

# Public Document Pack

**Peak District National Park Authority**

**Tel: 01629 816200**

E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)

Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



**Our Values: Care – Enjoy – Pioneer**

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Our Ref: A.1142/3064

Date: 25 August 2022



## NOTICE OF MEETING

Meeting: **National Park Authority**

Date: **Friday 2 September 2022**

Time: **10.00 am**

Venue: **Aldern House, Baslow Road, Bakewell, DE45 1AE**

ANDREA McCASKIE  
INTERIM CHIEF EXECUTIVE

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**Link to meeting papers:**

<https://democracy.peakdistrict.gov.uk/ieListDocuments.aspx?MIId=2398>

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## AGENDA

1. **Roll Call for Members Present, Apologies for Absence and Declarations of Interest**
2. **Minutes of previous meeting of 22 July 2022** (*Pages 7 - 12*) 5 mins
3. **Urgent Business**
4. **Public Participation**  
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.

## ITEMS FOR INFORMATION

5. **Chair's Announcements**
6. **Interim Chief Executive Report (AMc)** (*Pages 13 - 18*) 5 mins  
Appendix 1

## ITEMS FOR DECISION

7. **Access Funding (SAS)** (*Pages 19 - 22*) 20 mins
8. **Local Development Scheme (AM)** (*Pages 23 - 46*) 20 mins  
Appendix 1
9. **Independent Review of Members Allowances (AMc)** (*Pages 47 - 86*) 20 mins  
Appendix 1
10. **Appointment of Members to the Investigatory and Disciplinary Committee (RC)** (*Pages 87 - 88*) 5 mins

## ITEMS FOR INFORMATION

11. **Local Government and Social Care Ombudsman Annual Review Letter (JMC)** (*Pages 89 - 100*) 5 mins  
Appendix 1  
  
Appendix 2  
  
Appendix 3
12. **Outside Body and Conference Feedback Report** (*Pages 101 - 102*)

13. **Exempt Information S100(A) Local Government Act 1972**  
The Committee is asked to consider, in respect of the exempt items, whether the public should be excluded from the meeting to avoid the disclosure of Exempt Information.

**Draft motion:**

**That the public be excluded from the meeting during consideration of agenda items 14 and 15 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, paragraph 3 'information relating to the financial or business affairs of any particular person (including the Authority holding that information).**

## **PART B**

14. **National Parks Partnerships Briefing (TM) - (title updated after originally published)** (Pages 103 - 126) 30 mins  
Appendix 1  
Appendix 2  
Appendix 3
15. **Access Funding (SAS)** (Pages 127 - 132) 20 mins

## **Duration of Meeting**

In the event of not completing its business within 3 hours of the start of the meeting, in accordance with the Authority's Standing Orders, the Authority will decide whether or not to continue the meeting. If the Authority decides not to continue the meeting it will be adjourned and the remaining business considered at the next scheduled meeting.

If the Authority has not completed its business by 1.00pm and decides to continue the meeting the Chair will exercise discretion to adjourn the meeting at a suitable point for a 30 minute lunch break after which the committee will re-convene.

## **ACCESS TO INFORMATION - LOCAL GOVERNMENT ACT 1972 (as amended)**

### **Agendas and reports**

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting. These are also available on the website <http://democracy.peakdistrict.gov.uk>

### **Background Papers**

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected on the Authority's website.

## **Public Participation and Other Representations from third parties**

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. However as the Coronavirus restrictions ease the Authority is returning to physical meetings but within current guidance. Therefore meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell. Public participation is still available and anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Head of Law to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Democratic and Legal Support Team 01629 816362, email address: [democraticandlegalsupport@peakdistrict.gov.uk](mailto:democraticandlegalsupport@peakdistrict.gov.uk).

## **Written Representations**

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12noon on the Wednesday preceding the Friday meeting.

## **Recording of Meetings**

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites or publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Democratic and Legal Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. From 3 February 2017 the recordings will be retained for three years after the date of the meeting.

## **General Information for Members of the Public Attending Meetings**

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. The Authority is returning to physical meetings but within current guidance. Therefore meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell, the venue for a meeting will be specified on the agenda. Also due to current guidelines there may be limited spaces available for the public at meetings and priority will be given to those who are participating in the meeting. It is intended that the meetings will be audio broadcast and available live on the Authority's website.

This meeting will take place at Aldern House, Bakewell.

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus Services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at [www.travelineeastmidlands.co.uk](http://www.travelineeastmidlands.co.uk).

Please note that there is no refreshment provision for members of the public before the meeting or during meeting breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

**To: Members of National Park Authority:**

Chair: Cllr A McCloy  
Deputy Chair: Mr J W Berresford

Cllr W Armitage	Cllr P Brady
Cllr M Chaplin	Cllr D Chapman
Cllr C Farrell	Cllr C Furness
Cllr C Greaves	Cllr A Gregory
Prof J Haddock-Fraser	Mr Z Hamid
Ms A Harling	Cllr A Hart
Cllr Mrs G Heath	Cllr I Huddleston
Cllr C McLaren	Cllr D Murphy
Cllr Mrs K Potter	Cllr V Priestley
Cllr K Richardson	Miss L Slack
Mr K Smith	Cllr P Tapping
Cllr D Taylor	Cllr J Wharmby
Ms Y Witter	Cllr B Woods

Constituent Authorities  
Secretary of State for the Environment  
Natural England

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**Peak District National Park Authority**  
**Tel: 01629 816200**  
 E-mail: customer.service@peakdistrict.gov.uk  
 Web: www.peakdistrict.gov.uk  
 Minicom: 01629 816319  
 Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



## MINUTES

**Meeting:** **National Park Authority**

**Date:** Friday 22 July 2022 at 10.00 am

**Venue:** Aldern House

**Chair:** Cllr A McCloy

**Present:** Mr J W Berresford, Cllr W Armitage, Cllr P Brady, Cllr C Farrell, Cllr C Furness, Cllr C Greaves, Prof J Haddock-Fraser, Mr Z Hamid, Cllr Mrs G Heath, Cllr C McLaren, Cllr D Murphy, Cllr Mrs K Potter, Cllr V Priestley, Miss L Slack, Mr K Smith, Cllr P Tapping, Cllr D Taylor, Cllr J Wharmby, Ms Y Witter and Cllr B Woods

**Apologies for absence:** Cllr M Chaplin, Cllr D Chapman, Cllr A Gregory, Ms A Harling, Cllr A Hart and Cllr I Huddleston.

**57/22 ROLL CALL FOR MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

There were no declarations of Interest.

**58/22 URGENT BUSINESS**

There was no urgent business.

**59/22 PUBLIC PARTICIPATION**

No members of the public were present to make representations to the Committee.

**60/22 CHAIR'S ANNOUNCEMENTS**

The Chair of the Authority provided a verbal update to Members on the following:

- "One Team Celebration Day" is being held at Aldern House on the 8th September for all Officers, Members, Casuals and Volunteers to come together to demonstrate and showcase the work that we do to others. As part of the event, there will be exhibits and Information Stalls.
- There have been a number of fires in the Peak District National Park this week due to the extreme weather conditions, a number of which were possibly started by camping stoves and disposable bbqs. The Chair thanked the Ranger Service, Field Services and Volunteers for supporting the Fire Service to reach some of the fire sites, due to the inaccessibility of some of the locations, and in helping to put out the fires.

Hopefully the change in the weather conditions will help, but it was a reminder to all just how fragile the Peak District National Park was at the moment.

- The Peak District National Park Authority has won a highly commended award from the RTPI East Midlands for an affordable housing project in Bakewell for 30 100% affordable homes on the edge of grounds at Lady Manners School. Thanks to the Planning Department, colleagues and partners who were instrumental in delivering the project and in particular to the case officer Senior Planner Andrea Needham,
- Groups based in the Peak District had won 2 of the 3 Protector Awards presented by the Campaign for National Parks (CNP). These are annual awards given by the CNP to celebrate the contribution of individuals and groups to National Parks.

The Volunteer of the Year Award was given to Chris Maloney (aka Keeper of the Peak) who has developed an online community for mountain bikers to promote responsible riding as well as practical work on the ground.

The New Prospectives Award was presented to a group called the Health, Wealth and Oneness Group, who bring groups out from the urban areas of Nottingham to the Peak District so opening the National Park up to new audiences.

The final award was awarded to "Fix the Fells", which is a Lake District based project which the National Park and National Trust are leading on to look at footpath restoration.

Congratulations to all groups.

## **61/22 INTERIM CHIEF EXECUTIVE'S REPORT**

Members noted the Interim Chief Executive's report that included updates to Members on key items since the previous Authority meeting, in particular the news that the Authority had achieved Silver in the latest Investors in People Assessment.

### **RESOLVED:**

**To note the report.**

## **62/22 INTERNAL AUDIT BLOCK 2 2021/22**

Mr Ian Morton from the Internal Auditors, Veritau was welcomed to the meeting then presented his report and the agreed actions for consideration.

Ian Morton reported that no major concerns had been detected in the 3 audits contained within Block 2, and that generally all had good procedures in place. Managers had responded to actions that had been highlighted in the Business Continuity Audit which had received the highest level of Substantial Assurance.

The Interim CEO reported that the Business Continuity Plan ('BCP') had been implemented recently due to the extreme weather conditions, and that the process worked well, but that the BCP was constantly kept under review and that a post covid review would take place with any lessons to be learnt shared with Members.

The recommendation as set out in the report was moved, seconded, voted on and carried.

### **RESOLVED:**



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**That the Internal Audit Reports for the three areas covered under Block 2 for 2021/22 Business Continuity, Visitor Centres and Income and Debtors (in appendices 1-3 of the report respectively) be received and the agreed actions accepted.**

**63/22 INTERNAL AUDIT 2021/22 ANNUAL REPORT**

Mr Ian Morton, of Veritau the Authority's Internal Auditors presented the Report and informed Members that there were no significant control weaknesses and that 5 areas out of the 6 that were audited received the highest assurance, Substantial Assurance with 1 area receiving a Reasonable Assurance.

Mr Morton reported that the planned Data Security Audit had not been carried out as many staff were working remotely due to covid, however this piece of work would be rolled forward into the next audit year 2022/23. In previous years no serious issues had been identified, and where there were items that needed to be addressed, the issues had been rectified. It was felt these audits had a value and should form part of future audit plans.

On being asked about Officer learning and development the Interim CEO informed Members that regular training for staff is carried out and this continued throughout lockdown albeit by virtual and on-line delivery platforms.

The recommendation as set out in the report was moved, seconded, voted on and carried.

**RESOLVED:**

**To note and accept the 2021/22 Annual Report from the Internal Auditors as set out in Appendix 1 of the report.**

**64/22 INTERNAL AUDIT 2022/23 ANNUAL PLAN**

The Head of Finance introduced the report and explained the purpose of the Internal Audit Plan which was ensure that the internal controls operated by the Authority are reviewed and monitored during the course of the year, and updated in response to any changes in risks faced by the Authority. The Plan also lists those areas of work that will be looked at in 2022/23.

Ian Morton added that he had met with the Interim CEO and the Head of Finance to discuss the proposed items that will be going on the Internal Audit Plan which was agreed by Management Team. Items proposed for the Plan were set out in Appendix A of the report but would include Payroll and the Planning Service.

The recommendation as set out in the report was moved, seconded, voted on and carried.

**RESOLVED:**

**To approve the 2022/23 Internal Audit Plan.**

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**65/22 PROGRAMMES & RESOURCES COMMITTEE PROGRAMME PLAN 2022-23**

The Interim Chief Executive introduced the report to Members which was to approve the programme themes for the Programmes and Resources Committee for 2022/23 and onwards, which aligned to the emerging National Park Management Plan rather than the National Parks England's Delivery Plan. Future reports to the Committee would be based on the themes to enable a fuller discussion around what the Authority have been working on and enable Members to build and develop a wider understanding of the work being pursued under the themes. One theme would be focussed on at a meeting but if there was business that needed to be discussed outside of that theme it would be added to the agenda.

The four themes agreed were:-

- Climate Change
- Landscape and Nature Recovery
- A Welcoming Place
- Thriving Communities

The Chair of Programmes and Resources confirmed that working in line with the National Park's England delivery mechanisms had worked well, but it was felt aligning with the 4 aims of the evolving National Park Management Plan would enable greater alliance with the Management Plan and how that was taken forward, enabling Members to develop a greater understanding of the 4 themes.

Members were concerned that the subject matter was so wide and asked whether there would be resources available to address those issues. The review of the NPMP was currently continuing with focused objectives for the next 5 years being drafted with partners and stakeholders together with a suite of actions for delivery. As this works continues the ongoing review of the medium term financial plan will identify implications on resources with options regarding cost reduction plans to be implemented from 2023/24 developed and shared with Members at the forthcoming autumn workshops and being brought to Members for discussion later in the year.

The recommendation as set out in the report was moved, seconded, voted on and carried.

**RESOLVED:**

**Members approved the four programme themes for the Programmes and Resources Committee from 2022-23 as Climate Change, Landscape and Nature Recovery, A Welcoming Place and Thriving Communities.**

**66/22 MINUTES OF THE LOCAL PLAN REVIEW MEMBER STEERING GROUP MEETINGS HELD ON 25TH APRIL 2022 ,16TH MAY 2022, AND 20TH JUNE 2022.**

Members asked for care to be taken when drafting future consultation surveys as there had been feedback that some Parish Councils had had difficulty responding to some recent questions which the Interim Chief Executive confirmed that this would be relayed to the relevant Officers.

**RESOLVED:**

**Members resolved to note the minutes of the Steering Group.**

**67/22      REPORTS FROM OUTSIDE BODIES: NATIONAL PARKS ENGLAND AGM & BOARD MEETING**

The Chair had submitted a feedback report on the National Parks England AGM & Board Meeting held on the 9<sup>th</sup> June 2022, and that there would be an opportunity for a fuller discussion at the Members' Forum which would follow after the Authority Meeting.

**RESOLVED:**

**To note the report.**

The meeting ended at 10.40 am

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## **6. INTERIM CHIEF EXECUTIVE REPORT (AMC)**

### **1. Purpose of the report**

To up-date Members of key items since the previous Authority meeting.

### **2. Recommendations(s)**

#### **1. For Members to note the report**

### **3. Key Items**

#### **Farming in Protected Landscapes (FiPL)**

Defra have now published a compendium of Farming in Protected Landscapes projects produced by National Parks England and this has been sent by Defra to constituent MPs for England's National Parks. A copy of the compendium can be found [here](#).

We have also produced information to share of examples of the projects within the Peak District National Park (a copy of which is attached as appendix 1) and a link below will take you to further details on the Authority's website:

[Case studies - Farming in Protected Landscapes 2022: Peak District National Park](#)

#### **Working together: Moors for the Future Partnership**

A new film 'Working Together: Moors for the Future Partnership' celebrates nearly 20 years of partnership working across a vast area of moorland, telling the story of people coming together to protect precious blanket bogs for the benefit of people, the planet and wildlife into the future. The film is released as the Partnership's MoorLIFE 2020 project, which has been one of the major MFFP projects for the past 7 years, comes to an end. The film showcases the Partnership's pioneering peatland restoration work, the evidence that underpins it and the innovative ways of communicating about the importance of blanket bog.

The Partnership, set up in 2003 and led by the Peak District National Park Authority, has raised over £45 million to restore over 34 square kilometres of bare and eroding peat and created 3 square kilometres of native clough woodlands across the Peak District and South Pennines.

You can watch the film here:

<https://www.youtube.com/watch?v=yDVSVRIxNLU>

#### **New evidence shows how blanket bogs can protect communities from flooding**

Moors for the Future participated in five-year study of upland natural flood management which has recently presented its final results. The Protect Natural Flood Management (NFM) project, run by the University of Manchester, was one of three Natural Environment Research Council research projects. It assessed the impacts of different forms of gully blocking and restoration of sphagnum cover in the West of the Peak District and South Pennines. This area has been identified as having 22 communities at risk from flooding.

The research was aimed at optimising natural flood management in headwater catchments to protect downstream communities. In the case study of Glossop, they found that planting sphagnum moss delivers most of the NFM benefit by increasing surface roughness. The study also showed that leaky dams were an important technique in reducing flood peaks.

This important research shows that vegetation, and in particular sphagnum moss, is a key tool for natural flood management as well as for its carbon storage potential. It is hoped that this knowledge will assist in unlocking future funding for increasing resilience to flooding by restoring moorlands across the Peak District and South Pennines.

More information on the work of Moors for the Future website [here](#).

### **Bakewell Affordable Housing Royal Town Planning Institute (RTPI) Award**

A new affordable housing scheme in Bakewell delivered by Platform Housing Group which has won an award presented by the RTIP. It is an exception site which means it is 100% for affordable homes and is located adjacent to Lady Manners School. In total 30 homes have been provided for affordable rent through the Housing Association and the money from the sale of the land, which was previously owned by Lady Manners School, has enabled the delivery of enhanced sports facilities at the school.

The houses are built in local limestone to reflect the local character and the whole approach of policy, partnership, and the design and place ethos was recognised at the East Midlands RTPI Planning Awards where it was highly commended. A great result for the town, our partners and for the input of our planners and legal team.

Most recently this was led by our senior planner Andrea Needham who joined Brian Taylor to receive the award from the RTPI on Wednesday 20 July and you can find more information via a YouTube video which can be viewed via this link <https://youtu.be/9B-DjQEYr9I>.

### **National Parks England Bulletin**

The latest NPE Bulletin which provides highlights of the work of their work over the past six weeks which can be accessed via this [link](#).

Jo Swiers has now taken on the role of interim Executive Director at NPE whilst Hoda Grey is on maternity leave.





## **4. Appendices**

Appendix 1 – Farming in Protected Landscapes Case Studies

### **Report Author, Job Title and Publication Date**

Belinda Wybrow, PA to Interim Chief Executive & Chair – 24 August 2022  
[Belinda.wybrow@peakdistrict.gov.uk](mailto:Belinda.wybrow@peakdistrict.gov.uk)

## Case Studies

-  Supports nature recovery
-  Mitigates the impacts of climate change
-  Opportunities for people to enjoy, discover and understand the landscape and its cultural heritage
-  Protect or improve the quality/character of the place

### PEAK FARMER'S GROUP



There is little history of Farmer Facilitation groups or collaborative working amongst the majority of White Peak farms. This newly established farmer-led group aims to change this with the help of a £48,000 grant from the Farming in Protected Landscapes (FiPL) programme.

