

Public Document Pack

Peak District National Park Authority

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



Our Ref: A.1142/84

Date: 25 June 2015



NOTICE OF MEETING

Meeting: **National Park Authority**

Date: **Friday 3 July 2015**

Time: **10.00 am**

Venue: **The Board Room, Aldern House, Baslow Road, Bakewell**

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

- 1 **Election of Authority Chair and Deputy Chair (A.111/JS)** *(Pages 1 - 4)* 15 mins
- 2 **Apologies for Absence**
- 3 **Minutes of previous meeting 5 June 2015** *(Pages 5 - 12)*
- 4 **Urgent Business**
- 5 **Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
- 6 **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.
- 7 **Ex-Officio Appointments to Committees** *(Pages 13 - 18)* 15 mins
- 8 **Report of the Member Appointments Process Panel - Appointment of Committee Chairs and Vice-Chairs, Annual Appointments to Committees, Sub-Committees, Panels, Advisory Groups, Member Representative Roles and Outside Bodies (A.111/JS)** *(Pages 19 - 34)* 45 mins

Appendix 1

9 Items with no discussion

The Chair has identified the following items as items for no discussion unless there is an advance request from an individual Member for a discussion to take place:

1. Members' Attendance Annual Return (A.111/JS) (Pages 35 - 38)

Appendix 1

2. Calendar of Meetings 2016 (A.111/RC) (Pages 39 - 42)

Appendix 1

10 Notice of Motion - Cllr P Brady (Pages 43 - 46)

To discuss the Notice of Motion moved by Cllr P Brady and seconded by Cllr Mrs J Twigg at the meeting of the Authority held on 5 June 2015.

A copy of the original motion is attached.

11 Notice of Motion - Officers Comment on Democratic Principles (Pages 47 - 54)

12 Chair's Announcements

5 mins

3. Update on National Parks UK and National Parks England Meetings 8-9 June 2015 in New Forest National Park (Cllr Lesley Roberts) (Pages 55 - 60)

Appendix 1

13 Exempt Information S100 (A) Local Government Act 1972

The Authority is asked to consider, in respect of the exempt item, 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 Item No 14 to avoid the disclosure of Exempt Information under S100 (A)(4) Local Government Act 1972, Schedule 12A, Paragraph 4: "Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority".

14 Fit for Purpose Organisational Design (SLF) (Pages 61 - 66)

60 mins

Appendix 1

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 www.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 by appointment at the National Park Office, Bakewell. Contact Democratic Services on 01629 816200, ext 362/382. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Resources to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website www.peakdistrict.gov.uk or on request from Democratic Services 01629 816362, email address: democraticservices@peakdistrict.gov.uk, fax number: 01629 816310.

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. The recordings will usually be retained only until the minutes of this meeting have been confirmed.

General Information for Members of the Public Attending Meetings

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.

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

To: National Park Authority Members

Constituent Authorities
Secretary of State for the Environment
Natural England

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1. ELECTION OF AUTHORITY CHAIR AND DEPUTY CHAIR (A.111/JS)

1. Purpose of the report

To elect the Chair and Deputy Chair of the Authority.

Key Issues

- In accordance with the Authority decision to establish a Member Appointment Process Panel, the Panel invited all Members to indicate whether they wish to stand for appointment to the role of Chair and Deputy Chair of the Authority.
- The Panel have met to consider the responses received in the context of the agreed existing appointment principles and attempted to informally resolve any issues identified.
- The Panel has received more than one nomination for each position.
- Further nominations may be received at the meeting.

2. Recommendation

- 1. That a Member be elected as Chair of the Authority until the Annual Meeting in 2016.**
- 2. That a Member be elected as Deputy Chair of the Authority until the Annual Meeting in 2016.**

3. How does this contribute to our policies and legal obligations?

Under The National Park Authorities (England) Order 1996 (“the 1996 Order”) the Authority is required to elect a Chair and Deputy Chair of the Authority at each Annual meeting. The term of office will be until the next Annual meeting in 2016.

4. Background

The Authority’s current Standing Orders provide that the elections of the Authority Chair and Deputy Chair shall normally be such that one of the offices shall be held by a Council Member and the other office held by a Secretary of State National or Parish Member. See Standing Order 1.4(2). While the Authority should have regard to this Standing Order when making appointments it cannot be “enforced” because all Members of the Authority must have the opportunity to be nominated if they wish and the Authority has a duty to make decisions in the best interests of the Authority

In March 2013 the Authority established a Member Appointments Process Panel to assist with appointments to key positions at the Annual Meeting. This year Councillor Mrs Norma Hawkins, Councillor John Walton, Councillor Peter Harrison and Mr Zahid Hamid were appointed as members of the Panel. However following the recent Parish Ballot Councillor Harrison was unable to participate.

The purpose of the Panel is to:

- invite, receive and consider expressions of interests from Members in the annual appointments
- apply the agreed existing appointment principles to identify any issues that conflict with the agreed principles
- contact relevant Members to discuss and resolve issues if possible

- compile a list of candidates for the appointments for consideration at the Annual meeting.

The Panel has contacted all Members individually to ask if they intend to stand for appointment as Chair and Deputy Chair of the Authority. At the time of writing the report the Panel had received **two nominations** for the role of Chair of the Authority, **Councillor C Furness** and **Councillor Mrs L Roberts** and **two nominations** for the role of Deputy Chair of the Authority, **Councillor D Chapman** and **Councillor Mrs J Twigg**. The Panel has confirmed that these nominations comply with the agreed existing appointment principles agreed by the Authority however Members will need to give consideration to Standing Order 1.4 (2) if the Authority wishes to appoint two members from the same constituent group (Council Member or Secretary of State) to both roles. Before voting on the appointments the meeting will be asked if there are any further nominations.

The Authority's Standing Orders state that when more than one Member is standing for a Chair or Deputy position the voting must be carried out by ballot of all Members present at the meeting. As the Panel has received more than one nomination for each role the appointments will be made following a ballot of the Members present at the meeting. Where there are more than two persons nominated and of the votes given there is not a clear majority in favour of one person, the name of the person having the least number of votes will be struck off the list until there is majority of votes given in favour of one person.

Appointment Principles

The Panel met on 23 June to consider the nominations and check them against the agreed existing appointment principles as follows:

1. Democratic process remains essential.
2. Any Member should continue to be eligible to stand for election for any post and all Members should continue to have the opportunity to vote for their preferred candidates.
3. The chosen system should foster confidence, unity and trust within the Authority.
4. All Members should be assumed to be equally committed to the objectives of the National Park, and to have a contribution to make across the full range of the Authority's work.
5. All Members should be considered equally for all appointments but need to maintain the overall balance between different categories of Members.
6. Anyone holding office should be seen to act on behalf of all Members in the interests of the Authority, and not be allied with one particular group or interest.
7. All appointments should be time limited with a stipulated maximum continuous period of holding any one office to four continuous terms.
8. Responsibility of nominated Members to demonstrate to colleagues their interest and potential.
9. Responsibility of nominated Members to show that they understand what will be required of them.
10. That we should strive to achieve a similar balance across Member Representatives

and outside body appointments if possible although it is recognised this may not always be achievable and the main aim is to appoint Members who have demonstrated interest and potential.

11. That newly appointed Members will not be considered for Chair or Deputy/Vice Chair position in their first year of office.

The Panel also considered points 8 and 9 in the principles above regarding the responsibility of nominated Members to demonstrate interest and potential and show that they understand what is required of them. With this in mind the Panel have agreed that candidates for the Chair and Deputy Chair positions would be asked to supply a written statement of not more than 500 words in support of their nomination which will be circulated in advance of the meeting (if received).

Later in this meeting the Authority will be considering a proposal moved by Cllr Patrick Brady to replace the agreed existing appointment principles with “democratic principles”, however as these have not yet been considered and agreed only the agreed existing appointment principles will be considered at this year’s AGM.

5. **Proposals**

It is proposed that the elections be made in accordance with the 1996 Order and Standing Orders taking into consideration the agreed existing appointment principles.

Are there any corporate implications members should be concerned about?

6. **Financial:**

Although a special responsibility allowance is paid to the Chair and Deputy Chair these costs are included in the 2015/16 budget so the appointments do not incur any additional cost to the Authority.

7. **Risk Management:**

There are no apparent risks. Members have the opportunity to seek appointments to all the available positions.

8. **Sustainability:**

None

9. **Equality:**

Any principles agreed by the Authority on appointments to key positions must make sure that all Members are able to be considered for appointment if they wish to do so and that the final appointments are made in an open and transparent way.

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

None

Appendices

None

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 25 June 2015
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MINUTES

Meeting: **National Park Authority**

Date: Friday 5 June 2015 at 11.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Cllr Mrs L C Roberts

Present: Mr P Ancell, Mrs P Anderson, Cllr D Birkinshaw, Cllr P Brady, Cllr D Chapman, Cllr C Furness, Mr Z Hamid, Cllr P Harrison, Cllr Mrs N Hawkins, Cllr Mrs G Heath, Mr R Helliwell, Cllr H Laws, Cllr C Howe, Cllr A McCloy, Ms S McGuire, Cllr Mrs K Potter, Cllr Mrs N Turner, Cllr Mrs J A Twigg, Cllr F J Walton, Cllr G Weatherall and Cllr D Williams

Apologies for absence: Mrs F Beatty, Cllr C Carr, Cllr D Greenhalgh, Ms S Leckie and Mrs E Sayer

81/15 CHAIR'S ANNOUNCEMENTS

The Chair welcomed the following new Members:

- Mrs Penny Anderson, Secretary of State appointee
- Cllrs Caroline Howe and John Walton, High Peak Borough Council representatives
- Cllr Garry Weatherall, Sheffield City Council representative

The Chair reported that Cllr Mrs Hilda Gaddum had been made Mayor of Cheshire East Council and would therefore not be returning to the Authority. Details of the new representative from Cheshire East were still awaited.

Members were reminded of the need to return their Related Party Disclosure forms as soon as possible.

82/15 MINUTES OF PREVIOUS MEETING 27 MARCH 2015

The minutes of the last meeting of the National Park Authority held on 27 March 2015 were approved as a correct record subject to the following amendment:

MINUTE No 76/15

REPORT OF THE MEMBER APPOINTMENT PROCESS PANEL – APPOINTMENT OF DEPUTY CHAIR OF AUTHORITY, MEMBER REPRESENTATIVE FOR BIODIVERSITY AND COMMITTEE VACANCIES (A.111/JS)

The beginning of the third resolution was amended to read as "That the new Secretary of State Member, Mrs P Anderson, be appointed to Audit, Resources & Performance Committee from 1 April 2015 until the Authority's Annual Meeting in July 2015".

83/15 URGENT BUSINESS

Cllr Mrs Kath Potter read out a thank you to Members from Stanton in Peak residents. This was with regard to the refusal of a planning application at Dale View Quarry, Stanton in Peak for construction of a saw shed for two stone cutting wire saws, crane and recycling system, which had been appealed against by the applicants but recently dismissed by the Planning Inspectorate.

84/15 PUBLIC PARTICIPATION

There was no public participation.

85/15 MEMBERS DECLARATIONS OF INTEREST

Items 8 & 9

- Mrs Penny Anderson declared personal interests as a member of the following bodies: National Park Management Plan Advisory Group, Local Nature Partnership and South West Peak Heritage Lottery Fund Landscape Partnership Project.

86/15 NOTICE OF MOTION

In accordance with Standing Order 1.14 one Member had given notice of their intention to move the following motion:

Moved by Cllr Patrick Brady, seconded by Cllr Judith Twigg:

Part A

1. That a new Standing Order 1.3A be introduced to read as follows:

- a) The Authority shall approve and thereafter keep under review a statement, to be known as "the Democratic Principles", the purpose of which shall include advice to guide Members on factors to be taken into consideration when electing or appointing Members to an office or position.
- b) Before the Authority elects or appoints a Member to a position of responsibility, the Chief Executive shall draw to the attention of members the Democratic Principles or the relevant section thereof.

