 - (b) each appointing authority whose joint local access forum is to be merged;
- and the merger shall be effected by the appointing authorities whose forums are to be merged giving each such forum 21 days’ joint notice in writing.
- (5) The forum formed by a merger shall be treated as a separate forum established by the appointing authorities of the forums so merged, and the forums so merged shall cease to exist.
- (6) Before giving notice under paragraph (2), (3) or (4), an appointing authority or authorities whose forums are to be merged must consult any other appointing authority or local access forum which they consider, or, in a case within paragraph (4), which they jointly consider, will be affected by the merger.

(7) Except where one or more of the merging forums is a joint local access forum, the secretary of each merging forum must deliver its minutes, documents, and annual reports to the secretary of the forum formed by the merger on the expiry of the 21-day period mentioned in paragraph (2) or (3) (as the case may be) or as soon as practicable thereafter.

(8) Where the merger involves one or more joint local access forums, the appointing authorities whose forums have been merged shall agree the arrangements in respect of each such forum's minutes, documents, secretary, annual reports, and such other matters as the authorities consider appropriate, as soon as practicable after the expiry of the 21-day period mentioned in paragraph (4).

Withdrawal from a joint local access forum

18.—(1) This regulation applies where a joint local access forum has been established for the areas, or parts of the areas, of two or more appointing authorities.

(2) Any of the appointing authorities concerned may, by giving 21 days' notice in writing to the joint local access forum and to the other appointing authority or authorities, terminate the functions of the joint local access forum in respect of their area.

(3) Where the effect of notice given under paragraph (2) is that a joint local access forum no longer has any functions, the joint local access forum shall cease to exist.

(4) Where the effect of notice given under paragraph (2) is that a joint local access forum only has functions in respect of the area of one appointing authority, the joint local access forum shall be reconstituted as a local access forum.

(5) Before terminating the functions of a joint local access forum in respect of any area, the relevant appointing authorities must agree the arrangements that are to apply in respect of the forum's minutes, documents, secretary, annual reports, and such other matters as the authorities consider appropriate.

(6) Before giving notice under paragraph (2), an appointing authority must consult any appointing authority or local access forum which they consider will be affected by the termination.