Nearly 130 farmers have become members in the first three months, three events have been held and two newsletters have been produced. The events have included sessions on 'Understanding your soil', herbal leys and grassland management, and ruminant feeding. The next event focusses on educational access. It is expected that there will be enhanced delivery of many of the outcomes of the programme, with some ideas developing into individual and collaborative FiPL applications.



### WINCLE GRANGE: SUPPORTING NEW IDEAS FOR THE PEAK DISTRICT



FiPL is supporting the development of a farm-wide agro-forestry scheme through:

- Funding for baseline environmental monitoring to assess the impacts on biodiversity and soils
- Facilitating greater understanding of the archaeological features to ensure their protection
- Grant-aid for the water supply to enable rotational grazing in-between the lines of trees
- Hedge creation to ensure the continuity of the historic boundaries on the holding.

Volunteers have been involved in the hedge planting meaning that all four themes are being delivered. This is the first agro-forestry proposal in the Peak District and further support is under discussion for the butchering and marketing of the grazing animals.

### BUBNELL CLIFF FARM: A WELL-ROUNDED PROJECT



A new generation of farmer here is transforming the landscape of the farm with a series of agreements from FiPL. In-field trees and new hedges have been planted on the line of historic boundaries, grant aid has been provided for herbal leys and rotational grazing, a unique 'Ash House' is being restored, and funding has been provided for the development of wood pasture over 45 ha linking areas of ancient woodland.

Future plans include Open Farm Sunday and other interpretation to explain the farming system and the benefits for the environment.

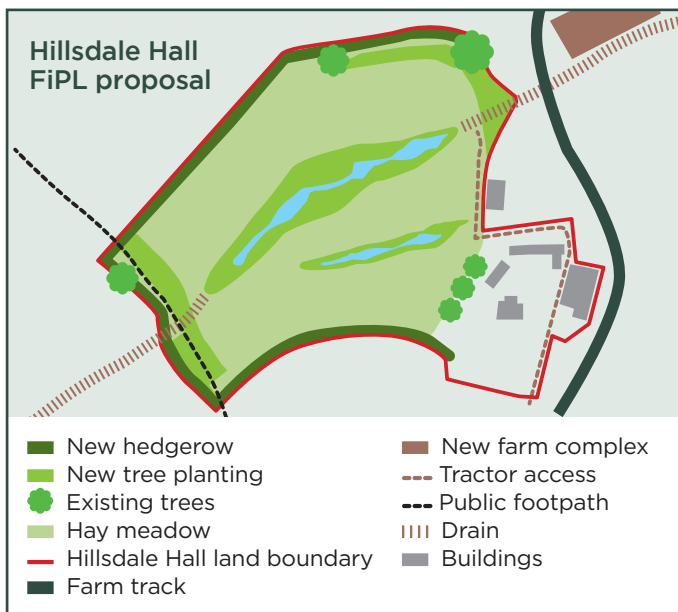
## HILLSDALE HALL: FIPL AS THE ONLY FUNDING OPTION



FiPL is being used to transform this 3.1 ha holdings which is too small to qualify for Higher Tier Countryside Stewardship, through:

- Creation of wetland habitats through modification of the drainage system. This will provide for a varied range of wildlife alongside reducing the speed of water flowing downhill into the river below
- The addition of species rich green hay, providing opportunities for wild flowers to establish. FiPL is also supporting the management of the hay meadow prior to the start of ELMs
- Tree planting and hedgerow planting, adding to the habitat value of the site and also sequestering carbon

A public footpath runs through the site and will give the public access to this substantially enriched landscape. We hope to use this example to encourage other smallholders to similarly deliver the FiPL themes.



## OK CONNECT: A NATURE/BIODIVERSITY PROJECT



OK Connect (Owl and Kestrel Connect) is a not-for-profit environmental group of volunteers dedicated to taking action for nature at a landscape scale. The group is a collaboration between local naturalists and farmers to enable fellow farmers to do more for wildlife with an initial focus on the lack of nesting sites for barn owls and kestrels – in part due to ash die-back. The project has seen great uptake, with the first year's boxes already allocated to over 30 landowners who have signed up.

OK Connect also work with farmers/landowners to encourage the creation of wildlife rich foraging habitats and signpost them to relevant organisations who can provide farm advice, in addition to a dedicated group of volunteers to provide training on erecting and monitoring boxes.



## ACCESS PROJECTS



FiPL has funded six new permissive paths enabling access to flower-rich hay meadows and mining sites at Sheldon and Sough Top near Taddington, an old sand-pit site at Minninglow, access land above Castleton and creating an important link to Lathkill Dale National Nature Reserve. Surfacing on the bridlepath above Ladybower has enhanced access for families on bikes and the route to Thor's cave in the Manifold Valley is due to be restored. FiPL is also funding advice to farmers on developing educational access in addition to visits for schools and youth groups at two farms, one of these being a new venture.





# Farming in Protected Landscapes

## Funding

**Farming in Protected Landscapes (FiPL)** has over £2 million to grant aid farmer and land manager projects which deliver for Climate, Nature, People and Place outcomes across and bordering the Peak District National Park. FiPL can provide support to achieve a long-desired project, trial a new idea or explore changing ambitions. Funding varies from 40-100% depending on the outcome delivered. Example projects already funded include:

Pic: Tom Mills



Payments to support changing management of grassland, e.g. to low input grazing and reducing stocking rates.

Pic: Nick Mott



Feasibility studies where these are clearly linked to delivering FiPL outcomes, e.g. water vole surveys and associated mink control. The project will make recommendations for habitat management and the re-introduction of water voles.



Upgrading access, e.g. by replacing stiles with gates along the course of a route or enhancing the surface beyond what is just maintenance.



'Slowing the Flow' projects including the creation of leaky dams and opening up ditches.



Concrete and stone sett dewpond restoration in the White Peak delivered by the farmer/land manager.



Support for rotational grazing and regenerative agriculture with benefits for carbon management and including water supplies, herbal leys and subdividing large fields with hedgerows.



Habitat management and restoration activities including scrub control, spreading local provenance wildflower seed and necessary boundary works.

Pic: Chris Tomson

Pic: Ann Hall



The restoration of cultural heritage features where these are simple projects.



New permissive footpaths and bridleways creating linkages in the network of rights of way or facilitating access to views and features of interest.



Support for educational access for all ages and group types including training courses, hand washing facilities and a per visit payment.

Pic: Amy Gyte



Planting in-field and boundary trees, in some locations to create wood-pasture.



Machinery or infrastructure where this is clearly linked to management for biodiversity eg. small balers and cattle handling facilities to enable cattle grazing on moorlands.

Pic: Mic Orchard

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7. **ACCESS FUNDING (SAS)**

**Purpose of the Report**

1. The report provides an update on the support for improving access infrastructure in the National Park. A related report on potential funding is provided in Part B of this meeting. This funding is awaiting public release and is currently confidential.

**Key Issues**

2.
  - Access infrastructure underpins inclusivity and engagement.
  - Access improvements support the emerging objectives and actions of the National Park Management Plan Review.

**Recommendations**

3. **(i) To note the current position on Access Funding.**

**How does this contribute to policies and legal obligations?**

4. (i) National Park Management Plan 2018-23

Relevant areas of impact:

- A National Park for everyone – relevant actions are to overcome physical and perceived barriers to access.
- Encouraging enjoyment with understanding - relevant actions are: to balance opportunities for enjoyment with conserving a fragile environment; to ensure shared responsibility.

- (ii) Corporate Strategy 2019-24

Relevant outcome: A National Park loved and supported by diverse audiences.  
2022/23 strategic interventions for:

- Greater audience reach amongst under-represented groups – Implement our diverse audience plan providing inclusive health, education and accessibility activities, and modernising digital channels that better align with the audiences we want to reach
- A strong identity and reputation driving positive awareness and engagement. – Use research to develop a plan to better understand our existing and potential audiences to increase public connection with the National Park.

- (iii) National Park Management Plan and Authority Plan 2023-28

The review of the NPMP continues with an emerging draft 20-year vision: “By 2043 the Peak District National Park is exemplary in its response to nature recovery and climate change. Its Special Qualities have been significantly enhanced. It is a cherished and inclusive place where all are inspired to care and communities thrive.” The emerging draft 20-year aims are:

- The Peak District National Park is more resilient and net-zero by 2040 through its exemplary response to climate change.
- The Peak District National Park is a resilient landscape in which nature, beauty, and cultural heritage are significantly enhanced.
- The Peak District National Park is a welcoming place where all are inspired to enjoy, care for and connect to its special qualities.
- The Peak District National Park communities are thriving and sustainable places where all generations can live healthy and fulfilled lives.

- (iv) National Park Landscape Strategy, Review 2022

Draft objective:

Improve the connectivity of open access land and the rights of way network to allow for enjoyment of the landscape by a greater range of users while maintaining character, tranquillity, remoteness and wildness.

(v) Diversity Action Plan

Health and Wellbeing themes:

- Protected landscapes are recognised by the health sector as places to develop personal resilience and nurture good health and wellbeing – easily accessible online guides and materials, signposting activities and opportunities available.
- Significant social prescribing activity, and targeted projects that address health and social inequalities that amplify our reach both within and outside the National Park – work with our partners to develop new and build on existing project opportunities.

### **Background Information**

5. The Authority's statutory role and work in partnership on Access and Rights of Way is supported through additional sources of funding. The emerging theme of a 'Welcoming Place' is proposed to be reported to the January 2023 Programmes and Resources committee meeting (Minute 65/22)

### **Access & Rights of Way**

6. The Authority is the Access Authority and Relevant Authority for access land and has powers in relation to the making of orders for public rights of way and green lanes. The Authority is not the Highway Authority, but works closely in partnership with its seven constituent councils, landowners, land managers, and farmers for enhancing access, rights of way, and the unclassified road network to meet National Park purposes and outcomes.

### **Inclusive Access**

7. The National Park Management Plan's outcome of a National Park for Everyone, seeks to overcome barriers to access so that everyone can experience its special qualities, including those with limited mobility, and to build up the confidence of those who do not feel able to visit and encourage them to come. This inclusivity is set out in the emerging objectives and actions.
8. On access and rights of way infrastructure, inclusivity is facilitated through the removal of barriers such as stiles, narrow gates, and steps. It also includes widening, regrading, improved surfacing, and new and promoted routes such as [Miles without Stiles](#). This is supported by mobility equipment, inclusive/adaptive cycles, disabled toilets and Changing Places, designated disabled car parking, interpretation, signage, and seating.

### **Funding**

9. Access improvements are funded through the Foundation and donations to the Authority's Access Fund and from sponsorship and sales of the Miles without Stiles handbook. Other funding initiatives include the South West Peak Landscape Partnership, the Landscape Enhancement Initiative, work by partner organisations, and the Farming in Protected Landscapes Programme. Maintenance, repairs, and projects by the Highway Authorities, and the funding for these, contributes towards access improvements and other objectives, including conservation.

### **Delivery**

10. In-house expertise is provided by Access and Rights of Way, Countryside Maintenance and Property Support Team, Rangers, and Peak Park Conservation Volunteers. More

complex, specialist, and significant work usually requires external inputs. The Highway Authorities' work on their assets may also be supported by funding for work undertaken on their behalf. In the case of Derbyshire County Council, this is set out by a Service Level Agreement with the Authority. The Farming in Protected Landscapes Programme supports delivery by landowners, farmers, and local contractors.

### **Summary**

11. Improvements to access infrastructure embeds inclusivity. This is focused for the provision of Miles without Stiles routes and is in turn dependent on the funding available and the capacity to support this.

### **Are there any corporate implications members should be concerned about?**

12. **Financial**  
There is a current level of funding which provides for progress at a level commensurate with capacity.
13. **Risk Management**  
There is an element of reputational risk to the Authority in respect of expectations on the part of third parties not being met. This report clarifies that the deliverability of access improvements is currently being undertaken within realistic parameters. The continuing ability to handle expenditure relating to infrastructure improvements remains important in order to meet grant and contractual conditions and in relation to the statutory functions of the Authority for Access and Rights of Way and Planning.
14. **Sustainability**  
The report addresses sustainability issues in the context of both the National Park Management Plan and the Authority's statutory purposes, duty and legal powers.
15. **Equality**  
The requirements of the Equality Act 2010 have been met in the consideration of actions and the Authority will continue to have regard to its duties under the Act to address inequalities in its visitor and audience profile.
16. **Climate Change**  
The work on accessibility provides a mechanism for the Authority to engage with visitors to the National Park regarding issues associated with climate change and for engagement with actions to protect its assets.
17. **Background papers:**  
None.
18. **Appendices**  
None.
19. **Report Author, Job Title and Publication Date**  
Sue Smith, Access & Rights of Way Officer – 24 August 2022

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## **8. LOCAL DEVELOPMENT SCHEME (AM)**

### **1. Purpose of the report**

To seek the Committee's approval of the revised Local Development Scheme.

#### **Key Issues**

- **The Authority is legally obliged to prepare and maintain a Local Development Scheme that specifies the local development plan documents.**

### **2. Recommendations(s)**

- 1. That the Committee approves the Local Development Scheme (Appendix 1) for publication on the Authority's website.**
- 2. That the Committee notes the timetable for the review of the Local Plan as set out in the Local Development Scheme and at paragraph 6.**

#### **How does this contribute to our policies and legal obligations?**

3. A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). National Planning Practice Guidance states that it must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publicly, including on the website, and kept up-to-date.

#### **Background Information**

4. A Local Development Scheme was last published in 2016 and is now out of date. An updated Local Development Scheme is at Appendix 1. It describes the current suite of development plan documents and outlines a broad timetable for their review.
5. The current development plan documents for the Peak District National Park are:
  - Core Strategy (2011)
  - Development Management Policies (DMP) (2019)
  - Policies Map
  - Made Neighbourhood Plans (Holme Valley, Dore, Chapel-en-le-Frith, Leekfrith, Bradwell.)
6. The Authority is currently undertaking a review of its Local Development Plan, which will result in combining the Core Strategy and DMP into one Local Plan, along with the adoption of an updated Policies Map. The timeline for this is:
  - 2023 statutory consultation on issues and options (Feb 2023 Authority Committee)
  - 2024 statutory consultation on preferred options and/or draft plan
  - 2025 submission to Secretary of State
7. The following adopted Supplementary Planning Documents and Guidance are not formally part of the development plan, but are material considerations in planning decisions. These will remain in force until they are replaced.
  - Design Guide (2007) and Technical Supplement (1987)
  - Alterations and Extensions (2014)
  - Shop Fronts (2014)
  - Climate Change and Sustainable Building (2013)

- Agricultural Developments (2003)
- Transport Design Guide (2019)
- Residential Annexes (2021)
- Conversion of Historic Buildings (2022)
- Bonsall Design Statement (2003)
- Loxley Valley Design Statement (2004)

8. As resources allow we will produce supplementary planning documents on:

- Barn conversions
- Biodiversity net gain
- Development on farms
- Additional design guidance to address identified 'gaps': new housing; space between buildings; details, finishes and materials; contemporary design; climate change and sustainable building.

9. We will continue to give advice and assistance to the five parish councils currently writing Neighbourhood Plans and to any others that designate new Neighbourhood Areas. The five parish councils currently being supported are:

- Whaley Bridge (High Peak)
- Hartington (Derbyshire Dales)
- Saddleworth (Oldham)
- Brampton (North East Derbyshire)
- Great Hucklow and Foolow (Derbyshire Dales)

### **Proposals**

10. That the Committee approves the updated Local Development Scheme (Appendix 1).

### **Are there any corporate implications members should be concerned about?**

#### **Financial:**

11. None

#### **Risk Management:**

12. Approving the updated Local Development Scheme will avert risks associated with publicising out-of-date information.

#### **Sustainability:**

13. Sustainability issues are fully considered in the local plan-making process.

#### **Equality, Diversity and Inclusion:**

14. Issues associated with equality, diversity and inclusion are fully considered in the local plan-making process.

#### **Climate Change**

Climate change issues are fully considered in the local plan-making process.

#### **16. Background papers (not previously published)**

The current [Local Development Scheme](#) to be replaced.



17. **Appendices**

Appendix 1 - Peak District National Park Authority Local Development Scheme

**Report Author, Job Title and Publication Date**

Adele Metcalfe, Policy and Communities Team Manager, 24 August 2022  
adele.metcalfe@peakdistrict.gov.uk

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**PEAK  
DISTRICT  
NATIONAL  
PARK**

# **LOCAL DEVELOPMENT SCHEME**

September 2022 – August 2025

**Peak District National Park Authority**  
Member of National Parks England

Aldern House  
Baslow Road  
Bakewell  
Derbyshire  
DE45 1AE

Tel: (01629) 816 200  
E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)  
Website: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

**This and other Local Development Plan documents can be made available in large copy print, audio recording or languages other than English. If you require the document in one of these formats please contact the Policy and Communities Team, Peak District National Park at the address above or email [policy@peakdistrict.gov.uk](mailto:policy@peakdistrict.gov.uk)**

## LOCAL DEVELOPMENT SCHEME

September 2022 – August 2025

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## 1 Introduction

- 1.1 This is the Local Development Scheme (LDS) for the Peak District National Park (PDNP). The LDS is a 3-year project plan, which effectively forms the Authority's planning policy work programme for the period from September 2022 to September 2025. The LDS is publicly available from the National Park Authority or via the Authority's website at [Local Development Scheme](#).
- 1.2 An LDS is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). Paragraph 3 of the National Planning Practice Guidance<sup>1</sup> (NPPG) states that it must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.
- 1.3 The National Park approach to spatial planning is underpinned by a close relationship to the broader [National Park Management Plan](#) (NPMP). In addition, both the Local Development Plan and the NPMP pay close regard to the strategies prepared by constituent authorities that share the area of the National Park.

