

Second Report of the Governance Review Working Group

MAY 2020

1. Introduction

The Authority has established a Working Group to undertake a review of the governance arrangements of the National Park Authority in so far as they relate to the making of decisions by both Members and Officers to ensure that they meet the present day needs of the organisation for responsive as well as efficient decision-making; and are presented in a clear, understandable and comprehensive manner; and to advise the Authority on any changes that may be required.

In May 2019 the Authority considered the first report of the Working Group in which there were a number of recommendations relating to:

- The Role of Members
- The Structure of Authority Agendas:
 - Reports from Chair and Chief Executive
 - Feedback from Outside Bodies and Conferences
 - Member Questions and Motions
 - Performance Monitoring
 - Standing Committee Minutes
- Committee Structures and Delegation
- Community Engagement
- Member Representative Roles
- Member Scrutiny

Since producing its first report the Working Group has continued to meet monthly to consider a number of outstanding issues including:

- Officer Delegation Scheme
- Member Representative Roles
- Outside Bodies
- The Appointment Principles
- Encouraging Member Participation
- Reporting on attendance

This report sets out a number of recommendations on these outstanding issues for implementation from the Annual Meeting on 3 July 2020.

2. Background Information

Following informal discussions between Members and Officers indicating a desire from Members for exploring ways in which the Authority's existing governance arrangements can be enhanced a draft brief for the Working Group was discussed at a meeting of the Members' Forum held on 5 October 2018 where there was widespread support for the proposal.

Some of the issues raised included:

- Are the roles and responsibilities of Members and Officers clear?
- Are the current delegations to Committees and the list of matters reserved to meetings of the Authority right?

- Could the Authority have more effective and efficient ways of involving Members in developing policy and informing them of other decisions made and do Standing Orders or Codes need amending to facilitate this?
- How can Members be proactively involved in getting items discussed?
- Is the current level of delegation to Officers right and could the structure of the Scheme of Delegation be improved to make it clearer?
- What are the aims of the current Member representative scheme? How effective is it in delivering its objectives?

On 7 December 2018 the Authority agreed to establish the Governance Review Working Group to oversee the review and set its terms of reference and scope and appointed Mr K Smith, Mr J W Berresford and Councillors J Atkin, P Brady, C Furness, A McCloy and B Woods as Members of the Group supported by the Chief Executive, the Head of Law and the Democratic Services Manager. Since then the Working Group has continued to meet monthly. In July 2019 Cllr J Atkin left the Group and Cllr C Farrell joined. Councillor A McCloy is the Chair of the Working Group.

The recommendations contained in this report have been structured around the 4 Subject Areas Identified in the terms of reference and scoping document agreed by the Authority.

3. Methodology

The recommendations of the Working Group have been developed through discussion and looking at examples of best practice from other National Park Authorities and our constituent councils. Reference has also been made to documentation provided by Defra and other central government departments. An online library of documents has been provided.

Since the first report was produced the final report on the Government's Review of Landscapes was published which included recommendations on the Governance of National Park Authorities. Shortly after publication the Working Group discussed how the report would impact on its discussions. As a result it was agreed that all recommendations would be tested against the following outcomes:

- To give Members a greater understanding and input into strategic decision making at a policy and financial level
- To make sure that Members are better informed on matters they need to know about to make decisions
- To make sure that the process for collective decision making is clear and transparent

To make sure that these outcomes were achieved they have been reproduced on the agenda for all meeting of the Working Group. The Group also considered whether the work programme should be amended to reflect these outcomes. It was agreed that while there was no need to make changes it was a good opportunity to step back and look at key documents, policies and strategies and how they hang together for Members.

Subject 1: The role and accountability of Members

In this area the Authority has already approved the recommendations of the Working Group regarding the role of Members and this document now forms part of the Democratic Services Handbook. During the discussions leading up to the preparation of this report the Working Group has looked at any proposals in the context of this key document.

The outstanding areas covered in this subject area relate to the role of the Appointment Principles in preparations for appointments at the Annual Meeting, mechanisms to encourage greater Member participation and how Member attendance is recorded.

