



South Downs

National Park Authority

Agenda Item 12

Report NPA19/20-03

Report to	South Downs National Park Authority
Date	02 July 2019
By	Head of Governance and Support Services
Title of Report	Appointment of Committees and Outside Bodies
Decision	

Recommendation: The Authority is recommended to:

- 1. Appoint the Planning Committee, Policy and Resources Committee and Appointments, Management & Standards Committee with the Terms of reference set out at Appendix 1, as the committees necessary to discharge the functions of the Authority.**
- 2. Appoint the Membership of Committees as set out in Appendix 3 to this report (to be tabled at the meeting).**
- 3. Appoint the Members to outside bodies and panels until the Authority AGM in 2020 as set out in Appendix 5 to this report (to be tabled at the meeting).**
- 4. Suspend Standing Order 8.3 (in relation to the appointment of Chairs and Deputy Chairs of Committees) until 24 July 2019 and agree that any election that takes place during this suspension of standing orders is to be conducted in accordance with paragraph 2.4.1 of this report.**
- 5. Agree, for the purposes of Standing order 8.1(e), that, in line with the Authority's established practice, the Committees appointed by the Authority may not arrange for the discharge of the Authority's functions by a sub-committee. All Committees retain powers under Standing Order 27 to establish Member Task and Finish Groups.**

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, and making of appointments, to Committees.
- 1.2 The report asks the Authority to appoint Members to represent the Authority on a variety of external organisations, fora and outside bodies (for the purposes of this report, the term 'Outside Bodies' is used to encompass all of these bodies).
- 1.3 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 proportion as required in the case of the Authority itself.

2. Issues for consideration

- 2.1 It is proposed that the existing committees of the authority be reappointed for the forthcoming year with the terms of reference set out at appendix 1.
- 2.2 The current Membership of Committees is set out at **Appendix 2**. The proposed membership of Committees for approval is set out in **Appendix 3** to the report (to be circulated at the meeting).
- 2.3 In order to ensure the effective operation of the Appointment Management and Standards Committee it is proposed that a number of substitute members be appointed. Substitute members are to be drawn from both Secretary of State Appointees and Local Authority members and will act in place of Committee Members who are absent or who have a conflict of interest.
- 2.4 Following a change in the timescale for confirming Parish Member appointments by Defra some issues have arisen regarding the appointment of Parish Members to committees. In order to provide the opportunity for Parish Members to be considered for the positions of committee chairs and deputy chairs, the following process should be adopted:
- That Standing Order 8.3, be suspended until 24 July 2019 in order to remove the requirement to elect a Chair and Deputy Chair of a Committee at its first meeting after the AGM. This will enable the Planning Committee and Policy and Resources Committee to decide either to choose a Chair solely for the July meeting and revisit the election of Chair and Deputy at its next meeting or to proceed to elect the Chair and Deputy for the period until the first meeting after the 2020:
 - Where the Policy and Resources Committee and/or Planning Committee agrees to choose a Chair for their July meeting only, it is proposed that Members will have the opportunity to nominate themselves at the meeting. The normal election process will be resumed at the meetings of the committees in August (Planning Committee) and September (P&R Committee).
 - Should the Committee decide at its July meeting to proceed to elect a Chair and Deputy for the period until the first meeting after the 2020 AGM, then the election will follow the rules set out in sections 3 and 4 of Appendix 2 of the Authority's Standing Orders. However, these will be modified so that any requirements relating to action to be taken prior to the Committee meeting shall not apply. Members may nominate themselves at the meeting.
- 2.5 In line with the Authority's established practice, it is proposed that the Committees appointed by the Authority may not arrange for the discharge of the Authority's functions by a sub-committee. All Committees retain powers under Standing Order 27 to establish Member Task and Finish Groups.

