

AGENDA ITEM No. 12

PEAK DISTRICT NATIONAL PARK AUTHORITY

NATIONAL PARK AUTHORITY MEETING

3 OCTOBER 2008

CORPORATE RESOURCES

PART A

1. CONSULTATION ON DIRECT ELECTIONS TO ENGLISH NATIONAL PARK AND BROADS AUTHORITY (A.1114/JDB/EWJ)

Proposal

1. This report considers the Department for Environment Food and Rural Affairs consultation paper upon direct elections for National Park and Broads Authorities. Responses to the questions raised are required to be received by the department by Friday 28 November 2008. A copy of the consultation paper is attached as Annex 1.

2. RECOMMENDATION:

That the consultation paper be considered and the Authority's response to the questions raised be agreed.

Policy/Legal Background

3. Parliamentary consideration of the Natural Environment and Rural Communities Act 2006 and the Broads Bill 2007 has resulted in an ongoing issue about direct elections to the National Park and Broads Authorities. As a result, the Government is undertaking an open consultation to seek views from its stakeholders to explore whether directly elected members would aid or hinder the decision-making process and/or strategic functioning of National Park and Broads Authorities.
4. The consultation takes into account the fact that the Broads Authority and the National Park Authorities were established under two different Acts of Parliament. This has resulted in different membership arrangements. The consultation paper evaluates the principle of direct elections as they would apply to two different types of Authorities.
5. The government wishes to give stakeholders the opportunity to evaluate the relevant issues and in order to inform this thinking those issues are set out in the consultation paper for information purposes only without any views or recommendations.
- 6. The consultation is seeking views on the following questions:**
- 1. Do you agree/disagree or support/object with/to the principle of Direct Elections?**
 - 2. Do you agree with direct elections resulting in larger authorities?**
 - 3. If authorities were to remain the same size, which members should be replaced in favour of directly elected members?**
 - 4. Do you wish for the Broads to have Parish members bearing in mind the**

overall size of the Authority and replacement of any existing members to accommodate them?

5. Do you have any outstanding issues?

Key Issues

Current Membership arrangements

7. Membership of the Peak District National Park Authority is made up of 16 local authority members; 8 nationally appointed by the Secretary of State and 6 parishes members (a total of 30).

Minister's comments

8. In his foreword to the introduction of the consultation, the Minister (Jonathan Shaw, MP) has noted that:

The National Park and Broads Authorities make up a unique category of organisation.

This is because they have both a national responsibility to look after our finest, iconic landscapes, and also a local responsibility to the people who live and work within their areas.

To reflect that challenging combination of responsibilities, special membership arrangements were devised for them. These ensure that they have members who approach National Parks from a national background, serving alongside members drawn from a local background. And in the case of the Broads, members who approach from the navigation perspective too.

Of course all members, once appointed, are expected to act solely in the interests of the area and its Authority and not simply as delegates or representatives for those who appointed them. But by recruiting members from these different spheres, we ensure that in its debates the Authority will have available to it an awareness of both the national context and the local implications (and, in the Broads, of the navigation issues). This is particularly important given their planning functions.

This combination of members seems to be working well. No one grouping has a dominant position, important links are made with constituent local authorities, and the work of National Parks has continued without interference from party politics. Neither Defra's 2002 Review, nor the performance assessment carried out in 2005 on individual authorities, challenged the underlying approach to membership.

Nevertheless, different solutions have been found elsewhere, in particular, in Scotland the National Park Authorities have directly elected members rather than parish (or community) council members."

This was picked up by a Commons Select Committee and the Minister subsequently announced that he would invite views on the possibility.

He emphasises that this does not imply that he wishes to see directly elected members; neither does it imply that he is opposed to the concept and that the Government remains committed to the principle of mixing national and local (and in the Broads, navigation) members. The consultation is about whether, in principle, any of

these groups could be better selected by election than by the current arrangements.

10. As it would be very difficult to undertake direct elections for the national members DEFRA are not proposing to alter the way in which national appointees are selected. Defra Ministers have made clear in private as have senior Defra officials that they do not expect to progress this element of the consultation and, in some ways, it was a mistake to have included it in the consultation. The main focus of the consultation, therefore, is around whether directly elected members could usefully replace or supplement parish members or local authority members.
11. If in the light of the responses, the Government were to decide to proceed with direct elections then there would be a further consultation setting out precise proposals for each Authority and addressing a number of operational and resource matters.

Responses to the Consultation Paper

12. At the moment many consultees, particularly the constituent councils, have not yet agreed their formally response to the consultation paper. Responses received so far are set out in Annex 2. Any received after the publication of the report will be reported at the meeting.

APPENDIX

Background

1. See main report

Resources

2. There are no resource implications at this stage.

Risk Management

3. There are no issues to highlight.

Human Rights, Equalities, Health & Safety

4. There are no issues to highlight.

Consultees

5. None internally.

Enclosures

6. Annex 1: Defra Consultation on direct elections to English National Park and Broads Authority.

List of Background Papers (not previously published)

7. None.

Report Author

8. Jim Dixon Chief Executive. Eugene Judge Democratic Services Manager.

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9. 25 September 2008