2. That Standing Orders 1.4(2) and 1.39(2) be omitted.

3. That Standing Order 1.40 (Appointment of Standing Committees) be amended by the deletion of:

- a) Para 3(i) (The Chair and Deputy Chair of the Authority to be ex-officio)
- b) Para 3(iii) (The Chair of the other Standing Committees to be ex-officio)
- c) Para 4 (The Vice-Chair to attend ex-officio if the Chair is absent)

4. That there be substituted for Standing Order 1.45 (Ex-officio Membership of Committees and Sub-committees) the following:

(1) On the basis set out in Paras (2) and (4) below, Chair and Deputy Chair of the Authority or the Chairs and Vice-Chairs of Standing Committees may attend meetings of Standing Committees other than those to which they have been appointed subject to the normal rules governing debate and participation in meetings, and may take part in the discussion (but may not vote nor propose a motion or amendment) unless:

(i) it would be unlawful or contrary to any of the Authority's procedures, codes or other protocols to do so; or

(ii) the Authority or, in the case of the appointment of a Sub-committee, the Committee in a particular case determines otherwise.

(2) The Chair and Deputy Chair of the Authority and a Chair of a Committee may attend a meeting of a Standing Committee;

(3) The Chair of a Committee may attend a meeting of a Subcommittee appointed by the Committee on the same basis as in Para (1) above;

(4) Under Paras (2) and (3), the Chair of a Committee may appoint the Vice-Chair to attend in his/her place.

Part B

That there be substituted for the Democratic Principles, the principles set out in Appendix 1 (attached).

The motion was moved and seconded. In accordance with Standing Order 1.25, the motion now stands adjourned without discussion until the next ordinary meeting of the Authority on 3 July 2015.

87/15 PERFORMANCE AND BUSINESS PLAN 2015/16 (A.197/WA)

The Senior Performance Officer introduced the report on the draft Performance and Business Plan 2015/16, which asked Members to approve it as a reflection of the Authority's achievements over the past twelve months and its focus of activity for the year ahead.

It was noted that any minor corrections could be notified to the Senior Performance Officer within the next two weeks.

The Chair of the Audit, Resources and Performance Committee stated that the Committee had discussed and supported the performance sections of the Plan and he was happy to move the recommendation. This was seconded.

Members discussed the Plan and it was noted that they did not like the use of the word 'cease' and would prefer 'review' on indicators and more explanation regarding such items. The Chief Executive stated that there would be a reduction in corporate indicators and that Members' views that climate change and built environment were important were noted.

The recommendation as moved was then voted on and carried.

RESOLVED:

To approve the draft Performance and Business Plan 2015/16, subject to

approval of the proposed performance indicators and targets for 2015/16 and with the completion of details delegated to the Chief Executive, for publication by 30 June 2015.

88/15 CORPORATE PERFORMANCE: INDICATORS AND TARGETS FOR 2015/16 (A197 / WA)

The Senior Performance Officer introduced the report of the draft Corporate indicators and targets for 2015 – 16 for Members to approve as a reflection of how the Authority intended to monitor its performance over the next twelve months in its transition year.

The officer made the following amendments to page 36 of the report:

- In the 'Indicator' column S1b.2 should state 61% full cost recovery and S1B3 should state 87% full cost recovery.
- In the 'Target' column S1b.3 should state March 2016.

Members discussed the report and it was noted that specific concerns raised by Members could be discussed with officers outside of the meeting.

The recommendation subject to any further amendments was moved and seconded. This was then voted on and carried.

RESOLVED:

To approve, with amendments discussed the proposed corporate performance indicators and targets as the basis for monitoring progress towards achieving our focus of activity for 2015/16.

89/15 PEAK DISTRICT NATIONAL PARK AUTHORITY - COMMITTEE MEMBERSHIP (JS)

The Democratic Services Manager introduced the report to consider arrangements for the appointment to Committees and positions of responsibility at the Authority's Annual Meeting. He amended the third sentence of the first paragraph on page two of the report to state '7 Secretary of State' Members not '6'.

Both Cllr Birkinshaw and Cllr Chapman withdrew from the Member Appointment Process Panel as current holders of positions of responsibility.

It was agreed to take the three recommendations in turn.

The following Members were nominated and seconded to serve on the Member Appointment Process Panel:

- Mr Zahid Hamid
- Cllr Peter Harrison
- Cllr Mrs Norma Hawkins
- Cllr John Walton

The first recommendation was then moved, seconded, voted on and carried with the above Members appointed to the Panel.

It was noted regarding the second recommendation that the Chair would like current ex-officio Members to still attend Committee meetings as observers only as part of a twelve month trial of the proposed new Committee arrangements. The second recommendation was moved, seconded, voted on and carried.

The third recommendation was moved and seconded. However an amendment was moved and seconded to also include a Member Representative for housing or affordable housing. Some Members felt that this was unnecessary as the Authority was not a housing authority and already had People and Communities Member Representatives, there would also be increased resource issues. It was noted that there was a generic role description for the Member Representatives and it was agreed to circulate this to all Members.

The amendment to the third recommendation was voted on but lost. The original motion for the third recommendation as set out in the report was then voted on and carried.

RESOLVED:

- 1. To appoint the following four Members to serve on the Member Appointment Process Panel in preparation for the 2015 AGM:
Mr Zahid Hamid
Cllr Peter Harrison
Cllr Mrs Norma Hawkins
Cllr John Walton**
- 2. To confirm that the Member Appointment Process Panel will be looking for expressions of interest based on two standing Committees with 15 Members on each and no ex-Officio appointments.**
- 3. To confirm that the Panel will seek expressions of interest for a Member Representative for Planning Enforcement in addition to the existing roles.**

90/15 AMENDMENT TO STANDING ORDERS - DISMISSAL OF CERTAIN OFFICERS (JS)

Members considered the report requesting them to approve amendments to the Authority's Standing Orders to reflect provisions within the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

The recommendation was moved, seconded, voted on and carried.

RESOLVED:

- 1. To amend Part 5 of Standing Orders – Chief Officers to reflect the requirements of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (Appendix 1 of the report)**
- 2. To note that, following consultation on changes to the conditions of employment of relevant officers and consultation with the Independent Persons, a report will be brought to a future meeting of the Authority to approve the process to be followed when considering the dismissal of a relevant officer and to amend:
a) the terms of reference and membership of the Employee Appeals Panel to reflect the amendments in 1 above; and
b) the job description of the Independent Persons.**

The meeting ended at 1.10 pm

Part B

That there be substituted for the Democratic Principles, the following:

Purpose

1. The history of the National Park Authority suggests that it is best served when all Members of the Authority have a stake in its governance. With this in mind, these Principles include issues that Members are asked to consider when electing or appointing people to, or standing for, Office or position.
2. Their purpose is to foster confidence, unity and trust within the Authority and the general public

Voting

3. It is essential to these Principles that nothing they contain is intended to in any way detract from the duty or ability of a Member to cast his or her vote in accordance with his/her best judgement.

Definition

4. "Group" means the Group of Members falling into one of these three categories:
 - Members appointed by Local Authorities other than Parish Councils;
 - Parish Members;
 - Members appointed by the Secretary of State other than Parish Members

Election and Appointment - Chair and Deputy Chair

5. In electing a Chair and appointing a Deputy Chair, Members should consider the desirability of ensuring:
 - that each office holder comes from a different Group;
 - that at least one of the office holders is a person living in or representing an area that lies within the National Park.

Other appointments

6. In appointing the Chairs and Vice Chairs of Committees, Members should consider the desirability of ensuring that, taking into account the Groups from which the election of the Chairman and Deputy Chairman were made there should be a spread of office holders from:
 - across the Groups; and
 - from amongst those living in or representing an area that lies within the National Park.
7. Taking into account the expertise, interest and potential of candidates, Members should also consider the desirability of achieving a spread of

between the Groups when appointing Member Representatives and to outside bodies.

Standing for Office

8. All Members are assumed to be equally committed to the objectives of the National Park and to have a contribution to make across the full range of the Authority's work.
9. All Members have the right to stand for all elections and appointments but need to recognise that these Principles will be drawn to the attention of Members before a decision is made.
10. Newly appointed Members will not normally be considered for the position of Chair or Deputy/Vice Chair.
11. Members who have held a position or appointment for a continuous period of four years will not normally be considered for re-election or re-appointment.
12. It is the responsibility of a Member standing for election or appointment to demonstrate to those making the decision that:
 - his/her expertise, interest and potential;
 - he/she understands what will be required of them.

In office

- 13 Anyone holding office should be seen to act in the interests of the Authority as a whole and of the National Park, and not of any particular Group or interest.

Group Meetings etc

- 14 Whilst members sharing a common concern or interest may occasionally meet to exchange views, the holding of regular meetings of Groups or of members sharing a common interest may be seen as acting against these Principles.

Patrick Brady
23 May 2015

7. EX-OFFICIO APPOINTMENTS TO COMMITTEES

1. Purpose of the report

At the meeting of the Authority held on 5 June 2015 Cllr P Brady moved a motion seconded by Cllr Mrs J Twigg, proposing amendments to the Standing Orders relating to the key appointments and Ex-Officio Committee Membership. At that meeting, in accordance with Standing Orders, consideration of the motion was adjourned to this meeting. As submitted the motion was split into Part A which addressed issues relating to Ex-Officio appointments and Part B which included proposals to replace the existing appointment principles with “democratic principles”

Following a discussion with the Chair of the Authority and Councillor Brady as the mover of the motion we have concluded that Part A of the motion should be considered and any amendments approved before making appointments to Committees at this Annual Meeting. As the Member Appointments Process Panel has reviewed this year’s expressions of interest against the existing appointment principles, Part B of the motion will therefore be considered after this year’s appointments have been made.

Key Issues

- Standing Orders set out the arrangements for appointing the Chair and Deputy Chair of the Authority, Committee Chairs and Vice-Chairs and appointments to Committees. As the relevant standing orders are discretionary the Authority has the ability to amend or revoke them.
- The Authority has previously asked the Member Appointments Process Panel to review expressions of interest for key roles and consider them in the context of the existing appointment principles.
- A notice of motion was moved and seconded at the 5 June 2015 meeting of the Authority which included a proposal to end Ex-Officio appointments to Standing Committees and to replace the existing appointment principles with “democratic principles”
- As the motion included proposals to amend standing orders, once it was moved and seconded discussion and voting was adjourned to this meeting. The motion submitted was split into Parts A and B. This report only relates to the Part A proposals relating to Ex-Officio appointments.
- This report includes Officers comments on the proposed amendments if Members wish to adopt any of the suggestions in this report Members would need to move, debate and vote on proposals to amend the motion.
- At the June Authority meeting Officers asked Members for a steer on whether there was support for the proposals relating to ending ex-officio appointments and fixing the size of Committees to 15 Members. As there was support for the proposal the report of the Member Appointments Process Panel has been prepared on this basis.
- The motion and this report needs to be considered before Committee appointments are made because a decision on the Ex-Officio appointments may impact on the size of each Committee.
- To facilitate appointments later in the meeting this report also asks Members to determine the allocation of places on Planning Committee to Local Authority Members.

