

**8. REPORT OF THE MEMBER APPOINTMENTS PROCESS PANEL – APPOINTMENT OF COMMITTEE CHAIRS AND VICE-CHAIRS, ANNUAL APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, PANELS, ADVISORY GROUPS, MEMBER REPRESENTATIVE ROLES AND OUTSIDE BODIES(A.111/JS )**

**1. Purpose of the report**

To appoint the Chair and Vice-Chair of the Authority's two Standing Committees, Planning Committee and Audit, Resources and Performance Committee.

To consider the Authority's annual appointments to committees, sub-committees, panels, advisory groups, member representative roles and outside bodies.

**Key Issues**

- In accordance with the Authority decision to establish a Member Appointments 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 met to consider the responses received in the context of the agreed existing appointment principles and attempted to informally resolve any issues identified.
- The report of the Panel is attached as Appendix 1. Members are asked to consider the report in agreeing the appointments set out in recommendations 1 to 8 below. (The references in brackets relate to sections A to D in appendix 1)
- The report of the Panel is a summary of responses received it is not a recommendation from the Panel.

**2. Recommendation**

- 1. To appoint Members as Chair and Vice Chair of the Planning Committee and Chair and Vice Chair of Audit, Resources and Performance Committee until the annual Authority meeting in July 2016. [Section A]**
- 2. To appoint Members to the Planning Committee and the Audit, Resources and Performance Committee until the annual Authority meeting in July 2016.[Section B(i) and B(ii)]**
- 3. To appoint Members to the Urgent Business Items Sub-Committee until the annual Authority meeting in July 2016. [Section B(iii)]**
- 4. To appoint 5 Council Members and 4 Secretary of State Members to the Local Joint Committee until the annual Authority meeting in July 2016.[Section B(iv)]**
- 5. To appoint 4 Council Members and 4 Secretary of State Members to the Appeals Panel until the annual Authority meeting in July 2016. [Section B(v)]**
- 6. To appoint 1 Council Member, 1 Secretary of State Member and 1 Parish Council Member to the Strategic Advisory Group until the annual Authority meeting in July 2016. [Section B(vi)]**

7. **To appoint the Chair and Vice Chair of the Audit, Resources and Performance Committee, the Chair of the Authority and one other Member to the Budget Monitoring Group until the annual Authority meeting in July 2016 [Section B(vii)]**
8. **To appoint Members to each Member Representative role until the annual Authority meeting in July 2016. [Section C]**
9. **To appoint Members to each outside body until the annual Authority meeting in July 2016. [Section D]**
10. **To confirm that all these appointments are approved duties for the payment of travel and subsistence allowances.**
11. **To ask Members appointed to Member Representative roles and outside bodies to produce a short annual report on activities, as appropriate, to be circulated in June 2016 as part of preparations for the 2016 Annual Meeting.**

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

**Appointment of Chairs and Vice Chairs**

Standing Order 1.39(1) requires the Authority at the Annual Meeting to appoint Members to be the Chair and Vice Chair of each Standing Committee. Standing Orders also provide 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 Council Member and the other office held by a Secretary of State National or Parish Member. While the Authority should have regard to this Standing Order when making appointments it cannot be “enforced” because all Members of the Authority must have the opportunity to be nominated if they wish and the Authority has a duty to make decisions in the best interests of the Authority. Appointments 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**

The Environment Act 1995 requires that membership of the Committees should reflect the makeup of the membership of the Authority in terms of the split between Local Authority and Secretary of State Members. This principle will also be taken into account when setting up an Appeals Panel.

Strategic Advisory Group meetings with Management Team contribute to making sure that the Authority secures ‘continuous improvement, value for money, sustainability and high standards of corporate governance.

**Appointment of Member Representatives**

The Member Representative role provides an avenue for increased Member involvement externally and internally working with staff to achieve National Park Management Plan (NPMP) and National Park Authority outcomes and priorities. Following the meeting a copy of the agreed job descriptions will be sent to all Members appointed to one of these roles.

## **Appointments to Outside Bodies**

These appointments contribute to the NPMP outcomes and corporate objectives by continuing and supporting the Authority's working with stakeholders and partners.

