

9. REPORT OF THE MEMBER APPOINTMENT PROCESS PANEL - APPOINTMENT OF COMMITTEE CHAIRS AND VICE-CHAIRS, ANNUAL APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, PANELS AND ADVISORY GROUPS MEMBER CHAMPIONS AND OUTSIDE BODIES.

1. Purpose of the report

To appoint the Chair and Vice-Chair of the Authority's two standing Committees, Planning Committee and Programmes and Resources Committee.

To consider the Authority's 2020/21 appointments to Committees, Sub-Committees, Panels, Advisory Groups and Member Champion Roles.

To consider the Authority's 2020/21 appointments to Outside Bodies.

Key Issues

- In accordance with the Authority decision to establish a Member Appointment Process Panel, the Panel invited all Members to indicate whether they wish to stand for appointment to key positions and their preferences for Committee Membership.
- The Panel have considered the responses received in the context of the agreed appointment principles.
- The report of the Panel is attached as Appendix 1. Members are asked to consider the report when agreeing the appointments set out in recommendations 1 to 8 below. (The references in brackets relate to sections A to E in Appendix 1)
- The report of the Panel is a summary of responses received it is not a recommendation from the Panel.

2. Recommendations(s)

1. To consider whether all voting on recommendations 2 to 8 is carried out using a WebEx ballot rather than a recorded vote.
2. To confirm the Authority's previous decision to set the size of the two Standing Committees to 15, with 8 Local Authority Members and 7 Secretary of State Members and allocate Local Authority places on Planning Committee as set out in Section B (i) of Appendix 1.
3. To appoint Members as Chair and Vice Chair of the Planning Committee and Chair and Vice Chair of Programmes and Resources Committee until the annual Authority meeting in July 2021 [Section A]
4. To appoint Members to the Planning Committee and the Programmes and Resources Committee until the annual Authority meeting in July 2021. [Section B (i) and B (ii)]
5. To appoint until the annual Authority meeting in July 2021:
 - a) 5 Local Authority Members and 4 Secretary of State Members to the Local Joint Committee.[Section B (iii)]
 - b) 5 Local Authority Members and 4 Secretary of State Members to the Appeals Panel. [Section B (iv)]

- c) **1 Member and 1 Deputy to the Due Diligence Panel.[Section C (i)]**
 - d) **9 Members to the Local Plan Review Steering Group.[Section C (ii)]**
 - e) **7 Members to the Governance Review Working Group.[Section C (iii)]**
 - f) **6 Members to the Member Climate Change Task Group. [Section C (iv)]**
 - g) **the Chair and Vice Chair of the Programmes and Resources Committee, the Chair of the Authority and 2 other Members to the Budget Monitoring Group. [Section C (v)]**
6. **To appoint Members to the 7 Member Champion Roles set out in Section D of Appendix 1 until the annual Authority meeting in July 2021.**
 7. **To appoint Members to the 20 Outside Bodies set out in Section E of Appendix 1 until the annual Authority meeting in July 2021.**
 8. **To confirm that all these appointments are approved duties for the payment of travel and subsistence allowances as set out in Schedule 2 of the Members' Allowances Scheme.**

How does this contribute to our policies and legal obligations?

Appointment of Chairs and Vice Chairs

3. Standing Order 1.39(1) Part I requires the Authority at the Annual Meeting to appoint Members to be the Chair and Vice Chair of each Standing Committee. Several years ago Standing Orders were amended to omit the previous Standing Order 1.39(2) which stated that the appointments to the offices of Chairs and Vice Chairs of each of the Standing Committees shall normally be such that one of the offices shall be held by a Local Authority Member and the other office held by a Secretary of State National or Parish Member. Therefore this no longer applies to these appointments. Appointments made will continue until the next Annual Meeting unless a Member resigns from the office or resigns their membership of the Authority.

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

4. 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 Local Authority appointed Members over the Members appointed by the Secretary of State, which includes Parish Members. There are a few exceptions where due to rounding up and rounding down the numbers from each category are equal. This principle is also taken into account when setting up an Appeals Panel.

