

## **7. MEMBER APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

### **1. Purpose of the report**

To make appointments to the Authority's two Standing Committees following the recent announcement of a new Member appointed by the Secretary of State.

To appoint Members to the Peak District National Park Trust.

#### **Key Issues**

- **The Secretary of State has recently confirmed the appointment of Mr K Smith as a Member of the Authority.**
- **All Members of the Authority are expected to serve on one of the Authority's two Standing Committees.**
- **Because of his personal interests and professional background Mr Smith has expressed an interest in being appointed to Planning Committee. Where possible the Authority tries to appoint Members to their preferred Committee but there are currently no vacancies on Planning Committee. However, the Authority can increase the size of the Committee from 15 to 16 and then appoint Mr Smith to the vacancy that arises.**
- **As the Authority had three Secretary of State vacancies and only one Member has been appointed in 2018, two vacancies will be carried forward into 2019. This leaves two Secretary of State vacancies on the Audit, Resources and Performance Committee. Following a discussion with the Chair of the Committee Cllr Mrs L Roberts has indicated that, if the Authority wishes, she would be willing to fill one of these vacancies by serving on both Standing Committees.**
- **The Authority has previously approved the establishment of the Peak District National Park Trust. As the Trust will be made up of seven trustees the Authority is currently seeking expressions of interest from members of the public to become one of the four independent trustees. In anticipation of registration with the Charity Commission the Authority is asked to appoint three Members to become trustees of this new outside body. It is also suggested that a reserve be nominated so that if needed a replacement trustee can be appointed under delegation should a vacancy occur between Authority meetings.**

### **2. Recommendation(s)**

- 1. To increase the size of Planning Committee to 16 until the Annual Meeting in July 2019 and appoint Mr K Smith to the vacant Secretary of State place that arises from the increase.**
- 2. To appoint Cllr Mrs L Roberts to one of the vacant Secretary of State positions on the Audit, Resources and Performance Committee.**
- 3. To appoint three Members and a reserve to the Peak District National Park Trust.**

### **3. How does this contribute to our policies and legal obligations?**

**Membership of Committees, Sub-Committees, Panels and Advisory Groups**

The Environment Act 1995 requires that membership of the Committees should as far as possible reflect the makeup of the membership of the Authority. This means that each Committee should, in most cases, have a majority of Council appointed Members over the Members appointed by the Secretary of State, which includes Parish Members. There are however a few exceptions where due to rounding up and rounding down the numbers from each category are equal.

### **Appointments to Outside Bodies**

As approved duties, appointments should only be made to Outside Bodies which help to deliver the Authorities Statutory duties, support National Park Management Plan outcomes and corporate objectives and contribute to the Authority's work with stakeholders and partners.

## **4. Background**

### **Membership of Planning Committee**

The Secretary of State has recently announced the appointment of Mr Ken Smith as a Member of the Authority. Due to his personal interests and professional background he has expressed an interest in being appointed to the Authority's Planning Committee. Following the appointments made at the Annual meeting in July this year there are currently no vacancies on the Committee.

In order to accommodate his request and make sure the Authority is able to benefit from his knowledge and experience it is proposed that the size of Planning Committee be increased from 15 to 16 Members and Mr Smith is appointed to the Secretary of State vacancy that arises from the increase.

Members will be aware from discussions at the Annual Meeting that the Environment Act and the Authority's Standing Orders require the Authority to distribute Committee places to Local Authority Members and Secretary of State Members as near as possible in the same proportions as the Authority as a whole (16:14). However, due to rounding up and rounding down, this does not necessarily mean that there will always be more Local Authority Members on a Committee. A 16 Member Committee is one example where it is possible to appoint an equal number of Local Authority and Secretary of State Members but still meet the requirements set out in Standing Orders.

If Members are minded to approve the increase now the change is not permanent, and will be reduced back to 15 at the 2019 Annual Meeting where membership can be revisited in the context of changes arising as a result of the May 2019 Local Authority and Parish elections.

If the Authority does not wish to increase the size of Planning Committee now the Authority may decide to appoint Mr Smith to Planning Committee to replace an existing Secretary of State Member or appoint him to one of the vacancies on Audit, Resources and Performance Committee instead.

### **Membership of Audit, Resources and Performance Committee**

The recent decision to fill only one of the three Secretary of State positions on the Authority means that the Authority will be carrying two vacancies into 2019. As all the places on Planning Committee are filled this leaves two vacant Secretary of State Member vacancies on the Audit, Resources and Performance Committee. Following consultation with the Chair of the Committee it has been suggested that one of the places could be filled by Cllr Mrs L Roberts. In Standing Orders there is nothing to prevent a Member being on two Committees and the Chair of the Committee believes

that having recently held the position of Chair of the Authority Cllr Mrs Roberts can bring a wealth of knowledge and experience to the work of the Audit, Resources & Performance Committee.

Members are asked to note that, although Cllr Mrs Roberts is willing to be appointed two Committees, if Members are minded not to support this approach her preference is to remain on Planning Committee.

## **Appointments to Outside Bodies**

### **Peak District National Park Trust**

At the meeting of the Authority held on 25 May 2018, following feedback from a Member Working Group, the Authority agreed to establish a charitable incorporated organisation (CIO), the Peak District National Park Trust, as a mechanism to help deliver the corporate objective of diversifying income. As a result Members gave delegated authority to the Director of Commercial Development and Outreach to set up and register the Charity, subject to consultation with the Head of Law, the Head of Finance and a Shadow Board. At this meeting and at the subsequent Annual Meeting the Authority appointed Mr Zahid Hamid, Cllr A McCloy, Cllr C McLaren and Cllr Mrs L Roberts to the Peak District National Park Trust Shadow Board.

At the last meeting of the Shadow Board Cllr Mrs L Roberts was appointed as its Chair and, following a detailed discussion, it was agreed that when the Trust is registered with the Charity Commission it should be made up of seven trustees. To demonstrate the Charity's independence from the Authority a majority of the Trustees must be independent of the Authority. Therefore just three of the trustees will be Members or Officers nominated by the Authority and the remaining four will be independent.

The four independent positions have been advertised and the Authority is now asked to nominate three Members to be trustees. In making the appointments the Authority is asked to consider nominating a fourth reserve Member. The benefit of this approach is that, should one of the Authority trustees need to step down from the Charity before the 2019 Annual Meeting, the reserve Member can immediately be appointed as a replacement, using the delegation under Standing Order 7.F-17.

## **5. Proposals**

To increase the size of Planning Committee to sixteen and appoint Mr K Smith to the Secretary of State vacancy created by the increase.

To appoint Cllr Mrs L Roberts to fill one of the Secretary of State Vacancies on the Audit, Resources and Performance Committee.

To appoint three Members as Trustees of the Peak District National Park Trust and nominate one Member to be a reserve.

### **Are there any corporate implications members should be concerned about?**

## **6. Financial:**

No significant direct costs will arise. Members appointed to Committees and outside bodies can claim travel and subsistence when attending meetings and events but any costs arising from the proposals in this report can be met from the 2018/19 revenue budget.

**7. Risk Management:**

There are no significant apparent risks. However the proposal to appoint the Authority's new Member to Planning Committee will ensure that the Authority is able to make best use of his knowledge and experience and appointing to a vacancy on Audit, Resources and Performance Committee will reduce the risks of low attendance leading to inquorate meetings.

**8. Sustainability:**

None

**9. Equality:**

None

**10. Background papers (not previously published)**

None

**Appendices**

None

**Report Author, Job Title and Publication Date**

Jason Spencer, Democratic Services Manager, 27 September 2018