4. The Appointment Principles

The current Appointment Principles have been used by the Authority for a number of years to help inform Members decision making on key appointments at the Authority's Annual Meeting. The current Appointment Principles were initially agreed by the Authority in December 2010 and amended slightly in February 2011. Since 2013, when the Member Appointment Process Panel was introduced, the Authority has reaffirmed the Principles on an annual basis and the Panel has referred to them in preparing its report setting out expressions of interest received from Members. The current Principles are:

1. Democratic process remains essential.
2. Any Member should continue to be eligible to stand for election for any post and all Members should continue to have the opportunity to vote for their preferred candidates.
3. The chosen system should foster confidence, unity and trust within the Authority.
4. All Members should be assumed to be equally committed to the objectives of the National Park Authority, and to have a contribution to make across the full range of the Authority's work.
5. All Members should be considered equally for all appointments but need to maintain the overall balance between different categories of Members.
6. Anyone holding office should be seen to act on behalf of all Members in the interests of the Authority, and not be allied with one particular group or interest.
7. All appointments should be time limited with a stipulated maximum continuous period of holding any one office to four continuous terms.
8. Responsibility of nominated Members to demonstrate to colleagues their interest and potential.
9. Responsibility of nominated Members to show that they understand what will be required of them.
10. That we should strive to achieve a similar balance across Member Representatives and outside body appointments, if possible, although it is recognised this may not always be achievable and the main aim is to appoint Members who have demonstrated interest and potential.

11. That newly appointed Members will not be considered for Chair or Deputy/Vice Chair position in their first year of office.

After discussions at a meeting of the Members Forum over decisions made at the 2019 Annual Meeting it was suggested that the Working Group should have a look at the existing Principles to establish whether they were still needed and relevant.

Discussions at the Working Group started by looking at the purpose of the Principles and how they have worked in practice. The Working Group also explored whether the Principles could ultimately become a deterrent for suitable candidates putting themselves forward.

As a consequence of these discussions the Working Group has suggested that there is still a need for some guiding principles but they should be much simpler. The Working Group is therefore recommending that the following principles are adopted:

“The Peak District National Park Authority seeks to apply transparent and democratic principles in the appointment of Members to elected positions within the Authority in order to promote fairness and trust. They are not intended to limit either a Member's right to stand for office nor any Member's duty to make decisions on merit, but instead:

- *open opportunities for Members to stand for office*
- *take into account that some Members have time-limited appointments to the National Park Authority, which may limit their options for standing for office*
- *recognise that there is strength in office-holders coming from different categories of Members*
- *are based upon good practice learned from past experience*

To this end, the following apply:

1. *Any Member is eligible to stand for election for any post.*
2. *Members will not normally be appointed to the position of Chair and Deputy Chair of the Authority or the Chair and Vice Chair of its standing committees in their first year of office.*
3. *All appointments to the position of Chair and Deputy Chair of the Authority or the Chair and Vice Chair of its standing committees should be limited to continuous periods of no more than four full terms.*
4. *Appointments should seek to achieve a balance of different categories of Members, namely national Secretary of State appointees, Parish Members and Local Authority Members.*
5. *All Members will have the opportunity to vote for their preferred candidates at the AGM.*
6. *Members wishing to stand for elected positions must be able to demonstrate:*
 - *A commitment to the purposes of the Authority and their successful delivery*

- *A willingness to act on behalf of all Members of the Authority and not one particular group or interest*
- *An understanding of the roles and responsibilities associated with the position for which they are applying and a skill set relevant to that position*

It is the responsibility of all Members to consider these principles before and during the appointments process before making their decision.”

The Working Group acknowledged that these were unenforceable guiding principles.

The Working Group also concluded that the work of the Appointment Process Panel did make a significant contribution to the smooth running of the Annual Meeting and should therefore continue.

5. Encouraging Member Participation and Diversity

The Working Group has discussed some of the factors which may contribute to lower levels of attendance at certain meetings and events. They explored whether changes to where and when meetings were held may create an improvement in participation levels. The discussions concluded that as attendance at formal meetings was already well above 80% attendance was not a significant issue and changes to the timing of meetings could actually make the situation worse. While it was acknowledged that some of these factors could impact on the demographics of the Authority most of the issues around its composition were outside the Authorities control. However it was noted that appointing bodies would continue to be encouraged to consider the demographic of the overall Authority Membership when filling vacancies.

6. Reporting on attendance

At the Annual Meeting each year the Authority receives a report setting out Member attendance at meetings of the Authority, the two standing Committees and workshops and training events identified as essential in the Member Learning and Development Programme. The Working Group had been asked to look at whether the report was needed, if attendance should continue to be recorded as possible and actual rather than percentages and whether other meetings involving Members such as working groups and site visits should be included.

The Working Group concluded that the existing reporting arrangements worked well and should continue to be produced in its current format.

RECOMMENDATIONS

- 1. To approve the Appointment Principles attached in Appendix 1**
- 2. To confirm that the Member Appointment Process Panel should continue to be part of the process used for preparing for Annual Meetings.**
- 3. To continue to receive an annual report on Member attendance based on Member attendance at meetings of the Authority, Standing Committees and essential learning and development events/workshops only.**

Subject 2: Committee Issues

This area of work included:

1. Consideration of present Committee delegation scheme;
2. Light-touch review of the two main Committees and their relationship to full Authority; and to other Committees and bodies sponsored by the Authority to further its business and which have Member involvement;
3. Look at other comparable national park authorities, including committee structures, meeting agendas,

Since the Authority approved changes to the Committee structure and the list of matters reserved to a meeting of the Authority the Working Group has been asked to look at a number of issues relating to meetings of the Authority and its Committees.