2. Recommendation

1. To consider Part A of the motion moved by Cllr P Brady and take into account the comments in this report when discussing and voting on the Notice of Motion.
2. If the proposals to end Ex-Officio Appointments to Committees is approved, to agree that the Local Authority places on Planning Committee be allocated as follows:

Derbyshire CC	1
Derbyshire Dales DC	1
High Peak BC	1
Cheshire East BC	1
Staffordshire CC/Staffordshire Moorlands DC	1
Metropolitan District Councils/N E Derbyshire DC	3
Total	8

3. How does this contribute to our policies and legal obligations?

Part 1 of Standing Orders relates to Meetings and Proceedings of the Authority. These include the arrangements for appointing the Chair and Deputy Chair of the Authority, Committee Chairs and Vice-Chairs and appointments to Committees. Most of the orders are discretionary however they must comply with the requirements set out in Schedule 7 of the Environment Act which state that to be quorate a Committee meeting must have at least one Local Authority Member and one Secretary of State Member and Committee places must be allocated between Local Authority and Secretary of State Members in the same proportions as the whole Authority Membership – 53.3% Local Authority and 46.7% Secretary of State (Including Parish Members).

4. Background

At the meeting of the Authority held on 5 June 2014 Cllr P Brady moved a motion that he had submitted in accordance with Standing Order 1.14 (Notices of Motion). As the motion proposed amendments to Part 1 of Standing Orders (Meetings and Procedures once it was moved by Cllr P Brady and seconded by Cllr Mrs J Twigg, in accordance with Standing Order 1.25 (Variation and revocation of Standing Orders), discussion and voting on the motion was adjourned.

The purpose of an adjournment under Standing Order 1.25 is to allow the Authority to reflect on the full implications of a decision before approving changes to Standing Orders. The purpose of this report is to assess the impact of the changes and highlight issues that Members should consider before making these changes. This report does not amend the original motion as moved and seconded at the previous meeting, however Members are able to move, debate and vote on amendments in the usual way.

When Cllr Brady submitted the Notice of Motion it was accompanied by a discussion paper which provided background information setting out the reasons for the proposed changes. According to this information a small group of Members had been given the task to look at issues relating to Standing Order 1.4 (2) and 1.39(2) which state that the appointment of the Chair and Deputy Chair of the Authority and the Chair and Vice Chair of each of the Standing Committees should normally be such that one of the offices shall be held by a Council Member and the other office held by a Secretary of

State Member. The group had therefore discussed:

- a) Whether the “normally rule” as drafted was still appropriate;
- b) Why Secretary of State and Parish Members were classed together for the purpose of applying it;
- c) The difficulty caused with the balance of Committee Membership when the “normally rule” is not followed; and
- d) The importance of each Member being able to exercise their vote to the best of their judgement.

As part of the discussion of c) above the group concluded that this issue was caused by the requirement in Standing Order 1.45 that the Chair, Deputy Chair of the Authority and Chairs of Committees be appointed as Ex-Officio Members of the Standing Committees. The group also suggested that as the “normally rule” was “vague and possibly misleading” it should be abolished and instead:

- a) A new Standing Order be added requiring that the “principles of democracy”, or the relevant part of them, be drawn to members’ attention before appointments are made, and that;
- b) The existing principles be expanded to cover the election of the Chair and other appointments and also to clarify their meaning intent and format.

The purpose of the motion under consideration was to implement the group’s conclusions.

PART A of the motion submitted is as follows:

1. That a new Standing Order 1.3A be introduced to read as follows:
 - a) The Authority shall approve and thereafter keep under review a statement, to be known as “the Democratic Principles”, the purpose of which shall include advice to guide Members on factors to be taken into consideration when electing or appointing Members to an office or position.
 - b) Before the Authority elects or appoints a Member to a position of responsibility, the Chief Executive shall draw to the attention of members the Democratic Principles or the relevant section thereof.
2. That Standing Orders 1.4(2) and 1.39(2) be omitted.
3. That Standing Order 1.40 (Appointment of Standing Committees) be amended by the deletion of:
 - a) Para 3(i) (The Chair and Deputy Chair of the Authority to be ex-officio)
 - b) Para 3(iii) (The Chair of the other Standing Committees to be ex-officio)
 - c) Para 4 (The Vice-Chair to attend ex-officio if the Chair is absent)
4. That there be substituted for Standing Order 1.45 (Ex-officio Membership of

Committees and Sub-committees) the following:

- (1) On the basis set out in Paras (2) and (4) below, Chair and Deputy Chair of the Authority or the Chairs and Vice-Chairs of Standing Committees may attend meetings of Standing Committees other than those to which they have been appointed subject to the normal rules governing debate and participation in meetings, and may take part in the discussion (but may not vote nor propose a motion or amendment) unless:
 - (i) it would be unlawful or contrary to any of the Authority's procedures, codes or other protocols to do so; or
 - (ii) the Authority or, in the case of the appointment of a Sub-committee, the Committee in a particular case determines otherwise.
- (2) The Chair and Deputy Chair of the Authority and a Chair of a Committee may attend a meeting of a Standing Committee;
- (3) The Chair of a Committee may attend a meeting of a Sub-committee appointed by the Committee on the same basis as in Para (1) above;
- (4) Under Paras (2) and (3), the Chair of a Committee may appoint the Vice-Chair to attend in his/her place.

5. Proposals

- 5.1 A full explanation of the Officers conclusions on Part A of the motion is set out in the paragraphs below however to try and help the discussion a summary of suggested amendments is provided below. (Additions are highlighted in **bold** and deletions with ~~strikethrough~~)

~~1. That a new Standing Order 1.3A be introduced to read as follows:~~

~~The Authority shall approve and thereafter keep under review a statement, to be known as "the Democratic Principles", the purpose of which shall include advice to guide Members on factors to be taken into consideration when electing or appointing Members to an office or position.~~

- ~~a) Before the Authority elects or appoints a Member to a position of responsibility, the Chief Executive shall draw to the attention of members the Democratic Principles or the relevant section thereof.~~

1

~~2.1.~~ That Standing Orders 1.4(2) and 1.39(2) be omitted.

~~3.2.~~ That Standing Order 1.40 (Appointment of Standing Committees) be amended by the deletion of:

- a. Para 3(i) (The Chair and Deputy Chair of the Authority to be ex-officio)

- b. Para 3(iii) (The Chair of the other Standing Committees to be ex-officio)
- c. Para 4 (The Vice-Chair to attend ex-officio if the Chair is absent)

4.3 That there be substituted for Standing Order 1.45 (Ex-officio Membership of Committees and Sub-committees) the following:

- (1) On the basis set out in Paras (2) and (4) below, Chair and Deputy Chair of the Authority or the Chairs and Vice-Chairs of Standing Committees may attend meetings of Standing Committees other than those to which they have been appointed subject to the normal rules governing debate and participation in meetings, and may take part in the discussion (but may not vote nor propose a motion or amendment) unless:
 - (i) it would be unlawful or contrary to any of the Authority's procedures, codes or other protocols to do so; or
 - (ii) the Authority or, in the case of the appointment of a Sub-committee, the Committee in a particular case determines otherwise.
- (2) The Chair and Deputy Chair of the Authority and a Chair of a Committee may attend a meeting of a Standing Committee;
- (3) The Chair of a Committee may attend a meeting of a Sub-Committee appointed by the Committee on the same basis as in Para (1) above;
- (4) Under Paras (2) and (3), the Chair of a Committee may appoint the Vice-Chair to attend in his/her place.

5.2 **4. To delete the heading before Standing Order 1.45 "EX-OFFICIO ATTENDANCE AT COMMITTEES AND SUB COMMITTEES" and place the revised Standing Order 1.45 under the heading "MEMBERS RIGHTS TO ATTEND AND SPEAK AT COMMITTEES AND SUB-COMMITTEES" ²**

5. To review the impact of the changes at the 2016 Annual Meeting. ³

The following paragraphs set out Officers views on the proposals as set out in the motion.

Ex-Officio Appointments.

5.3 The arrangements for making Ex-Officio appointments were part of the Authority's Standing Orders at the time of the Shadow Authority being established. It is only in recent years that this has caused the "difficulty" referred to in the report from the group. The perceived difficulty being that when more Secretary of State Members than Local Authority Members are appointed to key positions, as happened at the 2015 AGM, some Local Authority Members had to be appointed to two Committees to maintain the proportions of local authority and secretary of state members required by Environment Act. This has therefore resulted in both of the Standing Committees being larger than the ideal and some Members having to invest a significant amount of time attending and travelling to and from meetings. Ex-Officio Members are included in the proportionality

calculation because they are full Members of the Committee with the full rights to speak and vote.

- 5.4 While appreciating the benefits of Ex-Officio appointments, Officers support the proposal as set out in the motion as it allows the Authority to fix the size of its Committees to 15 Members and enables the Authority to make appointments to key positions without having to consider how that might impact upon Committee sizes. Officers also support the proposal to allow the Chair and Deputy Chair of the Authority and Committee Chairs to attend and speak at meetings of Committees that they are not appointed to, but not move motions, amendments or vote. The proposed changes to Standing Order 1.40 included in the motion would need to be approved to allow the Authority to limit the size of Committees and maintain the proportionality duty.

The only observations on this element are as follows:

1. Paragraph 1 of the motion should be deleted and considered during the discussions on Part B of the Notice of Motion.
2. To avoid confusion the reference to Ex-Officio appointments within Standing Orders should be removed completely and the proposed new arrangements be included within Standing Order 1.46 which clarifies the rights of Members to attend and speak at Committees.”
3. A review at the 2016 AGM should be included in the resolution.

Are there any corporate implications members should be concerned about?

6. **Financial:**
No direct costs arise however smaller fixed size Committees will reduce the cost of each meeting in terms of travel and subsistence and printing and postage.
7. **Risk Management:**
None
8. **Sustainability:**
None
9. **Equality:**
Any principles agreed by the Authority on appointments to key positions must make sure that all Members are able to be considered for appointment if they wish to do so and that the final appointments are made in an open and transparent way.
10. **Background papers (not previously published)**
Discussion Paper - Peak District Members' Group – Circulated by Cllr P Brady

Appendices

None

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 25 June 2015
jason.spencer@peakdistrict.gov.uk

8. REPORT OF THE MEMBER APPOINTMENTS PROCESS PANEL – APPOINTMENT OF COMMITTEE CHAIRS AND VICE-CHAIRS, ANNUAL APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, PANELS, ADVISORY GROUPS, MEMBER REPRESENTATIVE ROLES AND OUTSIDE BODIES(A.111/JS)

1. Purpose of the report

To appoint the Chair and Vice-Chair of the Authority's two Standing Committees, Planning Committee and Audit, Resources and Performance Committee.

To consider the Authority's annual appointments to committees, sub-committees, panels, advisory groups, member representative roles and outside bodies.

Key Issues

- In accordance with the Authority decision to establish a Member Appointments Process Panel, the Panel invited all Members to indicate whether they wish to stand for appointment to key positions and their preferences for Committee Membership.
- The Panel have met to consider the responses received in the context of the agreed existing appointment principles and attempted to informally resolve any issues identified.
- The report of the Panel is attached as Appendix 1. Members are asked to consider the report in agreeing the appointments set out in recommendations 1 to 8 below. (The references in brackets relate to sections A to D in appendix 1)
- The report of the Panel is a summary of responses received it is not a recommendation from the Panel.