3. Appointments to Outside Bodies

- 3.1 The role of a Member appointed to an Outside Body will vary according to the requirements of each external organisation. The Member may be a decision maker, a representative of the Authority, or simply a first point of contact for the external organisation. In some cases, Officers may also attend in support.
- 3.2 Except in cases where Members perform a legal role, Members will represent the Authority's interests and, where appropriate, report back to the Authority. Any issues arising from these external contacts requiring consideration by the Authority will form part of a report compiled by the appropriate Member and taken to a full Authority meeting.
- 3.3 The process governing appointments to outside bodies is set out at SO26 of the Authority's Standing orders. This provides that appointments will be made by the Authority at its Annual Meeting where it considers that the appointment will support and be consistent with its purposes and objectives. SOs require that the Chief Executive seek expressions of interest from Members in relation to outside bodies. Members are required to express an interest, where applicable at least two working days before the meeting, in writing.

3.4 SO26 further sets out that any appointments to outside bodies not made at the Annual Meeting of the Authority will be made by the Chief Executive in consultation with the Chair of the Authority and will be reported to the next available meeting of the Authority.

3.5 The current appointments to outside bodies is set out **Appendix 4**. The proposed appointments to outside bodies for approval is set out in **Appendix 5** to the report (to be circulated at the meeting).

4. Options & cost implications

4.1 The Authority could decide not to establish committees to discharge its decision-making responsibilities, or appoint to outside bodies. However the proposed committees represent the most effective way of exercising the powers and influence of the Authority.

4.2 The costs associated with the administration of the decision making structures of the Authority are met from within the Authority's core budget.

5. Next steps

5.1 Officers will take the necessary administrative steps to enact the new committee memberships and outside body appointments.

6. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Following the appointment of Members to Committees the Committees will need to elect their own chair and deputy chair.
Does the proposal raise any Resource implications?	The administration and meeting costs of Committees is covered by existing Authority staff and budgets. Attendance at Outside Bodies meetings will be a valid duty for the purpose of travel and subsistence allowances. Members of the Authority are paid allowances in accordance with the Authority's Scheme of Allowances.
How does the proposal represent Value for Money?	Effective decision making contributes to the efficient running of the Authority.
Are there any Social Value implications arising from the proposal?	None
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	All members are eligible to be considered for Committee places and outside bodies. The operation of Committees meets the obligations of the Equalities Act and reasonable adjustments will be made to support Members.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising	None

from the proposal?	
Are there any Data Protection implications?	Personal data relating to this decision will be managed in accordance with the Authority information security policy and in compliance with Data Protection Legislation. The proposal does not require any additional processing.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy?	The report adheres to the principle of Promoting Good Governance as set out in the Authority's Sustainability Strategy.

7. Risks Associated with the Proposed Decision

- 7.1 Members who have been newly appointed to Committees may be required to undertake training in the role and responsibilities of such Committee.
- 7.2 The Authority is the planning authority for the South Downs National Park, and any new appointees to the Planning Committee must undertake the required level of training before they can take part in the decision making process.

ROBIN PARR

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Appendices	<ol style="list-style-type: none"> 1. Committee terms of reference 2. Committee appointments 2018/19 3. Proposed Committee Appointments (to be tabled at the meeting) 4. Outside Bodies appointments 2018/19 5. Proposed Outside body Appointments (to be tabled at the meeting)
SDNPA Consultees	Chief Executive Officer, Director of Countryside Policy & Management, Director of Planning & Monitoring Officer;
External Consultees	None
Background Documents	Standing orders