8. Delegation to Committees

a) Programmes and Resources Committee

The Working Group had a further discussion on the process for agreeing the Work Programme for Programmes and Resources Committee. It was noted in future the Committee would have a role in developing its own work programme before it was approved by the Authority.

The Working Group also revisited the terms of reference for the Programmes and Resources Committee and propose that they are amended as set out in Appendix 2.

b) Member Scrutiny

Following the introduction of the new Committee structure in July 2019 the Working Group has briefly revisited the existing scrutiny arrangements and confirmed that there are still a number of opportunities for Members to initiate scrutiny reviews as set out in the guidance. As a result of this discussion the guidance on Scrutiny was recirculated to all Members.

b) Local Joint Committee

In its first report the Working Group had suggested that although the Local Joint Committee should continue meetings should be arranged as and when required rather than being included in the annual programme of meetings. Following feedback from the Committee it is now recommended that quarterly meetings should be scheduled on the understanding that they will only take place if there are sufficient items to make a meeting viable.

c) Health and Safety Committee

Following a request from the Local Joint Committee the Working Group considered whether there should be Member representation on the Authority's Health and Safety Committee. Having tested the proposal against the agreed role of Members, the Group concluded that it was not appropriate for a Member to be appointed to the Health and Safety Committee.

e) Governance Review Working Group

In preparing this report the Working Group has discussed whether there is an ongoing need for it to continue to meet beyond the 2020 Annual Meeting. The Members on the Working Group have concluded that after the Annual Meeting there will be no need to meet monthly as it has done until recently. However, they suggest that there will be an ongoing need to appoint Members to the Working Group to review how the revised arrangements are working in 6 months' time and to consider any issues that arise.

On this basis it is proposed that the Governance Review Working Group continues and the Authority appointments Members to it at the 2020 Annual Meeting.

RECOMMENDATION

- 1. To approve the changes to the terms of reference of the Programmes and Resources Committee as set out in Appendix 2.**
- 2. To confirm that no changes are made to the existing arrangements for Member Scrutiny.**
- 3. To confirm that quarterly meetings of the Local Joint Committee should be scheduled on the understanding that they will only take place if there are sufficient items to make a meeting viable.**
- 4. To confirm that there is no need for Member representation on the Health and Safety Committee.**
- 5. To approve the continuation of the Governance Review Working Group and agree to make appointments to it at the 2020 Annual Meeting.**

Subject 3: Officer Delegation Scheme

This area of work included:

1. An initial general look to see whether any specific questions should be addressed at this stage.

Possible issues identified included the consultation of Senior Leadership Team on the level that delegation should be set; whether delegations be grouped solely by subject matter or solely under the name of each Officer named; a call for Officer suggestions for changes to the scheme; and regarding senior Officer appointments.

10. Officer Delegation

As review of the Officer Delegation Scheme has been a major component of the work of the Working Group over the past 12 months. The starting point for the Working Group was to examine the existing Delegation Scheme, clarify how it operated in practice, identify its strengths and weaknesses and explore what some of the alternative options were.

From the early stages of the discussion the Working Group believed that the Scheme did not necessarily need to be changed significantly but suggested that there was a need for clearer guidance on when it was appropriate to consult with Members and give notice when decisions had been made. It was acknowledged that in the existing arrangements there was regular dialogue between the Chief Executive and the Chair of the Authority on whether issues should be brought before Members. But it was recognised that in the absence of political groups or an executive made up of Members there was a greater need for a broad range of Members with differing perspectives to have assurances in place about how Officers used their delegation.

It was therefore agreed that going forward a risk rating matrix would be used as a tool to identify items that needed Member involvement. With impact and likelihood testing the impact/likelihood on Corporate Strategy outcome delivery or the Authority’s reputation. If an item was identified as red it would automatically come to Members, if it were amber Officers would speak to the relevant Chair to decide on whether Member input was needed and what form that input should take.