### **3. Background**

In March 2013 the Authority established a Member Appointments Process Panel to assist with appointments to key positions at the Annual Meeting. This year Councillor Mrs Norma Hawkins, Councillor John Walton, Councillor Peter Harrison and Mr Zahid Hamid were appointed as members of the Panel. However following the recent Parish Ballot Councillor Harrison was unable to participate.

The purpose of the Panel is to:

- invite, receive and consider expressions of interests from Members in the annual appointments
- apply the agreed existing 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.

As part of the process the Panel has contacted all Members individually to ask them if they intend to stand for appointment as Chair or Vice Chair of Planning or Audit, Resources and Performance Committee or one of the member representative roles, and their preferences on appointments to committees, sub-committees, panels, advisory groups and outside bodies.

### **Appointment Principles**

The Panel met on 23 June to consider the nominations and check them against the agreed existing appointment principles as follows:

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, 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 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.

The Authority's Standing Orders state that when more than one Member is standing for a Chair or Vice-Chair position the voting must be carried out by ballot of all Members present at the meeting. Where there are more than two persons nominated and of the votes given there is not a clear majority in favour of one person, the name of the person having the least number of votes will be struck off the list until there is majority of votes given in favour of one person. The Authority may also decide to carry out a ballot for other appointments if the majority of Members present agree.

The Panel also considered points 8 and 9 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 and Member Representative Roles supply a written statement of not more than 500 words in support of their nomination which will be circulated in advance of the meeting (if received).

Later in this meeting the Authority will be considering a proposal moved by Cllr Patrick Brady to replace the agreed existing appointment principles with democratic principles, however as these have not yet been considered and agreed only the existing appointment principles will be considered at this year's AGM.

#### **4. Proposals**

##### **Appointment of Chairs and Vice Chairs of Planning Committee and Audit, Resources and Performance Committee. (Recommendation 1)**

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 Planning Committee and the Chair and Vice-Chair of Audit, Resources and Performance Committee. All the named Members comply with principle 7 as they have not exceeded the maximum continuous period of holding any one office for four continuous terms.

It is also suggested in Standing Orders that for appointments to the role of Chair or Vice Chair of a Standing Committee one of the roles should normally be held by a Council Member and the other held by a Secretary of State Member. The names for Chair and

Vice Chair of both Standing Committees as put forward in Section A, meet this requirement.

If no further nominations are received at the meeting the appointments for Chair and Vice Chair of Audit, Resources and Performance Committee and Planning Committee may be approved without the need for a ballot. If further nominations are received and alternative Members appointed we will need to amend the same names included in section B where appointments are made by virtue of their appointment as Chair or Vice Chair

### **Appointments to Planning Committee and Audit Resources and Performance Committee. (Recommendation 2)**

Section B of the Panel's report sets out suggested Membership of Committees, Sub Committees, Panels and Advisory Group 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.

Standing Order 1.40 sets out the arrangements for appointing Members to Standing Committees which is summarised as follows:

- (1) Both Council Members and Secretary of State appointed Members must be appointed to Committees and in the same proportions as the membership of the Authority. This is a requirement of the Environment Act which means that, depending on the size of the Committee, in most cases there must be one more Council appointed Member on each Committee.
- (2) The Authority has two Standing Committees - Planning Committee and Audit Resources & Performance 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, in light of the report on Ex-Officio Membership considered earlier the Planning Committee allocations for local authority Members will have been determined so appointments should be made in accordance with that decision. The remaining Members will be appointed to the Audit Resources & Performance Committee.

The proposed Committee Membership as in sections B(i) and B(ii) are based on the steer given at the June Authority meeting which indicated that there was support for removing Ex-Officio Members and fixing the size of the Standing Committees at 15, with 8 Local Authority Members and 7 Secretary of State Members. As things stand for Planning Committee there are 9 expressions of interest for 8 local authority Member places.

### **Appointments to Committees, Sub-Committees, Panels and Advisory Groups. (Recommendations 3 to 7)**

Section B of the Panel's report sets out suggested Membership of Committees, Sub-Committees, Panels and Advisory Group based on the preferences of individual Members and the nominations received for the key positions above.

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.