Member Champion Roles

5. At the 22 May 2020 meeting of the Authority it was agreed that the Member Champion role should have an internal focus where the Champion acts as a critical friend or advocate, not a spokesperson. A generic role description is available in the Democratic Services Handbook.

Appointments to Outside Bodies

6. These appointments contribute to the National Park Management Plan outcomes and

corporate objectives by continuing and supporting the Authority's working with stakeholders and partners.

Background Information

7. The Authority established a Member Appointments Process Panel to assist with appointments to key positions at the Annual Meeting. This year Cllr P Tapping, Ms Y Witter and Cllr B Woods were appointed as Panel Members.
8. The purpose of the Panel is to:
 - invite, receive and consider expressions of interests from Members in the annual appointments;
 - apply the agreed appointment principles to identify any issues that conflict with the agreed principles;
 - contact relevant Members to discuss and resolve issues if possible;
 - compile a list of candidates for the appointments for consideration at the Annual meeting.
9. As part of the process the Panel has contacted all Members to ask them to advise them on whether they intend to stand for appointment as Chair or Deputy Chair of the Authority, Chair or Vice Chair of Planning or Programmes and Resources Committee or one of the Member Champion roles and their preferences on appointments to committees, sub-committees, panels, advisory groups and outside bodies.
10. The Panel has considered the responses and checked them against the following 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 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.”

11. After considering the responses against the principles the Panel has produced the report included here as Appendix 1 which sets out a summary of the responses received. Where more than one Member has expressed an interest in a role all the names put forward have been included in Appendix 1 and where a vote is needed this is highlighted in the proposals section below. The intention of the Panel's report is to help improve the efficiency of making annual appointments however the Authority cannot prevent any Member from standing for appointment even if they have not given the Panel advance notice of their intentions.
12. Standing Orders state that when more than one Member is standing for a Chair or Deputy/Vice Chair position the voting must be carried out by ballot of all Members present at the meeting. In the current circumstances a paper ballot is not possible so a secret poll will be carried out using WebEx. In accordance with the Standing Orders revised to accommodate virtual meetings all other votes will be carried out using a recorded vote, however the Authority may also decide to carry out a WebEx ballot for other appointments if the majority of Members present agree. For expediency it is proposed that all votes relating to this report are carried out through a WebEx ballot. This is reflected in recommendation 1.
13. The Panel also considered point 6 in the principles above regarding the responsibility of nominated Members to demonstrate interest and potential and show that they understand what is required of them. With this in mind the Panel have asked that candidates for the Chair and Vice-Chair positions supply a written statement of not more than 500 words in support of their expression of interest which will be circulated in advance of the meeting (if received)

Proposals

Appointment of Chairs and Vice Chairs of Planning Committee and Programmes and Resources Committee. (Recommendation 3)

14. Section A of the Panel's report sets out the names of those Members who have expressed an interest in the roles of Chair and Vice-Chair of the two standing committees. Both of the named Members interested in the roles of Chair of Planning Committee and Chair of Programmes and Resources Committee comply with principle 3 as they have not exceeded the maximum continuous period of holding any one office for four continuous terms. If no further nominations are received at the meeting the appointments for Chair of Planning Committee and Chair of Programmes and Resources Committee may be approved without the need for a ballot however, if the

Authority agrees, for this virtual meeting, a WebEx ballot can be used.

15. Five Members have expressed an interest in role of Vice Chair of Planning Committee. As this position is contested, if at the time of the meeting more than one Member still wishes to be considered, the Authority will need to make sure there are no further expressions of interest and carry out a WebEx ballot for the appointment. The appointment of one of the named Members would be contrary to principle 2 of the appointment principles as the Member is currently in his first year of office.
16. Two Members have expressed an interest in role of Vice Chair of Programmes and Resources Committee. As these positions are contested, if at the time of the meeting both Members still wish to be considered, the Authority will need to make sure there are no further expressions of interest and carry out a WebEx ballot for the appointment.
17. If further nominations are received and alternative Members appointed we will need to amend the same names included in section B where appointments to Committees are made by virtue of their appointment as Chair or Vice Chair or where proportionality rules need to be considered.