2. Recommendation

- 1. To appoint Members as Chair and Vice Chair of the Planning Committee and Chair and Vice Chair of Audit, Resources and Performance Committee until the annual Authority meeting in July 2016. [Section A]**
- 2. To appoint Members to the Planning Committee and the Audit, Resources and Performance Committee until the annual Authority meeting in July 2016.[Section B(i) and B(ii)]**
- 3. To appoint Members to the Urgent Business Items Sub-Committee until the annual Authority meeting in July 2016. [Section B(iii)]**
- 4. To appoint 5 Council Members and 4 Secretary of State Members to the Local Joint Committee until the annual Authority meeting in July 2016.[Section B(iv)]**
- 5. To appoint 4 Council Members and 4 Secretary of State Members to the Appeals Panel until the annual Authority meeting in July 2016. [Section B(v)]**
- 6. To appoint 1 Council Member, 1 Secretary of State Member and 1 Parish Council Member to the Strategic Advisory Group until the annual Authority meeting in July 2016. [Section B(vi)]**

7. **To appoint the Chair and Vice Chair of the Audit, Resources and Performance Committee, the Chair of the Authority and one other Member to the Budget Monitoring Group until the annual Authority meeting in July 2016 [Section B(vii)]**
8. **To appoint Members to each Member Representative role until the annual Authority meeting in July 2016. [Section C]**
9. **To appoint Members to each outside body until the annual Authority meeting in July 2016. [Section D]**
10. **To confirm that all these appointments are approved duties for the payment of travel and subsistence allowances.**
11. **To ask Members appointed to Member Representative roles and outside bodies to produce a short annual report on activities, as appropriate, to be circulated in June 2016 as part of preparations for the 2016 Annual Meeting.**

2. How does this contribute to our policies and legal obligations?

Appointment of Chairs and Vice Chairs

Standing Order 1.39(1) requires the Authority at the Annual Meeting to appoint Members to be the Chair and Vice Chair of each Standing Committee. Standing Orders also provide that the appointments to the offices of Chairs and Vice Chairs of each of the Standing Committees shall normally be such that one of the offices shall be held by a Council Member and the other office held by a Secretary of State National or Parish Member. While the Authority should have regard to this Standing Order when making appointments it cannot be “enforced” because all Members of the Authority must have the opportunity to be nominated if they wish and the Authority has a duty to make decisions in the best interests of the Authority. Appointments continue until the next Annual Meeting unless a Member resigns from the office or resigns their membership of the Authority.

Membership of Committees, Sub-Committees, Panels and Advisory Groups

The Environment Act 1995 requires that membership of the Committees should reflect the makeup of the membership of the Authority in terms of the split between Local Authority and Secretary of State Members. This principle will also be taken into account when setting up an Appeals Panel.

Strategic Advisory Group meetings with Management Team contribute to making sure that the Authority secures ‘continuous improvement, value for money, sustainability and high standards of corporate governance.

Appointment of Member Representatives

The Member Representative role provides an avenue for increased Member involvement externally and internally working with staff to achieve National Park Management Plan (NPMP) and National Park Authority outcomes and priorities. Following the meeting a copy of the agreed job descriptions will be sent to all Members appointed to one of these roles.

Appointments to Outside Bodies

These appointments contribute to the NPMP outcomes and corporate objectives by continuing and supporting the Authority's working with stakeholders and partners.

3. Background

In March 2013 the Authority established a Member Appointments Process Panel to assist with appointments to key positions at the Annual Meeting. This year Councillor Mrs Norma Hawkins, Councillor John Walton, Councillor Peter Harrison and Mr Zahid Hamid were appointed as members of the Panel. However following the recent Parish Ballot Councillor Harrison was unable to participate.

The purpose of the Panel is to:

- invite, receive and consider expressions of interests from Members in the annual appointments
- apply the agreed existing appointment principles to identify any issues that conflict with the agreed principles
- contact relevant Members to discuss and resolve issues if possible
- compile a list of candidates for the appointments for consideration at the Annual meeting.

As part of the process the Panel has contacted all Members individually to ask them if they intend to stand for appointment as Chair or Vice Chair of Planning or Audit, Resources and Performance Committee or one of the member representative roles, and their preferences on appointments to committees, sub-committees, panels, advisory groups and outside bodies.

Appointment Principles

The Panel met on 23 June to consider the nominations and check them against the agreed existing appointment principles as follows:

1. Democratic process remains essential.
2. Any Member should continue to be eligible to stand for election for any post and all Members should continue to have the opportunity to vote for their preferred candidates.
3. The chosen system should foster confidence, unity and trust within the Authority.
4. All Members should be assumed to be equally committed to the objectives of the National Park, and to have a contribution to make across the full range of the Authority's work.
5. All Members should be considered equally for all appointments but need to maintain the overall balance between different categories of Members.
6. Anyone holding office should be seen to act on behalf of all Members in the interests of the Authority, and not be allied with one particular group or interest.
7. All appointments should be time limited with a stipulated maximum continuous period of holding any one office to four continuous terms.
8. Responsibility of nominated Members to demonstrate to colleagues their interest

and potential.

9. Responsibility of nominated Members to show that they understand what will be required of them.
10. That we should strive to achieve a similar balance across Member Representatives and outside body appointments if possible although it is recognised this may not always be achievable and the main aim is to appoint Members who have demonstrated interest and potential.
11. That newly appointed Members will not be considered for Chair or Deputy/Vice Chair position in their first year of office.

After considering the responses against the principles the Panel has produced the report included here as **Appendix 1** which sets out a summary of the responses received. Where more than one Member has expressed an interest in a role all the names put forward have been included in Appendix 1 and where a vote is needed this is highlighted in the proposals section below. The intention of the Panel's report is to help improve the efficiency of making annual appointments however the Authority cannot prevent any Member from standing for appointment even if they have not given the Panel advance notice of their intentions.

The Authority's Standing Orders state that when more than one Member is standing for a Chair or Vice-Chair position the voting must be carried out by ballot of all Members present at the meeting. Where there are more than two persons nominated and of the votes given there is not a clear majority in favour of one person, the name of the person having the least number of votes will be struck off the list until there is majority of votes given in favour of one person. The Authority may also decide to carry out a ballot for other appointments if the majority of Members present agree.

The Panel also considered points 8 and 9 in the principles above regarding the responsibility of nominated Members to demonstrate interest and potential and show that they understand what is required of them. With this in mind the Panel have asked that candidates for the Chair and Vice Chair positions and Member Representative Roles supply a written statement of not more than 500 words in support of their nomination which will be circulated in advance of the meeting (if received).

Later in this meeting the Authority will be considering a proposal moved by Cllr Patrick Brady to replace the agreed existing appointment principles with democratic principles, however as these have not yet been considered and agreed only the existing appointment principles will be considered at this year's AGM.

4. Proposals

Appointment of Chairs and Vice Chairs of Planning Committee and Audit, Resources and Performance Committee. (Recommendation 1)

Section A of the Panel's report sets out the names of those Members who have expressed an interest in the roles of Chair and Vice-Chair of Planning Committee and the Chair and Vice-Chair of Audit, Resources and Performance Committee. All the named Members comply with principle 7 as they have not exceeded the maximum continuous period of holding any one office for four continuous terms.

It is also suggested in Standing Orders that for appointments to the role of Chair or Vice Chair of a Standing Committee one of the roles should normally be held by a Council Member and the other held by a Secretary of State Member. The names for Chair and

Vice Chair of both Standing Committees as put forward in Section A, meet this requirement.

If no further nominations are received at the meeting the appointments for Chair and Vice Chair of Audit, Resources and Performance Committee and Planning Committee may be approved without the need for a ballot. If further nominations are received and alternative Members appointed we will need to amend the same names included in section B where appointments are made by virtue of their appointment as Chair or Vice Chair

Appointments to Planning Committee and Audit Resources and Performance Committee. (Recommendation 2)

Section B of the Panel's report sets out suggested Membership of Committees, Sub Committees, Panels and Advisory Group based on the preferences of individual Members and the nominations received for the key positions above. Sections B(i) and B(ii) refer specifically to membership of the Authority's two Standing Committees.

Standing Order 1.40 sets out the arrangements for appointing Members to Standing Committees which is summarised as follows:

- (1) Both Council Members and Secretary of State appointed Members must be appointed to Committees and in the same proportions as the membership of the Authority. This is a requirement of the Environment Act which means that, depending on the size of the Committee, in most cases there must be one more Council appointed Member on each Committee.
- (2) The Authority has two Standing Committees - Planning Committee and Audit Resources & Performance Committee
- (3) The Members appointed as Committee Chairs and Vice Chairs are Members of the appropriate Committee.
- (4) Members shall be appointed to the Planning Committee by the allocation of a number of places to the Constituent Councils and to the Secretary of State appointed National and Parish Members in such proportions as are determined at each Annual meeting. This year, in light of the report on Ex-Officio Membership considered earlier the Planning Committee allocations for local authority Members will have been determined so appointments should be made in accordance with that decision. The remaining Members will be appointed to the Audit Resources & Performance Committee.

The proposed Committee Membership as in sections B(i) and B(ii) are based on the steer given at the June Authority meeting which indicated that there was support for removing Ex-Officio Members and fixing the size of the Standing Committees at 15, with 8 Local Authority Members and 7 Secretary of State Members. As things stand for Planning Committee there are 9 expressions of interest for 8 local authority Member places.

Appointments to Committees, Sub-Committees, Panels and Advisory Groups. (Recommendations 3 to 7)

Section B of the Panel's report sets out suggested Membership of Committees, Sub-Committees, Panels and Advisory Group based on the preferences of individual Members and the nominations received for the key positions above.

If no changes are needed at the meeting the appointments may be approved as proposed subject to the following issues identified by the Panel being addressed.

Urgent Business Items Sub-Committee – As the places on the Sub-Committee are allocated according to appointments to key positions if the normal arrangements for appointing a Secretary of State Member to one position and a Local Authority Member to another are not followed we will need to seek nominations for at least one additional Member to maintain the proportionality requirements set out in the Environment Act.

Local Joint Committee – The constitution of this Committee requires that the number of Authority Members on the Committee should be equal to the number of employees. This means that 9 Members need to be appointed, and to meet the requirements of the Environment Act 5 must be Local Authority Members and 4 Secretary of State Members.

We therefore need one more Local Authority nomination for this Committee.

Appeals Panel – Except for training purposes the Appeals Panel would not normally meet as a group. Members are drawn from the Panel as needed to consider employee appeals. The meetings are usually arranged at relatively short notice and because of agreed procedures there is limited flexibility in the chosen date so we need to have a pool of 8 Members which reflects the make-up of the Authority. We currently have sufficient nominations for the Secretary of State Members, however we need one more Local Authority Member

Strategic Advisory Group – The Authority has previously agreed that most of the Members appointed to this advisory group will be those appointed to Chair and Deputy/Vice Chair roles earlier in the meeting. Three Members are appointed from each of the three constituent groups. We have received one nomination for each role so if no further nominations are received the appointments can be approved uncontested.

Budget Monitoring Group – The Authority has previously agreed that most of the Members appointed to this advisory group will be those appointed to Chair and Deputy/Vice Chair roles earlier in the meeting. One other member is appointed from either of the constituent groups. We have received one nomination for this role so if no further nominations are received the appointments can be approved uncontested.

Appointment to Member Representative Roles (Recommendation 8)

The Authority has agreed to have 12 Member Representative roles to support the themes of the NPMP plus additional roles to support Asset Management, Planning Enforcement and Member Learning and Development. The 12 agreed roles are as follows:

Landscape
Cultural Heritage
Biodiversity
Climate Change
People and Communities
Recreation
Promoting Understanding
Tourism
Economy
Asset Management
Member Learning and Development
Planning Enforcement.

The Panel invited all Members to express an interest in being appointed to the posts. The responses received are set out in section C in Appendix 1.

At the time of writing the report one nomination had been received for the Landscape, Cultural Heritage, Climate Change, Recreation, Promoting Understanding, Tourism, Economy, Asset Management and Planning Enforcement roles. If no further nominations are received at the meeting these can be agreed as proposed.

For the People & Communities role two Members have expressed an interest in being appointed as a Member representative, however in the past two Members have shared the role. As this arrangement has worked well in the past the Authority is asked to use this approach again. If no further nominations are received at the meeting these can be agreed as proposed.