## 2 Progress since the previous Local Development Scheme

- 2.1 Since the publication of the last LDS in 2016, the PDNP Development Management Policies (DMP) document and its supporting Policies Map were adopted in May 2019. In 2020 the Authority started a review of the Core Strategy and the DMP document with the intention of combining the two documents. A timeline for this review can be found in Appendix 1.
- 2.2 In addition, since the last LDS the Authority has formally made (adopted) three Neighbourhood Plans in Dore, Holme Valley and Leekfrith, as well as adopting three Supplementary Planning Documents on the topics of Transport Design, Residential Annexes and the Conversion of Historic Buildings (please see full list in Fig.1 below).

## 3 The various elements of the Local Development Plan

### National

- 3.1 A new version of the National Planning Policy Framework was published in July 2021 and is supplemented by the website based NPPG, updated on an ongoing basis. The Authority must have regard to the NPPF and NPPG when preparing its Local Plan.

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<sup>1</sup> [Plan-making - GOV.UK \(www.gov.uk\)](https://www.gov.uk/plan-making)

- 3.2 Para. 219 of the NPPF outlines that plans should not be considered out of date simply because they were adopted prior to the publication of the NPPF (as is the case for the Core Strategy) but para. 218 outlines that plans may need to be revised to take the NPPF into account.
- 3.3 Para. 219 of the NPPF clarifies that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. A detailed policy-by-policy analysis was undertaken and in February 2013 the Authority confirmed that the Core Strategy is consistent with the framework. The DMP was found at examination to also be consistent with the Framework.
- 3.4 Para. 176 and footnote 59, provide the principle guidance in relation to National Parks confirming that *“great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.”*
- 3.5 Para. 177 outlines that permission should be refused for major development in the national park, other than in exceptional circumstances and where it is in the public interest. Para. 211 confirms that as far as is practical local planning authorities should provide for the maintenance of landbanks of non-energy minerals from outside National Parks.
- 3.6 Notwithstanding the provisions of the NPPF the Authority has a statutory requirement to pursue the twin purposes of National Park designation as laid down in the 1949 National Parks and Access to the Countryside Act and as amended by the 1995 Environment Act<sup>2</sup> which are to:
- a) conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
  - b) promote opportunities for the understanding and enjoyment of the special qualities of the area by the public.
- 3.7 Whilst ongoing efforts are made to ensure consistency with national planning policy, the National Park Authorities retain sufficient independence to defend the integrity of the national parks’ statutory purposes. On occasion this has led to the family of national parks, through its association body National Parks England, to seek a different approach.

## Local

- 3.8 The planning policy documents which form the Local Development Plan provide spatial policies and guidance for achieving the statutory purposes of the National Park where this affects the use and development of land.

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<sup>2</sup> [Environment Act 1995 \(legislation.gov.uk\)](http://legislation.gov.uk)

3.9 Development Plan Documents (DPDs) (including Neighbourhood Plans) are statutory planning documents subject to independent examination, principally by the Planning Inspectorate.

3.10 As shown in Fig.1 below, the DPDs for the Peak District National Park currently consist of the Core Strategy (2011), the Development Management Policies (DMP) (2019), the Policies Map and any Neighbourhood Plans that have been made (adopted).

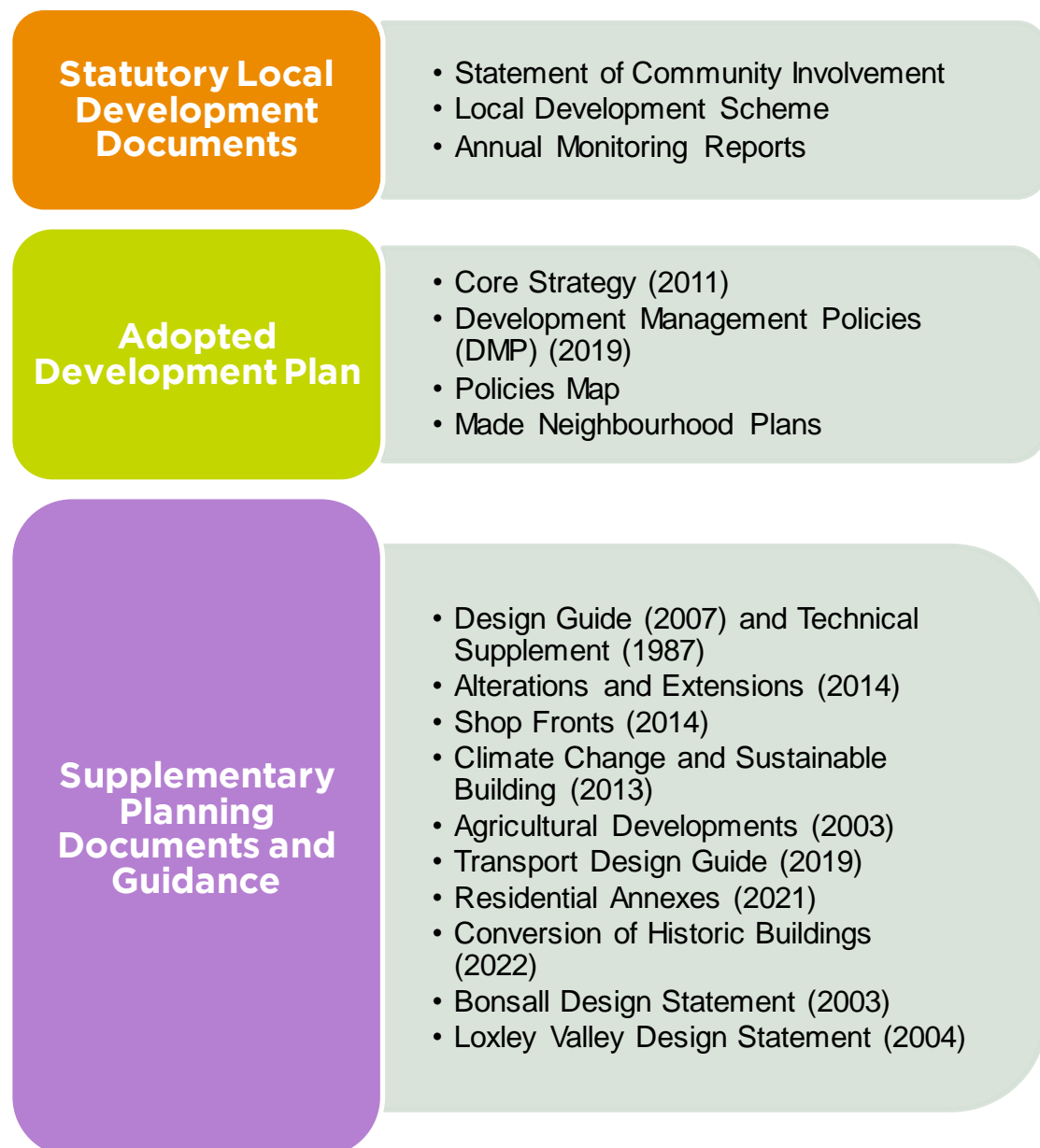


Fig 1. Peak District National Park Local Development Plan documents



## Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG)

- 3.11 Supplementary Planning Documents (SPDs) give more detailed advice on how to comply with the policies contained in DPDs. They will be subject to full public consultation but will not be subject to independent examination.
- 3.12 The adopted Supplementary Planning Documents and Guidance are not formally part of the development plan, but are material considerations in planning decisions. These will remain in force until they are replaced.
- 3.13 A list of all SPDs and earlier Supplementary Design Guidance (SPG) can be found in Fig. 1.
- 3.14 Since 2016 three new Supplementary Planning Documents (SPD's) have been adopted by the Authority covering Transport Design, Residential Annexes and Conversion of Historic Buildings. The adoption of the Development Management Policies in 2019 incorporated guidance on affordable housing and therefore the 2003 SPG on this topic has been withdrawn.

## Neighbourhood Plans

- 3.15 Neighbourhood Plans offer local communities (via a Neighbourhood Forum or Parish/Town Council) the opportunity to prepare locally specific policies that can become part of the local development plan. They must be in general conformity with strategic policies and meet other basic conditions.
- 3.16 At the time of writing the Authority is currently supporting five communities across the National Park in bringing forward their local aspirations to neighbourhood plan status. Five plans have already been formally made (adopted) in Holme Valley, Dore, Chapel-en-le-Frith, Leekfrith and Bradwell. The current list of designated neighbourhood areas is as follows:
- Holme Valley (Kirklees) – plan made 2021
  - Dore (Sheffield) – plan made 2021
  - Leekfrith (Staffordshire Moorlands) – plan made 2021
  - Bradwell (Derbyshire Dales) – plan made 2015
  - Chapel-en-le-Frith (High Peak) – plan made 2015
  - Chinley, Buxworth and Brownside (High Peak)
  - Bakewell (Derbyshire Dales)
  - Whaley Bridge (High Peak)
  - Hartington (Derbyshire Dales)
  - Saddleworth (Oldham)
  - Brampton (North East Derbyshire)
  - Great Hucklow and Foolow (Derbyshire Dales)

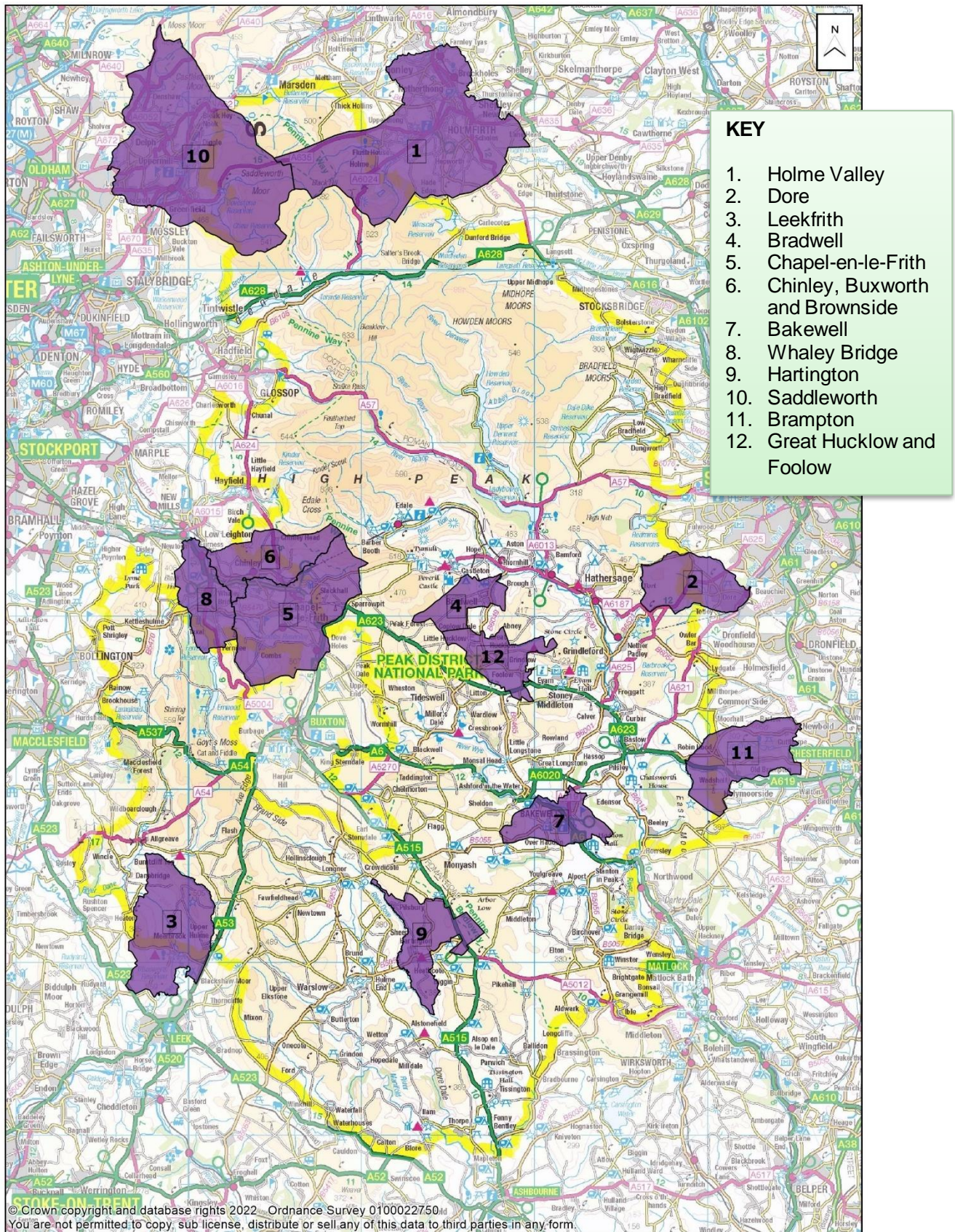


Fig 2. Neighbourhood Plan areas across the Peak District National Park

3.17 The Community Policy Planner based within the Policy and Communities Team continues to maintain long-term support for community-level work.

## **4 Plans we are working on**

- 4.1 The Authority is currently undertaking a review of its Local Development Plan, which will result in combining the Core Strategy and DMP document into one Local Plan document, along with the adoption of an updated Policies Map. Please see Appendix 1 for further information on timelines.
- 4.2 During the Local Plan review we also aim to produce additional design guidance that will address 'gaps' in existing guidance to cover: new housing; space between buildings; details, finishes and materials; contemporary design; and climate change and sustainable building.
- 4.3 We will continue to give advice and assistance to the five parish councils currently writing Neighbourhood Plans as referenced in para. 3.16, and to any others that designate new Neighbourhood Areas.

## **5 Relationship to National Park Management Plan**

- 5.1 The current National Park Management Plan (NPMP) (2018-2023) provides a vision for the future of the Peak District, to be achieved in partnership with all agencies and stakeholders with an interest in the Park. At the time of writing the NPMP is being reviewed and will be adopted at the end of 2022. The new Local Plan will be aligned to the new NPMP.
- 5.2 The NPMP also sets out the Special Qualities of the PDNP. The current Local Plan policies aim to conserve and enhance these special qualities. The new Local plan will continue to do this.

## **6 Duty to Co-operate**

- 6.1 The Authority maintains regular dialogue with all of the constituent and adjoining authorities that make up the PDNP as displayed in Fig. 3 below. Although regional authorities no longer exist, regions as a geographical and statistical entity do still exist so are shown for illustrative purposes.

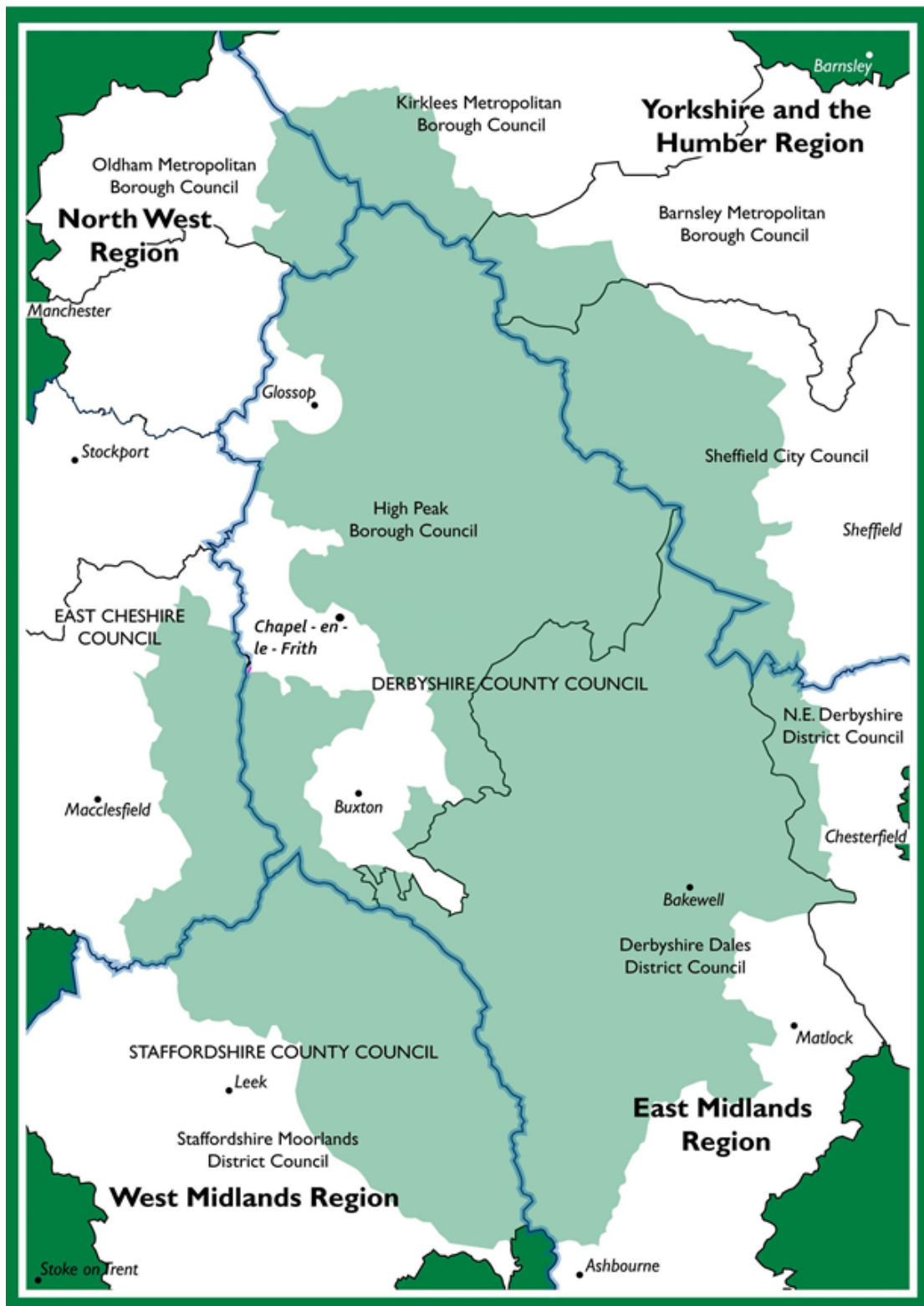


Fig 3. Local Administrative Context Showing Constituent and Neighbouring Authorities

6.2 Various methods are used to satisfy the legal duty to cooperate under the Localism Act 2011. In addition to formal consultation on plan making, the following are examples of the varied forms of joint work that take place on cross boundary strategic planning matters:

- Regular meetings with planning colleagues of constituent and adjoining authorities under the banner of the Duty to Cooperate
- A formal memorandum of understanding with High Peak Borough Council on cross boundary policy and delivery matters
- Wide range of jointly commissioned evidence studies at District and County levels
- Attendance at Planning Policy Officer Group meetings for Derbyshire
- Cross boundary engagement on Neighbourhood Plans
- Discussions with partner organisations through the National Park Management Plan partnership and its various forums
- Joint Aggregates Assessment with Derbyshire County Council.