Appointments to Planning Committee and Programmes and Resources Committee. (Recommendation 4)

18. Section B of the Panel's report sets out suggested Membership of Committees, Sub Committees, Panels and Advisory Groups based on the preferences of individual Members and the nominations received for the key positions above. Sections B (i) and B(ii) refer specifically to membership of the Authority's two Standing Committees.
19. Standing Order 1.40 sets out the arrangements for appointing Members to Standing Committees which is summarised as follows:
 - (1) Both Local Authority Members and Secretary of State appointed Members must be appointed to Committees in the same proportion as the membership of the Authority. This is a requirement of the Environment Act which means that with a Committee size of 15 there should be one more Local Authority appointed Member on each Committee.
 - (2) The Authority has two Standing Committees - Planning Committee and Programmes and Resources Committee.
 - (3) The Members appointed as Committee Chairs and Vice Chairs are Members of the appropriate Committee
 - (4) Members shall be appointed to the Planning Committee by the allocation of a number of places to the Constituent Councils and to the Secretary of State appointed National and Parish Members in such proportions as are determined at each Annual meeting. This year the Planning Committee allocations for Local Authority Members have been made in line with those agreed last year. The remaining Members will be appointed to the Programmes and Resources Committee.
20. The proposed Committee Membership as in sections B (i) and B (ii) of Appendix 1 are based on the previous Authority decision to fix the Standing Committees at 15 Members, with 8 Local Authority Members and 7 Secretary of State Members. Before appointing to the Planning Committee the Authority will be asked to confirm the allocation of Local Authority Members places by appointing Authorities, as set out in section B (i) of Appendix 1. Recommendation 2 refers to this.
21. In addition Cllr A McCloy has asked that, if he is reappointed as Chair of the Authority,

the size of Programmes and Resources Committee be increased to 16 so that he is appointed to both Committees. Because of rounding up/down it is possible to increase the number of Secretary of State Members on the Committee by one while retaining the ratio of Local Authority to Secretary of State Members as required by the Environment Act 1995.

22. This year, at the time of writing this report there is one new Secretary of State appointment awaiting ratification from the Minister. If the appointment is not ratified before the Annual Meeting a Secretary of State vacancy will be left on Planning Committee to be allocated to that Member on appointment.

**Appointments to Committees, Sub-Committees, Panels and Advisory Groups.
(Recommendation 5)**

23. Sections B and C of the Panel's report sets out suggested Membership of Committees, Sub-Committees, Panels and Advisory Groups based on the preferences of individual Members and the expressions of interest received for the key positions above.
24. If no changes are needed at the meeting the appointments may be approved as proposed subject to the following issues identified by the Panel being addressed.
25. Local Joint Committee (Section B (iii)) – The constitution of this Committee requires that the number of Authority Members on the Committee should be equal to the number of employees. This means that 9 members need to be appointed, and to meet the requirements of the Environment Act, 5 must be Local Authority Members and 4 Secretary of State Members. At the time of writing this report there is one Local Authority Member vacancy.
26. Appeals Panel (Section B (iv)) – Except for training purposes the Appeals Panel would not normally meet as a group. Members are drawn from the Panel as needed to consider employee appeals. The meetings are usually arranged at relatively short notice and because of agreed procedures there is limited flexibility in the chosen date. In the past the Authority has appointed a pool of 9 Members which reflects the make-up of the Authority. This year we have insufficient expressions of interest from both Local Authority Members and Secretary of State Members to maintain the membership at 9.
27. Local Plan Steering Group (Section C (ii)) – This Panel was established by the Authority on 15 March 2019 with the Membership reflecting appointments to other roles. As the Member Champion roles will be considered later in the meeting the main purpose for the Group being included in this list is to ask Authority to ratify the composition and confirm that meetings of the Group as an approved duty during 2020/21.
28. Governance Review Working Group (Section C (iii)) – This working Group was established by the Authority in December 2018. At the last meeting of the Authority it was agreed that, although the Working Group's programme of work had been completed, the Group should be reappointed at the Annual Meeting so it could assess the impact of the revised governance arrangements after six months of operation. The Panel has received one expression of interest from a Local Authority Member who would like to join the Working Group. As one Local Authority Member has decided not to seek reappointment this can be accommodated without changing the size of the Group.
29. Member Climate Change Task Group (Section C (iv)) – This task Group was established by the Programmes and Resources Committee in December 2019 comprising of 6 Members. At that time all Members were invited to join the Group and six Members were appointed. All six have indicated that they wish to remain on the Group for the next year. Following request for expressions of interest two Members have indicated that they wish to join the Group. For consistency it has been suggested

