

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

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 and Advisory Groups.

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 key positions and their preferences for Committee Membership.
- The Panel have met to consider the responses received in the context of the agreed 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 12 below. (The references in brackets relate to sections A to C in Appendix 1)
- The Panel have considered the responses regarding the Member Representative roles and appointments to Outside Bodies but this year these are both separate reports on the meeting agenda.
- The report of the Panel is a summary of responses received it is not a recommendation from the Panel.

2. Recommendations

- 1. To note the Standing Committee sizes of 15, with 8 Local Authority Members and 7 Secretary of State Members and on Planning Committee confirm allocation of Local Authority Member places by appointing Authority as set out in Section B (i) of Appendix 1.**
- 2. 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 2017 [Section A]**
- 3. To appoint Members to the Planning Committee and the Audit, Resources and Performance Committee until the annual Authority meeting in July 2017. [Section B(i) and B(ii)]**
- 4. To appoint Members to the Urgent Business Items Sub-Committee until the annual Authority meeting in July 2017. [Section B(iii)]**
- 5. To appoint 5 Council Members and 4 Secretary of State Members to the Local Joint Committee until the annual Authority meeting in July 2017. [Section B(iv)]**
- 6. To appoint 4 Council Members and 4 Secretary of State Members to the Appeals Panel until the annual Authority meeting in July 2017. [Section B(v)]**
- 7. 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 2017. [Section B(ix)]

8. **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 2017.** [Section B(x)]
9. **To appoint one Member and one deputy Member to the Due Diligence Panel until the annual Authority meeting in July 2017.** [Section B (vi)]
10. **To appoint two Local Authority Members, One Secretary of State and one Parish Member to the Appointments Process Panel until the annual Authority meeting in July 2017.** (Section B (vii))
11. **To appoint the Deputy Chair to the National Park Management Plan Advisory Group until the annual Authority meeting in July 2017.** (Section B (viii))
12. **To confirm that all these appointments are approved duties for the payment of travel and subsistence allowances.**

How does this contribute to our policies and legal obligations?

Appointment of Chairs and Vice Chairs

3. Standing Order 1.39(1) Part I requires the Authority at the Annual Meeting to appoint Members to be the Chair and Vice Chair of each Standing Committee. At the annual Authority meeting last year, as part of a motion to change ex-officio appointments to Committees, it was agreed to amend Standing Orders by omitting the previous Standing Order 1.39(2) which stated 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. Therefore this no longer applies to these appointments. Appointments made will 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

4. The Environment Act 1995 requires that membership of the Committees should as far as possible reflect the make up of the membership of the Authority. This means that each Committee should have a majority of Council appointed Members over the Members appointed by the Secretary of State, which includes Parish Members. This principle will also be taken into account when setting up an appeals panel.
5. 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.'

Background

6. In March 2013 the Authority established a Member Appointments Process Panel to assist with appointments to key positions at the Annual Meeting. Last year Cllr Mrs Norma Hawkins, Cllr John Walton, Cllr Peter Harrison and Mr Zahid Hamid were appointed as members of the Panel. However since then both Cllr Mrs Hawkins and Cllr Harrison have left the Authority.
7. The purpose of the Panel is to:

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- invite, receive and consider expressions of interests from Members in the annual appointments
 - apply the agreed 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.
8. As part of the process the Panel has contacted all Members to ask them to advise them on whether they intend to stand for appointment as Chair and Deputy Chair of the Authority, 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.
 9. The Panel met on 20 June to consider the responses and check them against the following appointment principles confirmed by the Authority on 15 March 2013:
 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.
 10. 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.
 11. On the 15 March 2013 the Authority also agreed an amendment to standing orders so that when more than one Member is standing for a Chair or Deputy/Vice Chair position the voting must be carried out by ballot of all Members present at the meeting. Should the need arise the ballot papers will be distributed to Members as required. The Authority may

also decide to carry out a ballot for other appointments if the majority of Members present agree.

12. 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 supply a written statement of not more than 500 words in support of their expression of interest which will be circulated in advance of the meeting (if received).

Proposals

Appointment of Chairs and Vice Chairs of Planning Committee and Audit, Resources and Performance Committee. (Recommendation 2)

13. 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.
14. If no further nominations are received at the meeting the appointments for Chair and Vice Chair of Audit, Resources and Performance Committee and Chair of 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 to Committees are made by virtue of their appointment as Chair or Vice Chair or where proportionality rules need to be considered.
15. Two Members have expressed an interest in the role of Vice Chair of Planning Committee, as this position is contested if at the time of the meeting both Members still wish to be considered the Authority will need to make sure there are no further expressions of interest and carry out a ballot for the appointment.