		Impact		
		Low	Medium	High
Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention
	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor
	Low	Accept	Accept but monitor	Closely monitor

In terms of decision making the Working Group believed that the Officer Scheme of Delegation could give greater clarity by breaking decisions down as follows:

Policy	<p>Members set the policy through developing and approving the following Strategic Policy Framework to be set out in Part 4 of Standing Orders under the matters reserved to meetings of the Authority:</p> <ul style="list-style-type: none"> • National Park Management Plan • Revenue and Capital Budgets • Corporate Strategy • Local Plan • Landscape Strategy • Annual Performance and Business Plan
---------------	--

Approach	In light of the agreed Strategic Policy Framework it is the role of the Standing Committees to determine the approach based on recommendations from Officers.
Delivery	It is the role of Officers to deliver programmes, projects and initiatives based on the policy and approach agreed by Members unless decisions were above financial thresholds or something goes wrong with the agreed approach then no Member involvement is needed. It was suggested that in cases where there was negative feedback following consultation Members should be able to reconsider the approach and the risk matrix would be used to inform this approach.

There were also discussions on the merits on the current arrangement of delegating to the Chief Executive who then delegates down to other Officers rather than delegating directly to Senior Officers. As part of the process the Working Group sought the views of Officers on what they thought were the limitations of the current scheme and ideas on how it could be improved. The Working Group were of the view that no changes needed to be made to the existing Planning Delegations to Officers.

The Working Group also considered what a delegation scheme by exception might look like and tested a number of scenarios but concluded that this approach was not appropriate for the Authority. The Working Group has also considered whether there are any gaps in the existing Scheme and concluded that the content of the Financial Regulations (Part 3 of Standing Orders) needs to be reflected in the Officer Delegation Scheme and that the Chief Executive needs to carry out a review of the format and content of the Scheme.

The Working Group is therefore recommending that the existing Scheme of Delegation to the Chief Executive is retained subject to the changes set out in Appendix 3 and the Chief Executive reflecting on the Working Group recommendations carries out a review of the format and content of the Officer Delegation Scheme.

10. Member Budget Scrutiny

While looking at the Officer Scheme of Delegation the Working Group explored whether the Annual Budget could be structured differently to provide greater clarity on the links between the budget and strategic outcomes. One suggestion was that budgets and cost centres could be structured around the sections within the Corporate Strategy.

The Director of Corporate Strategy and Development and the Head of Finance were invited to attend a meeting of the Working Group to explore the options. At that meeting the Working Group received background information on how budgets were developed and how budgets were monitored to meet accounting and External Audit requirements and how these were shared and available to Members. This included a draft proposal on what the budget might look like if it were broken down to reflect strategic outcomes and key performance indicators.

The Working Group then discussed the purpose and format of the budget planning workshops for Members held in October and November each year, which are in place to offer Members a route to be informed of, to engage with, and to provide a direction on the strategic budget questions. This should allow Members to take early ownership of the final budget presented to the Authority the following February. One of the suggestions was that each year a selection of budget holders could be invited to provide more detail about their budgets, how they were used to support the Corporate Strategy and what the key issues were around delivery.

The Working Group concluded that any possible benefits arising from changing the format of the budget did not justify the amount of duplication of effort required to restructure and represent the budgets

RECOMMENDATION

- 1. To approve the amendments to the Scheme of Delegation to the Chief Executive as set out in Appendix 3.**
- 2. To ask the Chief Executive to carry out a review of the format and content of the Officer Delegation Scheme.**
- 3. To continue to use the current format of the Revenue Budget.**
- 4. To ask Officers to explore the options for using the annual workshops to give Members greater ownership of budget proposals including the possibility of inviting a selection of budget holders to a session where they can provide more detail about their budgets, how they are used to support the Corporate Strategy and what the key issues were around delivery.**

Subject 4: Member Representatives and Outside Bodies

This area of work included looking at the stated purpose of Member Representatives and their briefs. Issues identified included the need for clarity around the specific role, whether the role as stated was achievable and when Member Representatives should be consulted. The Working Group also looked at the Member Representative role in relation to appointments made to Outside Bodies.

11. Member Representative Roles

In May 2017, following a request from the Authority, the Chair and Deputy Chair looked at the options for revising Member Representative roles and suggested that they should be linked to the delivery of the National Parks 8-point plan published by the Department for Environment, Food and Rural Affairs (Defra) which sets out their ambitions to put National Parks at the heart of the way they think about the environment and how it is managed for future generations. At that time the Authority agreed with this approach as it was thought that aligning our Member Representatives to the Plan demonstrated to Defra that the Authority shared their aspirations and it helped Members to directly contribute to their delivery. As a consequence the Authority appointed to the following Member Representative Roles at the 2017, 2018 and 2019 Annual Meetings:

- Connecting Young People with Nature
- Thriving Natural Environments
- Rural Economy, Farming and Food
- Everyone's National Parks – Tourism and Participation
- Landscape and Heritage, Health and Wellbeing

- Communities
- Asset Management
- Member Learning and Development
- Planning Enforcement

In May 2019 the Working Group had considered the existing Member Representative roles and the generic role description but believed that more work was needed on the options before making recommendations to the Authority.