## **7 Managing the evidence base**

- 7.1 The LDP draws on a range of evidence from within and outside the Authority, including jointly-commissioned studies. All evidence informing the current review of the Local Plan is publicly available [here](#).
- 7.2 The evidence that informed the Core Strategy is publicly available [here](#) and DMP evidence [here](#).
- 7.3 [Annual Monitoring Reports](#) assess performance of policy and are a valuable source of evidence for plan review.

## **8 Monitoring and Review**

- 8.1 An Annual Monitoring Report (AMR) describing the implementation of the local development scheme and the extent to which policy objectives are being achieved, has been produced on an annual basis up until 2016/17. For the period 2017-19 a reduced version of the report has been produced, which covers housing and cases contrary to policy.
- 8.2 It is intended that prior to the submission of the reviewed Local Plan to the Secretary of State an updated AMR will be produced.

## **9 Management process and resources**

- 9.1 The Policy and Communities Team is responsible for preparing and writing the Local Development Plan. Advice from other specialist officers is sought at key stages, typically from the Minerals, Cultural Heritage, Landscape, Ecology and Strategy and Performance Teams.
- 9.2 The Policy and Communities Team Manager is responsible for programme management, working with the Head of Planning. Managers are aware of areas of risk and uncertainty, and have appropriate contingencies. Regular programme management meetings link the Planning Service with the Authority's broader Policy, Land Management and Rural Development functions.

- 9.3 A local plan review member steering group works closely with the Policy and Communities Team. The Chair and Vice Chair of Planning Committee, the Authority Chair, and various lead members are represented.

## Appendix 1: Local Development Scheme summary timetable

Document title	Status	Role and content	Geographical coverage	Chain of conformity	Pre-production survey and involvement	Date for pre-submission consultation	Date for submission to Secretary of State	Proposed date for adoption
Revised Statement of Community Involvement	LDD	Describes how stakeholders and the community will be involved in plan-making and planning applications.	Whole National Park	N/A		Feb 2023	N/A	Spring 2023
Revised National Park Local Plan Parts 1 and 2 combined	DPD	Setting the Spatial Vision and objectives, along with Core Policies as part 1 and detailed development management policies as part 2 with any proposals set out in accompanying Policies Map	Whole National Park	Consistent with Statutory National Park purposes and National Planning Policy	From 2020 to 2023	Jan 2024	2025	2026
Revised Policies Map	DPD	Illustrates the spatial application of local plan policies & proposals on an Ordnance Survey base map. Prepared with DPDs which identify policy areas or have site allocations.	Whole National Park	Consistent with DPD	From 2023	Jan 2024	2025	2026
Neighbourhood Plans	DPD	Policies to manage development, exploring settlement capacity, opportunities for affordable housing, businesses and community facilities as well as seeking opportunities to conserve and enhance and features of local value.	Parishes across the National Park.	To conform with the DPD and national planning policy	On-going from Jan 2013	On-going with communities at different stages	On-going with communities at different stages	On-going with communities at different stages

Annual Monitoring Report	N/A	Sets out progress in producing DPDs & SPDs and implementing policies, action needed to meet targets, and any changes needed.	Whole National Park	N/A	N/A	N/A	N/A	N/A
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### Possible Future Supplementary Planning Documents

- Additional design guidance to address 'gaps' in existing guidance to cover: new housing, space between buildings; details, finishes and materials; contemporary design; and climate change and sustainable building.
- Barn conversions
- Biodiversity net gain
- Development on farms



## Appendix 2: Supplementary Planning Documents and Guidance

Document title	Type	Status	Description	Conformity
Conversion of Historic Buildings	SPD	Adopted Feb 2022	Guidance for converting historic buildings providing a level of detail necessary to interpret national guidance in the context of the protected landscape.	Supplements CS L1 & L3 and DMP policies DMC5, DMC7 & DMC10
Residential Annexes	SPD	Adopted Feb 2020	Sets out the legal complexities surrounding ancillary residential accommodation and how it differs from incidental accommodation. Outlines when a condition or S106 would be used to prevent severance.	Supplements DMP policies DMC5, DMC10, DMH5, DMH7 and DMH8.
Transport Design Guide	SPD	Adopted June 2019	Provides further detail to transport design policy within the national park.	Supplements CS T3 and DMP policy DMT3.
Detailed Design for Alterations and Extensions	SPD	Adopted July 2014	Sets out the guidance in 2 parts firstly the approach to alterations dealing with changes to door and window openings, rainwater goods, the addition of rooflights, and on-site parking, and improvements to non-traditional houses. The second part deals with extensions, looking at a general design approach to ensure they fit well with their host buildings. Porches, garages and conservatories are discussed separately.	Supplements CS GSP3 and DMP policy DMC3.
Detailed Design for Shopfronts	SPD	Adopted July 2014	Sets out the approach to creating good shop fronts in the National Park. It covers aspects such as design, signage and lighting.	Supplements CS GSP3 and DMP policies DMC3, DMS4 & DMS5.

Climate Change and Sustainable Buildings	SPD	Adopted March 2013	Encourages high sustainability standards in all new development, gives guidance on renewables and low carbon technologies and issues of water and flood management.	Supplements CS policies CC1, CC2, CC4, CC5
Peak District Design Guide	SPD	Adopted January 2007	Sets out design principles for new development, encouraging high quality modern design that reflects the Peak District building tradition.	Supplements CS GSP3 and DMP policy DMC3.
Loxley Valley Design Statement	SPG	Adopted 2004	Extract from design statement prepared by Loxley Valley Design Group.	Supplements DMP policy DMC3.
Agricultural developments in the Peak District National Park	SPG	Adopted 2003	Sets out guidance on the most appropriate ways for future agricultural development, particularly with regard to new agricultural buildings.	Supplements CS policies GSP1, DS1, E1 & E2 and DMP policy DME1.
Bonsall Village Design Statement	SPG	Adopted 2003	Extract from village design statement produced by Bonsall Village Group.	Supplements DMP policy DMC3.

### Appendix 3: Profiles for documents in the Local Development Scheme

#### STATEMENT OF COMMUNITY INVOLVEMENT

Document details	What is its role and content?	The document describes how stakeholders and the community will be involved in the LDF and planning applications. It also shows links between the LDF & National Park Management Plan.
	Status	LDD
	Chain of conformity	N/A
	What area does it cover?	The Peak District National Park.
Timetable	Previous version adopted	May 2012
	Draft SCI consultation	May 2018
	Revised SCI adopted	July 2018
Production	Which department will lead the process?	Policy and Communities Team.
	What resources are required?	Assistance from the Marketing and Communications Team.
	How will its production be managed?	Local Plan Review Member Steering Group will consider draft and agree final submission. Authority Committee approves final document.
	How will stakeholders be involved?	Formal written consultation, media, Parish Councils, stakeholder meetings on request.
Post production	Monitoring and review	The document will be reviewed every 5 years. Next review due by 2023

## CORE STRATEGY

Document details	What is its role and content?	The document sets out the vision, objectives & spatial strategy (including Key Diagram) for the National Park, and the primary policies for achieving the vision.
	Status	DPD
	Chain of conformity	Consistent with national planning policy.
	What area does it cover?	The Peak District National Park.
Timetable	Adopted	October 2011
Production	Which department led the process?	Policy and Communities Team
	What resources were required?	The document was prepared using existing resources.
	How was its production managed?	LDF Project Board and Member Plans Review Task Team involved at all stages; Authority agree key options document and final submission document.
	How were stakeholders involved?	Formal written consultation, media, leaflets & brochures, exhibitions, stakeholder meetings, work with young people, Parish Councils, newsletter (detail included in SCI).
Review	When will the document be reviewed?	The Authority is currently undertaking a full Local Plan review which will replace this strategic document by 2026.

## DEVELOPMENT MANAGEMENT POLICIES

Document details	What is its role and content?	The document contains policies to ensure that development meets certain criteria and contributes to the achievement of the Core Strategy.
	Status	DPD
	Chain of conformity	To conform with the Core Strategy and national planning policy.
	What area does it cover?	The Peak District National Park.
Timetable	Adopted 2019	May 2019
Production	Which department led the process?	Policy and Communities Team
	What resources were required?	The document was prepared internally using existing resources.
	How was its production managed?	Policy Management Group and Lead Member Representatives involved at all stages; Authority agreed final submission document.
	How were stakeholders involved?	Formal written consultation, online engagement, media, leaflets & brochures, exhibitions, stakeholder meetings, Parish Councils, bulletins and newsletter (detail included in SCI).
Review	When will the document be reviewed?	The Authority is currently undertaking a full Local Plan review which will replace this Development Management document by 2026.

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## **9. INDEPENDENT REVIEW OF MEMBERS ALLOWANCES (AMC)**

### **1. Purpose of the report**

To consider the report of the Independent Person appointed to carry out a review of the Authority's Members' Allowances Scheme.

#### **Key Issues**

- **The Authority's Member Allowance Scheme was subject to a comprehensive independent review in 2018 and the current Scheme was approved for 4 years from the beginning of April 2019 until the end of March 2023.**
- **This independent review is to check if, as it approaches the end of 4 years, the current Scheme requires any further amendments.**
- **The independent review has been conducted by Dr Declan Hall who conducted the comprehensive review in 2018 and Dr Hall will be present at the meeting.**
- **The Authority's Member Code of Conduct provides that, despite having a prejudicial interest, Members may speak and vote on matters relating to an allowance, payment or indemnity given to Members subject to disclosing that interest at the meeting.**

### **2. Recommendations**

1. **To note the findings of the Independent Review of Members Allowances produced by Dr Declan Hall and set out in Appendix 1.**
2. **To consider whether to accept, reject or modify the following recommendations set out in the Independent Review Report:**
  - a. **To increase the Basic Allowance paid to all Members to £2,568 subject to any applicable indexation for 2022/23.**
  - b. **To continue paying an additional Special Responsibility Allowance to the following six positions of responsibility at the rates indicated:**
    - i. **Chair of the Authority at a multiple of 2.6 times the recommended Basic Allowance**
    - ii. **Deputy Chair of the Authority at 50% of the allowance paid to the Chair of the Authority**
    - iii. **Chair of Planning Committee at 50% of the allowance paid to the Chair of the Authority**
    - iv. **Vice Chair of Planning Committee at 60% of the allowance paid to the Chair of Planning Committee**
    - v. **Chair of Programmes and Resources Committee at 40% of the allowance paid to the Chair of the Authority**
    - vi. **Vice Chair of Programmes and Resources Committee at 50% of the allowance paid to the Chair of Programmes and Resources Committee.**
  - c. **To confirm that no additional Special Responsibility Allowance is paid to:**
    - i. **All Members of Planning Committee**
    - ii. **Member Champions.**
  - d. **To continue the allowance paid to Co-optees at 25% of the Basic Allowance.**

- e. **To continue the allowance paid to the Independent Persons at 50% of the Basic Allowance.**
  - f. **To maintain the existing travel rates so that they continue to match the rates paid to employees, subject to the inclusion of a statement in the Members Allowances Scheme to state that claims made for travel by hybrid/electric vehicles are also payable at HMRC rates, currently 45p per mile.**
  - g. **To maintain the existing subsistence rates so that they continue to match the rates paid to employees.**
  - h. **To note that the Authority does not have the statutory power to set or pay an allowance to contribute to the cost of care for Members' Dependents while they are engaged on Authority business and also that the Authority does not have the power to vary the amount of Basic Allowance paid to Members based on attendance at Meetings.**
  - i. **To index the approved payments set out in the Authority's Members' Allowances Scheme as follows:**
    - i. **Basic Allowance, Special Responsibility Allowances, Co-optees' Allowance and Independent Persons annual remuneration are indexed to the annual percentage salary increase for local government employees (at spinal column 43 or the equivalent level if the spinal column points are revised), to be applied from the same year that applies to employees.**
    - ii. **Travel Allowances including Mileage Rates, and Subsistence Allowances indexed to the same rate that is applicable to employees, except the Passenger Supplement Mileage rate.**
  - j. **To apply these indices for four years from date of the first application of the relevant indices to the Basic Allowances and Special Responsibility Allowances on 1<sup>st</sup> April 2023 to the end of the financial year 2027.**
3. **To confirm that any changes to the Scheme will be effective from 1<sup>st</sup> April 2023 and not backdated.**

**How does this contribute to our policies and legal obligations?**

3. The principal legislation and guidance governing allowances is:
  - The Local Government and Housing Act 1989 (as amended by the Local Government Act 2000), provides the Authority with the powers to pay Members basic, special responsibility and other allowances.
  - The Local Authorities (Members Allowances) (England) Regulations 2003 ("the Regulations") and supporting guidance ("the Guidance"). The Regulations do not give a National Park Authority the power to pay a dependent carer allowance.
4. Under the provisions of the legislation the Authority is required to make a Scheme of Allowances and can exercise local discretion on the amounts to pay under the Scheme. In approving the Scheme and setting these payments the Authority is not required to establish an Independent Remuneration Panel.



### **Background Information**

5. The Authority's current Members allowance scheme was agreed by the Authority in July 2018 following a comprehensive independent review by Dr Declan Hall, a former academic who specialises in the field of Members' allowances and support. The scheme was approved for a period of 4 years from April 2019 to March 2023 (Minute No 30/18).
6. As the end of the approved 4-year period for the current scheme is approaching it was considered prudent to ask Dr Hall to conduct a further check of the scheme to ensure it was still comparable with other relevant authorities' schemes and the Chair of the Authority agreed. Dr Hall was commissioned to conduct a review of the current scheme, which included inviting evidence from Members and Officers and gathering comparative data from local authorities and other national park authorities. Full details of his review and proposals are given in Appendix 1 of this report.

### **Proposals**

7. A copy of Dr Hall's report and recommendations are attached as Appendix 1. An Executive Summary of the report is provided on pages 2 and 3 of the Appendix.
8. Members are asked to consider the report and its recommendations. In approving any changes to its Members' Allowances Scheme the Authority does have discretion on whether to implement the recommendations in the report. Members are free to accept, reject or amend any or all of the recommendations. Dr Hall will be present at the meeting to present his findings and answer any questions.

### **Are there any corporate implications members should be concerned about?**

#### **Financial:**

9. Costs from carrying out the review can be contained in the Member Services budget.
10. If all the proposals set out in the report are approved the total full year cost of basic and special responsibility allowances would be £98,970 (Before tax and National Insurance deductions). This represents an increase of £4,957 from the rates paid in 2021/22 (This includes the April 2021 increases arising from the previously agreed index). The increase will be met by increasing the Member Services baseline budget.

#### **Risk Management:**

11. There is a risk that if the Authority does not have a robust Allowances Scheme that has been considered in the context of a recommendation by an Independent Person the Authority may have difficulty in recruiting and retaining Members.

#### **Sustainability:**

12. No issues.

#### **Equality, Diversity and Inclusion:**

13. The scheme applies to all Authority Members.

#### **14. Climate Change**

No issues.

#### **15. Background papers (not previously published)**

None.

**16. Appendices**

Appendix 1 - An Independent Review of Members Allowances for the Peak District National Park Authority – A Report by Declan Hall PhD, August 2022.

**Report Author, Job Title and Publication Date**

Andrea McCaskie, Interim Chief Executive, 24 August 2022  
[Andrea.mccaskie@peakdistrict.gov.uk](mailto:Andrea.mccaskie@peakdistrict.gov.uk)

**An Independent Review  
Of  
Members' Allowances  
For the  
Peak District  
National Park Authority**

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**A Report**

**By**

**Declan Hall PhD**

**August 2022**

## Executive Summary

<b>Peak District NPA - Basic Allowance, SRAs, Co-optees' Allowance and Independent Persons - Recommendations 2023/24</b>				
	No	Methodology	Level	Total
Basic Allowance	30	24 paid days X E. Midlands median earnings 2021 £107 p/day	£2,568	£77,040
Chair	1	2.6 X BA	£6,677	£6,677
Deputy Chair	1	50% X Chair	£3,338	£3,338
Planning Chair	1	50% X Chair	£3,338	£3,338
Planning Vice Chair	1	60% X own Chair	£2,003	£2,003
Programme & Resources Chair	1	40% X Chair	£2,671	£2,671
Programme & Resources Vice Chair	1	50% X own Chair	£1,335	£1,335
Co-optees	0	25% X BA	£642	£0
Independent Persons	2	50% X BA	£1,284	£2,568
Sub Total BA				£77,040
Sub Total SRAs				£21,930
Totals (BA + SRAs + IP Payments)				£98,970

**It is also recommended that**

### **SRAs considered but not recommended**

Members of the Planning Committee and Member Champions are not paid an SRA

### **Travel and Subsistence Allowances - Car Mileage Allowances**

The mileage allowances rates are clarified to include claims made by hybrid/electric vehicles are also payable at HMRC rates, currently 45p per mile.

### **Subsistence Allowances**

The maximum rates for which a Member may claim meals allowances are maintained at that which applies to Officers.

### **Issues arising I – support for care of Members’ Dependants**

Due to lack of legal powers of the Authority no recommendation is being made regarding an allowance for the care of Members’ Dependents while undertaking duties for the Authority.

### **Issues arising II – Linking remuneration to attendance**

Due to the legal requirement to pay a Basic Allowance equally to all Members no recommendation is made in regards to varying Member remuneration based on attendance at meetings.

### **Indexing Allowances**

The Peak District NPA Members Allowances are indexed as follows:

- **Basic Allowance, SRAs, Co-optees’ Allowance and Independent Persons annual remuneration:**
  - Indexed to the annual percentage salary increase for local government Officers (at spinal column 43 or the equivalent level if the spinal column points are revised), to be applied from the same year that applies to Officers
- **Travel Allowances including Mileage Rates, and Subsistence Allowances:**
  - Indexed to the same rate that is applicable to Officers, except the Passenger Supplement Mileage rate – it is not being recommended that this allowance is indexed

It is further recommended that the applicable indices should run the maximum length permitted by the 2003 Regulations, namely four years from date of the first application of the relevant indices to the Basic Allowances and SRAs on 1<sup>st</sup> April 2023 to the end of the financial year 2027.

