

7. REPORT OF THE MEMBER APPOINTMENT PROCESS PANEL

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 2022/23 appointments to Committees, Steering Groups, Panels, Advisory Groups and Member Champion Roles.

To consider the Authority's 2022/23 appointments to Outside Bodies.

Key Issues

- In accordance with the Authority decision to establish a Member Appointment Process Panel, the Panel invited Members of the Authority, on 20 May 2022, 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 7 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

- 1. 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 with an additional place on the Programmes and Resources Committee to accommodate the Chair of the Authority and with the allocation of the Cheshire East Council place on Planning Committee to another Local Authority until the annual Authority meeting in July 2023.**
- 2. 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 2023 (Section A)**
- 3. To appoint Members to the Planning Committee and the Programmes and Resources Committee until the annual Authority meeting in July 2023. (Section B (i) and B (ii)).**
- 4. To appoint Members to the 7 Member Champion Roles set out in Section C of Appendix 1 until the annual Authority meeting in July 2023.**
- 5. To appoint until the annual Authority meeting in July 2023:**
 - 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) the Chair and Vice Chair of the Programmes and Resources Committee, the Chair of the Authority and 3 or 4 other Members to the Budget Monitoring Group. [Section D (i)]**

- d) **6 Members to the Climate Change Member Steering Group. [Section D (ii)]**
 - e) **1 Member and 1 Deputy to the Due Diligence Panel. [Section D (iii)]**
 - f) **8 Members (4 Local Authority Members and 4 Secretary of State Members) to the Governance Review Working Group. [Section D (iv)]**
 - g) **The Chair & Vice Chair of Planning Committee, Chair of Authority and the Member Champions for Natural Environment, Biodiversity and Farming, Cultural Heritage and Landscapes, Engagement, Thriving and Sustainable Communities, Climate Change and Business Economy to the Local Plan Review Member Steering Group. [Section d (v)]**
 - h) **4 Members and 2 or 3 Reserve Members to the Member Appointments Process Panel [Section D (vi)]**
 - i) **6 Members to the National Park Management Plan and Corporate Strategy Review Member Task Group [Section D (vii)]**
- 6. To appoint Members to the 18 Outside Bodies set out in Section E of Appendix 1 until the annual Authority meeting in July 2023.**
- 7. 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?

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.
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 considered when setting up an Appeals Panel.
5. At the Authority meeting on 22 May 2020 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.
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. For this year Cllr K Richardson, Cllr P Tapping, Ms Y Witter and Cllr B Woods were appointed as Panel Members, with Cllr W Armitage and Cllr V Priestley as reserve 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 contacted Members of the Authority on 20 May to ask them to advise them on whether they intended 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. The Panel also asked for their preferences on appointments to committees, steering groups, 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. Should the need arise the ballot papers will be distributed to Members as required. The Authority may also decide to carry out a ballot for other appointments if the majority of Members present agree.
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 and for contested Member Champion roles to 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 2)

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.
15. Both named Members interested in the roles of Chair of Planning Committee and Vice Chair of Planning Committee comply with Principle 3, as they have not exceeded the maximum continuous period of holding any one office for four continuous terms. As both these positions are contested, if at the time of the meeting both Members still wish to be considered, and are both proposed and seconded, the Authority will need to make sure there are no further expressions of interest and carry out a ballot for the appointments.
16. If no further nominations are received at the meeting, and the candidate is proposed and seconded, the appointment for Chair of Programmes and Resources Committee may be approved without the need for a ballot and can be by show of hands.
17. Two Members have expressed an interest in the role of Vice Chair of Programmes and Resources Committee. Both these Members comply with Principle 3, as they have not exceeded the maximum continuous period of holding any one office for four continuous terms. As this position is contested, if at the time of the meeting both Members still wish

to be considered and are both proposed and seconded, the Authority will need to make sure there are no further expressions of interest and carry out a ballot for the appointment.

Appointments to Planning Committee and Programmes and Resources Committee. (Recommendation 3)

18. Section B of the Panel's report sets out suggested Membership of Committees and Panels 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 1995 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 1 refers to this.
21. The Local Authority allocations on the Planning Committee include a specific place for the Cheshire East Council representative. Last year the Cheshire East representative, Cllr Gregory, asked not to be on Planning Committee and it was agreed that the Cheshire East place on the Planning Committee be offered to another Local Authority Member for the ensuing year and this place was taken by Derbyshire County Council. Cllr Gregory has confirmed that he currently wishes to remain on the Programmes and Resources Committee and he is happy for the Cheshire East place on the Planning Committee to again be offered to another Local Authority Member for the ensuing year
22. For the previous 3 years the size of the Programmes and Resources Committee has been increased by 1 to 16 so that the Chair of the Authority can be appointed to both Committees. Both Cllr A McCloy and Cllr D Chapman have asked that, if either of them are appointed as Chair of the Authority, this increase be continued. Because of rounding up/down it is possible to increase the number of Secretary of State Members or Councillor Members on the Committee by 1 while retaining the ratio of Local Authority to Secretary of State Members as required by the Environment Act 1995.