Committee Terms of Reference

PLANNING COMMITTEE: TERMS OF REFERENCE

- 1.1. To exercise all development Management functions which are conferred upon the local planning authority except where, and to the extent that, the exercise of such functions has been delegated to local councils.
- 1.2. To decide Planning policy matters of local, or non-strategic, significance, including neighbourhood plans and development orders but excluding non-planning related community-led plans. At the key milestone stages of planning policy, matters of strategic significance are to be determined by the Authority, including Regulation 19 stage (pre-submission) of the SDNP Local Plan, planning policy matters of strategic significance relating to adjoining authorities, and strategically significant planning policy matters of partner organisations such as LEPs, LSPs etc. All such matters will be reported to the Planning Committee for comment prior to consideration by the Authority.
- 1.3. To provide an Authority response to consultations from neighbouring authorities on planning matters, unless the response is of strategic significance.
- 1.4. To provide an Authority response to government and other consultations on planning matters unless the response is of strategic significance.
- 1.5. To approve consultation documents and arrangements on SDNPA policy matters such as development briefs, conservation area appraisals, joint LDF consultation documents where either the policy issues are of local or non-strategic significance, or no policy commitment is implied.
- 1.6. To authorise enforcement action which requires prosecution, the service of a “Stop Notice” or any other Notice or action which in the opinion of the Director of Planning might potentially have significant financial risks for the Authority
- 1.7. To determine administrative and procedural matters relating to planning, such as Statements of Community Involvement and Local Development Scheme.
- 1.8. To determine the arrangements for charging the community infrastructure levy.
- 1.9. To determine the allocation of resources received through the community infrastructure levy.
- 1.10. To authorise the preparation of planning obligations under Section 106 of the Town and Country Planning Act 1990 on such applications that are before the Committee.
- 1.11. To consider and report to the Authority on any other matter delegated to it by the Authority.

POLICY AND RESOURCES COMMITTEE: TERMS OF REFERENCE

1. AUDIT

- 1.1 To meet the requirements of the Accounts and Audit Regulations 2015 in respect of:
- Conducting an annual review of the effectiveness of the system of internal control;
 - Conducting an annual review of the effectiveness of internal audit;
 - Reviewing the outcome of annual review of governance arrangements and approving the Annual Governance Statement, ensuring it contains any actions for improvement; and
 - Considering and approving the Authority's annual Statement of Accounts
- 1.2 To ensure the robustness of risk management and performance management arrangements.
- 1.3 To provide assurance as to the adequacy of arrangements for the prevention and detection of fraud and corruption.
- 1.4 To agree the internal audit plan and annual report, and receive progress and other relevant internal audit reports.
- 1.5 To agree the External Auditor's Annual Audit Plan, and receive the District Auditor's Audit Results Report and other relevant reports.
- 1.6 To provide assurance as to compliance with the Authority's Treasury Management Policy, Financial Regulations and Procedures and Capital Strategies
- 1.7 Consider and recommend to the Authority the approach to the appointment of the Authority's external Auditor
- 1.8 To recommend to the authority any material and/or substantial changes to the Financial regulations and Financial Procedures

2. STRATEGIES AND POLICIES

- 2.1 To recommend annually to the Authority:
- The Corporate and Business Plans including strategies and priorities, appropriate objectives and key performance measures; Treasury Management Policy and Capital Strategies.
- 2.2 To review and recommend to the NPA the adoption or revision of the Partnership Management Plan and monitor and review its delivery
- 2.3 To approve appropriate resource plans (including workforce plans, information strategies, procurement and estates strategy), and policies, procedures and systems to support effective resource management
- 2.4 To develop and consider policies and strategies for recommendation to the NPA save for when these are delegated to another Committee or Officer.
- 2.5 To consider, and where the Committee considers it appropriate, endorse Whole Estate Plans.
- 2.6 To consider, and where the Committee considers it appropriate, endorse non-planning related community led plans, including Parish Plans, Market Town Health Checks and Landscape Character Assessments
- 2.7 To decide applications for, or reviews, of directions for restrictions on Access Land referred to the Committee by the Chief Executive
- 2.8 To agree a strategy for the South Downs National Park Authority brand and identity, and to monitor and review its implementation.

3. GRANTS AND PROJECTS

- 3.1 To agree the submissions of bids for grant funding, and the arrangements for application of grant funds received (subject to any urgent decisions required being made by the Chief

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Executive in accordance with Standing Order 18 and in consultation with the Chair of the Committee).