For the Biodiversity role two nominations have also been received. In this case the two Members have also expressed an interest in sharing the role. If the Authority supports this approach and no further nominations are received at the meeting these can be agreed as proposed.

Finally we are seeking one more nomination for the Member Learning and Development role.

If the Member Representative proposals in this report are approved this will result in 14 Members of the Authority being appointed to Member Representative Roles. While a special responsibility allowance is not paid for these positions there are additional costs relating to travel and subsistence and officer support. During 2015/16 we will be reviewing the Member Representative roles in the context of the new corporate strategy.

Appointments to outside bodies (Recommendation 9)

At the meeting we will go through each appointment in turn. In most cases, if no further nominations are received, the appointments can be approved in accordance with the expressions of interests. Where additional consideration is needed the appointments are highlighted in bold.

The following highlighted appointments are usually made by virtue of earlier appointments:

East Midland Councils
Europarc
Land Managers Forum
National Parks England
National Park Management Plan Advisory Group
Peak District Parishes' Forum Annual Liaison Meeting
Sheffield City Region Forum

Are there any corporate implications members should be concerned about?

5. Financial:

Although a special responsibility allowance is paid to the Chair and Vice-Chair roles these costs are included in the 2015/16 budget so the appointments do not incur any additional cost to the Authority.

Members may claim travel and subsistence for attendance at duties relating to the appointments. As the number of Member Representatives has increased we will be keeping the costs arising from these duties under review and aim to meet them with the in the existing 2015/16 budget provision so the appointments do not incur any significant additional cost to the Authority.

6. Risk Management:

There are no apparent risks. Members have the opportunity to seek appointments to all the available positions.

7. Sustainability:

None

8. Equality:

Any principles agreed by the Authority on appointments to key positions must make sure that all Members are able to be considered for appointment if they wish to do so and that the final appointments are made in an open and transparent way.

9. Background papers (not previously published)

None

Appendices

Appendix 1 – Report of the Member Appointments Process Panel

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 25 June 2015
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Item 8 Appendix 1: Report of the Member Appointment Process Panel 2015

This report is a summary of the individual member preferences received and considered by the Member Appointment Process Panel. The proposals below are not a recommendation from the Panel and at the Annual Meeting individual members are eligible to stand for appointment to any position even if they have not previously expressed an interest.

A) Appointment of Authority Chair and Deputy Chair and Committee Chair and Vice Chairs¹

Authority ²	<u>Chair</u> Clr C Furness or Clr Mrs L Roberts	<u>Deputy Chair</u> Clr D Chapman or Clr Mrs J Twigg
Planning Committee ³	<u>Chair</u> Mr P Ancell	<u>Vice Chair</u> Clr D Birkinshaw
Audit Resources and Performance Committee ⁴	Clr A McCloy	Clr C Furness

Note

¹ Standing Order 1.12(4) currently states that voting for the Chair and Deputy Chair roles will be by ballot. When there are more than two persons nominated and of the votes given there is not a clear majority in favour of one person, the person having the least number of votes shall be removed from the list and a fresh ballot taken.

² Standing Orders 1.4(2) currently states that election to the offices of Chair and Deputy Chair of the Authority shall normally be such that one of the offices shall be held by a Council Member and the other office held by a Secretary of State Member. For ease the Council Members are highlighted in **blue** and Secretary of State Members in **red**. Where it appears that a position will be contested the names of the candidates are highlighted in **bold**.

³ For Planning Committee there is one candidate for each role and if agreed these appointments would meet the requirements of Standing Order 1.39(2) and the current appointment principles.

⁴ For the Audit Resources and Performance Committee there is one candidate for each role and if agreed these appointments would meet the requirements of Standing Order 1.39(2) and the current appointment principles.

B) Appointment of Committees, Sub-Committees, Panels and Advisory Groups

i) Planning Committee

Chair: **Mr P Ancell**

Vice Chair: **Clr D Birkinshaw**

Local Authority Members: 8¹

Derbyshire CC	1	Clr Mrs J A Twigg or Clr D Williams²
Derbyshire Dales DC	1	Clr D Chapman
High Peak BC	1	Clr C Howe
Cheshire East BC	1	Clr J Macrae
Staffordshire CC/Staffordshire Moorlands DC	1	Clr Mrs N Hawkins
Metropolitan District Councils/N E Derbyshire DC	3	Clr D Birkinshaw Clr H Laws Clr G Weatherall

Secretary of State Members: 7¹

Mr P Ancell
Clr R P H Brady
Clr C Carr
Clr A Favell
Mr R Helliwell
Ms S McGuire
Clr Mrs K Potter

Notes

¹ Membership of the two Standing Committees has been prepared in accordance with the steer provided at the meeting of the Authority on the 5 June 2015. The recommendation suggested that the Ex-Officio appointments cease and Committee sizes be fixed to 15 with half of the Authority Membership appointed to each Committee. According to the proportionality requirements in the Environment Act there should be 8 Local Authority members on each committee and 7 Members appointed by the Secretary of State (This includes Parish Members). Before appointing to Planning Committee the Authority will be asked to confirm the allocation of Council Member places by appointing Authorities.

² Following the request for expressions of interest 9 members have indicated that they would like to be appointed to Planning Committee. If the Authority agrees to fix the size of Committees to 15 the preference of one Member will not be met. Last year, to address the proportionality issues, two members from Derbyshire County Council were appointed to Planning Committee in the proposal above it is suggested that this be reduced back to one. If the Authority agrees the proposed allocation and a position remains contested, the Authority will need select the Member to be appointed by a ballot.

ii) Audit Resources & Performance Committee

Chair: **Clr A McCloy**

Vice Chair: **Clr C Furness**

Local Authority Members 8¹

Secretary of State Members 7¹

Clr J Walton
Clr C Furness
Clr D Greenhalgh
Clr Mrs C G Heath

Clr S Marshall-Clarke
Clr Mrs N Turner
Clr C McClaren
Clr Mrs J A Twigg or
Clr D Williams

Mrs P Anderson
Mrs F Beatty
Mr Z Hamid
Ms S Leckie

Clr A McCloy
Clr L Roberts
Mrs E Sayer

iii) Urgent Business Items Sub-Committee¹

Chair & Deputy Chair of the Authority:

Clr C Furness or Clr Mrs L Roberts
Clr D Chapman or Clr Mrs J Twigg

Chairs & Vice Chairs of Committees:

Planning

Mr P Ancell
Clr D Birkinshaw

Audit Resources & Performance

Clr A McCloy
Clr C Furness

Notes

¹ Although this Sub-Committee does not meet regularly it is still required that it should maintain the balance of Local Authority and Secretary of State Members to reflect the balance of the Authority. Therefore if the Authority appoints two Members from the same constituent group as Chair and Deputy Chair of the Authority or as Chair and Vice Chair of a Committee membership would need to be adjusted to achieve this.

iv) Local Joint Committee

9 members (5 Council: 4 Secretary of State)
 9 staff representatives

Local Authority Members

Clr D Birkinshaw
Clr D Chapman
Clr C Furness
Clr J Twigg
Vacant

Secretary of State Members

Clr A Favell
Clr C Carr
Clr Mrs K Potter
Mr Z Hamid

Staff representatives

Penny Aitken
Wendy Amis
Jorge Aunon
Zoe Buswell

Tim Nicholson
Chris Pownall

2 UNISON Representatives

v) Appeals Panel 8 members (4 Council: 4 Secretary of State)

Council Members

Clr Mrs N Turner
 Clr D Chapman
 Clr Mrs J Twigg
Vacant

Secretary of State Members

Mr P Ancell
 Clr A McCloy
 Clr R P H Brady
 Clr A Favell

vi) Strategic Advisory Group

Chair & Deputy Chair of the Authority:

Clr C Furness or **Clr Mrs L Roberts**
Clr D Chapman or **Clr Mrs J Twigg**

Chairs & Vice Chairs of Committees:

Planning

Mr P Ancell
 Clr D Birkinshaw

Audit Resources & Performance

Clr A McCloy
 Clr C Furness

Three other Members:

Councillor

Clr C Furness

Secretary of State

Mrs F Beatty

Parish

Clr P Brady

Notes

If the Authority appoints two Members from the same constituent group as Chair and Deputy Chair of the Authority or as Chair and Vice Chair of a Committee there would then be an imbalance of membership on this advisory group so Authority may wish to consider whether to appoint additional Members to address this. However as SAG is an advisory group that does not make formal decisions there is no legal requirement to maintain the balance.

vii) Budget Monitoring Meeting

Chair & Vice Chair of Audit Resources & Performance
 Committee:
 Authority Chair
 One other Member

Clr A McCloy
 Clr C Furness
Clr C Furness or **Clr Mrs L Roberts**
Mrs F Beatty

C) Member Representatives

Landscape	Mr R Helliwell		
Cultural Heritage	Ms S McGuire		
Biodiversity	Mrs P Anderson	and	Mr R Helliwell
Climate Change	Clr A McCloy		
People & Communities	Clr P Brady	and	Mr Zahid Hamid
Recreation	Mrs E Sayer		
Promoting Understanding	Ms S Leckie		
Tourism	Clr Mrs J Twigg		
Economy	Mrs F Beatty		
Asset Management	Clr C Furness		
Learning and Development	Vacancy		
Planning Enforcement	Clr D Chapman		

D) Appointment to Outside Bodies

Campaign for National Parks	1 Member: & Councillor Lesley Roberts 2 Deputies Mr Zahid Hamid Mr Paul Ancell
Culture Derbyshire	1 Member: Councillor Chris Carr
Derby and Derbyshire Economic Partnership Rural Forum	1 Member: Councillor Judith Twigg 1 Deputy: Councillor Chris Carr
Derbyshire Archeological Advisory Committee	1 Member: Councillor Chris Furness
Derbyshire Environment Trust	1 Member: Mrs Emma Sayer 1 Deputy: Mr Robert Helliwell
Derbyshire Health and Wellbeing Stakeholder Engagement Forum	1 Member: Vacant
Derbyshire Partnership Forum	1 Member: Councillor David Chapman 1 Deputy: Councillor Judith Twigg
Derbyshire Sport	1 Member: Councillor Steve Marshall-Clarke 1 Deputy: Mrs Emma Sayer
Derwent Valley Community Rail Partnership	1 Member: Councillor Chris Furness
East Midland Councils	1 Member (Usually Deputy Chair) & 1 Deputy Councillor David Chapman or Councillor Judith Twigg
Europarc	Member (Usually Chair of Authority): Councillor Chris Furness or Councillor Lesley Roberts
Hope Valley and High Peak Community Rail Partnership	1 Member: Mr Robert Helliwell

Item 8 Appendix 1: Report of the Member Appointment Process Panel 2015

Land Managers Forum	1 Chair (Usually Chair of Authority): Councillor Chris Furness or Councillor Lesley Roberts 1 Deputy Chair: Councillor David Chapman or Councillor Judith Twigg 2 Members: Mrs Frances Beatty Mr Robert Helliwell
Moors for the Future Partnership Group	1 Chair: Councillor David Chapman 1 Deputy Chair and 1 Member Mrs Penny Anderson or Mr Robert Helliwell
National Parks England	1 Member (Usually Chair of Authority): Councillor Lesley Roberts (Note Cllr Mrs Roberts has been appointed as Deputy Chair of this body for 2015/16.)
National Parks UK	1 Member: Councillor Lesley Roberts
National Park Management Plan Advisory Group	1 Member (Usually Deputy Chair of Authority) Cllr D Chapman or Cllr Judith Twigg
Oldham and National Park Partnership	1 Member: Councillor Colin McLaren
Peak District Local Nature Partnership	1 Member: Mr Robert Helliwell 1 Deputy: Vacant
Peak District and Derbyshire Destination Management Partnership Board	1 Member: Councillor Judith Twigg 1 Deputy: Councillor Steve Marshall-Clarke
Peak District Interpretation Partnership	1 Member: Ms Suzanne Leckie
Peak District Local Access Forum	1 Member: Vacant
Peak District National Park Youth Forum Group	1 Member: Mr Zahid Hamid
Peak District Parishes' Forum Annual Liaison Meeting	1 Member (Usually Chair of Authority) & a Deputy: Councillor Chris Furness or Councillor Lesley Roberts
Peak District Partnership	1 Member: Councillor Judith Twigg 1 Deputy: Vacant

Item 8 Appendix 1: Report of the Member Appointment Process Panel 2015

Pedal Peak District Member Reference Group	1 Member: Councillor Chris Furness
Rural Action Derbyshire	1 Member: Councillor Andrew McCloy
Sheffield City Region Forum	1 Member (Usually Chair of Authority): Councillor Chris Furness or Councillor Lesley Roberts or Zahid Hamid
Staffordshire Destination Management Partnership	1 Member: Mrs Frances Beatty
Stanage Forum Steering Group	1 Member: Ms Stella McGuire

Authority Meeting 3 July 2015

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9.1. **MEMBERS' ATTENDANCE ANNUAL RETURN (A.111/JS)**

Purpose of the report

1. To consider the annual return of Members' attendance at Authority and Committee meetings and essential Training and Development events for 2014/15.