### **Implementation of Recommendations**

The recommendations contained in this report are implemented from 1<sup>st</sup> April 2023

### **Fulfilling the Regulatory Requirements**

The reviewer has fulfilled the regulatory requirement to pay regard to the recommendations of the Independent Remuneration Panel’s (“IRPs”) in the nominating councils of the Peak District National Park Authority (“Peak District NPA”) in arriving at the recommendations contained in this report.

## **Introduction**

1. This report contains the recommendations arising out of the independent review of Members' Allowances for the Peak District National Park Authority (Peak District NPA). The review was undertaken in accordance with the policy of the Authority to review the allowances scheme after four years, as agreed by the Authority at consideration of the 2018 Report at full Authority meeting on 6<sup>th</sup> July 2018. The Authority agreed at the time to apply the relevant indices to the main allowances for four years (1<sup>st</sup> April 2019 –to the end of the financial year 2023) with the allowances being reviewed again in 2022, with the recommendations applicable from 1<sup>st</sup> April 2023.
2. The review was carried out by an independent consultant (Dr Declan Hall) who was commissioned in May 2022 to make recommendations to the Peak District National Park Authority on the range and levels of allowances for the Members of the Authority. While the Peak District NPA is not required to commission an independent review of its allowances, it has done so to conform to the broad requirements for the nominating councils and in line with good practice followed by similar public bodies, including other NPAs, when determining their allowances.

## **The Regulatory Context and Paying Regard to Nominating Districts**

3. The relevant enabling legislation enabling the Peak District NPA to establish a Members' Allowances scheme is Schedule 7, paragraphs 11 (1-2) of the Environment Act 1995. This has the effect of deeming national park authorities to be one of the types of local authority that can be required by Regulations to prepare a Members' Allowances scheme.
4. In particular, *the Local Authorities (Members' Allowance) (England) Regulations 2003*<sup>1</sup> and the 2006 Statutory Guidance<sup>2</sup>, set the legislative framework for all local authorities, including NPAs, when determining and amending their Members' Allowances schemes. Most of the 2003 Regulations, notably Parts 1, 2, and 3, are applicable to all English NPAs. Likewise, all of the 2006 Statutory Guidance except where it specifically refers to independent remuneration panels applies to NPAs.
5. The main aspects of the regulations that apply to the Peak District NPA permit the Authority to determine most aspects of its own scheme of allowances. However, all national park authorities which make or amends an allowances scheme

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<sup>1</sup> Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations 2003*

<sup>2</sup> New Council Constitutions: Guidance on Regulations for Local Authority Allowances, May 2006, Department of Communities and Local Government

shall have regard to the recommendations made by any independent remuneration panels in relation to any authority of a description referred to in regulations 3(1)(a), (b) or (c) by which any of its members are nominated.<sup>3</sup>

6. In other words, there is no statutory requirement to for the Peak District NPA to have its own independent remuneration panel or independent review before setting or amending its' Members' Allowances scheme as it can be reviewed internally.
7. Regardless, it is required to pay regard to the recommendations of the independent remuneration panels (IRPs) for the nominating authorities. Consequently, as per the requirements of the 2003 Regulations, all nominating authorities were asked to forward their most recent IRP reports and they have been taken into account in arriving at the recommendations contained in this report. In particular the relevant nominating authorities and their most recent published IRP reports are as follows:
  - a. Barnsley MBC - Report of the Independent Remuneration Panel March 2019
  - b. Cheshire East Council – Report of the Independent Panel on Members' Allowances March 2021
  - c. Derbyshire County Council – Independent Remuneration Panel – Annual Report 23 March 2022
  - d. Derbyshire Dales District Council – Report and Recommendations on the Review of the Role of Member Representative, February 2017 by the Independent Remuneration Panel
  - e. High Peak Members' Allowances Scheme May 2022<sup>4</sup>
  - f. Kirklees Council – Members' Allowances Independent Review Panel Report December 2020
  - g. North East Derbyshire District Council – Report of North East Derbyshire District Council Independent Remuneration Panel: A Review of Councillors' Allowances April 2022
  - h. Oldham Council – Recommendations of the Independent Remuneration Panel, May 2022
  - i. Sheffield City Council – Members' Allowances: Report of the Independent Remuneration Panel, May 2021
  - j. Staffordshire County Council – Report of the Independent Remuneration Panel, March 2022
  - k. Staffordshire Moorlands District Council, Report of Independent Remuneration Panel 19 July 2018
8. **The reviewer has fulfilled the regulatory requirement to pay regard to the recommendations of the IRPs in the nominating authorities of the Peak District NPA in arriving at the recommendations contained in this report.**

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<sup>3</sup> *The Local Authorities (Members' Allowances) (England) Regulations 2003*, 19.(2)

<sup>4</sup> As a copy of latest Report by the IRP for High Peak Borough Council was unavailable its current Members' Allowances Scheme has been substituted in its stead.

9. Thus, the Peak District NPA has commissioned an independent review to provide advice to the Authority on allowances that go beyond the regulatory minimum requirements. In providing such advice, the review has applied similar principles that nominating authority IRPs utilise. The review has also been conducted within the spirit of the 2003 Regulations that apply to nominating authorities and not just the sections applicable to NPAs.
10. The 2003 Regulations that are applicable to NPAs require them to establish their own scheme of allowances that:
  - Provide for the payment of a Basic Allowance, which *shall* be the same amount for each Member.
  - *May* provide for the payment of a Special Responsibility Allowance (SRA) to those Members who have such special responsibilities as defined in the regulations
  - *May* provide for the payment of travel and subsistence allowances and how and what rates payable
  - *May* provide for the payment of a Co-optees' Allowance
  - *May* provide for annual adjustments by reference to an index
  - *May* provide for backdating of amendments with effect from the beginning of the financial year
11. All national park authorities are also required to:
  - Publish their Scheme of Allowances
  - Maintain a record of allowances paid to Members, with such record being available for inspection at all reasonable times.
  - Publish a list of allowances payments made at the end of each year.
12. There is no express power or requirement for national park authorities (NPAs) to:
  - Make direct provision for the payment of a Dependants' Carers' Allowance (DCA)
  - Establish an independent remuneration panel.
13. The 2003 Regulations terminate the ability of the national park authorities to pay the following:
  - Attendance Allowances
  - Conference Attendance Allowance
14. The presumption behind the requirement to establish a scheme of allowances is to support the different roles and responsibilities that are demanded from Members.



## **The Reviewer**

15. The Peak District NPA appointed Dr Declan Hall to undertake the review of its allowances scheme. Dr Hall is a former academic<sup>5</sup> who specialises in the field of Members' allowances and support.
16. The review was supported and serviced throughout by the following Officer:
  - Ruth Crowder, Democratic Services Manager
17. The reviewer would like to record his gratitude to the Members and Officers of Peak District National Park Authority for ensuring the work of the review was supported and conducted in an efficient and effective fashion.

## **Terms of Reference**

18. The reviewer was given the following terms of reference:

### **Work Required:**

To review the Authority's existing Members' Allowances Scheme and make a recommendation to the NPA on any need to change the type and level of allowances to be paid to Authority Members and Co-optees, making specific recommendations on:

- I. The amount of basic allowance that should be paid to Authority Members.
- II. The amount of any allowance paid to non-elected members such as a Co-optee or an Independent Person.
- III. The roles and responsibilities for which a special responsibility allowance is payable and how the amount of each such allowance is calculated.
- IV. The duties for which travel and subsistence can be paid to Members and non-members and the amount of each such allowance.
- V. Whether any proposals to increase allowances should be backdated.
- VI. Any proposed index to be used to update allowance levels annually and how long this index should be used for.
- VII. Any other issues associated with the Authority's Scheme identified during the review.

In making recommendations the consultant should have regard to:

- a. The existing Scheme and whether it is fit for purpose.
- b. The most recent IRP reports from all the Authority's appointing authorities.
- c. The current allowance schemes of other English NPA's and comparable bodies.
- d. Feedback obtained from Authority Officers and Members.

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<sup>5</sup> In particular was *inter alia* a lecturer at the Institute of Local Government, University of Birmingham

- e. The current economic climate and funding available for NPAs.
- f. Best practice on allowance schemes and determining the amount to be paid.

### **Key Outputs:**

The key output of this brief will be a report which presents the findings, which as a minimum should contain:

- An executive summary.
- A description of the methodology used.
- A description of the evidence and benchmarking information relied upon to reach the conclusions set out in the report.
- Clear recommendations on the allowances to be paid and the level of those allowances.
- Recommendations on any index to be applied annually to determine any changes in the amounts paid and how long the index should be applied to the Scheme.

### **Approach and Methodology**

19. The reviewer visited the Offices of the Peak District NPA at Aldern House, Bakewell, on 22<sup>nd</sup> July 2022 to meet with a representative range of Members to seek their views on the current allowances scheme and to raise any issues of concern. On the same visit, meetings were held with a number of senior Officers to receive factual briefings on the Authority. Due to time pressures Officer Briefings were also conducted virtually via WebEx on 7<sup>th</sup> July 2022. Likewise, one Member interview was conducted by telephone on 25<sup>th</sup> July 2022.
20. To ensure that all Members were able to exercise a voice they were all sent a short questionnaire that addressed the terms of reference for the review inviting them to submit any views they may have on the review to Dr Hall, if they so wished. The questionnaire also formed the basis of the Member interviews to ensure all Members were asked a common set of questions.
21. The review process fell into four distinct phases:
  - I. **Preparation and research:** Review of all the relevant background and contextual information on Peak District National Park Authority required in arriving at recommendations i.e., recent changes to governance structures and Member roles, role profiles, meetings schedules, committee terms of reference, relevant Authority reports, latest reports from IRPs of the constituent councils and allowances schemes from comparator authorities. See Appendix One for full list of information considered for this review.

- II. **Interviews with Members and Officers of the Authority:** Interviews with Members were discursive in nature, exploring remuneration models, seeking out issues of concern while interviews with Officers were get the facts, i.e., how the Authority operates, the main committees and roles, and challenges faced by the Authority. Just prior to the interviews the written submissions were reviewed to identify issues arising. See Appendix Two for list of interviewees.
  - III. **Benchmarking:** analysis of allowances schemes from other national park authorities in England and appointing authorities where relevant. See Appendix Three for full summary of English, Welsh and Scottish NPA benchmarking.
  - IV. **Arriving at recommendations:** reflections on phase's I-III and the drafting and redrafting of a Report to go to the Authority.
22. A tiered approach was adopted in considering the evidence. The review is required to operate within the broad statutory framework laid down by the statutory guidance and regulations. The 2003 Members' Allowances (England) Regulations establishes the boundaries for the review, i.e., attendance allowances cannot be paid, all Members must receive a Basic Allowance that is equal in value and express authority is granted to vary the terms and conditions for the payment of the Co-optees' Allowances, or indeed whether to pay the Co-optees' Allowance or even SRAs.
23. The next level of evidence considered were the representations made by the Members and the briefings from Officers of the Authority. The interviews and written submissions obtained the views of the Members and raised a number of specific concerns. The interviews were also utilised to challenge statements and to act as a 'sounding board' to suggestions and ideas from the reviewer. The briefings from Officers put the representations into a Peak District NPA context.
24. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context.

### **Observations/Comments - Valuing Members versus recognising the current economic context**

25. There were two contradictory but not necessarily irreconcilable themes emerging from the representation. There was a view (by no means overwhelming) that the current level of the Basic Allowance and SRAs did not 'value' Members in that it was at a level that did not recognise the work and effort that Members put into their various roles. It was remarked by more than one Member that the current level of allowances paid acted as a potential deterrent to serving on the Authority.

26. On the other hand, there was general acknowledgement that the Basic Allowance and SRAs could and should not be seen as paid employment. Furthermore, it was emphasised that the review should be cognisant of current economic context in that the Authority has to continue to find savings going forward. It was also noted that there had been a recent restructuring of the management of the Authority, primarily resulting in stripping out the tier of Directors, thus Officers are having to 'do more with less' and that any increases in Members Allowances would have to be justifiable and defensible.

### **Transparency and Reasonableness**

27. Another theme emerging from the representations received was that the recommended allowances should be transparent, in that the basis of the recommendations could be understood by both the membership and public i.e., what the allowances were being received for and why. In other words, be seen to be robust and reasonable. Consequently, the recommendations should be based on a logical construct and not just a simple set of figures. It is clear that there is limited understanding of how the current allowances scheme was arrived at.

### **Recognising Public Service versus Providing Appropriate Recognition**

28. Another theme emerging from the interviews and written submissions was that Members should not be and are not seen to be seeking financial gain by serving on the Peak District NPA. An element of their work on the Authority should be given as public service and the level of allowance paid should reflect this by not being deemed excessive. On the other hand, there was a strong message that the level of allowance should reflect the need to ensure Members were not being financially disadvantaged by serving on the Authority. Therefore, the scope and levels of remuneration recommended should seek to reduce barriers to recruitment and retention of Members by recognising the demands required of them.

### **The Size of the Authority**

29. An important context for the review is the fact that the Peak District NPA is the one of the largest NPA in terms of population and geographical size. Because of its size and geographical characteristics all Members, and in particular, leading Members, will have many, often competing, demands placed upon them. It will include the Chair and Deputy Chair liaising with the leaders and relevant portfolio holders in the nominating districts. Just as importantly, there is a need for all Members to balance the demands of the multifarious constituent and interest groups that are contained within such as large and diverse area that is contained within the Peak District NPA. The Members allowances should reflect the size and complexity of the Authority.

## The Evidence Considered and Recommendations

### The Basic Allowance - recalibrated

30. The Basic Allowance must be paid equally to all Members. It is primarily a time-based allowance that remunerates a portion of the time required from Members. It is not designed to attract Members nor reflect market rates but rather enable most people to be a Member without suffering undue financial penalties. The Basic Allowance has been recalibrated by following the methodology as set out in the 2006 Statutory Guidance that also applies to NPAs to see how it measures up against the current Basic Allowance (£2,453).
31. In arriving at a recalibrated Basic Allowance, the review once again followed the common approach taken by Council IRPs as laid out in the 2006 Statutory Guidance, which is also issued to NPAs, (paragraphs 67-69<sup>6</sup>). It assessed three variables, namely:
- **Input:** the time required to undertake the various roles associated with the Basic Allowance
  - **Recognising the voluntary principle:** often expressed as the public service discount (PSD), which is usually calculated as a percentage of the time input required that should be seen as service to the public and therefore not remunerated
  - **A rate for remuneration:** the worth of remunerated time required for the roles associated with the Basic Allowance

### Required Time Inputs

32. At the time of the 2018 Review the time deemed as required to fulfil all the duties associated with the Basic Allowance was 42 days per year. This was based on briefing pack for applicants for the appointment of Secretary of State Members to NPAs, issued by DEFRA in March 2018; it stated that for the Peak District NPA: “Members are asked to commit 3-4 days per month, plus reading and preparation time, to the Authority’s work.”<sup>7</sup>
33. This time assessment has been backed up by a more recent briefing pack for applicants for Secretary of State Appointments to NPAs (14<sup>th</sup> March 2022) which also stated that The time commitment is still 3-4 days per month. Although this expressed time commitment relates to applicants to Secretary of State Appointments there is no reason to differentiate between these appointees and

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<sup>6</sup> Department for Communities and Local Government, *New Council Constitutions: Guidance on Regulation for Local Authority Allowances*, London, 5<sup>th</sup> May 2006.

<sup>7</sup> Department for Environment, Food & Rural Affairs, “Appointment of Secretary of State Members to National Park Authorities and Area of Outstanding Natural Beauty (AONB) Conservation Boards – Briefing pack for applicants” March 2018, page 9.

appointees from the nominating authorities, they are not expected to have differential workloads. Moreover, the Basic Allowance must be paid equally to Members. This equal commitment is given expression in the Second Report of the Governance Working Group (May 2020) which states (paragraph 4):

All Members should be assumed to be equally committed to the objectives of National Park Authority, and to have a contribution to make across the full range of the Authority's work.

34. This is not to say that all 'ordinary' Members of the Authority are required to put in an equal amount of time on the roles associated with the Basic Allowance. Indeed, the representations varied on time commitment but recognised it largely depends on whether a Member is on the Planning Committee (which meets 12 times per year plus expected site visits as opposed to being on the Programme and Resources Committee which meets six times per year), the number of Working and Steering Groups a Member sits on and where relevant their approach to the role as a Member Champion. This is in addition to six Authority meetings, followed by Members' Forum meetings immediately afterwards, per year and additional workshops and, training events and 'other' scheduled events up to 12 times per year that all Members are expected to attend. All these commitments are within normal working hours and do not include meetings with parish councils, the public and other stakeholder groups, which is often outside normal working hours. Inevitably there will be some variation in what Members put in but the Basic Allowance assumes a readily defined common time assessment for the ordinary Member role.
35. It is also noted that since 2020 the Authority now has responsibility for the audit, Standards and many performance functions, which may not necessarily add to the time commitment for most Members but it does add to their corporate responsibility.
36. Nonetheless, this expressed time commitment of 3-4 days per month still provides a firm lead on the time input required to fulfil all the duties associated with the Basic Allowance. In arriving at the time commitment as the first variable when considering the Basic Allowance the midpoint between 3-4 days has once again been utilised; this equates to 3.5 days per month or 42 days per year.

### **Recognising the Voluntary Principle**

37. When arriving at a recommended Basic Allowance the 2006 Statutory Guidance (paragraph 68) states:

It is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained.