23. This year, at the time of writing this report, we have 2 Secretary of State vacancies on the Authority and these will need to be allocated to the vacancies on the Planning Committee and the Programmes and Resources Committee. We are currently waiting for confirmation of appointment of a Secretary of State Member and we have one Parish Member vacancy which despite a by-election being held was not filled so is being held over to the Parish elections in 2023.

Member Champions (Recommendation 4)

24. The Panel has sought expressions of interest for the 7 Member Champion roles. The expressions of interest received are set out in the Panel's report. Two roles, for Natural Environment, Biodiversity and Farming and for Business Economy, are currently being contested so if all Members for these roles are proposed and seconded the Authority will be asked to consider if the appointments should be made by a show of hands or a ballot.

Appointments to Committees, Steering Groups, Panels and Advisory Groups. (Recommendation 5)

25. Sections B and D of the Panel's report set out the suggested membership of Committees, Steering Groups, Panels and Advisory Groups based on the preferences of individual Members and the expressions of interest received for the key positions above
26. 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.
27. 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 1995, 5 must be Local Authority Members and 4 Secretary of State Members. At the time of writing this report there are 2 Local Authority Member vacancies and 1 Secretary of State Member vacancy.
28. Budget Monitoring Meeting (Section D (i)) – 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. Previously one other Member was appointed from either of the constituent groups and in 2020 this was increased to two other Members. Last year three expressions of interest were received for the 2 other Member positions and it was agreed to increase the appointments by 1 to enable the 3 Members to be appointed. The 3 currently appointed other Members have confirmed that they wish to be reappointed this year. However, Mr Z Hamid, who has been a Member of the Meeting for the past 4 years as Chair of the P&R Committee, is not requesting re-appointment as Chair of the Committee but has indicated that he would like to remain on this Meeting to enable continuity during the changes in Chairs and Vice Chairs this year. The Panel suggests that if the Authority wishes it may increase the size of the membership to 4 other Members for the ensuing year only. If the Group size is not increased and all candidates are proposed and seconded then a ballot or vote by show of hands will be required.
29. Climate Change Member Steering Group (Section D (ii)) – This task Group was established by the Programmes and Resources Committee in December 2019 comprising of 6 Members. Following request for expressions of interest 1 Member has left the Group and the remaining 5 Members have indicated they wish to remain on the Group so there is 1 vacancy to fill. No further expressions of interest have been received so the Authority will need to see if any nominations are made at the meeting. If more than one Member is proposed and seconded the Authority will be asked to consider if the appointments should be made by a show of hands or a ballot.

30. Member Appointments Process Panel (Section D (vi)) - The currently appointed Members have expressed interest in remaining on the Panel and the Panel has received 1 further expression of interest from a Local Authority Member. The Panel suggests if all candidates are proposed and seconded the Authority may wish to increase the number on the Group to include 1 extra reserve Local Authority Member.
31. National Park Management Plan and Corporate Strategy Review Member Task Group (Section D (vii)) – This Task Group was established by the Authority in May 2021 with membership of the Group set at 6 and following expressions of interest 5 Members were accepted on to the Group and the 6th Member was appointed at the Annual meeting in July 2021. The Task Group was set up with an end date of October 2022, however it is now possible its last meeting may be in August 2022. Therefore, for consistency, it is considered that the current Members of the Group remain and no new Members be appointed. All the existing Members of the Group have confirmed they wished to continue on the Group. Three Members did express interest in joining this Group but as the current situation has been explained to them they have all withdrawn their expressions of interest.

Appointments to Outside Bodies (Recommendation 6)

32. Last year the Authority appointed Members to 20 Outside Bodies. This year there are only 18 Outside Bodies to be appointed to and these are listed in Section E of Appendix 1. The number of Outside Bodies has reduced as 2 no longer meet and have been removed from the list, these are
- Marketing Peak District and Derbyshire Local Authority Investor Group
 - South West Peak Landscape Partnership Board.
33. 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 and 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:

34. Although a Special Responsibility Allowance is paid to the Chair and Vice-Chair roles these costs are included in the 2022/23 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 made and these costs are also included in the 2022/23 budget so the appointments do not incur any additional cost to the Authority.

Risk Management:

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

Sustainability:

36. There are no issues to highlight.

Equality, Diversity and Inclusion:

37. The Authority monitors its membership by 3 out of the 9 Protected Characteristics set out in the Equality Act 2010.
38. For information 64.3% of the current Authority Members are men and 35.7% are women, a decrease of 4.3% in women compared to last year. These figures are affected by the 2 vacancies the Authority is currently holding. At the 2021 Annual Meeting of the six appointments attracting a Special Responsibility Allowance 83.4% were held by men and 16.6% by women compared to 100% of the appointments being held by men in 2019 and 2018. In 2021 the Member Champion roles were split 57.2% women and 42.8% men (an increase of 35% from the number of women appointed in 2019).

Climate Change

39. 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.

40. Background papers (not previously published)

None.

41. Appendices

Appendix 1 - Report of the Member Appointment Process Panel 2022

Report Author, Job Title and Publication Date

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