Since then the Working Group has carried out further work to explore the options for Member Representative roles. Following an initial discussion the following issues had been identified:

- There were occasions when the Member Representative role overlapped with the responsibilities of the Chair of the Authority or the relevant Committee.
- There was not always a clear link between Member Representatives and appointments to Outside Bodies.
- It was unclear whether the roles should be internally or externally focussed.
- Feedback on the success of the roles was varied.
- Does the principle of having Member Representatives contribute to other Members becoming disengaged.
- Are there better ways to utilise the skills and experience of all Members.
- Would Member Champions be a better description of the role?.
- The link to the 8 point plan did not appear to be working.
- What happens when a Member Representative is not a Member of the Committee that their area reports to?.

As a result of these deliberations the Working Group has concluded that Member Champion is a better description to use and confirmed that the role should have an internal focus where the Champion acts as a critical friend or advocate, not a spokesperson. This contrasts with Members appointed to represent the Authority on an Outside Body which is an externally facing role.

To reflect these discussions the Working Group is recommending a revised role description as set out in Appendix 4 and suggests that Seven Member Champions be appointed as follows.

- Natural Environment, Biodiversity and Farming.
- Cultural Heritage and Landscapes
- Engagement (includes tourism, recreation, health and wellbeing)
- Thriving and Sustainable Communities (including social housing)
- Climate Change (Including transport) (This Member Champion should chair the Climate Change Working Group)
- Business Economy
- Member Learning and Development.

It was agreed that the principle of identifying at least one lead Officer for each role should continue but recognised that more than one would be needed in several cases.

12. Outside Bodies

The Working Group discussed the role of Members on Outside Bodies and whether there should be a link between those appointed as Member Representatives and the Authority's appointment to Outside Bodies. Following the review of Member Representatives and the move to a new internally facing Member Champion role it is recommended that no link is needed.

In considering how Member involvement in Outside Bodies could add value it was agreed that the following should be removed from the current list of Outside Bodies.

- Derby and Derbyshire Economic Partnership Rural Forum
- Derbyshire Partnership Forum
- National Parks UK
- Peak Park Parishes Forum Annual Liaison Meeting

The Working Group has also updated the Guidance for Members appointment to Outside Bodies as set out in Appendix 5 which it is recommended that the Authority adopts.

RECOMMENDATIONS

- 1. To approve the Member Champion Role Description set out in Appendix 4.**
- 2. To appoint Members to the following Member Champion roles at the 2020 Annual Meeting:**
 - **Natural Environment, Biodiversity and Farming.**
 - **Cultural Heritage and Landscapes**
 - **Engagement (includes sustainable tourism, recreation, health and wellbeing)**
 - **Thriving and Sustainable Communities (including social housing)**
 - **Climate Change (including transport) (This Member Champion should chair the Climate Change Working Group)**
 - **Business Economy**
 - **Member Learning and Development.**
- 3. To approve the Guidance for Members appointed to Outside Bodies as set out in Appendix 5.**
- 4. To remove the following from the list of Outside Bodies to be appointed to at the 2020 Annual Meeting:**
 - **Derby and Derbyshire Economic Partnership Rural Forum**
 - **Derbyshire Partnership Forum**
 - **National Parks UK**
 - **Peak Park Parishes Forum Annual Liaison Meeting**

Attachments:

Appendix 1 – Appointment Principles.

Appendix 2 - Amended Terms of Reference for the Programmes and Resources Committee

Appendix 3 – Proposed amendments to the Delegation to the Chief Executive (Part 7 of Standing Orders)

Appendix 4 – Member Champion Role Description

Appendix 5 – Guidance for Members appointed to Outside Bodies.

PEAK DISTRICT NATIONAL PARK AUTHORITY

MEMBER APPOINTMENT PRINCIPLES

The Peak District National Park Authority seeks to apply transparent and democratic principles in the appointment of Members to elected positions within the Authority in order to promote fairness and trust. They are not intended to limit either a Member's right to stand for office nor any Member's duty to make decisions on merit, but instead:

- open opportunities for Members to stand for office;
- take into account that some Members have time-limited appointments to the National Park Authority, which may limit their options for standing for office;
- recognise that there is strength in office-holders coming from different categories of Members;
- are based upon good practice learned from past experience.

To this end, the following apply:

1. Any Member is eligible to stand for election for any post.
2. Members will not normally be appointed to the position of Chair and Deputy Chair of the Authority or the Chair and Vice Chair of its Standing Committees in their first year of office.
3. All appointments to the position of Chair and Deputy Chair of the Authority or the Chair and Vice Chair of its standing committees should be limited to continuous periods of no more than four full terms.
4. Appointments should seek to achieve a balance of different categories of Members, namely national Secretary of State appointees, Parish Members and Local Authority Members.
5. All Members will have the opportunity to vote for their preferred candidates at the AGM.
6. Members wishing to stand for elected positions must be able to demonstrate:
 - A commitment to the purposes and duty of the Authority and their successful delivery
 - A willingness to act on behalf of all Members of the Authority and not one particular group or interest
 - An understanding of the roles and responsibilities associated with the position for which they are applying and a skill set relevant to that position

It is the responsibility of all Members to consider these principles before and during the appointments process before making their decision.

