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| Report to | South Downs National Park Authority |
| Date | 19 June 2012 |
| By | Monitoring Officer |
| Title of Report | Review of Standing Orders and Appointments to Committees |
| Purpose of Report | To review Standing Orders, including terms of reference of Committees, and to make appointments to Committees |

Recommendation: The Authority is recommended to:

- 1) consider and approve the proposed changes to Standing Orders and terms of reference highlighted in Schedule 1 to the report, and**
 - 2) appoint Members to Committees as set out in Schedule 2 to the report**
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1. Introduction

- 1.1 This report enables the Authority to carry out its annual review of arrangements for discharging its decision making responsibilities, in particular the delegation of responsibilities to Committees and the procedures that apply to Member meetings. Review on an annual basis provides the opportunity to ensure that these arrangements remain fit for purpose in the light of legislative change, recent experience and future needs.

2. Standing Orders

- 2.1 Reproduced in **Schedule 1**, are the Standing Orders for Regulation of Authority Proceedings and Business, supplemented by Appendices 1 – 6. These were last reviewed and agreed at the annual meeting in June 2011. Changes proposed are highlighted by track change, and are explained by way of comment added in the margin. In summary, the main changes of substance are:
- 2.1.1 Terminology of S.O. 3 is amended so that meetings which are arranged, in addition to those scheduled in the meetings calendar, are referred to as “additional” meetings. This reflects the fact that the business considered at such meetings may be of a normal rather than “extraordinary” nature. Further, the Chief Executive, in consultation with the Chair, would have authority to call an additional meeting of the Authority at any time if, in their opinion, this was necessary for the convenient and/or efficient discharge of Authority business.
 - 2.1.2 S.O. 5 is amended so that a decision is made early in the meeting as to whether the press and public are to be excluded from the meeting at a later stage, when an item containing exempt or confidential information is considered. It was suggested at the May meeting of the Authority that it would be helpful to any members of the public present to make this decision early in the meeting.
 - 2.1.3 S.O. 5 is also amended to include the recently introduced practice of having Members report back from the external bodies to which they are appointed by the Authority.
 - 2.1.4 S.O. 6 is amended to clarify that draft minutes will be posted on the Authority's website within 15 working days, subject to agreement with the Chair of the meeting concerned, and with a clear indication that they have not yet been formally approved. This is intended to promote better and earlier communication about the business that has been considered at Authority meetings.
 - 2.1.5 S.O. 15 has been amended to include reference to the guidance agreed by the Authority

on the exercise of the Chair's casting vote.

- 2.1.6 Legislative references have been updated to reflect the introduction of the Localism Act 2011 and repeal of the previous legislation regarding standards committees. S.O. 25 is consistent with the provisions on discloseable pecuniary interests set out in the draft Code of Conduct considered earlier in today's meeting.
- 2.1.7 Appendix 3 has been updated to clarify that where an Authority Member wishes to speak at Planning Committee under the public speaking procedures, in opposition to an application, they should be heard before the applicant, along with other objectors, rather than after. This is so that the applicant has the opportunity to respond.
- 2.1.8 Appendix 4 has been updated to reflect certain proposed changes in terms of reference of Committees. This is explained further in section 3 of this report.

3. Terms of Reference of Committees

- 3.1 National Park Authorities (NPAs) usually have a range of committees to support the efficient, effective and proper delivery of the Park Authority's business. Most NPAs have between two and four committees.
- 3.2 The separate report on today's agenda concerning the Localism Act proposes the replacement of Standards Committee and Audit Committee with a new Standards and Audit Committee, the proposed terms of reference of which are set out in that report. This report is prepared on the basis that recommendation is approved.
- 3.3 There are no changes proposed to the terms of reference of Resources and Performance Committee.
- 3.4 A change is proposed to paragraph 2 of the Planning Committee's terms of reference. In order to ensure a proportionate approach to plan making throughout the Park , and in particular around consultation on draft planning policy documents, it is proposed to simplify the decision making process. Presently each stage of the plan making process is reported to Planning Committee for comments with a final decision being taken by full Authority. With 9 joint plans currently being progressed , each with a minimum of 4 stages in the process of evolution, this means 27 reports to both the Planning Committee and the National Park Authority.
- 3.5 It is proposed that this process be simplified in order to reduce the administrative burden, with Planning Committee having the authority to approve all documents associated with any joint plan making process up until the 'pre-submission' stage. The decision to approve the 'pre-submission document' would remain with the Full Authority as would any decision required thereafter, including adoption.
- 3.6 It would remain possible for any Member who wishes to be involved in the early stages of the joint plan making process to attend Planning Committee and speak prior to debate. All stages of the joint plan making process would continue to be reported to the Planning Committee for their view.

4. Membership of Committees

- 4.1 The current position with regard to membership of Committees is set out in **Schedule 2** to the report. The merger of Standards and Audit Committees, together with two newly appointed Members of the Authority, means that a number of members will be available for appointment to the three Committees as required. The Authority is requested to appoint members to the three committees for the coming year.
- 4.2 It is suggested the new Committee should retain the two independent members previously appointed to the Audit Committee.
- 4.3 It is proposed that the Authority Chair no longer sits on the Planning Committee as an ex-officio (non voting) Member.
- 4.4 Under Schedule 7 Para. 13 of the Environment Act 1995, the Authority has a duty to secure that the division of local authority-appointed members and Secretary of State appointed

members on any committee is (as nearly as possible using whole numbers) in the same proportions as that of the Authority itself. However, Paragraph 13.5 provides that the proceedings of a committee shall not be invalidated by any failure to perform this duty.

- 4.5 For absolute clarity, Authority Members do not represent their appointing bodies on the Authority, but will, as a Member, be responsible for ensuring that the Authority achieves the National Park Purposes and Duty, and does so in a way that best suits the special characteristics of the National Park as a whole.

5. Resources

- 5.1 The administration and meeting costs of Committees will be covered by existing Authority staff and budget.

6. Risk management

- 6.1 There are no particularly significant risks associated with this report.

7. Human Rights, Equalities, Health and Safety

- 7.1 There are no implications arising from this report

8. External Consultees

- 8.1 None

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| Appendices | Schedule 1: Standing Orders and Appendices 1-6 Schedule 2: Membership of Committees |

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| SDNPA Consultees | Chief Executive Officer, Director of Corporate Services, Director of Planning, Director of Strategy and Partnerships, Head of Operations, Chief Finance Officer |
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| Background Documents | None |
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