

**AGENDA ITEM No. 10**

PEAK DISTRICT NATIONAL PARK AUTHORITY

NATIONAL PARK AUTHORITY MEETING

30 MARCH 2007

CORPORATE RESOURCES

PART A

1. **MEMBERSHIP CHANGES & COMMITTEE MEMBERSHIP (A.11/EWJ)**

**Proposal**

1. This report considers the implications of changes to membership of the Authority as a result of the National Park Authorities (England) Order 2006 and the local election on 3rd May 2007. These changes have consequences for membership of Committees pending the re-appointment of existing Members or the appointment of new Members.

2. **RECOMMENDATION:**

**That all Members of the Authority be appointed as Members of the Planning Committee, Services Committee and the Audit & Performance Committee for the period 8th May to the Annual Meeting on 6 July 2007.**

**Policy/Legal Background**

3. Some District, Borough and all Parish Members, under the provisions of the Environment Act 1995, will retire from the Authority on 7th May four days after the local elections. The effect of these changes is set out in the Appendix.
4. The Natural Environment and Rural Communities Act 2006 contains provisions that amend the Environment Act 1995 to give a period of continuity of membership of the Authority to outgoing members following elections. However the government has not yet brought these provisions into force. If those provisions were operative they would allow the current "outgoing" Members to continue from May 8<sup>th</sup> thus keeping the membership at 38 which would be in direct conflict with the 2006 Order which sets the Member numbers at 30 from that date. It is expected that this part of the Environment Act will be operative later this year to cater for any future vacancies arising out of elections.
5. The National Park Authorities (England) Order 2006 takes effect on the 8<sup>th</sup> May. This reduces the total membership of the Authority to 30 Members from that date. The composition of the Authority under the Order will be 16 Council appointed Members, with 14 Members appointed by the Secretary of State comprising of 6 Parish Members and 8 National Members. The effect of these reductions is set out in the Appendix.

**Key Issues**

6. Because of the reduction in the total number of Members and the time it will take for appointments to be made by the Councils and the Secretary of State for Parish Members after the 7<sup>th</sup> May there will be a period when the total membership of the Authority will only be 18 Members. This will increase in stages as the Councils appoint their representatives during May with the full membership of 30 being achieved on the appointment of Parish Members in late June.

7. The reduction in membership over this period has implications for the ability of Committees to function during May and June. All the main Committee membership will be reduced to between 10 -12 Members. The final numbers depends on which of the two appointments made by Derbyshire County Council are terminated in May as required by the 2006 Order.
8. To overcome the reduced membership for the period up to the Annual Meeting on 6 July it is proposed that all Members of the Authority be appointed to the Planning Committee, Services Committee and the Audit & Performance Committee to ensure that these Committees can continue to exercise their functions with the eligible membership.
9. Where any Committee has a Chair who is subject to re-appointment to the Authority any meeting will be chaired by the Vice-Chair or if absent another Member of the Committee appointed to Chair the meeting. The Appointments of Chairs and Vice Chairs to Committees will be considered by the Annual Meeting in July.
10. During the period of reduced membership officers will give careful and sensitive consideration to the matters brought to Committees for a decision. Where matters are relevant to a particular parish or district council every effort will be made to consult them to give them an opportunity to comment on any proposals.
11. The reduction in membership also has implications for the attendance at any meetings of outside bodies. During this period where a vacancy has arisen at the elections appointed deputies remaining with the Authority will be requested to attend. Where a deputy Member is unable to attend, or where there is no deputy Member appointed for a particular body the Chair of the Authority will be requested to nominate another Member to attend a meeting. Appointments to outside bodies for the next year will be considered at the Annual Meeting in July.

## APPENDIX

### Background

#### Implications of The National Park Authorities (England) Order 2006 and the local elections

1. District/Borough Council Members:

Members have to be re-elected to the Council, re-appointed to the Authority by the Council, or a new Member appointed in their place. At the previous elections in 2003 most appointments were not made until late May or early June.

2. Members affected are:

Clr T Bristowe	Barnsley Borough Council
Clr Mrs J Bevan	Derbyshire Dales District Council
Clr Mrs T Critchlow	"
Clr Mrs C Hunt	"
Clr D Mellor	High Peak Borough Council
Clr R Priestley	"
Clr P Broadhead	N.E Derbyshire District Council
Clr L Richardson	Staffordshire Moorlands District Council

3. The National Park Authorities (England) Order 2006 from 8<sup>th</sup> May 2007 reduces the Derbyshire Dales DC membership from three to two Members and the High Peak BC membership from two to one Member.

4. County Councils Members:

There are no County Council elections this year. The National Park Authorities (England) Order 2006 reduces the Derbyshire County Council membership from 6 to 4 Members. Following consultation with the County Council the Secretary of State will use his powers under the Environment Act 1995 to terminate two of the current appointments from 8<sup>th</sup> May 2007.

5. The current Members are:

Clr Mrs I Ratcliffe  
Clr K Stevenson  
Clr D B Taylor  
Clr Mrs J A Twigg  
Clr R Wilkinson  
Clr Mrs B J Wilson

6. Parish Members:

Members have to be elected to a Parish Council or as a Chair of a Parish Meeting and then nominated by their Parish for appointment to the Authority. The Members to be appointed are then selected by ballot with all Parishes possessing voting rights. The election process which is handled by the Electoral Reform Ballot Services on behalf of the Authority cannot commence until the Parish elections have been held. The results of the election will be known on 19<sup>th</sup> June with the appointments being made by the Secretary of State for the Environment in late June.

7. The National Park Authorities (England) Order 2006 reduces the Parish membership from 8 to 6 Members.

8. The current Parish Members are:

Mr T Bunting  
Mr P M Crompton  
Mr C Fearn  
Mr C Furness  
Mr P Harrison  
Prof J Herbert  
Mrs K Potter  
Mr H Young

9. Secretary of State National Members:

The National Park Authorities (England) Order 2006 reduces the Secretary of State National membership from 10 to 8 Members. This reduction will be achieved with the retirement of three Members - Mr A Brown, Mrs L Crowe and Mr B Neville on 31 March and the appointment of Mr G Nickolds from 1<sup>st</sup> April 2007.

**Resources**

10. There are no additional resources required to implement this proposal.

**Risk Management**

11. The proposal to appoint all Members to the three main Committees for the period stated will overcome the risk that those Committees may not be quorate and therefore not be able to discharge the Committees functions.

**Human Rights, Equalities, Health & Safety**

12. There are no issues that arise out of the proposal.

**Consultees**

13. The Chief Executive has been consulted on this report.

**Enclosures**

14. None

**List of Background Papers** (not previously published)

15. None

**Report Author**

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17. 22 March 2007