F PROGRAMMES AND RESOURCES COMMITTEE

In accordance with delegations set out in Part 7 of Standing Orders to exercise the powers and duties of the Authority as follows except where:

- (a) Those duties and powers have been reserved to the full Authority or must in law be exercised by the Authority; or.
- (b) They fall within the terms of reference of another Committee.
- (c) The Chief Executive, following consultation with the Chair of the Authority and the Chair of the Committee, decides that a matter should be determined at a meeting of the Authority.

1. Programmes and Projects

- (a) To monitor and advise on the development and implementation of key policies, programmes and projects identified annually by the Authority and to approve any decisions in relation to these programmes and projects in accordance with the financial values set out in Standing Orders.

2. Human Resources

- (a) All human resources matters in accordance with the Authority's employment and other policies, including learning and development, health and safety, industrial relations and related issues, the Local Government Superannuation Acts and regulations.
- (b) Matters relating to the recruitment, development and management of volunteers and volunteering opportunities.

3. Financial Resources

- (a) The financial affairs of the Authority relating to insurance, grant schemes, , procurement, contracts and Members Allowances Payments
- (b) All matters relating to external funding and grants including approval of bids and acceptance of offers of finance or grant aid..
- (c) Matters relating to the trading activities of the Authority including initiatives to generate additional income and fixing and varying non-planning related fees and charges

4. Property and Assets

- (a) All matters relating to the management of the Authority's land holdings, buildings and other structures including acquisition, disposal, improvements, repairs and maintenance.

5. Information Management

- (a) Matters relating to information communications technology in accordance with the Authority's Information Management Strategy.
- (b) Issues relating to data and information management.

6. Community and Engagement

- (a) Strategic decisions relating to the Authority's approach to customer services, consultation, engagement, communications, fundraising, marketing, branding and identity.
- (b) Matters relating to tourism, farming and economic development.
- (c) Matters relating to community development and health and wellbeing.
- (d) Initiatives to promote learning and understanding.
- (e) Initiatives to increase engagement with young people including safeguarding issues
- (f) Developing and maintaining relationships with partnerships and stakeholders.

7. Cultural Heritage, Landscapes and Ecology

- (a) Matters relating to the care and management of landscapes and the natural beauty of the National Park.
- (b) Matters relating to wildlife and ecology.
- (c) Environmental issues and initiatives such as climate change, recycling and carbon management.
- (d) Matters relating to Cultural Heritage

8. Transportation, Rights of Way and Access

- (a) Matters relating to the creation, alteration or closure of public rights of way such as footpaths, concessionary paths, trails, bridleways and highways.
- (b) Matters relating to the making of experimental, temporary or permanent Traffic Regulation Orders under the Road Traffic Regulation Act 1984.
- (c) Matters relating to the Authority's statutory role as an Access Authority.
- (d) Matters relating to sustainable transport including cycling, car parking and public transport.

9. Consultation responses

- (a) To determine an Authority response on any proposals that affect the National Park or the Authority, its powers, duties, functions and responsibilities, particularly but not exclusively, from central, regional or local government, neighbouring authorities, partnerships and other external bodies where the proposals are relevant to the functions of the Committee and where the Chief Executive considers that, following consultation

with the Chair of the Committee, such response should be determined by the Committee.

10. General

- (a) The appointment of temporary Task Teams relevant to the functions of the Committee and the receipt of reports.
- (b) To make any appropriate recommendations to the Authority, its Committees or Sub-Committees.

**Proposed amendments to the Delegation to the Chief Executive
(Part 7 of Standing Orders)**

7. A-1 EXERCISE OF POWERS

The following powers have been delegated by the Authority to the Chief Executive under s101 of the Local Government Act 1972. These delegated powers shall be exercised in accordance with:

- (a) The Standing Orders of the Authority
- (b) The Financial Regulations of the Authority
- (c) The relevant policies and internal procedures

The Chief Executive may delegate any of these powers to another Officer and will maintain a record of such delegations.

7. A-1 MEMBER INVOLVEMENT

In exercising these delegations the Chief Executive (and any Officer they delegate these powers to) should make sure that, where appropriate, Member input has been considered.