Urgent Business Items Sub-Committee – As the places on the Sub-Committee are allocated according to appointments to key positions if the normal arrangements for appointing a Secretary of State Member to one position and a Local Authority Member to another are not followed we will need to seek nominations for at least one additional Member to maintain the proportionality requirements set out in the Environment Act.

Local Joint Committee – 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.

We therefore need one more Local Authority nomination for this Committee.

Appeals Panel – 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 so we need to have a pool of 8 Members which reflects the make-up of the Authority. We currently have sufficient nominations for the Secretary of State Members, however we need one more Local Authority Member

Strategic Advisory Group – The Authority has previously agreed that most of the Members appointed to this advisory group will be those appointed to Chair and Deputy/Vice Chair roles earlier in the meeting. Three Members are appointed from each of the three constituent groups. We have received one nomination for each role so if no further nominations are received the appointments can be approved uncontested.

Budget Monitoring Group – The Authority has previously agreed that most of the Members appointed to this advisory group will be those appointed to Chair and Deputy/Vice Chair roles earlier in the meeting. One other member is appointed from either of the constituent groups. We have received one nomination for this role so if no further nominations are received the appointments can be approved uncontested.

### **Appointment to Member Representative Roles (Recommendation 8)**

The Authority has agreed to have 12 Member Representative roles to support the themes of the NPMP plus additional roles to support Asset Management, Planning Enforcement and Member Learning and Development. The 12 agreed roles are as follows:

Landscape  
Cultural Heritage  
Biodiversity  
Climate Change  
People and Communities  
Recreation  
Promoting Understanding  
Tourism  
Economy  
Asset Management  
Member Learning and Development  
Planning Enforcement.

The Panel invited all Members to express an interest in being appointed to the posts. The responses received are set out in section C in Appendix 1.

At the time of writing the report one nomination had been received for the Landscape, Cultural Heritage, Climate Change, Recreation, Promoting Understanding, Tourism, Economy, Asset Management and Planning Enforcement roles. If no further nominations are received at the meeting these can be agreed as proposed.

For the People & Communities role two Members have expressed an interest in being appointed as a Member representative, however in the past two Members have shared the role. As this arrangement has worked well in the past the Authority is asked to use this approach again. If no further nominations are received at the meeting these can be agreed as proposed.

For the Biodiversity role two nominations have also been received. In this case the two Members have also expressed an interest in sharing the role. If the Authority supports this approach and no further nominations are received at the meeting these can be agreed as proposed.

Finally we are seeking one more nomination for the Member Learning and Development role.

If the Member Representative proposals in this report are approved this will result in 14 Members of the Authority being appointed to Member Representative Roles. While a special responsibility allowance is not paid for these positions there are additional costs relating to travel and subsistence and officer support. During 2015/16 we will be reviewing the Member Representative roles in the context of the new corporate strategy.

### **Appointments to outside bodies (Recommendation 9)**

At the meeting we will go through each appointment in turn. In most cases, if no further nominations are received, the appointments can be approved in accordance with the expressions of interests. Where additional consideration is needed the appointments are highlighted in bold.

The following highlighted appointments are usually made by virtue of earlier appointments:

East Midland Councils  
Europarc  
Land Managers Forum  
National Parks England  
National Park Management Plan Advisory Group  
Peak District Parishes' Forum Annual Liaison Meeting  
Sheffield City Region Forum

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

#### **5. Financial:**

Although a special responsibility allowance is paid to the Chair and Vice-Chair roles these costs are included in the 2015/16 budget so the appointments do not incur any additional cost to the Authority.

Members may claim travel and subsistence for attendance at duties relating to the appointments. As the number of Member Representatives has increased we will be keeping the costs arising from these duties under review and aim to meet them with the in the existing 2015/16 budget provision so the appointments do not incur any significant additional cost to the Authority.

**6. Risk Management:**

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

**7. Sustainability:**

None

**8. Equality:**

Any principles agreed by the Authority on appointments to key positions must make sure that all Members are able to be considered for appointment if they wish to do so and that the final appointments are made in an open and transparent way.

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

None

**Appendices**

Appendix 1 – Report of the Member Appointments Process Panel

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

Jason Spencer, Democratic Services Manager, 25 June 2015  
jason.spencer@peakdistrict.gov.uk