

Report to	<b>Governance Committee</b>
Date	<b>24 May 2017</b>
By	<b>Head of Governance</b>
Title of Report	<b>Governance Review</b>

**Recommendation: The Committee is recommended to:**

- 1) Note the outcomes of the work of the Governance Review Task and Finish Group ;**
- 2) Recommend to the Authority the changes to the committee structure and ways of working set out in the interim report in Appendix I, and other changes set out in this report to take effect from the Authority's AGM in July 2017 ; and**
- 3) Delegate authority to the Monitoring Officer in consultation with the chair of Governance Committee to review the Authority's standing orders and make proposed changes necessary to give effect to the new committee structure, ways of working and other changes set out in the report, and submit these changes for consideration to the NPA in July 2017.**

## **1. Summary and Background**

- 1.1 Governance Committee agreed to undertake a review of the authority's governance arrangements at its meeting in November 2016. This review was led by a Task and Finish Group comprising Norman Dingemans, Sebastian Anstruther and Karen Roberts and was supported by the Monitoring Officer and Head of Governance.
- 1.2 The Group considered a range of evidence – including the results of surveys of members and officers, a review of statutory requirements, the practice of other national Parks and the current operation of our existing committee structure. The key findings are set out in the interim report attached at **Appendix I**.
- 1.3 The interim report was discussed at a member workshop on the 30 March where the general principles were endorsed.

## **2. Proposed changes to the Committee Structure**

- 2.1 In considering the evidence gathered during the review, the Task and Finish Group were of the opinion that to achieve the new way of working identified and increase levels of member engagement changes needed to be made to the committee structure.
- 2.2 The Task and Finish Group proposes the following Committee structure:  
**Policy and Resources Committee (referred to in the interim report as Finance and General Purposes Committee)**
- 2.3 This replaces the current Policy and Programme Committee and Governance Committee. This will comprise 13 members, and the 2 independent co-opted members (for audit purposes). This committee will fulfil the following functions:
  - Developing and recommending strategies and policies (excluding planning policy matters) to the NPA for approval

- Matters relating to grants and project approvals
- Performance monitoring inc. financial monitoring
- Agreeing significant procurement activities.
- Functions as required under the Accounts and Audit Regulations 2015 and other audit functions.

2.4 It is proposed that meetings of this Committee be webcast.

#### **Planning Committee**

2.5 The Planning Committee will continue to function as it currently does, but with the inclusion of CIL responsibilities currently undertaken by Policy and Programme Committee.

#### **Appointments, Management and Standards Committee**

2.6 The terms of reference for the current Appointments and Management Committee will be amended to include standards matters currently dealt with by the Governance Committee. These include reviewing the member's code of conduct and ensuring adequate arrangements are in place for the handling of complaints about members.

2.7 Membership of this Committee will comprise 3 members (to include the Chair and Deputy Chair of the Authority plus one other member to be appointed at the AGM). This additional member will serve as a member of the informal committee chairs and SMT group. It is proposed that the NPA will also appoint a number of substitute Members who can act in place of Committee Members who are absent or who have a conflict of interest.

#### **National Park Authority**

2.8 The Authority will continue to meet and undertake its existing responsibilities, with the addition of receiving annual reports that have previously been reported to governance committee.

2.9 The amended terms of reference for the committees are set out at **Appendix 2** and are subject to approval at the NPA meeting in July.

2.10 A new committee schedule, taking into account the new committees will also be presented to the NPA for noting.

#### **New arrangements for Task and Finish Groups (referred to the interim report as Working Groups)**

2.11 It was clear from the evidence gathered that members would prefer more opportunities to undertake work in Task and Finish Groups.

2.12 It is important to note that Task and Finish Groups will not have formal decision making powers and do not replace the need for full and frank discussion of topics by committees, but it is felt that undertaking detailed or strategic work in this way will enable a better quality of debate and more informed reports being presented to members.