For guidance this means that in exercising delegated Authority the proposed decision is in accordance with the POLICY framework agreed by the Authority and the APPROACH agreed by the relevant Committee. Where an Officer intends to make a decision outside of either the agreed Policy or Approach it must be taken back to a meeting of the Authority or relevant Committee as appropriate.

A general principle of any delegation to an Officer is that there will be occasions when, for example due to reputational risks, they decide it may be prudent not to exercise their delegation and refer a matter back to a meeting involving Members for a decision. In exercising this judgement the Officer should have regard to the following risk matrix, with impact and likelihood testing the impact/likelihood on Corporate Strategy outcome delivery or the Authority’s reputation.

		Impact		
		Low	Medium	High
Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention
	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor
	Low	Accept	Accept but monitor	Closely monitor

If an item is identified as red it should automatically come to Members, if it is amber Officers should speak to the relevant Chair to decide on whether Member input is needed and what form it should take.

7 A-2 ROUTINE CONSUMABLE EXPENDITURE

The Chief Executive is authorised to place orders for routine consumable expenditure under £150,000 up to the amounts provided in the detailed annual budget, provided that such orders conform to Standing Orders, Financial Procedure Rules and this Scheme of Delegation.

Part 7(ii) Delegation to Officers

7 A-2 ROUTINE CONSUMABLE EXPENDITURE

A Third Tier Officer may authorise the placing of orders for routine consumable expenditure up to the amounts provided in the detailed annual budget, provided that such orders conform to Standing Orders, Financial Procedure Rules and this Scheme of Delegation.

Any expenditure, either in the form of an individual item or combination of items which form a scheme or project, within the agreed policies and programmes:

- (a) Over the value of £30,000 must be the subject of a business case agreed with the relevant Director and the Chief Finance Officer.
 - (b) Over the value of £50,000 must be the subject of a business case consulted with the Resource Management Meeting
 - (c) All other expenditure over £150,000 requires the authority of the relevant Committee.
-

MEMBER CHAMPION GENERIC ROLE

A Member Champion:

1. Is a critical friend and sounding board for Officers in developing strategic work and discussing potentially contentious/high profile issues on an exception basis.
2. Develops knowledge around strategic corporate outcomes and monitors performance progress.
3. Has an awareness of the Authority’s work relevant to strategic corporate outcomes and shares this internally with other Members.
4. Has an awareness of external factors that may impact on their area of interest.

A Member Champion will be supported by:

1. A named Lead Officer who will involve other Officers as appropriate. They will agree the way of communicating and engaging with the Member Champion.
 2. Appointed Member Champions can claim travel and subsistence for meetings with the named Lead Officer and when the Member Champion is invited to accompany the Lead Officer for their role.
-

MEMBER CHAMPIONS AND LEAD OFFICERS

a) Natural Environment, Biodiversity and Farming

Member Champion	Lead Officer	Suzanne Fletcher
-----------------	--------------	------------------

b) Cultural Heritage and Landscapes

Member Champion	Lead Officer	Suzanne Fletcher
-----------------	--------------	------------------

c) Engagement (includes sustainable tourism, recreation, health and wellbeing)

Member Champion	Lead Officer	Adrian Barraclough
-----------------	--------------	--------------------

d) Thriving and Sustainable Communities (including social housing)

Member Champion	Lead Officer	Brian Taylor
-----------------	--------------	--------------

e) Climate Change

Member Champion	Lead Officer	Emily Fox
-----------------	--------------	-----------

e) Business Economy

Member Champion	Lead Officer	Suzanne Fletcher
-----------------	--------------	------------------

f) Member Learning and Development

Member Champion	Lead Officer	Jason Spencer
-----------------	--------------	---------------

MEMBERS APPOINTED TO OUTSIDE BODIES

The Authority can gain a number of benefits from its Members being involved in outside bodies:

- To provide knowledge, skills and expertise which may not otherwise be available
- To provide accountability or legitimacy through the appointment of a Member
- To ensure that good relationships can be maintained with the body
- To deliver a partnership project that requires the input of other organisations or community groups
- To protect the Authority's investment or assets, for example if the Authority has provided funding or provides funding for service delivery
- To lever in external funding which would not be available to the Authority on its own

There are a number of types of outside bodies in which Members may become involved as a representative appointed by the Authority. Some common examples are:

- National or regional body
- Partnerships
- Charitable Trust
- Company limited by shares
- Company limited by guarantee
- Unincorporated association
- Industrial and provident society

An appointment to an outside body does not, therefore, necessarily mean that Members will always be representing the Authority's interests on that outside body. Indeed there are a number of cases, for example if they are a trustee or a company director, where they must always act in the interests of the outside body and not in the Authority's interests.

This can lead to conflicts of interests between their role as a Member and their representative role on the outside body.