Key issues

- As Defra and other appointing Authorities regularly request information on the attendance levels of their appointees the Authority has previously agreed to publish attendance figures annually based upon the financial year. (1 April to 31 March)
- This report covers the period from 1 April 2014 to 31 March 2015

Recommendation

That the annual return of Members' attendance for 2014/15 be noted.

How does this contribute to our policies and legal obligations?

3. The Authority Meeting on 24 June 2005 (Min.62/05) agreed a set of performance measures for Members. The measure for meetings is the % of full Authority meetings and approved duties actually attended which that Member could have attended. The Target: is at least 75% overall and 75% of each specific meeting. The purpose of this report is to monitor participation and commitment.

Background

4. The annual return shown in Appendix 1 has been compiled from the attendance records at Authority and Committee meetings for the period April 2014 to March 2015. It was agreed at the Authority meeting on 27th May 2011 that the use of individual percentages would be discontinued. Overall for 2014-2015 the attendance at meetings was 90%.
5. All the returns are purely statistical and individually do not take into account any particular reason for non-attendance. The returns also do not reflect the wide range of other contributions that Members make to the work of the Authority outside the formal committee process.

Training and Development Events

6. As part of the review of Member training and development it was agreed that attendance at the training and other events would be monitored and reported. The target for overall attendance at these events is 50%. Following the recent governance review it was agreed that only attendance at "essential" events would be reported. Overall for 2014-2015 the attendance at these events was 62.%.
7. The returns for 2014/15 are shown in Appendix 1

Proposal

8. The annual return is provided for information and for Members to note.

Are there any corporate implications members should be concerned about?

8. **Financial:**
None

9. **Risk Management:**
There are no apparent risks.

10. **Sustainability:**
There are no issues to highlight.

11. **Background papers** (not previously published) None

Appendices:

Appendix 1 – Members' Attendance Record: April 2014 – March 2015.

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 25 June 2015.

Members Attendance Record - April 2014 to March 2015

Appendix 1

	Authority		Planning		ARP		LJC		Essential Training	
	Possible	Actual	Possible	Actual	Possible	Actual	Possible	Actual	Possible	Actual
Mr Paul Ancell	7	7	12	10	6	2			8	6
Mrs Frances Beatty	7	3			6	3			8	6
Councillor Doug Birkinshaw	7	5	12	10	6	4	1	1	8	4
Councillor Patrick Brady	7	6	12	12					8	8
Councillor Chris Carr	7	7	12	12			1	0	8	8
Councillor David Chapman	7	6	12	11			1	1	8	5
Councillor Godfrey Claff	7	6			6	4			8	4
Councillor Tony Favell	7	5	12	8	6	1			8	3
Councillor Chris Furness	7	7			6	6	1	1	8	8
Councillor Hilda Gaddum	7	4	12	10					8	2
Councillor Damien Greenhalgh	7	1			6	4			8	2
Mr Zahid Hamid	7	7			6	6	1	1	8	8
Councillor Peter Harrison	7	7			6	5	1	1	8	5
Councillor Norma Hawkins	7	7	12	12					8	3
Councillor Gill Heath	7	4			6	3			8	3
Mr Robert Helliwell	7	5			6	5			8	6
Councillor Harold Laws	7	6	12	11					8	6
Ms Suzanne Leckie	7	4			6	6			8	4
Councillor Steve Marshall-Clarke	7	4			6	4			8	1
Councillor Andrew McCloy	7	7	12	11	6	6			8	8
Ms Stella McGuire	7	6	12	11					8	7
Councillor Colin McLaren	2	2			2	2			6	1
Geoff Nickolds	7	7	12	11	6	6			8	8
Councillor Kath Potter	7	6	12	12			1	1	8	6
Councillor Lesley Roberts	7	6	12	12	6	7			8	8
Mrs Emma Sayer	7	4			6	5			8	4
Councillor Nicola Turner	7	3			6	4			8	1
Councillor Judith Twigg	7	7	12	12			1	1	8	7
Councillor Stuart Wattam	7	3	9	9					8	2
Councillor Dave Williams	6	6	9	9	6	5			8	5

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9.2 **CALENDAR OF MEETINGS 2016 (A.111/RC)**

Purpose of the report and key issues

1. To approve a calendar of meetings up to December 2016 and to note the proposed dates for the compulsory planning training.

Recommendation

2. **1. To approve the Calendar of Meetings for 2016 as set out in Appendix 1.**

Background

3. Each year the Authority agrees the calendar of meetings for a 12 month period following on from the current calendar which has dates set up to December 2015.

The calendar (Appendix 1) is based on a similar pattern of meetings that has operated during the past year and which took account of the timing of finance, audit and performance reports to Audit, Resources and Performance Committee, arrangements for the induction of new Members and the Members' annual tour. For completeness dates allocated at present for Members' briefings, training and other events are also shown. Further dates for briefings and workshops may be added as part of the annual Member learning and development report later this year.

Proposals

4. Members are asked to:
 - approve the calendar of meetings as set out in Appendix 1
 - note the proposed dates for the compulsory Planning Training for 2016 and to set aside in diaries one of the dates to guarantee attendance. The proposed dates are: 30 September 2016 and 28 October 2016.

Are there any corporate implications members should be concerned about?

5. **Financial:** There are no additional resource implications arising out of the report. As there are time and resource implications for setting up additional meetings the schedule has been set to reflect the known business needs of the organisation rather than a set four to eight week cycle of meetings.
6. **Risk Management:** There are no risks arising out of the report. Subject to legal requirements about providing adequate notice measures are in place to call additional meetings if it becomes apparent that one is needed and to cancel a meeting if there is insufficient business.
7. **Sustainability:** None.
8. **Background papers:** None

Appendices: Appendix 1 Calendar of Meetings 2016

Report Author, Job Title and Publication Date

Ruth Crowder, Democratic and Legal Support Team Leader, 25 June 2015

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Programme of Meetings 2016

Bank Holidays

2016 - 1 Jan, 25 & 28 March, 2 & 30 May, 29 Aug,
26 & 27 Dec

All Meetings/Events start at 10am except where shown

	2016											
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Authority		5	18		27		1 AGM			7		2
Audit Resources & Performance	22		4		20		22		16		4	
Local Joint						10						2 1.30pm
Planning	15	12	11	15	13	17	15	12	9	14	11	9
Site Visits	14	11	10	14	12	16	14	11	8	13	10	8
Strategic Advisory Group		5			20		22				4	
Member Workshop									23	21	18	
Other events	22 Budget Monitoring				20 Budget Monitoring	24 Annual Tour	22 Budget Monitoring				18 Budget Monitoring	
Essential Training						10 New Member Induction			30 Planning (1)	28 Planning (2)		

Programme of Meetings 2016

Bank Holidays

2016 - 1 Jan, 25 & 28 March, 2 & 30 May, 29 Aug,
26 & 27 Dec

<p>Authority Meetings 5 February 18 March 27 May 1 July (AGM) 7 October 2 December</p>	<p>Audit, Resources & Performance 22 January 4 March 20 May 22 July 16 September 4 November</p>	<p>Strategic Advisory Group 5 February 20 May 22 July 4 November</p>	<p>Local Joint Committee 10 June 2 December</p> <p>Budget Monitoring 22 January 20 May 22 July 18 November</p>	<p>Member Workshops</p> <p>23 Sept Strategic Corporate Planning Workshop 30 Sept Planning Training (1) 21 Oct Strategic Finance Workshop (1) 28 Oct Planning Training (2) 18 Nov Strategic Finance Workshop (2)</p> <p>Other Events</p> <p>Jan NPUK New Members Induction June PDNPA New Members Induction 24 June Annual Member's Tour Sept NPUK New Members Induction</p>
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<p>Planning Committee 15 January 12 February 11 March 15 April 12 May 17 June 15 July 12 August 9 September 14 October 11 November 9 December</p>	<p>Site Visit 14 January 11 February 10 March 14 April 12 May 16 June 14 July 11 August 13 September 10 October 10 November 8 December</p>
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<p>Unallocated Fridays</p>			
1 Jan	Bank Holiday	29 July	School Holiday
29 Jan		5 Aug	School Holiday
19 Feb	Half Term Week	19 Aug	School Holiday
26 Feb		26 Aug	School Holiday
25 March	Bank Holiday	2 Sept	School Holiday
1 April	School Holiday	25 Nov	
8 April	School Holiday	16 Dec	
22 April		23 Dec	
29 April			
6 May			
3 June	Half Term Week		
8 July			

10. Notice of Motion by Cllr P Brady

In accordance with Standing Order 1.14, Cllr Brady moved the following motion at the Authority meeting held on 5 June:

Part A

1. That a new Standing Order 1.3A be introduced to read as follows:

- a) The Authority shall approve and thereafter keep under review a statement, to be known as “the Democratic Principles”, the purpose of which shall include advice to guide Members on factors to be taken into consideration when electing or appointing Members to an office or position.
- b) Before the Authority elects or appoints a Member to a position of responsibility, the Chief Executive shall draw to the attention of members the Democratic Principles or the relevant section thereof.

2. That Standing Orders 1.4(2) and 1.39(2) be omitted.

3. That Standing Order 1.40 (Appointment of Standing Committees) be amended by the deletion of:

- a) Para 3(i) (The Chair and Deputy Chair of the Authority to be ex-officio)
- b) Para 3(iii) (The Chair of the other Standing Committees to be ex-officio)
- c) Para 4 (The Vice-Chair to attend ex-officio if the Chair is absent)

4. That there be substituted for Standing Order 1.45 (Ex-officio Membership of Committees and Sub-committees) the following:

(1) On the basis set out in Paras (2) and (4) below, Chair and Deputy Chair of the Authority or the Chairs and Vice-Chairs of Standing Committees may attend meetings of Standing Committees other than those to which they have been appointed subject to the normal rules governing debate and participation in meetings, and may take part in the discussion (but may not vote nor propose a motion or amendment) unless:

- (i) it would be unlawful or contrary to any of the Authority’s procedures, codes or other protocols to do so; or
- (ii) the Authority or, in the case of the appointment of a Sub-committee, the Committee in a particular case determines otherwise.

(2) The Chair and Deputy Chair of the Authority and a Chair of a Committee may attend a meeting of a Standing Committee;

(3) The Chair of a Committee may attend a meeting of a Subcommittee appointed by the Committee on the same basis as in Para (1) above;

(4) Under Paras (2) and (3), the Chair of a Committee may appoint the Vice-Chair to attend in his/her place.