- 3.2 To have oversight of the Strategic Fund including approving project bids to the Fund in excess of £50k up to a maximum SDNPA contribution of £100k To recommend for approval by the NPA any Strategic Fund project bid where the SDNPA contribution exceeds £100k.
- 3.3 To receive updates from the South Downs National Park Trust on the financial position and operational activities of the Sustainable Communities Fund.

4. PERFORMANCE AND PROCUREMENT

- 4.1 To monitor and identify improvements arising from the outcomes and evaluation of projects identified by the Committee, audits, survey and other feedback and make recommendations as appropriate.
- 4.2 To monitor and review the performance, including financial performance, of the Authority in the context of its business delivery, and the management and maintenance of the Authority's assets in accordance with the Authority's agreed budget, Corporate Plan and other approved plans, and make recommendations for changes as appropriate.
- 4.3 To agree arrangements for the procurement and ongoing monitoring of external contracts for support services, and to authorize entering into contracts of a value of £100k or greater in accordance with Contract Standing Orders.

5. OTHER

- 5.1 To consider and report to the Authority on any other matter delegated to it by the Authority.

APPOINTMENTS, MANAGEMENT AND STANDARDS COMMITTEE: TERMS OF REFERENCE

1. To determine the terms and conditions of employment of the Chief Executive (National Park Officer), including relocation payments, etc.
2. To determine the remuneration, annual pay award/performance pay, any accelerated progression of the Chief Executive (National Park Officer) (taking into account the contractual and other pay remits and agreements entered into in respect of the wider staff establishment)
3. To set the performance objectives and assess the performance of the Chief Executive (National Park Officer) annually
4. To manage all other aspects of the Chief Executive (National Park Officer)'s and SDNPA's contractual employment relationship, including, but not limited to, performance during the probationary period, capability, conduct and grievance matters, and matters relating to extension of ill-health leave (including the extensions of sick pay) or other terminations of employment.
5. Where the Authority determines to appoint a Chief Executive (National Park Officer) and it decides not to make the appointment exclusively from among existing officers, to undertake the recruitment, selection and appointment process in accordance with the relevant requirements of the statutorily prescribed standing orders contained in Appendix 6 of the Authority's Standing Orders.
6. Before making an appointment of a Chief Executive (National Park Officer) or assigning additional responsibilities to a person holding such an appointment, to consult with Natural England or DEFRA, as appropriate, and to extend an invitation to the consultee to attend the relevant meeting of the Committee.
7. Where the Committee considers it appropriate, to extend an invitation to a Member of the Authority to attend a particular meeting of the Committee.
8. To promote training and advice to Members and Co-opted Members on the Code of Conduct, relevant protocols adopted by the Authority, and related matters to enable high standards of conduct to be maintained.
9. To advise the Authority on the revision or replacement of its Code of Conduct for Members and Co-opted Members, and on the review of protocols relevant to ethical standards.
10. To advise the Authority on the arrangements to be applied for the investigation and determination of allegations of failure to comply with the Code of Conduct for Members and Co-opted Members, including advice on the involvement of at least one independent person in those arrangements, and to handle and determine such allegations in accordance with the approved procedures.
11. To consider and determine an application by a Member or Co-opted Member for the grant of a dispensation under Section 33 Localism Act 2011, relieving the restrictions on participation in, and voting on, a matter in which the Member or Co-opted Member has a disclosable pecuniary interest
12. To consider and report to the Authority on any other matter delegated to it by the Authority