38. The most frequent way of recognising this voluntary principle, as indicated in the 2006 Statutory Guidance, is to discount an element of the time inputs expected from Members, i.e., “that some hours are not remunerated”. But the same Statutory Guidance also recognises that there is a balance to be struck in the size of the voluntary contribution lest it is so high that most of the time input is voluntary and leads to a Basic Allowance that is so low it effectively means any Member who is working would suffer a financial loss through being a Member.
39. Consequently, the size of voluntary contribution in principal councils typically ranges from between one third and a half of the expected time input from Members. In other words, between one third and half of expected time inputs is discounted as the public service element. In the 2018 Review, the mid-point of this range was chosen as the appropriate size of the Public Service Discount, which equated to 42% or 18 days<sup>8</sup>. In other words, 18 days was discounted from the annual expected input of 42 days to recognise the voluntary principle. Consequently, in arriving at the recommended Basic Allowance in 2018 the remunerated time was based on 24 days per year.
40. No evidence was received to alter the size of the public service discount. Consequently, for recalibration purposes a voluntary discount of 18 days has been maintained, leaving 24 remunerated days.

### **A Rate for Remuneration**

41. As with most statutory IRPs the rate for remuneration for arriving at the Basic Allowance for the 2018 Review was chosen for having the closest link to the average earnings of those who live and work in the Peak District National Park. However, while ASHE publishes average earnings on a national, regional, county and local authority basis it does not publish average earnings on a National Park basis so another appropriate geographical area was chosen, which is the most relevant region for the Peak District NPA.
42. The Authority spreads into four English regions but as the greater part is within the East Midlands for regional representation purposes the Authority appoints to the East Midlands Councils.
43. Consequently, the chosen rate for remuneration in 2018 was based on the East Midlands median weekly pay (excluding overtime) for all full time employees within the East Midlands (2017), which is £479.10<sup>9</sup>. When divided by five working days per week it converted to a day rate of £95.82.

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<sup>8</sup> Figures rounded up/down to nearest whole number for simplicity

<sup>9</sup> See Annual Survey of Annual Earnings (ASHE), Table 7.2a, Median Weekly pay – excluding overtime – for full-time employee jobs in the East Midlands – Provisional 26 October 2017, Office of National Statistics.

[ASHE Table 7.2a average weekly earnings exc. OT work geography Oct 2017](#). ONS advises that the median rather than mean earnings are a more accurate reflection of ‘average’ earnings the distribution of earnings is skewed, with more people earning lower salaries than higher salaries. When using the mean to calculate the average of a skewed distribution and thus may not be truly representative of the average earnings of a typical person.

44. For recalibration purposes there is no reason to alter the basis of the rate for remuneration beyond updating it to 2021 rates (the most recent data available). ASHE (2021) shows that the median weekly earnings (excluding overtime) of all employees within the East Midlands was £536.60 per week (ASHE Table 7.2a). When divided by five working days this equates to £107 per day rounded up/down to the nearest pound sterling for simplicity.

### **Recalibrating the Basic Allowance**

45. Once IRPs settle upon figures for the three variables to consider in arriving at a Basic Allowance they then apply them to a simple formula expressed as
- Time input minus public service discount multiplied by rate of remuneration
46. By taking the figures settled upon for the three variables for this review and applying it to the standard formula to arrive at a recalibrated Basic Allowance results in the following calculation:
- 42 expected days input per years minus 18 days for the public service discount X £107 per day
  - = £2,568

### **Benchmarking the Basic Allowance – Against Other NPAs**

47. The recalibrated Basic Allowance (£2,568) arrived at by replicating the application of the methodology set out in the 2006 Statutory Guidance has been benchmarked against the Basic Allowance paid across the 10 English NPAs
48. For completeness the situation in the Welsh and Scottish NPAs was also examined. A standard Basic Allowance (£4,738) is paid to members of the three Welsh NPAs. Members of the two Scottish NPAs are paid a standard rate of remuneration of £227 (Cairngorms) and £199 (Loch Lomond & the Trossachs) per day, with a minimum expectation of putting in 36 days per year. This gives a Basic Allowance of £8,172 (Cairngorms) and £7,166 (Loch Lomond & the Trossachs) but as it depends on days put in it is more typically often higher than these starting figures. Welsh and Scottish NPAs have not been included in the benchmarking as their remuneration is a devolved responsibility and is determined in accordance with their respective national frameworks.<sup>10</sup>
49. Appendix Three shows that in English NPAs the Basic Allowance (as of the time of the review in July 2022) payable is:

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<sup>10</sup> See Appendix 3 BM 3 for further details on remuneration for Members of the Welsh and Scottish NPAs.



- Mean Basic Allowance: £2,458
- Median Basic Allowance: £2,453
- Highest Basic Allowance: £3,749 (South Downs)
- Lowest Basic Allowance: £1,046 (The Broads)

50. Benchmarking shows that the current Peak District NPA Basic Allowance (£2,453) is in line with the average paid across the English NPAs. However, as with all benchmarking some context is required to put the figures in perspective. In particular, the two Authorities that pay the lowest Basic Allowance (The Broads and Dartmoor respectively) pay more SRAs than in the Peak District NPA. For instance, in the Broads, all Members of the Planning Committee receive an SRA of £523, in addition to three Chairs plus two Vice Chairs receiving an SRA (as opposed to two plus two in the Peak District NPA). Consequently, in contrast to the Peak District NPA, the majority of Members in the Broads are paid an SRA. Likewise Dartmoor NPA has a comparatively low Basic Allowance (£1,788) pays more SRAs than in the Peak District NPA. It is often the case that where a 'low' Basic Allowance is paid it is compensated for by having more SRAs payable – although this is not the case in the Peak District NPA where a comparatively average Basic Allowance is paid in conjunction with comparatively few SRAs.
51. More importantly benchmarking the recalibrated Basic Allowance (£2,568) shows it to be slightly higher than the current mean and median Basic Allowance paid across all English NPAs but the difference is so marginal as not to be significant thus meeting the principle of comparability that was enunciated in the representations received which in turn is appropriate for one of the larger and more complex NPAs.

### **The Representation received**

52. From the representation received there was a significant minority who argued for no change to the Basic Allowance, largely on the grounds that it was not appropriate to do so in the current economic context, including those who felt there was a case to change the Basic Allowance but not at the moment. On balance, the majority view was that there was a strong case to increase the Basic Allowance, most of them expressing a view that the increase should be more than that suggested by the recalibrated Basic Allowance.
53. The arguments presented centred on the current Basic Allowance does not recognise the time it takes to be an ordinary Member of the Authority and undervalues the work Members put into their various roles. However, the recalibrated Basic Allowance is based on average expressed time commitment as set out to prospective applicants for Secretary of State appointments and the rate of remuneration upon which the recalibrated Basic Allowance is based while not reflecting commercial market rates is based on the most robust and defensible rate that is available, namely the median earnings of those who are employed within the Authority area, which is the East Midlands figure.

54. Nonetheless, while the recalibrated Basic Allowance does not meet the level of Basic Allowance that the weight of representation received suggested it does acknowledge that representation in principle by resulting in a minor increase on the current Basic Allowance.

### **The Recommended Basic Allowance**

55. The recalibrated Basic Allowance (£2,568) is being recommended for the following reasons:
- It is based on the methodology as set out in the 2006 Statutory Guidance
  - It still remains comparable to the average Basic Allowance paid in other English NPAs
  - It acknowledges in principle the weight of the representation received while also being cognisant of the financial context
56. **The recommended Basic Allowance for 2023/24 is £2,568, subject to any applicable indexation for 2022/23.**

### **Arriving at Special Responsibility Allowances – the Chair’s SRA**

57. The 2006 Statutory Guidance does not specifically set out a single approach to arrive at an SRA for a council Leader or NPA Chair. Rather it suggests a number of approaches that IRPs may wish to consider, such as comparing the post of Leader or Authority Chair to another public position, or simply assessing it on a time basis or as a factor or multiple of the Basic Allowance.
58. It is this factor approach that has historically been utilised in the Peak District NPA to arrive at the Chair’s SRA and it is the most common methodology utilised by the IRPs for the nominating councils to arrive at a Leader’s SRA.
59. The factor utilised at Peak District NPA to arrive at the Chair’s current SRA (£6,133) is a multiple of 2.5 times the current Basic Allowance (£2,458). A factor of 2.5 times the Basic Allowance to set the Chairs SRA is a comparatively slightly high multiple compared to other NPAs. Out of the nine other English NPAs the following multiples are utilised:
- |  |                       |
|--|-----------------------|
| • A factor of 1.8 X the Basic Allowance  | utilised by one NPA   |
| • A factor of 2 X the Basic Allowance    | utilised by five NPAs |
| • A factor of 3 X the Basic Allowance    | utilised by two NPAs  |
| • A factor of 3.75 X the Basic Allowance | utilised by one NPA   |
| • Mean factor X the mean Basic Allowance | = 2.25                |

60. Once again the other main area where there was significant representation related to the role and remuneration of the Chair. This representation argued the Chair's SRA merited an uplift on the basis that the Chair was very active and put a great deal of work into the role not just within the Authority but at a regional and national level as well. It is noted that the current Chair is extremely active and is also Chair of National Parks England. However, the SRA should recognise the role rather than the individual and being Chair of National Parks England is not intrinsic to the role. On the other hand sitting on the board of National Parks England is. Moreover, the size and historical nature (as the oldest NPA) of the Peak District NPA means that the Chair will have a national profile in the NPA world regardless of the post holder.
61. Furthermore, the complexity of the Peak District NPA is such that the Chair will have to be active regardless of who holds the post. It was argued that the current SRA does not recognise the demands placed on the role and could be at a level that it acts as a potential deterrent for future candidates for Chair of the Authority. It was also suggested that the Authority finds it difficult to fulfil leading posts and as such, the current SRA for the Chair could be acting as a deterrent.
62. To recognise these demands and complexity of the role while at the same time being cognisant of the wider economic context a minor increase has been applied to the current factor of 2.5 times the Basic Allowance and uplifted to 2.6 times the recommended Basic Allowance. This equates to £6,677.
63. Benchmarking shows that that a Chair's SRA at this level (£6,677) would be higher than that paid to peers
- English NPAs Chairs' SRA Mean: £5,514
  - English NPAs Chairs' SRA Median: £5,658
64. However, an SRA of £6,677 would place it on a par with that paid to the Chairs of the South Downs NPA (£6,779) and Yorkshire Dales (£6,650) so it cannot be seen as excessive.
65. As such, the Chair's SRA has been reset at a factor of 2.6 times the recommended Basic Allowance, which also acknowledges the representation received, that argued a small uplift was merited.
66. **It is recommended that the Chair's SRA is reset at a multiple of 2.6 times the recommended Basic Allowance (£2,568) which equates to £6,677 for 2023/24, subject to any applicable indexation for 2022/23.**

### **The Deputy Chair SRA**

67. The 2006 Statutory Guidance states that "a good starting point" (paragraph 76) in arriving at other SRAs is to pro rata downwards from the Leader's (or Chair's)

SRA. Specifically, it proposes applying a commonly accepted percentage against a Leader's (or Chair's) SRA to arrive at other SRAs. In other words, by definition the Chair's SRA is 100% (having the greatest time commitment and responsibility). Other SRAs are arrived at by applying a percentage to that sum, of, for instance, 45%-60% for the Deputy Chair's SRA; 35%-45% for main committee chairs' SRAs and so on.

68. Currently the Deputy Chair is paid an SRA (£3,066) that has been set at 50 per cent of the Chair's SRA. Benchmarking shows that the current SRA (£3,066) for the Deputy Chair of the Authority is above the mean SRA (£2,808) and median SRA (£1,963) paid across the 10 English NPAs. However, that may well reflect the relatively low key model of Deputy Chairs in many NPAs, i.e., stand in role only. In the Peak District NPA the Deputy Chair works more in tandem with the Chair. The Deputy Chair attends most meetings that the Chair attends many outside the formal governance structures such as the weekly meetings with the Chief Executive and the quarterly meetings with all Chairs and Vice Chairs. Moreover, some of the same arguments for a marginal relative increase for the Authority Chair's SRA apply to some degree to the Deputy Chair, i.e., the size and complexity of the Authority. Moreover, no representation was received to suggest the current ratio is not appropriate.
69. As such, no evidence was received to revise the current ratio utilised in setting the SRA paid to Deputy Chair of the Peak District NPA; it should continue to be paid at 50% of the Chair's recommended SRA (£6,677), which equates to £3,338.
70. **Thus, the recommended SRA for the Deputy Chair for 2023/24 is £3,338, subject to any applicable indexation for 2022/23.**

### The Chair of the Planning Committee

71. Similarly the SRA (currently £3,066) for the Chair of the Planning Committee has been set at 50 per cent of the Chair's SRA. Benchmarking shows the mean and median SRA for Planning Chairs across the ten English NPAs to be £2,507 and £2,014 respectively. The somewhat higher SRA for the Chair of Planning in the comparative context is not a major concern – the Peak District NPA as well as being one of the larger NPAs also has a more complex mix of rural, urban, agricultural and industrial interests to balance than is typical. For example not only is the Authority the local planning authority it is also the mineral planning authority in respect of all matters relating to development control.
72. The more pertinent matter arising was whether it was appropriate for the Chair of Planning to receive an SRA on par with the Deputy Chair of the Authority. Benchmarking shows that five out of the ten English NPAs pay an equal SRA to their Deputy Chair and Planning Chair<sup>11</sup>. Moreover, planning is the principal

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<sup>11</sup> Two NPAs pay a higher SRA to their Deputy Chair, two pay a higher SRA to their Chair of Planning and three NPAs pay a lower SRA than their Deputy Chair

function of any NPA and the forum in which all planning decisions that are not delegated to Officers are made. The post is a high profile one with a great deal of public and other pressure upon the Chair of Planning outside of formal meetings. It meets more frequently (12 times per year plus associate site visits, although it is noted that for 2023/24 as trial the number of Planning meetings will be reduced to 10 per year) than any other Authority committee. Moreover, no representation was received to suggest the current ratio is not appropriate. As such, the current SRA should continue to be paid at 50% of the Chair's recommended SRA (£6,677), which equates to £3,338.

73. **Thus, the recommended SRA for the Chair of the Planning Committee for 2023/24 is £3,338, subject to any applicable indexation for 2022/23.**

### **Vice Chair of the Planning Committee SRA**

74. The current SRA (£2,024) for the Vice Chair of the Planning Committee has been set as typically happens in principal Councils with reference to their relevant Chair, in this case of the Chair of Planning, at 66 per cent. This is a relatively high ratio and is largely a historical figure. This is further highlighted by benchmarking; the mean and median SRAs for the seven English NPAs that remunerate a Vice Chair of Planning are £1,132 and £1,007 respectively, with a mean ratio of 46% when compared to the mean SRA paid to Planning Chairs. In fact the Vice Chair of Planning at the Peak District NPA is by far the highest paid amongst all English NPAs, it is the most significant outlier in the benchmarking.
75. It was further noted in the representation received that the relatively small differential between the SRA paid to the Vice Chair of Planning (£2,024) and the Chair of Programme and Resources (£2,453) did not reflect their respective responsibilities. In other words the differential was too small. This could be taken as an argument to increase the SRA for the Chair of the Programme and Resources Committee, but this has not been accepted – see below.
76. This leaves the question of whether 66 per cent of the Planning Chair's SRA is still an appropriate ratio for the setting the SRA for the Vice Chair of Planning, particularly when it is noted that the Vice Chair of the Programme and Resources Committee is paid an SRA set at 50 per cent of their respective Chair.
77. Regarding the comparative context once again the planning functions are wider and more complex than in most other NPAs which also impacts on workload and responsibility of the Planning Vice Chair. It is also noted that the role of the Vice Chair of Planning goes beyond the traditional function of standing in when required. The Planning Vice Chair attends agenda setting meetings and relevant briefings with Officers alongside the Chair and generally acts as a sounding board and support for the Planning Chair both at and outside Planning meetings. Under delegated powers to Officers, they will also consult with the Chair *and* the Vice Chair of Planning.

78. However, while the Vice Chair of Planning may have a similar workload to that of the Planning Chair, there was little evidence to suggest that the level of responsibility was so similar to suggest an SRA set at 66 per cent of the Planning Chair's SRA.
79. Furthermore, the current ratio of 66 per cent is so out of synch comparatively; both against English NPAs and against how other SRAs for Deputy/Vice Chairs are set in relation to their respective Chairs (50 per cent) that it further undermines the current ratio. This is further backed up by the comparative picture when the actual level payable is taken into account.
80. Consequently, it has been decided that the SRA for the Vice Chair of Planning should be reset at 60 per cent of the recommended SRA for the Chair of Planning, which equates to £2,003. This SRA would still leave the Peak District NPA Vice Chair of Planning being paid the highest SRA of any English NPA Vice Chairs by far.
81. **It is recommended that the SRA for the Vice Chair of the Planning Committee should be reset at 60 per cent of the recommended SRA for the Chair of Planning, which is £2,003 for 2023/24, subject to any applicable indexation for 2022/23.**

### **The Chair of Programme and Resources Committee**

82. In 2019 arising out of the recommendations of the First Report of the Governance Review Working Group (May 2019) the Authority replaced the Audit, Resources and Performance Committee with the Programme and Resources Committee. The Audit and Standards functions and much of the Performance functions were sent up to the full Authority with the new Programme and Resources Committee gaining responsibility for programmes and projects,
83. In addition to monitoring and advising on the development and implementation of key policies, programmes and projects identified annually by the Authority and to approve any decisions in relation to these programmes and projects the Programme and Resources Committee retains responsibility for
  - Financial Resources:
  - Human Resources
  - Property and Assets
  - Information Management
  - General:
    - Including appointment of temporary Task Teams relevant to the functions of the Committee and receipt of reports

84. The current SRA (£2,453) for Programme and Resources Committee has been set at 40 per cent of the Authority Chair's SRA. Benchmarking shows that an equivalent committee is in place in six out of the nine other English NPAs and the mean ratio of these Chairs mean SRA to the Authority Chairs mean SRA to be 27 per cent. It also shows that the Peak District pays the highest for this post, with a mean SRA of £1,476 and median SRA of £1,299. However, this is not necessarily comparing like with like as these figures include two NPAs (the Broads and Dartmoor) that have equivalent committees with a much narrower remit, just Audit and Governance in both cases. In nearly all cases the Peak District NPA Programme and Resources Committee has responsibility for a wider array of functions than equivalent committees in the other English NPAs. Consequently, the review has not been guided by the benchmarking data in this case.
85. In fact in light of the expanded remit of the Programme and Resources Committee the issue became whether the current SRA should be put on a par with the Chair of the Planning Committee. However, despite the enlarged remit and the fact that the Chair has to spend more time than the Chair of Planning outside of formal committee meetings to keep on top of a wide ranging brief the SRA should not be on a par with the Chair of Planning. The main reason it is not being recommended that the Chair of Audit, Resources and Performance be paid an SRA on a par with the Chair of Planning is the difference in the number of meetings they each are required to chair. Moreover, the vast majority of the representation received supported continuing the differential between the SRA for the Chairs of the Planning and Programme and Resources Committees. Consequently, the SRA for the Chair of the Programme and Resources Committee has been set by maintaining the 40 per cent ratio against the recommended SRA (£6,677) for the Authority Chair, which equates to £2,671.
86. **It is recommended that the SRA for the Chair of the Programme and Resources Committee should be £2,671 for 2023/24, subject to any applicable indexation for 2022/23.**

### **The Vice Chair of the Programme and Resources Committee**

87. The current SRA (£1,227) for the Vice Chair of the Programme and Resources Committee has been set at 50% of the SRA for the Chair of the same Committee. Benchmarking shows that the mean and median SRA paid to Vice Chairs of equivalent committees in English NPAs is £867 and £894 respectively, with a mean ratio of 59 per cent in relation to their respective Chair's SRA. The Vice Chair of the Programme and Resources Committee is the highest paid in English NPAs. However, once again this benchmarking comes with a word of warning – only three other English NPAs pay the Vice Chair role and one of those is in Dartmoor which is an Audit and Governance Committee only. The arguments for not being guided by the benchmarking in considering the SRA for the Chair of the Programme and Resources Committee also apply to the Vice Chair of the Programme and Resources Committee.