FEEDBACK

It is important that Members appointed to an outside body provide information and reports periodically to the Authority on what the organisation is doing. The Authority has provided a report template and space on Authority agendas to facilitate feedback. Members appointed to an outside body should make sure that they are provided with sufficient information to make the report back but they are not required to disclose anything which is commercially confidential as this may be in breach of the Members' Code of Conduct; their duties of confidentiality to the outside body or may be a breach of confidence in the general sense.

GENERAL ADVICE TO MEMBERS APPOINTED TO OUTSIDE BODIES

- Ensure that you know the legal status of the organisation and read the governing document to understand your responsibilities;
- Ensure that if you are appointed a director of a Company the relevant form (form 288) is filed at Companies' House upon your appointment and resignation;
- Make any general declarations of interest at the first meeting;
- Ask if there is any personal liability insurance or indemnity in place – sometimes referred to as directors' liability insurance
- Clarify whether the organisation will pay allowances or expenses
- Ensure the board or management committee has regular financial and other reports which detail the current financial situation of the organisation and any liabilities - take an interest in the business plan;

- Discuss with relevant officers any new activities that the outside body undertakes (you may need to provide them with copy papers) and ensure that risks are properly identified in reports ;
- Observe duties of confidentiality (in both directions);
- Carefully consider any conflicts of interest, declare interests, and if appropriate, leave the room for consideration of the business;
- Take advice from the Monitoring Officer, the Chief Finance Officer and your Lead Officer contact as appropriate - not just when the organisation is likely to become insolvent, but generally. Occasionally, that advice may be to seek external advice on your position, especially if there is a conflict between the organisation and the Authority;
- Manage conflict - usually issues can be balanced, but ensure that when in meetings of the body you act in the body's best interests which may not necessarily be those of the Authority - if all else fails, resign. Do not just remain a director and fail to attend meetings or you may find that you are in breach of your duty to act in the best interests of that organisation
- Finally, question the need for future Authority involvement - Has the organisation come of age, or has it changed direction from when the Authority first became involved - what useful purpose would ongoing representation serve?

a) National/Regional Bodies

	Current Appointment	Lead Officer
Campaign for National Parks	Member: Cllr A McCloy Deputy: Mr Z Hamid Deputy: Cllr D Chapman	Sarah Fowler
East Midland Councils	Member: Cllr J Atkin Deputy: Cllr C Furness	Sarah Fowler
Europarc	Member: Cllr D Chapman	Sarah Fowler
Marketing Peak District and Derbyshire Local Authority Investor Group	Member: Mr J Berresford Deputy: Cllr J Atkin	Adrian Barraclough
Derbyshire Archaeological Advisory Committee	Member: Cllr C Furness	Suzanne Fletcher
Sheffield City Region Combined Authority	Member: Cllr C Furness Deputy: Cllr M Chaplin	Sarah Fowler

b) Charity Trustees, Company Directorships, LLPs

	Current Appointment	Lead Officer
Peak District National Park Foundation	Trustees: Mr Z Hamid Cllr A McCloy Cllr C McLaren Reserve: Cllr C Furness	Adrian Barraclough
National Parks England	Member: Cllr A McCloy	Sarah Fowler

APPENDIX 5

	Current Appointment	Lead Officer
National Parks Partnership LLP – Annual Meeting	Member: Cllr A McCloy	Sarah Fowler

c) Partnerships

	Current Appointment	Lead Officer
Derwent Valley Community Rail Partnership	Member: Cllr C Furness Deputy:	Tim Nicholson
Hope Valley and High Peak Community Rail Partnership	Member: Cllr C Farrell Deputy: Cllr I Huddleston	Tim Nicholson
Moors for the Future Partnership Group	Chair: Cllr D Chapman Deputy Chair: Cllr R Walker Reserve: Cllr C Farrell	John Scott
Peak District Partnership	Member: Cllr P Brady Deputy: Cllr J Atkin	Emily Fox
South West Peak Landscape Partnership Board	Member: Mr P Ancell Deputy: Cllr A Gregory	John Scott
Staffordshire Destination Management Partnership	Member: Mr P Ancell Deputy: Cllr A Gregory	Adrian Barraclough

d) Other meetings groups and forums

	Current Appointment	Lead Officer
Land Managers Forum	Chair: Cllr D Chapman Deputy Chair: Cllr A McCloy Member: Mrs C Waller Member: Mr R Helliwell	John Scott
National Park Management Plan Advisory Group	Member: Cllr D Chapman	Emily Fox
Peak District Local Access Forum	Member: Cllr I Huddleston	Mike Rhodes
Peak District Local Nature Partnership	Member: Cllr R Helliwell Deputy: Cllr C Farrell	John Scott
Stanage Forum Steering Group	Member: Mr Z Hamid	Adrian Barraclough