Committee Appointments 2018/19

Planning Committee (11)	Policy and Resources Committee (13)	Appointments management and Standards Committee (3)
Neville Harrison (Parish)	Ken Bodfish (National)	Margaret Paren (National)
Alun Alesbury (Parish)	Helen Jackson (National)	Norman Dingemans (LA)
Heather Baker (National)	Sebastian Anstruther (National)	Gill Mattock (LA)
Barbara Holyome (Parish)	Tim Burr (Parish)	Substitute members:
Doug Jones (Parish)	Mark Dunn (LA)	Sebastian Anstruther (National)
Tom Jones (LA)	Jo Carr (Parish)	Tim Burr (Parish)
Antony Watts Williams (LA)	Chris Dowling (LA)	Heather Baker (National)
Ian Phillips (National)	Janet Duncton (LA)	
Roger Huxstep (LA)	Phillip Ede (LA)	
David Coldwell (LA)	Daniel Humphreys (LA)	
Robert Mocatta (LA)	Russel Oppenheimer (LA)	
	Pete West (LA)	
	Vacancy (National) _	
	+ex officio members	+
	+ independent members	
+ex officio members		

Proposed Committee Appointments 2019/20 (to be tabled at the meeting)

Planning Committee (11)	Policy and Resources Committee (13)	Appointments management and Standards Committee (3)
		Chair of the Authority
		Deputy Chair of the Authority
		(1)
		Substitute members:
	+ex officio members	+
	+ independent members	
+ex officio members		

Appointments to Outside Bodies 2018/19

Proposed appointee	External Body	Representation only or decision making	Meetings per annum
Helen Jackson	South Downs National Park Trust	Decision making	3
Jo Carr	South Downs National Park Trust	Decision making	3
Norman Dingemans	West Sussex Rural Partnership	Representation	4
Neville Harrison	South Downs Local Access Forum	Representation	
Doug Jones	South Downs Local Access Forum	Representation	
Barbara Holyome	Hampshire Rural Forum	Representation	
Pete West	Campaign for National Parks	Representation	3
Robert Mocatta	Petersfield Town Council Development Committee	Representation	1
Heather Baker	Coast to Capital (C2C) LEP	Representation	4
Barbara Holyome	Hampshire Alliance for Rural Affordable Housing (HARAH)	Representation	
Chair of Planning Committee	Coastal West Sussex Forum	Representation	
Chair of Planning Committee	East Sussex Strategic Planning Group	Representation	
Authority Chair	Coast to Capital Joint Committee	Decision making	
Authority Chair	National Parks England	Decision making partner	
Authority Chair	National Parks UK	Decision making	
Authority Chair	Sub Regional Transport Board	Representation	

Others: Appointments to the SCF Chair and panel will be made by the relevant Director, in consultation with Chair of the Authority in advance of the next meeting of the Panel. *****All members appointed to outside bodies are required to provide feedback to the NPA on any meetings attended and any relevant issues discussed. A template is available from Member Services to assist members in this reporting.**

Proposed Outside Bodies Appointments until the AGM in 2020 (to be tabled at the meeting)

Proposed appointee	External Body	Representation only or decision making	Meetings per annum
	South Downs National Park Trust	Decision making	3
	South Downs National Park Trust	Decision making	3
	West Sussex Rural Partnership	Representation	4
	South Downs Local Access Forum	Representation	
	South Downs Local Access Forum	Representation	
	Hampshire Rural Forum	Representation	
	Campaign for National Parks	Representation	3
	Petersfield Town Council Development Committee	Representation	1
	Coast to Capital (C2C) LEP	Representation	4
	Hampshire Alliance for Rural Affordable Housing (HARAH)	Representation	
Chair of Planning Committee	Coastal West Sussex Forum	Representation	
Chair of Planning Committee	East Sussex Strategic Planning Group	Representation	
Authority Chair	Coast to Capital Joint Committee	Decision making	
Authority Chair	National Parks England	Decision making partner	
Authority Chair	National Parks UK	Decision making	
Authority Chair	Sub Regional Transport Board	Representation	

Others:

Appointments to the SCF Chair and panel will be made by the relevant Director, in consultation with Chair of the Authority in advance of the next meeting of the Panel.

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