88. Then the pertinent question became whether the SRA for the Vice Chair of the Programme and Resources Committee should be reset on the same ratio (60 per cent) utilised in resetting the SRA for the Vice Chair of the Planning Committee.
89. The role of Vice Chairs of the Planning and the Programme and Resources Committee are somewhat different. It is appropriate that the Vice Chair of Planning is paid at a higher ratio than the Vice Chair of Programme and Resources due to the nature of planning in the Authority. The Planning function is one of the primary responsibilities of the Authority and the Vice Chair of Planning will have more meetings to attend than the Vice Chair of the Programme and Resources Committee. Moreover, the representation received supported the current ratio utilised in arriving at the SRA for the Vice Chair of Programme and Resources, namely 50 per cent of their Chair's recommended SRA, which equates to £1,335.
90. **It is recommended that the SRA for the Vice Chair of the Programme and Resource Committee should be £1,335 for 2023/24, subject to any applicable indexation for 2022/23.**

#### **Other SRAs Considered – Members of the Planning Committee**

91. There was some representation received arguing that the ordinary Members on the Planning Committee should receive an SRA, with consideration to be given on the basis that the workload for such Members is greater than those Members on the Programme and Committee. All Members are appointed to one of these committees and Planning Members are expected to attend 12 (reduced to 10 for 2023 as a trial) meetings per year. It was also argued that once site visits are included the workload on the Planning Committee is much more onerous as Programme and Resources Committee Members have six scheduled meeting per year.
92. However, an SRA for Planning Members is not being recommended on the basis that
  - The majority of Planning Members do not attend the site visits, in the past year the attendance at site visits have averaged four Members
  - The prime purpose of an SRA is to recognise responsibility rather than workload and it would be contrary to the 2006 Statutory Guidance to pay an SRA to the Members of the Planning Committee
  - It is not common practice to do so elsewhere – the only other NPA that remunerates Planning Committee Members is the Broads and that is in the context of a low Basic Allowance
  - There is no shortage of Members seeking to go onto the Planning Committee



- There was very limited support for it amongst Members, in fact there was a view that paying ordinary Members of Planning would place undue emphasis on the Planning role, important though the role may be
  - It would lead to the potentially absurd situation where a majority of Members can (and in some authorities do) receive an SRA. Paying an SRA to Planning Committee Members would mean the majority of the Peak District NPA Members receiving an SRA which is also contrary to the 2006 Statutory Guidance which warns IRPs to be wary of recommending SRA for the majority of Members on any local authority<sup>12</sup>.
93. **It is not recommended that the Members of Planning Committee are paid an SRA.**

### **Member Champions**

94. Arising out of a governance review by the Governance Review Working Group (May 2020 Report) the Authority replaced Member Representatives with Member Champions. The intent is that Member Champions should have an internal focus where the Champion acts as a critical friend or advocate and sounding board for Officers in developing strategic work and discussing potentially contentious/high profile issues on an exceptional basis rather than a spokesperson, which was the prime role of Member Representatives. As such each Member Champion has a lead Officer.
95. Currently there are seven Members Champions appointed that cover the following topics:
- Natural Environment, Biodiversity & Farming (Member of the Farming in Protected Landscapes Local Assessment Panel)
  - Cultural Heritage & Landscapes
  - Engagement
  - Thriving & Sustainable Communities
  - Climate Change
  - Business Economy
  - Member Learning & Development
96. All but one Member Champion also sits on the Local Plan Working Group as do the Chair and Vice Chair of the Planning Committee.
97. There was representation that the Member Champion role merited an SRA, it was also suggested that it is not always easy to get Members to come forward to take up Member Champion roles. It is noted that the equivalent post is not remunerated in the comparator authorities. It is also a role that most Members could reasonably expect to undertake during their appointment to the Authority,

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<sup>12</sup> See 2006 Statutory Guidance paragraph 72

for which the Basic Allowance is paid. Moreover, it appears that some Member Champions are more active than others and an SRA would not recognise that distinction. The model of Member Champion has yet to be fully developed. To counter this context it was suggested that a Member Champion could be paid an SRA only if they lead on a formal Working or Steering Group. However, this was rejected as it could be argued that formally chairing or leading at meetings does not capture the wider work of the Member Champions.

98. **It is not recommended that the Member Champions are paid an SRA.**

### **The Co-optees' Allowance**

99. The Co-optees' Allowance is paid to non-elected Members appointed to committees of an Authority under the Local Government Act 2000. Co-optees are typically appointed for their expertise or as a representative of an important stakeholder group and while they may be full Members of a committee they do not (since the Localism Act 2013) have voting rights. The 2003 Regulations also permit the payment of a Co-optees Allowance to these appointees.
100. Although the Authority does not currently appoint any Co-optees the Authority's allowances schemes maintains provision for a Co-optees Allowance lest such a situation arose and the terms of reference for review require this allowance to be reconsidered so as to future proof the allowances scheme.
101. The current Co-optees Allowance is £613, which has been set at 25 per cent of the Basic Allowance. Benchmarking shows that where a Co-optee' Allowance is paid (in four other English NPAs) the mean Co-optees' Allowance is £750 and the median is £209. No evidence was received to indicate that the Co-optees' Allowance required revision; it should remain at 25 per cent of the recommended Basic Allowance (£2,568), which equates to £642.
102. **It is recommended that the Co-optees' Allowance should be £642 for 2023/24, subject to any applicable indexation for 2022/23.**

### **The Independent Persons (X 2)**

103. The remuneration of the Independent Persons falls outside the 2003 Regulations but in the absence of any other means to externally review their remuneration the terms of reference require a review of the payment made to the statutory Independent Persons appointed under the Localism Act 2013. Similar requests are often made of the statutory IRPs for principal councils.
104. The Independent Persons (IPs) replace the previous requirement to maintain a Standards Committee and the IPs prime role is to assist the Authority in promoting and maintaining high standards of conduct amongst all its Members. In

particular, an IP will be consulted by the Monitoring Officer before any decision is made on an investigated complaint. Where it has been determined that there has been a breach of the Code of Conduct a Hearing Panel will be convened (drawn from the full Authority) to impose any sanctions. In reaching such decision the Authority meeting (Hearing Panel) will consult and take into account the views of the IP who will attend such meetings. The IPs also replace the statutory role of Designated Independent Person (DIP) in disciplinary panels set up to make recommendations on any disciplinary actions in respect of Statutory and Chief Officers. Thus far the Authority has not had to call upon the IPs for this purpose.

105. The IPs are paid an annual remuneration of £1,227, set at 50% of the current Basic Allowance. Benchmarking shows that the mean and median remuneration of the IPs across the ten English NPAs to be £750 and £209 respectively, not including the one NPA (Northumberland) that pays on a £89 per day, £45 per half day basis. However, four NPAs do not include payments to their IPs as it is not a requirement to publish such payments in their allowances scheme so the true mean and median figures cannot be discerned from examination of all English NPAs allowances schemes.
106. Consideration was given whether the IPs payment in the Peak District NPA should be paid on the number of meetings attended or even a hybrid model that pays an annual fixed sum plus a per meetings payment. However, this approach has been rejected. It largely boiled down to what constituted a meeting and it was felt that any payment on a per meeting basis could lead to confusion over defining a meeting. Generally, the view expressed was that a flat payment approach was the more flexible and does not lead to definition issues. As such, it has been decided that there should be no change to the current flat rate approach to paying the IPs.
107. No evidence was received to suggest that this methodology and ratio should be altered; 50% of the recommended Basic Allowance (£2,568) now equates to £1,284.
108. **It is recommended that the remuneration for the Independent Persons is reset at £1,284 for 2023/24, subject to any applicable indexation for 2022/23.**

## **Travel and Subsistence Allowances**

### **Car Mileage Allowances**

109. The only issues raised in regards to the mileage allowance was the fact that current rates, which are based on HMRC AMAP (Approved Mileage Allowances Payments) rates, are no longer realistic with the recent steep rises in fuel prices and the fact that they are taxed. While it may well be the case that the current rates do not reflect actual costs these days it remains that these are the same rates that apply for Officers and HMRC AMAP rates are the most commonly

utilised mileage rates in the public sector. To deviate from the mileage rates that are applicable to Officers would be inequitable. Moreover, the issue of these rates being subject to income tax and national insurance is an issue outside the remit of this review.

110. Another issue that was picked up during the course of the review was that the mileage allowances did not clarify the applicable mileage rates for when a Member claims by travelling in a hybrid/electric vehicle.
111. It is noted that Office for Low Emission Vehicles (14<sup>th</sup> May 2018) in a document entitled “Tax benefits for ultra-low emission vehicles” states that for business users “electric and hybrid cars are treated in the same way as petrol and diesel cars.” Although it was not raised during the course of the review to provide clarification and to future proof the mileage allowances **it is recommended that the mileage allowances rates are clarified to include claims made by hybrid/electric vehicles are also payable at HMRC rates, currently 45p per mile.**

### **Subsistence Allowances**

112. The main issue arising regarding the Subsistence Allowances is that the maximum rates that can be claimed are too low and do not reflect actual costs of meals and bed and breakfast. It is acknowledged that this is indeed the case particularly the £55 maximum limit for Bed and Breakfast and the maximum rates set out for an evening meal. This is to a large degree intentional so as to deter Members from making their own arrangements for subsistence and overnight accommodation without regard to cost and having the Authority foot the bill. The expectation is that wherever possible Members shall book bed and breakfast and meals when attending conferences, etc. through Democratic Services so that the Authority is authorising and monitoring Members subsistence costs. Where Members do ask for the Democratic Services to arrange their subsistence the maximum Subsistence rates set out in the Members’ Allowances scheme are not applicable. The maximum rates only apply where a Member has made their own arrangements and is seeking a reimbursement.
113. Moreover, the claimable subsistence rates that apply to Members are based on Officer Subsistence rates, so in that respect Members and Officers are treated equally. It is noted that the following claimable maximums apply:
  - Breakfast           £5.00
  - Lunch               £7.00
  - Evening meal     £15.00
114. Thus, to maintain the maximum limits that are claimable by Officers it has been decided that there should be no change to the current Subsistence rates.

115. **It is recommended that the maximum rates for which a Member may claim meals allowances are maintained at that which applies to Officers.**

### **Issues arising I – support for care of Members’ Dependants**

116. In the representations received a question was asked why there is no support for care of dependants’ while a Member was undertaking approved duties on behalf of the Authority. It was pointed out that the nominating councils have the right to make available a Dependants’ Carers’ Allowance (DCA) in such circumstances. Indeed almost all of the statutory IRPs of the nominating authorities have made recommendations to pay a DCA and their respective councils have a DCA in place. It was felt that it was only equitable for the Peak District NPA to have a similar allowance to assist with the care of Members’ dependants when they are carrying out approved duties. It was also noted that Members’ of Welsh NPAs could claim a DCA.
117. However, the relevant section of the 2003 Regulations that provides express powers for principal councils to pay a DCA has been specifically dis-applied for NPAs and other secondary authorities such as fire authorities and for some reason the Council of the Isles of Scilly, which is a unitary authority.
118. As such, however inequitable it may appear the Authority cannot pay a DCA so no recommendation is being made in this regard.

### **Issues arising II – Linking remuneration to attendance**

119. An issue raised by more than one representation suggested that Members remuneration should be linked to achieving a certain attendance threshold. It was the argument went inequitable that all Members received the same Basic Allowance regardless of the number of meetings attended.
120. The issue may not be as pronounced as it is perceived. The Second Report of the Governance Working Group (May 2020 – paragraph 5) concluded “that as attendance at formal meetings was already well above 80 per cent attendance was not a significant issue ...” On the other hand, it is noted that during the Covid-19 pandemic that meetings were allowed to be conducted virtually. When meetings went back to face to face some Members felt vulnerable (and still do) and this has had an impact on attendances in 2021 and 2022, with an attendance rate of 64 per cent for 2021/22. However, as the threat of the Covid-19 pandemic recedes there is no reason to think that attendance levels will not return to 2019 levels.
121. Moreover, the 2003 Regulations (4 (1) (a)) specify the Basic Allowance shall be paid to all Members “and the amount of such an allowance shall be the same for

each such member”. In other, words the Regulations do not permit the payment of a Basic Allowance linked to attending meetings.

122. As such, no recommendation can be made in regards to varying Member remuneration based on attendance at meetings.

## **Indexing Allowances**

123. The 2003 Regulations permit authorities, including NPAs, to apply annual cost of living uplift to their allowances by reference to an appropriate index. In principal councils such up lifts to a Members’ Allowances Scheme through indexation are not deemed to be a change or amendment and therefore can be applied automatically without reference to their statutory IRP. However, any applicable index can only run for four years, if a council wishes to continue indexation after four years it must first seek fresh authority from their statutory IRP, this is known as the ‘four year rule.’ It is the mechanism by which allowances at principal councils are periodically reviewed by their IRP.
124. In the case of NPAs a similar four year rule applies to the application of any indexation but rather than seek authority from a statutory IRP the Authority has to formally consider extending indexation after paying regard to the recommendations of the IRPs for their nominating councils. Currently the main allowances are indexed to the same percentage increase in Officers salary as agreed each year by the National Joint Council for Local Government Officers, often referred to as the ‘NJC’ index, which runs to the end of the financial year 2022/23. It is noted that the scheme indexes the main allowances to Spinal Column Point (SCP) 49 – which has been the universal SCP to link the indexation to. However, since 2018 SCP 49 has been discontinued and the top SCP is 43 which is now the main SCP reference point for indexation purposes.
125. There was general support in the representation received to continue to apply an index to Members’ Allowances and that it should continue to be the NJC index for the main allowances. This is the most commonly recommended index by the statutory IRPs for the nominating authorities. Similarly relevant indices should be applicable to other allowances.
126. It is pointed out that if there is no provision in the allowances scheme to index allowances then the Authority is not able to apply an automatic annual cost of living increase without formally considering the issue; and then only after having paid regard to the latest recommendations of the statutory IRPs for the nominating councils. However, if the Authority does adopt indices it is under no obligation to apply them each year. The Authority retains the right not to apply an index to their allowances even though the provision is in place. But it cannot apply an automatic cost of living increase if there is no provision for indexation in place.

127. It is recommended that the Peak District NPA Members Allowances are indexed as follows:
- **Basic Allowance, SRAs, Co-optees' Allowance and Independent Persons annual remuneration:**
    - Indexed to the annual percentage salary increase for local government Officers (at spinal column 43 or the equivalent level if the spinal column points are revised), to be applied from the same year that applies to Officers
  - **Travel Allowances including Mileage Rates, and Subsistence Allowances:**
    - Indexed to the same rate that is applicable to Officers, except the Passenger Supplement Mileage rate – it is not being recommended that this allowance is indexed
128. It is further recommended that the applicable indices should run the maximum length permitted by the 2003 Regulations, namely four years from date of the first application of the relevant indices to the Basic Allowances and SRAs on 1<sup>st</sup> April 2023 to the end of the financial year 2027.