Appointments to Planning Committee and Audit Resources and Performance Committee. (Recommendation 3)

16. Section B of the Panel's report sets out suggested Membership of Committees, Sub-Committees, Panels and Advisory Groups 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.
17. 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 proportion as the membership of the Authority. This is a requirement of the Environment Act which means that there should always 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 the Planning Committee allocations for local Authority Members have been made in line with those agreed last year. The

remaining Members will be appointed to the Audit Resources & Performance Committee.

18. The proposed Committee Membership as in sections B(i) and B(ii) of Appendix 1 are based on the agreement at the Annual meeting last year when ex-officio Members were removed from the Committee memberships. The Panel have asked the Chairs and Deputy/Vice Chairs to feedback on how the changes regarding ex-officio Members have worked. Also last year the size of the Standing Committees were fixed at 15, with 8 Local Authority Members and 7 Secretary of State Members. As last year before appointing to the Planning Committee the Authority will be asked to confirm the allocation of Local Authority Members places by appointing Authorities, as set out in section B(i) of Appendix 1. Recommendation 1 refers to this.
19. This year at present there is one Local Authority Metropolitan District Member vacancy and one Secretary of State vacancy on Planning Committee. On Audit, Resources and Performance Committee there are three Local Authority Member vacancies and one Secretary of State vacancy.

**Appointments to Committees, Sub-Committees, Panels and Advisory Groups.
(Recommendations 4 to 11)**

20. 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 expressions of interest received for the key positions above.
21. 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.
22. **Urgent Business Items Sub-Committee** (Section B(iii)) – As the places on the Sub-Committee are allocated according to appointments to key positions if the appointments are not balanced between Local Authority Members and Secretary of State Members then we will need to seek expressions of interest for at least one additional Member to maintain the proportionality requirements set out in the Environment Act.
23. **Local Joint Committee** (Section B(iv)) – 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 expression of interest for this Committee.
24. **Appeals Panel** (Section B(v)) – 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 expressions of interest from Local Authority Members and Secretary of State Members.
25. **Due Diligence Panel** (Section B(vi)) – This Panel currently has quarterly meeting dates set up but as meetings are dependent on business arising these may or may not take place or may need to be re-arranged at short notice. The next meeting is currently set for Thursday 21 July 2016 at 1.30pm. We have received two expressions of interest for two vacancies – one Member and one Deputy Member.
26. **Appointments Process Panel** (Section B(vii)) – This Panel usually meets in June each year to consider expressions of interest for appointments made at the Annual meeting.

We currently have no expressions of interest for the two Local Authority Members.

27. **National Park Management Plan Advisory Group** (Section B(viii)) – The Deputy Chair of the Authority has previously been appointed to this Advisory Group and it is proposed to continue this appointment.
28. **Strategic Advisory Group** (Section B(ix)) – 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 two expressions of interest each for the Councillor and Parish representatives. If at the time of the meeting all the Members named still wish to be considered and haven't been appointed to a Chair or Deputy/Vice Chair role, the Authority will need to make sure there are no further expressions of interest and vote on each appointment in accordance with the procedure set out in Standing Orders. While it is not a requirement, standing orders allow the Authority to vote by ballot if the majority of Members present agree to use this approach.
29. **Budget Monitoring Group** (Section B(x)) – 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 three expressions of interest for this position. If at the time of the meeting all the Members named still wish to be considered the Authority will need to make sure there are no further expressions of interest and vote on each appointment in accordance with the procedure set out in Standing Orders. While it is not a requirement, Standing Orders allow the Authority to vote by ballot if the majority of Members present agree to use this approach.

Are there any corporate implications members should be concerned about?

30. **Financial:**
Although a special responsibility allowance is paid to the Chair and Vice-Chair roles these costs are included in the 2016/17 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 made and these costs are included in the 2016/17 budget so the appointments do not incur any additional cost to the Authority.

31. **Risk Management:**
There are no apparent risks. Members have the opportunity to seek appointments to all the available positions.
32. **Sustainability:** There are no issues to highlight.
33. **Background papers** (not previously published): None.

Appendices – Appendix 1 – Report of the Member Appointment Process Panel 2016.

Report Author, Job Title and Publication Date

Ruth Crowder, Democratic and Legal Support Team Leader, 23 June 2016