

Extract from Letter dated 30 April 2008 from the Department of the Environment Food and Rural Affairs

LOCAL GOVERNMENT RE-ORGANISATION AND REVISED MEMBERSHIP ARRANGEMENTS FOR THE PEAK DISTRICT NATIONAL PARK AUTHORITY

The Natural Environment and Rural Communities Act 2006 (NERC) introduced the potential for greater flexibility in the make-up of National Park Authorities (with the precise arrangements for each NPA being specified, as now, in a statutory instrument). In essence, NERC permits any permutation provided that it:

- includes local authority, parish, and 'national' members;
- has more local authority and parish members (together) than national members;
- allows each authority at least one seat

It seems to us that there are three options which would address the arrival of a new unitary and which comply with the NERC requirements:

(i) the new Unitary could inherit both the existing Borough and County Council seats:

This is the simplest solution as it leaves the NPA with the same overall number of members and the same geographical balance of members as now. It is also the simplest procedurally because (we think) it could be delivered as part of DCLG's restructuring regulation(s) without needing separate consultation

(ii) the Unitary could have one seat, with the overall Authority size reduced, to 29;

This is also relatively simple as it confines the changes to the Cheshire/Macclesfield area and has no implications for any other Council. It would put the new unitary on the same basis as the existing unitaries which have a seat each. It does conflict with the Authority's earlier preference not to reduce below 30 members but as that was largely a reflection of the need to accommodate all the Councils, a reduction to 29 may now be seen as acceptable.

Given that this goes slightly beyond the "default" option we think that it would need to be delivered through Defra's (rather than DCLG's) regulation making powers which would involve a 12-week consultation over the summer and the laying of a Statutory Instrument in the Autumn so that it could take effect from April 2009.

(iii) the Unitary have one seat and an adjustment elsewhere to keep the total at 30.

This has the advantage of maintaining the overall size but, by changing the geographical balance, would have implications for some/all of the other Councils. Like the previous option, it would require a separate consultation and statutory instrument.

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