Part B

That there be substituted for the Democratic Principles, the principles set out in Appendix 1

Appendix 1

Part B

That there be substituted for the Democratic Principles, the following:

Purpose

1. The history of the National Park Authority suggests that it is best served when all Members of the Authority have a stake in its governance. With this in mind, these Principles include issues that Members are asked to consider when electing or appointing people to, or standing for, Office or position.
2. Their purpose is to foster confidence, unity and trust within the Authority and the general public

Voting

3. It is essential to these Principles that nothing they contain is intended to in any way detract from the duty or ability of a Member to cast his or her vote in accordance with his/her best judgement.

Definition

4. "Group" means the Group of Members falling into one of these three categories:
 - Members appointed by Local Authorities other than Parish Councils;
 - Parish Members;
 - Members appointed by the Secretary of State other than Parish Members

Election and Appointment - Chair and Deputy Chair

5. In electing a Chair and appointing a Deputy Chair, Members should consider the desirability of ensuring:
 - that each office holder comes from a different Group;
 - that at least one of the office holders is a person living in or representing an area that lies within the National Park.

Other appointments

6. In appointing the Chairs and Vice Chairs of Committees, Members should consider the desirability of ensuring that, taking into account the Groups from which the election of the Chairman and Deputy Chairman were made there should be a spread of office holders from:
 - across the Groups; and
 - from amongst those living in or representing an area that lies within the National Park.
7. Taking into account the expertise, interest and potential of candidates, Members should also consider the desirability of achieving a spread of between the Groups when appointing Member Representatives and to outside bodies.

Standing for Office

8. All Members are assumed to be equally committed to the objectives of the National Park and to have a contribution to make across the full range of the Authority's work.
9. All Members have the right to stand for all elections and appointments but need to recognise that these Principles will be drawn to the attention of Members before a decision is made.
10. Newly appointed Members will not normally be considered for the position of Chair or Deputy/Vice Chair.
11. Members who have held a position or appointment for a continuous period of four years will not normally be considered for re-election or re-appointment.
12. It is the responsibility of a Member standing for election or appointment to demonstrate to those making the decision that:
 - his/her expertise, interest and potential;
 - he/she understands what will be required of them.

In office

- 13 Anyone holding office should be seen to act in the interests of the Authority as a whole and of the National Park, and not of any particular Group or interest.

Group Meetings etc

- 14 Whilst members sharing a common concern or interest may occasionally meet to exchange views, the holding of regular meetings of Groups or of members sharing a common interest may be seen as acting against these Principles.

Patrick Brady
23 May 2015

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11. NOTICE OF MOTION - OFFICERS COMMENT ON DEMOCRATIC PRINCIPLES

1. Purpose of the report

At the meeting of the Authority held on 5 June 2015 Cllr P Brady moved a motion seconded by Cllr Mrs J Twigg, proposing that Standing Orders relating to the key appointments and Ex-Officio Committee Membership be amended. At that meeting, in accordance with Standing Orders, consideration of the motion was adjourned to this meeting.

The purpose of this report is to provide feedback on the implications of the proposed amendments and highlight issues that should be considered as part of the debate. The Authority will have already considered Part A of the motion relating to Ex-Officio appointments so this report only refers to the adoption of “Democratic Principles” set out in Part B of the motion.

Key Issues

- A notice of motion has been moved and seconded that proposes that the Authority adopts a set of “Democratic Principles” and make amendments to Standing Orders to recognise these principles when making appointments to positions of responsibility.
- This report includes Officers comments on the proposed “Democratic Principles” and amendments to the Authority’s Standing Orders.
- If the “Democratic Principles” are approved they will not impact on the appointments made earlier in the meeting but would become effective from the point at which they are approved onwards.

2. Recommendation

To note the comments in this report and take them into account when considering the Notice of Motion.

3. How does this contribute to our policies and legal obligations?

Part 1 of Standing Orders relates to Meetings and Proceedings of the Authority. These include the arrangements for appointing the Chair and Deputy Chair of the Authority, Committee Chairs and Vice-Chairs and appointments to Committees. Although the Authority has already adopted appointment principles that are taken into account when making appointments at the Annual meeting they are not referred to in Standing Orders because they are guiding principles which are not enforceable and cannot override the rights of any individual Member to be considered for a key role.

4. Background

At the meeting of the Authority held on 5 June 2015 Cllr P Brady moved a motion that he had submitted in accordance with Standing Order 1.14 (Notices of Motion). If approved, the motion would result in amendments to Part 1 of Standing Orders (Meetings and Procedures). Therefore once moved by Cllr P Brady and seconded by Cllr Mrs J Twigg, discussion and voting on the motion was adjourned in accordance with Standing Order 1.25 (Variation and revocation of Standing Orders).

The purpose of an adjournment under Standing Order 1.25 is to allow the Authority to reflect on the full implications before approving changes to Standing Orders. The purpose of this report is to assess the impact of the changes and highlight issues that Members should consider before making these changes. This report does not amend

the original motion as moved and seconded at the previous meeting, however Members are able to move, debate and vote on amendments in the usual way.

When Cllr Brady submitted the Notice of Motion it was accompanied by a discussion paper which provided background information setting out the reasons for the proposed changes. According to this information a small group of Members had been given the task to look at issues relating to Standing Order 1.4 (2) and 1.39(2) which state that the appointment of Chair and Deputy Chair of the Authority and the Chair and Vice Chair of the Standing Committees should normally be such that one of the offices shall be held by a Council Member and the other office held by a Secretary of State Member. The group had therefore discussed:

- a) Whether the “normally rule” as drafted was still appropriate;
- b) Why Secretary of State and Parish Members were classed together for the purpose of applying it;
- c) The difficulty caused with the balance of Committee Membership when the “normally rule” is not followed; and
- d) The importance of each Member being able to exercise their vote to the best of their judgement.

As part of the discussion the group also suggested that as the “normally rule” was “vague and possibly misleading” it should be abolished and instead:

- a) A new Standing Order be added requiring that the “principles of democracy”, or the relevant part of them, be drawn to members’ attention before appointments are made, and that;
- b) The existing principles be expanded to cover the election of the Chair and other appointments and also to clarify their meaning intent and format.

The purpose of the motion under consideration was to implement the group’s conclusions.

Part A of the motion proposes the following changes to Standing Orders:

1. That a new Standing Order 1.3A be introduced to read as follows:
 - a) The Authority shall approve and thereafter keep under review a statement, to be known as “the Democratic Principles”, the purpose of which shall include advice to guide Members on factors to be taken into consideration when electing or appointing Members to an office or position.
 - b) Before the Authority elects or appoints a Member to a position of responsibility, the Chief Executive shall draw to the attention of members the Democratic Principles or the relevant section thereof.

Part B of the motion proposes:

That there be substituted for the “Democratic Principles”, the document set out in Appendix 1.

5. Proposals

The following paragraphs set out Officers views on the “Democratic Principles” as set out in the motion.

The Democratic Principles.

- 5.1 Before commenting in detail on the proposals included in the motion it should be noted that as the principles only relate to appointments made by the Authority they are “Appointment Principles” rather than “Democratic Principles”, a description which would cover a much wider range of issues including public participation, openness and transparency and so on. It is therefore suggested that if the revised principles are adopted, to avoid confusion they should be known as the “Appointment Principles”
- 5.2 The existing appointment principles which are set out below on Page 5 of this report were established following a comprehensive Member led review of the Authority’s governance arrangements and on the whole they have worked well. In recent years the Member Appointments Process Panel has looked at all expressions of interest and highlighted any potential issues in their report so that the Authority is aware of potential deviations before making a decision. It should be remembered that the advice to the Authority is that it can agree a preferred approach as set out in the principles but Members cannot make or enforce rules which may prevent the Authority from making decisions that are in the best interests of the Authority. There are previous examples where in making appointments the Authority, through a majority vote, has agreed that appointments justify a deviation from the normal arrangements set out in Standing Orders and the current Appointment Principles.
- 5.3 On the whole the issues referred to in the feedback from the group were caused by the principle of Ex-Officio appointments rather than approving appointments outside of the normal arrangements. Officers support the proposal to make reference to the appointment principles in Standing Orders. It is however suggested that paragraph a) of the proposed new standing order 1.3A be amended to make reference to the Member Appointments Process Panel as the body appointed by the Authority to look at the application of the principles and therefore amend paragraph b) to refer to the report of the Appointments Process Panel rather than the Chief Executive.
- 5.4 The second issue to be considered is whether the appointment principles need the comprehensive review set out in the motion in preference to making minor changes to the existing principles. The benefit of the existing format is that the 11 principles are presented in clear bullet points and in the deliberations of the Panel it has been relatively simple to test each appointment against these principles and highlight any potential deviation in the report of the Panel.
- 5.5 In terms of the content Officers have reservations about the following issues. For simplicity Officers comments are included against the headings and paragraphs in the document attached as Appendix 1.

Paragraph 1. This paragraph includes the following statement “The history of the National Park Authority suggests that it is best served when all Members have a stake in its governance” It is not clear how this statement can be evidenced and it could be seen to suggest that there are occasions when some Members do not have a “stake in the governance of the Authority”. Again while it may be a perception it is not clear how this is evidenced or how the new principles would address this perception.

- Paragraph 2. This paragraph is a duplication of point 3 of the current principles with the words “and the general public” added.
- Paragraph 3 This paragraph is covered by point 2 of the current principles. If the proposed new principles are approved this paragraph should make reference to the Democratic Process as it should be clear that a Member is free to vote in accordance with their judgement and any appointments are made at a meeting of the Authority which is open to the public.
- Paragraph 4 Point 5 of the current principles refers to the different categories of Members. The definition of a “Group” in the context of this document has the potential to cause confusion with political groups and moves away from the principle that once appointed Members should work together as a whole. While there are three ways in which Members are appointed to the Authority, the current provisions within the Environment Act only identify two categories, those appointed by local authorities and those appointed by the Secretary of State and this is the basis of the current practice by the Authority to use 2 categories. However, whatever the route to their appointment, once appointed all Members are equal, work to the same job description and have a duty to act in the best interests of the Authority. The addition of a third group affects the next proposed principle ‘that each office holder comes from a different group’ meaning it is a choice of 2 from three groups as opposed to the existing principle of a choice of 2 from 2 categories. For the purposes of Committee composition and calculating a quorum the Environment Act only refers to Secretary of State Members and Local Authority Members.
- Paragraph 5 In addition to the point above Officers have some reservations relating to the wording of this paragraph. If Officers go back to the principle that Authority Members should act in the best interests of the Authority when making key appointments the two desirability suggestions included in this paragraph are very subjective and there are a wide range of reasons which might make someone suitable for an appointment not just how they are appointed and where they live. In the current principles the onus is upon the candidates to demonstrate their interest and potential and their understanding of what is required of them. It is then up to other Members to make a judgement on how they weigh various factors that may include the background to why there were appointed and whether they live in the National Park.
- Paragraph 6 The same reservations apply to this paragraph.
- Paragraph 7 Again it is not clear what this would add to the existing principles. It is recognised that in most years more Members appointed by the Secretary of State have been appointed to Member Representative roles. However it must be remembered that when the Secretary of State is due to make a new appointment the Authority is asked for feedback about the skills and knowledge they are seeking from potential candidates. In these circumstances it is often in the best interests of the Authority to appoint these Members to Member Representative roles that make full use of the skills and experience which made them suitable candidates for appointment.