#### **Implementation of Recommendations**

129. It is recommended that the recommendations contained in this report are implemented from 1<sup>st</sup> April 2023.

## **APPENDIX 1: Information Considered**

1. Terms of Reference for Review
2. List of Peak District NPA Membership including Committee Chairs and Vice Chairs, 2022
3. Peak District NPA Members' Allowances Scheme 2021/22
4. Peak District NPA Annual Statutory Publication of Members' Allowances & Expenses Received 2020/21
5. Peak District NPA Independent Remuneration Panel Report, Review of Members' Allowances, June 2018
6. Report to Peak District NPA, Independent Review of Members' Allowances Scheme, including minutes of the meeting, 6<sup>th</sup> July 2018
7. Diagram of Peak District NPA Committee Structure April 2022
8. Role + Job Description of Members of the Peak District NPA
9. Member Champion Generic Role Description
10. Role description and Selection Criteria – Skills & Competencies for Independent Person appointed by the Peak District NPA
11. Peak District NPA Programme of Meetings, 2022
12. Peak District NPA Standing Orders Part 4 – delegation to committees, sub-committees and advisory groups, including their terms of reference, March 2021
13. Peak District NPA – appointments to outside bodies
14. Annual Survey of Hours & Earnings (ASHE). Median earnings for all full time employees in the East Midlands (excluding overtime) Table 7.2a (work geography), ONS, 2021
15. Appointment of Secretary of State Members to National Park Authorities, Department for Environment, Food & Rural Affairs, "Appointment of Secretary of State Members to National Park Authorities"– Briefing pack for applicants" March 2022
16. Latest IRP Reports from the 11 constituent authorities of the Peak District NPA



17. Replies to questionnaire set out to all Members
18. SI 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations 2003*, 7 April 2003
19. DCLG and HMRC: *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, May 2006
20. Response of Peak District NPA to government consultation on the Landscapes Review
21. First Report of the Governance Review Working Group, including attachment 4: Proposed Committee Structure, May 2019
22. Second Report of the Governance Review Working Group, including appendices 1-5, May 2020
23. Peak District National Park Foundation, Annual Report, 2020/21
24. Benchmarking against all other English, Welsh & Scottish NPAs – 2022 – see appendix three for further details
25. National Employers for Local Government Services, Local Government Pay 2022, 25<sup>th</sup> July 2022. Final Pay Offer to Local Government Officers
26. Office for Low Emission Vehicles, Tax benefits for low emission vehicles, 14<sup>th</sup> May 2018
27. Procedure for considering complaints that Members have breached the Code of Conduct, Peak District NPA Members Handbook, July 2020

## **APPENDIX 2:**

### **Members and Officers who met with the Panel**

#### **Members:**

J. Beresford: <sup>13</sup>	Deputy Chair of Peak District NPA (Secretary of State National Appointment)
Cllr P. Brady:	Chair of Planning Committee (Parish Councillor - Secretary of State National Appointment)
Cllr C. Greaves:	Vice Chair Programme & Resources Committee (Kirklees Council appointment)
Prof J. Haddock-Fraser	Chair Programme & Resources Committee (Secretary of State National Appointment)
Cllr Andrew McCloy:	Chair of Peak District NPA (Parish Councillor - Secretary of State National Appointment)
K. Smith:	Vice Chair Planning Committee (Secretary of State National Appointment)
Y. Witter:	Member Champion for Engagement (Secretary of State National Appointment)
Cllr B. Woods:	Member Champion for Member Learning & Development (Derbyshire County Council appointment)

#### **Members Written Submissions:**

Nine written submissions were received

#### **Independent Person**

Philip Sunderland                      Independent Person

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<sup>13</sup> Interview conducted by telephone on 25<sup>th</sup> July 2022

**Officers:**

Andrea McCaskie:<sup>14</sup> Interim Chief Executive, Head of Law & Monitoring Officer

Justine Wells: Chief Financial Officer and Head of Finance

Brian Taylor: Head of Planning

Emily Fox: Head of Information & Performance Management

Ruth Crowder:<sup>15</sup> Democratic Services Manager

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<sup>14</sup> Interviewed virtually via WebEx on 7<sup>th</sup> July 2022

<sup>15</sup> Ditto

### APPENDIX THREE: Summary of Allowances Payable in English NPA's/Broads Authority

PD NPA BM1 English NPAs Basic Allowances & Main SRAs June 2022											
Comparator NPA	No of Members	Basic Allowance	Chair's SRA	Chair's total (BA+SRA)	Deputy Chair	Chair Planning	V/Chair Planning	Members Planning	Chair Programme & Resources (inc other e.g. Audit)	V/Chair Programme & Resources	Costs inclusive of BA
<b>The Broads</b>	21	£1,046	£3,925	£4,971	£1,963	£1,963	£523	£523	£523		PC & private tel + paid 1/4ly
<b>Dartmoor</b>	19	£1,788	£5,332	£7,120	£1,788	£1,788	£894		£1,788	£894	Private tel + postage
<b>Exmoor</b>	22	£2,864	£5,728	£8,592	£4,296	£4,296					Use of home
<b>Lake District</b>	20	£3,000	£6,000	£9,000	£4,500	£2,000			£2,000		plus £20 p/m ICT Allowance
<b>New Forest</b>	22	£2,014	£4,028	£6,042	£2,014	£2,014	£1,007		£2,014	£1,007	Use of home
<b>Northumberland</b>	18	£1,886	£5,658	£7,544	£1,886	£943					Private tel + postage
<b>N. Yorks Moors</b>	20	£2,453	£4,907	£7,360	£1,840	£2,453			£744		Private tel + postage
<b>South Downs</b>	27	£3,749	£6,779	£10,528	£5,061	£4,049	£1,012		£810	£338	NA
<b>Yorkshire Dales</b>	25	£3,325	£6,650	£9,975	£1,663	£2,494	£1,330				IT consumables, private tel + post
<b>Peak District (2021/22)</b>	30	£2,453	£6,133	£8,586	£3,066	£3,066	£2,024		£2,453	£1,227	BA inc £30 4 printing
<b>Mean</b>	<b>22.4</b>	<b>£2,458</b>	<b>£5,514</b>	<b>£7,972</b>	<b>£2,808</b>	<b>£2,507</b>	<b>£1,132</b>		<b>£1,476</b>	<b>£867</b>	
<b>Median</b>	<b>21.5</b>	<b>£2,453</b>	<b>£5,658</b>	<b>£7,544</b>	<b>£1,963</b>	<b>£2,014</b>	<b>£1,007</b>		<b>£1,299</b>	<b>£894</b>	
<b>High</b>	<b>30</b>	<b>£3,749</b>	<b>£6,779</b>	<b>£10,528</b>	<b>£5,061</b>	<b>£4,296</b>	<b>£2,024</b>		<b>£2,453</b>	<b>£1,227</b>	
<b>Low</b>	<b>18</b>	<b>£1,046</b>	<b>£3,925</b>	<b>£4,971</b>	<b>£1,663</b>	<b>£943</b>	<b>£523</b>		<b>£523</b>	<b>£338</b>	
<b>Mean BA + Chairs SRA Ratio</b>		100%	2.25	3.25	51%	45%	45%		27%	59%	

PD NPA BM2 English NPAs - Other SRAs & Co-optees' Allowances June 2022										
Comparator NPA	Chair Navigation	V/Chair Navigation	Chair Governance	Chair Standards	Chair Standards Hearings	Chairs Working Panels	Chair Consultative Forum	Chair Authority Review/Park Strategy	Co-optees' Allowance	IP Payment
<b>The Broads</b>	£1,963	£523							£349	Not stated
<b>Dartmoor</b>					£351	£894			£209	£209
<b>Exmoor</b>				£716			£1,432		Not paid	Not stated
<b>Lake District</b>			£2,000					£2,000	Not paid	£150
<b>New Forest</b>				£504					£142	£142
<b>Northumberland</b>								£943	£333	£89 p/d/£45 half day
<b>N. Yorks Moors</b>									Not stated	Not stated
<b>South Downs</b>									£3,030	£2,020
<b>Yorkshire Dales</b>									Not stated	Not stated
<b>Peak District (2021/22)</b>									£613	£1,227
<b>Mean</b>									£779	£750
<b>Median</b>									£341	£209
<b>High</b>									£3,030	£2,020
<b>Low</b>									£142	£142

<b>PD NPA BM3 Welsh &amp; Scottish NPAs Basic Allowances &amp; Main SRAs June 2022</b>					
<b>Comparator NPA</b>	<b>Basic Allowance</b>	<b>Chair's SRA</b>	<b>Chair's total (BA+SRA)</b>	<b>Deputy Chair</b>	<b>Chairs &amp; other Senior posts (as determined by individual Welsh NPA)</b>
<b>All 3 Welsh NPAs*</b>	£4,738	£8,793	£13,531	£3,740	£3,740
<b>Cairngorms NPA</b>	Members paid £227 per day according to days put in (with NPA Convenor putting in at least 104 days per year & other Members at least 36 days per year). Rates set by Scottish Government				
<b>Loch Lomond &amp; The Trossachs NPA</b>	Members paid £199 per day (All Members including Chair(s) expected to put in at least 36 days per year). Rates set by Scottish Government				
* The 3 Welsh NPAs (Brecon Beacons, Pembrokeshire Coast & Snowdonia) are paid according to a nationally determined allowances scheme. All remunerated posts such as Chair etc. are paid an inclusive Senior Salary so figures listed against SRAs have had the BA deducted					

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**10. APPOINTMENT OF MEMBERS TO THE INVESTIGATORY AND DISCIPLINARY COMMITTEE (RC)**

**1. Purpose of the report**

To appoint Members to the Investigatory and Disciplinary Committee.

**Key Issues**

- **The Investigatory and Disciplinary Committee is part of the Disciplinary Procedure for Chief Executive, Statutory Officers and Non-Statutory Chief Officers.**
- **The Committee was established by the Authority in December 2018 but has not yet been required to meet.**

**2. Recommendations**

- 1. To appoint six Members (three Local Authority Members and three Secretary of State Members) to the Investigatory and Disciplinary Committee until the annual Authority meeting in July 2023.**
- 2. To confirm that attendance at any meetings of the Committee are approved duties for the payment of travel and subsistence allowances as set out in Schedule 2 of the Members' Allowance Scheme.**

**How does this contribute to our policies and legal obligations?**

- 3.** This proposal contributes to the Authority being an agile and efficient organisation as part of its People Management processes.

**Background Information**

- 4.** The Investigatory and Disciplinary Committee was established as part of the Disciplinary Procedure for Chief Executive, Statutory Officers and Non-Statutory Chief Officers agreed by the Authority in December 2018 and its terms of reference were added to Standing Orders (Minute No 47/18). It was agreed to appoint six Members to the Committee with three being Local Authority Members and three Secretary of State Members. The Committee has not yet been required to meet.
- 5.** At the Authority meeting in November 2021 three Local Authority Members and three Secretary of State Members were appointed to the Investigatory and Disciplinary Committee until the annual Authority meeting in July 2022 (Minute No 81/21). These Members were Cllr A Gregory, Cllr G Heath, Cllr D Murphy, Miss L Slack, Cllr P Tapping and Ms Y Witter. Unfortunately, the Investigatory and Disciplinary Committee was accidentally omitted from the appointments made at the annual Authority meeting on 1 July 2022, hence the need for this report.

**Proposals**

- 6.** To appoint six Members (three Local Authority Members and three Secretary of State Members) to the Investigatory and Disciplinary Committee until the annual Authority meeting in July 2023.
- 7.** Future appointments to this Committee will be made at the annual Authority meeting each year and will be part of the Member Appointment Process Panel's request for

expressions of interest prior to the meeting.

**Are there any corporate implications members should be concerned about?**

**Financial:**

8. The costs of any travel and subsistence claims for attendance at meetings of the Committee will be funded from the Democratic Services budget.

**Risk Management:**

9. No issues.

**Sustainability:**

10. No issues

**Equality, Diversity and Inclusion:**

11. No issues.

12. **Climate Change**

No issues.

13. **Background papers (not previously published)**

None.

14. **Appendices**

None.

**Report Author, Job Title and Publication Date**

Ruth Crowder, Democratic Services Manager, 24 August 2022  
ruth.crowder@peakdistrict.gov.uk



11. **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2021/2 (JMC)**

1. **Purpose of the report**

This report provides details of the Local Government and Social Care Ombudsman's (the Ombudsman) Annual Review of complaints for the period April 2021 to March 2022.

**Key Issues**

- **The Ombudsman's Annual Review has not stated any concerns about the Authority's performance.**
- **The complaint statistics provided focus on 3 key areas – Complaints Upheld, Compliance with Recommendations and Satisfactory remedies provided by the Authority.**

2. **Recommendation**

1. **To note the Local Government and Social Care Ombudsman Annual Review Letter 2022 at Appendix 1 of the report.**

**How does this contribute to our policies and legal obligations?**

3. The Authority reports on complaints bi-annually, in Quarters 2 and 4 each year. These reports give Members the opportunity to discuss lessons learnt and improvements made as a result of this feedback including from complaints which have been referred to the Ombudsman. Learning from complaints will contribute to the Authority's outcome as an 'agile and efficient organisation'.

**Background Information**

4. The annual review letter from the Ombudsman is reported annually. Appendix 1 shows the Ombudsman's annual review for the Authority covering the period 1 April 2021 to 31 March 2022.
5. The letter shows that the Ombudsman received four complaints and made three decisions in relation to the Authority during this period. Three of the complaints received were regarding Planning and Development and one was regarding Environmental Services & Public Protection & Regulation. These are the headings created and used by the Ombudsman when categorising complaints.
6. As can be seen in Appendix 1, of the three decisions the Ombudsman made during the period 1 April 2020 to 31 March 2021:
  - One was referred back for local resolution (Planning and Development)
  - Two were closed after initial enquiries.

Of these three complaints, two were dealt with by the Authority and were reported as follows:

One relating to Planning and Development (Reported at Min.86/21 for Stage 1, and Min.38/22 for Stage 2)

One relating to Environmental Services & Public Protection & Regulation (reported at

Min.38/21 for Stage 1 and Min.86/21 for Stage 2)

7. Appendices 2 and 3 show the benchmark figures for complaints and enquiries received and determined by the Ombudsman for National Park Authorities and provide an average marker of performance.

### **Proposals**

8. It is proposed that the details of the Ombudsman's annual review, as set out in Appendix 1 of this report, be noted and acknowledge that complaints can provide an useful insight about the Authority's performance, detecting early warning signs of potential problems and offering opportunities to improve service delivery.

### **Are there any corporate implications members should be concerned about?**

#### **Financial:**

9. We handle complaints within existing resources. However when a complaint has to be investigated it is often time consuming and distorts planned work programmes.

#### **Risk Management:**

10. The following risks have been identified at this time:
- Failure to ensure action is taken to improve service or address a problem as appropriate in response to complaints received.
  - Failure to improve the way we handle and respond to customers making complaints.
  - Unreasonable cost in time and staff resource spent in dealing with complaints.
- Action taken as a result of complaints received and our procedure for handling unreasonably persistent complaints help us to mitigate these risks.

#### **Sustainability:**

11. The Authority's complaints procedure highlights that:
- All comments and complaints are treated in confidence and will not disadvantage complainants in any future dealings they might have with the Authority.
  - Everyone will be treated fairly.

#### **Equality, Diversity and Inclusion:**

12. There are no issues to raise.

#### **Climate Change**

There are no issues to raise.

#### **14. Background papers (not previously published)**

None.

#### **15. Appendices**

Appendix 1 - Local Government and Social Care Ombudsman's Annual Review Letter 2022, 20 July 2022

Appendix 2 - Benchmark figures for complaints received by the Ombudsman for National Park Authorities

Appendix 3 - Benchmark figures for complaints determined by the Ombudsman for National Park Authorities

**Report Author, Job Title and Publication Date**

Joanne Cooper, Democratic and Legal Support Team Officer, 24 August 2022

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# Local Government & Social Care OMBUDSMAN

20 July 2022

*By email*

Ms McCaskie  
Interim Chief Executive  
Peak District National Park Authority

Dear Ms McCaskie

## **Annual Review letter 2022**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the chair of your organisation to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance.

### **Supporting complaint and service improvement**

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic.

Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

<b>Complaints upheld</b>
The Ombudsman carried out no detailed investigations during this period
<b>Compliance with Ombudsman recommendations</b>
No recommendations were due for compliance in this period
<b>Satisfactory remedy provided by the organisation</b>
The Ombudsman did not uphold any detailed investigations during this period

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## LOCAL GOVERNMENT OMBUDSMAN NUMBER OF ENQUIRIES RECEIVED REGARDING NATIONAL PARK AUTHORITIES 2021/2

National Park Authority	Corporate and other services	Environmental Services, Public Protection and Regulation	Highways and Transport	Planning and Development	Other	Total
Broads Authority	0	0	2	0	0	2
Dartmoor	0	0	0	1	0	1
Exmoor	1	0	0	0	0	1
Lake District	0	0	0	9	0	9
New Forest	0	0	0	0	0	0
North York Moors	0	0	0	1	0	1
Northumberland	0	0	0	0	0	0
Peak District	0	1	0	3	0	4
South Downs	0	0	0	0	0	0
Yorkshire Dales	0	0	0	1	0	1

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## LOCAL GOVERNMENT OMBUDSMAN NUMBR OF DECISOINS MADE REGARDING NATIONAL PARK AUTHORITIES 2021-22

National Park Authority	Invalid or Incomplete	Advice Given	Referred Back for Local Resolution	Closed after Initial Enquiries	Not Upheld	Upheld	Total
Broads Authority	0	0	1	0	0	0	1
Dartmoor	0	0	0	0	2	0	2
Exmoor	0	0	0	1	0	0	1
Lake District	1	0	0	6	1	4	12
New Forest	0	0	0	0	0	0	0
North York Moors	0	0	0	1	0	0	1
Northumberland	0	0	0	0	0	0	0
Peak District	0	0	1	2	0	0	3
South Downs	0	0	0	1	0	0	1
Yorkshire Dales	0	0	1	0	0	0	1

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## **12. OUTSIDE BODY AND CONFERENCE FEEDBACK REPORT**

<b>Name of Body</b>	<b>Cultural Heritage and Landscape Lead Member meeting with professional staff</b>
<b>Date of Meeting</b>	<b>3 August 2022</b>
<b>Member in attendance</b>	<b>Ken Smith</b>
<b>Supporting Officer</b>	<b>Suzanne Fletcher, plus team managers Anna Badcock and Rhodri Thomas</b>
<b>Issues raised at the meeting of significance to the Authority</b>	
1.	Cultural Heritage Project, a legacy from the S W Peak Project, being progressed to develop heritage volunteering, including Scheduled Monument condition survey and enhancing Heritage at Risk data.
2.	Progress with the Park-wide Nature Recovery Plan; at this stage collating data and liaising with stakeholders.
3.	Wooded Landscapes Plan – still awaiting comments from some partners, despite nudges.
4.	Landscape Strategy – hoping to bring the revised Strategy to Authority in the autumn.
5.	It was noted that Defra is holding stakeholder meetings regarding the Regulatory Baseline, noting cross compliance issues with the demise of the Basic Payment Scheme at the end of 2024; some issues/gaps identified in domestic legislation re hedgerows, walls and margins.
6.	FiPL – noted that projects need to be completed by the end of March 2023. Noted developments re Ecton Balance Cone, Minninglow lime kiln and S W Peak field barn conservation.
7.	Other issue discussed included Cressbrook Dale, Picory Corner tree felling and the recent Upper Derwent capacity increase proposals.
<b>Issues on which the views of Authority Members are sought</b>	
1.	
2.	
<b>Relevant documents such as reports and hyperlinks</b>	
1.	
2.	

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