that the existing Members are reappointed and the makeup of the Group remains the same. The Authority are asked to consider this.

30. Budget Monitoring Meeting (Section C (v)) – The Authority has previously agreed that most of the Members appointed to this advisory group will be those appointed to Chair and Vice Chair roles earlier in the meeting. One other Member is appointed from either of the constituent groups. This year two expressions of interest have been received for this position. If the Authority wishes it may increase the size of the membership and appoint both.

Member Champions (Recommendation 6)

31. At the meeting of the Authority held on 22 May 2020 it was agreed that appointments would be made to the following 7 Member Champion roles:
- Natural Environment, Biodiversity and Farming
 - Cultural Heritage and Landscapes
 - Engagement (includes sustainable tourism, recreation, health & wellbeing)
 - Thriving and Sustainable Communities (including social housing)
 - Climate Change
 - Business Economy
 - Member Learning and Development

32. The Panel has therefore sought expressions of interest for these roles. The expressions of interest received are set out in the Panel's report.

Appointments to Outside Bodies (Recommendation 7)

33. The Authority currently appoints Members to 20 Outside Bodies. These are listed in Section E of Appendix 1.
34. For each Outside Body Section E identifies how many Members and Deputies the Authority is able to appoint and this is followed by details of Members who have expressed an interest in being appointed to that body. Where there are more Members interested than there are places or Members have not expressed a preference for being the Member or a Deputy a vote will need to be taken to allocate the places. It is proposed that the Chair asks if there are any further expressions of interest for uncontested places, seeks nominations for the vacancies identified, asks the Authority to vote on contested places and then asks the Authority to approve the appointments as one block.

Are there any corporate implications members should be concerned about?

Financial:

35. Although a special responsibility allowance is paid to the Chair and Vice-Chair roles these costs are included in the 2020/21 budget so the appointments do not incur any additional cost to the Authority.
36. Members may claim travel and subsistence for attendance at duties relating to the appointments made and these costs are included in the 2020/21 budget so the appointments do not incur any additional cost to the Authority.

Risk Management:

37. There are no apparent risks. Members have the opportunity to seek appointments to all the available positions.

Sustainability:

38. There are no issues to highlight

Equality:

39. The Authority monitors its membership by 3 out of the 9 Protected Characteristics set out in the Equality Act 2010.
40. For information 69% of the current Authority Members are men and 31% are women. At the 2019 Annual Meeting 100% of the six appointments attracting a Special Responsibility Allowance were held by men and 0% by women (the same as 2018). 78% of the Member Representatives appointed in 2019 were men and 22% were women (A of 5% reduction in the number of women appointed in 2018).

CLIMATE CHANGE

41. Every meeting of the Authority has its own Carbon footprint in terms of producing meetings papers, providing food and refreshments and where Members use private transport to travel to and from meetings. Scheduling meetings around key business needs and trying to hold several meetings on the same day aims to minimise the impact

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

None

43. **Appendices**

Appendix 1 - Report of the Member Appointment Process Panel 2020.

Report Author, Job Title and Publication Date

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