

2. GOVERNANCE REVIEW (A.11/RMM)

Purpose of the report

1. This report asks Members to consider the work and recommendations of the Governance Review Member task team. This report has been updated since September when the Authority meeting had to finish without considering all business. There is a report to this same meeting on changes to Standing Orders and delegation which progresses one of the proposals in this paper.

Recommendations

2.
 1. That the proposals 1-6 in Appendix 5 relating to issues categorised under 'the role of the authority' be considered and approved
 2. That the proposals 7-13 in Appendix 6 relating to issues categorised under 'the role of the member' be considered and approved
 3. That the proposals 14-17 in Appendix 7 relating to issues categorised under 'the conduct of authority business' be considered and approved
 4. That the proposals 18-20 in Appendix 8 relating to issues categorised under 'the scale and level of officer support provided to members and costs' be considered and approved
 5. That 2 Councillors are appointed to the task team to help with the next phase of work to replace those members that have left the task team

How does this contribute to our policies and legal obligations?

3. This work directly contributes to the new corporate objective 11:

'Ensure continuous improvement, value for money, sustainability and high standards of corporate governance'. The work is highlighted as a focus and priority for 2010/11 expressed as follows in the paper agreed by the Authority in December 2009 (minute ref:82/09):

'streamlining use of member and staff resources in achieving effective governance e.g. number and style of meetings, committee structures, member engagement, delegation, communication between members and officers'.

4. This work also contributes to improvement action under the Authority's Code of Corporate Governance which is developed around the principles of good governance as recommended by the CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy and Society of Local Authority Chief Executives and Senior Managers) framework 'delivering good governance in local government'.

Background

5. The suggestion for this review in 2010/11 came out of the Member workshop on the corporate objectives in October 2009 indicating a desire of Members for making improvements in governance.
6. The brief for the task team was agreed by the Authority in March 2010 (minute ref: 18/10) and is given at Appendix 1. The task team also noted a target to achieve savings of up to £25,000 as part of the current budget planning work. The task

team members are: Pat Coleman (chair), Narendra Bajaria, Jacque Bevan, Roger Clarke, John Herbert, Garry Purdy and Lesley Roberts. Hilda Gaddum and Andrew Marchington were also original members of the team. Christopher Pennell joined the team, as Chair of Services Committee, from November.

7. At the start the task team identified the issues to be considered (Appendix 2) and then grouped them as follows:

A) The role of the authority and, consequent on this, the number of members and the structure and focus of committees and member and officer delegations needed to provide strong and effective governance.

B) The role of members, including the appointment of members to committees (numbers) and to positions of chair / deputy etc., as lead members and member representatives. Expectations of the external role of members.

C) The conduct of authority business, including electronic v. paper communication, expectations of the chair, member engagement and conduct.

D) The scale and level of officer support provided to members e.g. through briefings, member development programmes, in their lead member and external facing roles.

8. As part of their work task team members have considered information gathered from other National Park Authorities on: committee structures; membership numbers; total cost of members; average cost per member; specific costs of PDNPA members; current PDNPA committee membership; briefs for each PDNPA committee and briefs for committees in other National Park Authorities; 2009/10 PDNPA committees held

The task team has also shared thoughts and ideas with an external 'critical friend' from the Improvement and Development Agency (I&DeA).

9. At the Member workshop on 23 July Members were asked to consider 4 draft proposals as follows:

- a) Reduce the number of members on the Authority below its current level of 30
- b) Replace Services and Audit and Performance committee with one committee with an amended brief and greater delegation to managers on HR and Finance issues
- c) Enhance the profile of and support the role of all members in engaging in dialogue with all communities in the national park
- d) Improve the process through which appointments are made (to chair/deputy roles, as lead members and as representatives to outside bodies)

The following conclusions were drawn based on the group feedback on the proposals and detailed questions asked:

a) **Reduce the number of members on the Authority:** No clear steer with mixed views varying from no reduction to a small reduction of 3-5. Support for maintaining same sort of balance between different categories of members. Consensus that we should consult externally on considerations and options.

b) **Replace Services and Audit and Performance committees with one**

committee: Support for creating a resources and performance committee but consideration needs to be given to title. Mixed views on every member being on at least one committee- need to look at options and consider the 'right' size for planning and the other committee. Mixed views on whether some members could be on more than one committee but steer leaning towards NO. Mixed views on whether chairs should automatically be on other committees but steer leaning towards YES (and definitely for Chair of the Authority). Support for maintaining current balance on committees between different categories of Members.

c) **Enhance the profile and support the role of all members in engaging in dialogue with all communities:** Support for increasing dialogue with communities and ideas for how to do this (but remember part of 'package' and dependent on time being released for members and staff). Generally thought not practical for members to take the lead to organise opportunities but members need to give steer on issues and locations. Recognition that members need the appropriate skills and development to undertake this external role. Suggestions given on support needed from staff.

d) **Improve the process through which appointments are made:** Support for changing current process for making appointments. Support for principles suggested with additional principles of need for nominee to demonstrate commitment, interest and potential and the process should not take up too much staff time. Not support for making chair appointments in committees- support for all appointments to be made at annual meeting. Support for change to how appointments are made to outside bodies but not support for recommendations to be made by Chair and Deputy Chair.