For information the current appointment principles are set out below:

1. Democratic process remains essential.
2. Any Member should continue to be eligible to stand for election for any post and all Members should continue to have the opportunity to vote for their preferred candidates.
3. The chosen system should foster confidence, unity and trust within the Authority.
4. All Members should be assumed to be equally committed to the objectives of the National Park, and to have a contribution to make across the full range of the Authority's work.
5. All Members should be considered equally for all appointments but need to maintain the overall balance between different categories of Members.
6. Anyone holding office should be seen to act on behalf of all Members in the interests of the Authority, and not be allied with one particular group or interest.
7. All appointments should be time limited with a stipulated maximum continuous period of holding any one office to four continuous terms.
8. Responsibility of nominated Members to demonstrate to colleagues their interest and potential.
9. Responsibility of nominated Members to show that they understand what will be required of them.
10. That we should strive to achieve a similar balance across Member Representatives and outside body appointments if possible although it is recognised this may not always be achievable and the main aim is to appoint Members who have demonstrated interest and potential.
11. That newly appointed Members will not be considered for Chair or Deputy/Vice Chair position in their first year of office.

Are there any corporate implications members should be concerned about?

6. **Financial:**
No direct costs arise.
7. **Risk Management:**
None
8. **Sustainability:**
None
9. **Equality:**
Any principles agreed by the Authority on appointments to key positions must make sure that all Members are able to be considered for appointment if they wish to do so and that the final appointments are made in an open and transparent way.
10. **Background papers (not previously published)**
Discussion Paper - Peak District Members' Group – Circulated by Cllr P Brady

Appendices

Appendix 1 - The Democratic Principles (Referred to as part of the Motion)

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 25 June 2015
jason.spencer@peakdistrict.gov.uk

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Notice of motion for the Authority Meeting on 5 June 2015 submitted by Cllr R P H Brady

“The Democratic Principles” Proposed in motion 36.

Purpose

1. The history of the National Park Authority suggests that it is best served when all Members of the Authority have a stake in its governance. With this in mind, these Principles include issues that Members are asked to consider when electing or appointing people to, or standing for, Office or position.
2. Their purpose is to foster confidence, unity and trust within the Authority and the general public

Voting

3. It is essential to these Principles that nothing they contain is intended to in any way detract from the duty or ability of a Member to cast his or her vote in accordance with his/her best judgement.

Definition

4. “Group” means the Group of Members falling into one of these three categories:
 - Members appointed by Local Authorities other than Parish Councils;
 - Parish Members;
 - Members appointed by the Secretary of State other than Parish Members

Election and Appointment - Chair and Deputy Chair

5. In electing a Chair and appointing a Deputy Chair, Members should consider the desirability of ensuring:
 - that each office holder comes from a different Group;
 - that at least one of the office holders is a person living in or representing an area that lies within the National Park.

Other appointments

6. In appointing the Chairs and Vice Chairs of Committees, Members should consider the desirability of ensuring that, taking into account the Groups from which the election of the Chairman and Deputy Chairman were made there should be a spread of office holders from:
 - across the Groups; and
 - from amongst those living in or representing an area that lies within the National Park.

7. Taking into account the expertise, interest and potential of candidates, Members should also consider the desirability of achieving a spread of between the Groups when appointing Member Representatives and to outside bodies.

Standing for Office

8. All Members are assumed to be equally committed to the objectives of the National Park and to have a contribution to make across the full range of the Authority's work.
9. All Members have the right to stand for all elections and appointments but need to recognise that these Principles will be drawn to the attention of Members before a decision is made.
10. Newly appointed Members will not normally be considered for the position of Chair or Deputy/Vice Chair.
11. Members who have held a position or appointment for a continuous period of four years will not normally be considered for re-election or re-appointment.
12. It is the responsibility of a Member standing for election or appointment to demonstrate to those making the decision that:
 - his/her expertise, interest and potential;
 - he/she understands what will be required of them.

In office

13. Anyone holding office should be seen to act in the interests of the Authority as a whole and of the National Park, and not of any particular Group or interest.

Group Meetings etc

14. Whilst members sharing a common concern or interest may occasionally meet to exchange views, the holding of regular meetings of Groups or of members sharing a common interest may be seen as acting against these Principles.

Patrick Brady
23 May 2015

12.1 UPDATE ON NATIONAL PARKS UK AND NATIONAL PARKS ENGLAND MEETINGS 8-9 JUNE 2015 IN NEW FOREST NATIONAL PARK (Cllr Lesley Roberts)

1. Purpose of the report

To update Members on National Parks UK and National Parks England meetings held on 8-9 June 2015.

Recommendation

2. 1. That the report be noted.

National Parks UK AGM

3. Public engagement - National Parks Week 2014 used the theme 'Britain's Breathing Spaces – Space to Grow'; Website visits increased to 536,384, social media followers now at 41.5k followers;

Brand development – first year of AirWick partnership generated good royalties; significant coverage achieved through VisitBritain partnership in the UK GREAT Campaign.

4. National Parks Partnerships Ltd

All 15 National Park Authorities in the UK have agreed to jointly establish a vehicle to develop commercial sponsorship for equal and collective benefit of all Authorities/National Parks. The Partnership has now been set up with the following non-executive members.

External appointments:

- Tim Barclay – Chief Operating Officer BT Global Government and Health
- Catherine Hawkins – Founder Think!Sponsorship
- John Kennedy – Chief Operating Officer MOO.com
- Kirstine Olson-Chapman – Commercial Director Talk Talk Group

Internal appointments:

- Julian Atkins, Director of Countryside and Land Management Brecon Beacons NPA
- Stephen Curl, Member Lake District NPA
- Sir Peter Dixon, Vice chair Broads Authority
- Peter Harper, Chairman Dartmoor NPA
- Mark Holroydm Transport and Tourism Manager New Forest NPA
- Tony McInnes, Head of Commercial Development Loch Lomond and the

Trossachs NPA

5. **National Parks England**

6. **NPE Board**

The following appointments were made:

- Chair – Jim Bailey (North York Moors NPA)
- Deputy Chairs – Lesley Roberts (Peak District NPA) Peter Harper (Dartmoor NPA).

7. **Working to secure a resilient funding settlement from Defra**

NPE and AONBs have published a report “So much more than the view....” a publication which highlights the vital work that the National Park Authorities, AONB Partnerships and Conservation Boards undertake with local people and businesses to help keep these places special. The press release is at Appendix 1, with a helpful quote from Environment Minister Rory Stewart MP.

8. **NPE have agreed a draft statement to promote the value of National Parks and the risks we take if we reduce funding.**

9. **Background papers** (not previously published)
None

Appendices

Appendix 1: National Parks England Press Release June 2015

Report Author, Job Title and Publication Date

Cllr Lesley Roberts, Authority Chair, 25 June 2015

Appendix 1

National Parks England Press release June 2015

So much more than the view England's most iconic landscapes - a hidden economic powerhouse. 'So much more than the view...'

Far from being sleepy backwaters, England's finest landscapes contribute more than £20bn each year to our economy - similar to that of Birmingham, according to a new report.

The publication '[So much more than the view...](#)' from England's Areas of Outstanding Natural Beauty (AONB) and National Parks, highlights the wide range of benefits these iconic areas provide to society.

Covering a quarter of England, National Parks and AONBs are our most beautiful and cherished landscapes, with iconic archaeological and historical sites and valuable wildlife habitats. Yet they provide so much more to society than a beautiful view.

More than two thirds of people in England live within half an hour's travel of a National Park or Area of Outstanding Natural Beauty.

AONBs and National Parks welcome more than 260 million visitors who spend in excess of £6bn and support thousands of jobs and more than 85,000 businesses.

Rightly regarded as a treasured national resource and internationally recognised for their special qualities, they provide a base for businesses that rely on a high quality environment; creative and sporting inspiration; homes for people and wildlife; food and drink; and life enhancing experiences for millions of visitors of all ages.

Environment Minister Rory Stewart MP said:

"Our British landscapes are among the most beautiful and precious in the world. And such land remains central to the British imagination, to our souls and to our identity.

"We would miss such landscapes profoundly if they were gone. We have a deep obligation to protect this land, its farms and its communities.

"This report also reminds us that safeguarding our countryside can also generate economic value, how our protected landscapes are increasingly rare in a rapidly

developing world and just how precious they are to visitors and residents. However, while we celebrate the fact that they have also the potential to bring prosperity, we must never reduce such places simply to their economic value – they are so much more than that.”

Chair of National Parks England and the North York Moors National Park Authority, Jim Bailey said:

“People are passionate about National Parks and AONBs and care deeply about their future. Those who visit, live or work within, these special landscapes, experience and enjoy the range of benefits that they provide for people and wildlife. They may not realise that these dynamic, living landscapes underpin the economy and the health and wellbeing of society and that all these benefits come at less than £1 per person a year.”

Chair of the National Association for AONBs, Philip Hygate said:

“AONB Partnerships and Conservation Boards, and National Park Authorities, with their dedicated small teams, make things happen; translating vision and national policy into local action. Our staff and volunteers work with local communities, businesses and others, supporting skills development, investing in infrastructure and attracting visitors to promote sustainable rural economies that conserve and enhance the natural environment for the benefit of everyone. Together our volunteers put in over half a million days’ work each year to help keep these places special and accessible.”

The publication also highlights the vital work that the National Park Authorities, AONB Partnerships and Conservation Boards undertake with local people and businesses to help keep these places special. They work to maintain thriving, living landscapes, where natural assets are conserved and enhanced and where people, businesses and communities can prosper, now and in the future.

[So much more than the view... England's Areas of Outstanding Natural Beauty and National Parks \(Navigable pdf\)](#)

[So much more than the view... England's Areas of Outstanding Natural Beauty and National Parks \(standard pdf\)](#)

Notes

1. National Parks England is the umbrella organisation that brings together the nine National Park Authorities (NPAs) and the Broads Authority. It exists to support policy and practice by providing a collective voice for the views of the English NPAs; raising the profile of their work; facilitating discussion on issues of common concern; and working in partnership with other bodies. Follow us on Twitter: [@natparksengland](#)

2. The National Association for AONBs (NAAONB) is a charity that provides a strong collective voice for the UK’s 46 Areas of Outstanding Natural Beauty (AONBs). Its objectives are to promote the conservation and enhancement of AONBs, advance the education, understanding and appreciation by the public of AONBs, and promote the efficiency and effectiveness of those promoting or representing AONBs, other Protected Areas and those areas for which designation might be pursued. It does this by taking a collaborative and partnership based approach to working with our membership and other organisations at a national level to achieve shared goals. For more information see Web: www.landscapesforlife.org.uk Twitter: [@naaonb@AONBFamily](#)

Contacts for further information

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Contact details for Media Officers for each of the AONBs and National Parks are available.

Appendix 1: Narrative on National Parks funding (FINAL DRAFT)

Our National Parks are special places that bring huge economic and environmental benefits to the nation, and contribute to improving quality of life.

The value of these places requires independent National Park Authorities that are closely linked to their rural communities and retain planning powers.

Since 2010, the National Park family has grown in number and responsibilities but for the majority of National Park Authorities their income has fallen by over 40% in real terms.

Over this time, the National Park Authorities have had to make very difficult decisions and hard choices. They have made themselves ruthlessly efficient and spear-headed new measures (like the formation of National Parks Partnerships Ltd.) in order to secure new streams of income.

Further cuts, however small, will have a much bigger, disproportionate, and detrimental impact on our much loved National Parks and their value to the nation.

Such cuts would lead to a deterioration in the quality of England's finest landscapes; fewer opportunities for people to experience, access and enjoy these special areas, and a reduced contribution of National Parks to the national and local economy.

Now is a critical moment for National Parks. We look to Government to work with NPAs to secure more financial resilience with less dependence on Defra funding; in order to be viable organisations conserving and enhancing these valuable assets for the nation.