

3. **PROPOSED CHANGES TO STANDING ORDERS PART 1 AND PART 7 (A.111/EWJ)**

Purpose of the report

1. This report proposes:

- an addition to Part 1 of Standing Orders by the adoption of a standing order relating to the recording of the proceedings of the Authority and Committee meetings to re-enforce the practice that has been implemented for many years.
- approval of changes to Part 7 of Standing Orders on the delegation of powers to the Chief Executive.

2. **Recommendations**

1. **That Standing Orders Part 1 “Meetings and Proceedings of the Authority” be amended by the adoption of the following Standing Order:**

Under the provisions of the Local Government Act 1972 the Authority does not permit the recording by sound, video, film, photograph or any other means the proceedings of the Authority meetings and committee meetings. Requests for recording from accredited media or press will be considered by the Chief Executive in consultation with the appropriate Chair and authorised in advance if it is in the interests of helping the wider public understand a particular issue. This standing order shall not prevent a handwritten record being taken at the meeting.

2. **That Standing Orders Part 7 “Delegation of Powers to Officers” be amended by the delegation to the Chief Executive the power to exercise the functions of the Authority as set out in Appendix 1 to the report to take effect on 1 January 2011.**

How does this contribute to our policies and legal obligations?

3. Standing Orders contribute to Corporate Objective 11.1 “Ensure continuous improvement, value for money, sustainability and high standards of corporate governance”.
4. Increasing delegation contributes to two of the expected outcomes of the Authority’s current governance review of:
- Reduction in time spent in formal committees by Members and senior staff
 - Reduction in resources spent to support formal committee structures and decision making processes

Background

Recording of meetings:

5. The Local Government Act 1972, (as amended) requires meetings of local authorities to be open to the press and public. The press and public are also entitled to copies of the Agenda and reports for a meeting. Access to meetings and reports do not apply where exempt or confidential information is being considered.
6. The Act states that the provisions for access to meetings "*shall not require a local authority to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.*".

A local authority can therefore under the Act refuse any requests from the press or public to record or broadcast in sound or vision the proceedings of meetings.

Proposals

7. It has been the practice of the Authority for many years not to allow the recording of the proceedings of meetings. All requests from the public to record the proceedings have been refused. On a few occasions accredited TV/news companies have been allowed to film or video at the start of a meeting some general content to include in a news item or other programme about the National Park.
8. Enquiries about current practices have been made of our constituent councils and other National Park Authorities. The results of these are set out in a background paper which has been circulated to Members. As well as having a similar practice to the Authority some local authorities have covered this in their Standing Orders to make it clear what their policy is on the issue.
9. It is proposed that the Authority's practice continues and that a Standing Order be adopted to re-enforce this practice.
10. Details of this will be drawn to the public's attention by reference on the web site, by the addition of a note in the Public Participation Scheme and on Agendas for meetings.

Background

Delegation to Officers and Governance Review

11. The Authority has power under the Local Government Act 1972 to delegate the exercise of its powers and functions to officers. The current delegation of powers to the Chief Executive was approved by the Authority meeting on 27 June 2008 (Minute 53/08).
12. Following this approval the Chief Executive agreed an Officers' Delegation Scheme so that some of the powers delegated to him by the Authority are exercised on a daily basis by the most appropriate officer with any necessary internal constraints. This will be reviewed again if the changes in this report are approved.
13. In exercising delegated powers officers must have regard to the Authority's approved policies, plans and programmes, budget allocation and also ensure compliance with other internal audit, financial and legal practices and procedures.

14. The Governance Review Task team has considered proposals for some of the changes to the scheme particularly relating to property and human resources issues. Other suggested changes have arisen following consultation with Management Team, Heads of Service and Team Leaders.

Proposals

15. The volume of business considered by the Authority and committee meetings has been analysed. It is proposed that some improvements in the level of delegation through a revised scheme will contribute to a reduction in that business.
16. The proposed revised scheme is attached as Appendix 1 which is set out as follows:
- (a) The left hand column shows the current level of delegation agreed by the Authority in 2008.
 - (b) The right hand column shows proposed amendments and additions to parts of the scheme.
17. Where no changes are shown in the right hand column it is proposed that the current level of delegation shown in the left hand column remains.

Financial:

18. There are no direct financial implications to consider.

Risk Management:

19. The adoption of a Standing Order relating to the recording of the proceedings of the Authority and Committee meetings and appropriate publication of the Authority's policy will re-enforce the current practice and give clear guidance to the public and press on this matter.

The delegation scheme is an important document in the Corporate Governance framework. It contributes to the efficient operation of the Authority by authorising officers to carry out some area of the work of the Authority within defined limits without the need for further approval by the Authority or a committee meeting. The scheme is supported by financial regulations, contracting procedures and other Authority approved policies and procedures. Officers have clearly defined parameters to work within which mitigates the risk of the legal validity of delegated decisions being successfully challenged.

20. **Background papers**
Schedule of responses from Constituent Councils and National Park Authorities on recording of meetings.
21. **Appendices**
Appendix 1 "Changes to part 7 of Standing Orders on Delegation of Powers to the Chief Executive".

Report Author, Job Title and Publication Date

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