21 Members participated in the workshop and a full record of the group discussions has been circulated to all Members.

10. At the workshop it was agreed that a consultation letter on aspects of the governance review (in particular the number issue) should be sent seeking views and ideas on options for change. This letter, which was sent to constituent council Chief Executives, MPs representing parts of the Peak District, Chief Executive of Friends of the Peak District, Chair of the Peak Park Parishes forum and the Regional Director of Natural England, has been circulated to all members for information. All comments received have been summarised at Appendix 3.
11. Subsequent to the Authority's decision to review its governance arrangements the Coalition Government has also decided to review the governance of all of the English National Park Authorities in line with manifesto commitments to do so. The remit for this national review is given at Appendix 4. This is in line with our current work. The process for supporting the national review locally has been integrated with our governance review timetable. This has included:
 - a) a letter has been sent to our previous consultees and a wide list of local organisations highlighting the six questions on pages 1 and 2 of Appendix 4.
 - b) a press release signposting the public to the national consultation on our website linked with details of our wider local review.
 - c) arranging a special Authority meeting on 21 January 2011 to consider the Authority's view on whether the membership of the Authority (both size and composition) should be changed. This has been timed before a meeting on 27 January involving the Chairs and the Minister, Richard Benyon. Our consultees and others through the website have been asked to send the Authority copies of consultation replies to Defra so

that as far as possible our discussion on 21 January can be informed by the consultations received.

12. Defra has also advised that the annual recruitment for new Secretary of State appointments has been postponed which means the Authority will carry one vacancy from 1 April 2011 whilst this national review is concluded. A submission to the Minister regarding the re-appointment of those members with terms expiring on 31 March 2011, which affects one of our Members, will recommend that any extensions offered will be limited to a period of 12 months until the review is concluded.

Proposals

13. The task team is ready to make proposals to progress towards achieving the outcomes in Appendix 1. The proposals fall into the following categories:

- a) Proposals for change based on a clear consensus emerging
- b) Proposals on options to be considered where there appears to be a desire for change but there is not yet a clear consensus on the way forward
- c) Proposals for further work to be undertaken by the task team or staff

14. The aspects considered and proposals for change are given in Appendices 5-8 under the groupings:

- Appendix 5: The role of the authority
- Appendix 6: The role of members
- Appendix 7: The conduct of authority business
- Appendix 8: The scale and level of officer support provided to members (including costs)

Members are asked to consider and agree each of the proposals made by the task team.

15. The task team recommends that 2 more Councillors are appointed to the team to replace Cllr Mrs Gaddum and Cllr Marchington for the next phase of the team's work.

Are there any corporate implications members should be concerned about?

16. **Financial:**
This work has been conducted within existing resources. The task team has considered the saving target of £25k and their interim response is given in Appendix 8 proposals 19 and 20.

17. **Risk Management:**
The risks relate to not achieving the expected outcomes given in Appendix 1 and not achieving the target saving of £25k which is included in the budget planning work for 2011/12. These risks remain at this stage as there is not a consensus on some issues and there is not a clear path yet to releasing sufficient capacity to support members in any increased external role. Many of the proposals outlined are ways of continuing to progress the work of the team to achieve the outcomes and a more realistic evaluation of the work of the team cannot be made until later in 2011. However there is another report to this meeting of the Authority which progresses one of the proposals in this paper.

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

19. **Background papers** (not previously published) – a) record and conclusions from Member workshop b) consultation letter from Jim Dixon dated 9 August 2010

referred to in paragraph 10 c) further consultation letter from Jim Dixon dated 9 November 2010 referred to in paragraph 11a.

Appendices –

Appendix 1: Task team's brief

Appendix 2: Task Team's record of issues to be considered

Appendix 3: Summary of consultations received in response to Jim Dixon's letter of 9 August 2010

Appendix 4: Remit for national National Park governance review

Appendix 5: Proposals under 'the role of the authority'

Appendix 6: Proposals under 'the role of members'

Appendix 7: Proposals under 'the conduct of authority business'

Appendix 8: Proposals under 'the scale and level of officer support provided to members including costs'

Report Author, Job Title and Publication Date

Ruth Marchington, Director of Corporate Resources, 25 November, 2010