2.13 In order to ensure the best possible outcomes from this way of working the following process will be incorporated into standing orders and future ways of working:

- An E-mail will be sent to all members calling for interest to be on the proposed Group (from across all committees)
- The Committee Chair and Deputy (or Authority Chair and Deputy Chair in the case of Task and Finish groups to be established by the Authority) recommends to Committee (or Authority) who should serve on the Group and Committee (or Authority) formally appoints the membership
- There will normally be an opportunity for the Task and Finish Group to present to a pre-committee/NPA session at appropriate point of work (before final report is produced)
- After work is completed an Officer will produce a report which is presented to NPA/Committee as required
- A standard terms of reference will be developed for Task and Finish Groups to ensure

consistency across these groups

### 3. Other Proposed Standing Order changes

#### Speaking at Planning Committee.

- 3.1 The protocol for public speaking at meetings of the Planning Committee currently states that members of the Authority can speak for an unlimited time. It is proposed that, in order to support the efficient management of Planning Committee meetings that this be amended to read members of the authority can “speak for a period to be agreed with the Chair of the Committee.”
- 3.2 Further, in order to clarify the rights of members who have declared an interest in an item and have chosen not to participate in the discussion on that item it is proposed that an additional paragraph be added to the public speaking rules to state that the member who has declared an interest may speak at the meeting as if they were a member of the public, but the requirement to give notification in advance of the meeting would not apply.

#### Public Speaking at meetings of the Authority

- 3.3 For clarification it is proposed to remove paragraph 1.10 of Appendix 3 (which allows for members of the public who have not given notice that they wish to address a meeting to speak for up to 1 minute) and replace this with additional wording at para 1.6 to allow for any member of the public who has not given notice that they wish to speak at the meeting to be able to speak at the chairs discretion.

#### Project reporting

- 3.4 In order to streamline the project reporting process the following changes to project reporting are proposed:
- 3.5 That the requirement for small projects of £50k or less lasting more than one year and involving more than one external partner be referred to a Committee for approval be removed. This would mean that small projects (less than £50k contribution from the SNDPA) would not be subject to committee approval This is for pragmatic reasons as project timescales do not always align with the committee cycle which can cause delays in the authority’s ability to respond to opportunities and risk our involvement in smaller scale projects that meet organisational and PMP priorities. It is proposed that the Policy and Resources Committee will receive regular updates in relation to projects agreed, and may wish to establish a task and finish group to monitor project activity. This is reflected in the proposed committee terms of reference at **Appendix 2**

### 4. Governance Committee Considerations

- 4.1 The Task and Finish group was established by the Governance Committee in November 2016.
- 4.2 An interim report from the group was made to an all member workshop in the 30th March 2017 where the initial findings were discussed and endorsed.

### 5. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Yes – a final decision will need to be taken by the full Authority. This is scheduled for July 2017
Does the proposal raise any Resource implications?	The implementation of the proposals will be delivered from within existing resources
How does the proposal represent Value for Money?	The proposal is designed to ensure an effective and efficient decision making process.

Are there any Social Value implications arising from the proposal?	None
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	The Authority's decision making processes will continue to be accessible to the public in line with legislative requirements.
Are there any Human Rights implications arising from the proposal?	There are none
Are there any Crime & Disorder implications arising from the proposal?	There are none
Are there any Health & Safety implications arising from the proposal?	There are none
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy.	The proposal supports principle 4 – promoting good governance

## 6. Risks Associated with the Proposed Decision

- 6.1 This proposal is designed to identify and address any weaknesses in the Authority's governance arrangements. Periodic review of such arrangements helps ensure that risks associated with decision making and governance procedures are mitigated

### ROBIN PARR

#### Head of Governance and Support Services South Downs National Park Authority

Contact Officer:	Robin Parr
Tel:	01730 819207
email:	Robin.parr@southdowns.gov.uk
Appendices	1. Interim Report of Governance Working Group 2. Proposed Committee Terms of Reference
SDNPA Consultees	Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, OMT
External Consultees	None
Background Documents	Previous committee papers Standing Orders