

Report to **South Downs National Park Authority**
Date **11 July 2023**
By **Head of Governance and Monitoring Officer**
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 until the Authority AGM in 2024 as set out in Appendix 3 (to be tabled at the meeting) of this report.**
 - 3. Appoint the Chair and Deputy Chair of Planning Committee until the Authority AGM in 2024 as set out in Appendix 6 (to be tabled at the meeting) of this report.**
 - 4. Appoint the Chair and Deputy Chairs of Policy & Resources Committee until the Authority AGM in 2024 as set out in Appendix 6 (to be tabled at the meeting) of this report.**
 - 5. Appoint Morris Findley to serve as a non-voting Co-opted Member on the Policy and Resources Committee until the Authority AGM in 2024.**
 - 6. Appoint: the Members to outside bodies and panels; the NPA-appointed Trustees of the South Downs National Park Trust; and the NPA-appointed Directors of South Downs Commercial Operations Limited, including the Chairperson of the Board, until the Authority AGM in 2024 as set out in Appendix 5 (to be tabled at the meeting) of this report.**
 - 7. Agree, for the purposes of Standing order 8.1(f), 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.**
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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, and making of appointments, to Committees. The recommendations for Member appointments, including for the positions of Chairs and Deputy Chairs of committees, are made by the Chair of the Authority and will be tabled at the meeting once the outcomes of the elections for Chair of the Authority and Deputy Chair of the Authority are known.
- 1.2** The report asks the Authority to also appoint Members to represent the Authority on a variety of external organisations and outside bodies (for the purposes of this report, the

term 'Outside Bodies' is used to encompass all of these bodies) and to act as NPA-appointed Trustees of the South Downs National Park Trust and as NPA-appointed Directors of South Downs Commercial Operations Limited.

- 1.3 Under Schedule 7 Para 13(3) 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 (ToR) 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 be tabled at the meeting). Co-opted Members of the Policy and Resources Committee whose terms of office are continuing are listed in these appendices.
- 2.3 In order to ensure the effective operation of the Appointments, Management and Standards Committee it is again proposed, as has been the Authority's established practice, 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 At its meeting in October 2020, the NPA endorsed the principle of a small number of Members not being appointed to committees in order to undertake, within the parameters of the Member role description, other roles to support the work of the Authority. The Members proposed to not be appointed to a committee are set out within **Appendix 3** along with the roles these Members will perform.
- 2.5 At its meeting in May 2022, the NPA agreed that the Policy and Resources Committee shall normally meet four times each year and that additional meetings may be called by the Committee or its Chair as required for the efficient dispatch of its business. The NPA also agreed that the Planning Committee shall normally meet nine times each year and that additional meetings may be called by the Committee or its Chair as required for the efficient dispatch of its business. For the purposes of Standing Order 8.7, these decisions are determinations by the Authority in relation to the number of meetings of these committees.
- 2.6 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. Appointment of Chairs and Deputy Chairs of Committees

- 3.1 At its meeting in March 2021, the Authority amended its Standing Orders to enable the appointments of Chairs and Deputy Chairs to Committees to be made at the AGM. The proposed Chairs and Deputy Chairs of Committees are set out at **Appendix 6** (to be tabled at the meeting). If an appointment to one or more of these positions is not made by the NPA, the duty to elect a Chair and/or Deputy Chair will fall to the relevant Committee in accordance with Standing Order 8.3(a)
- 3.2 With regard to the Policy and Resources Committee specifically, at its meeting on 16 May 2019, the NPA agreed that, in accordance with Standing Orders, the Policy and Resources Committee may elect up to two Deputy Chairs of the Committee. As indicated, the NPA has since agreed amendments to Standing Orders to provide for the Authority itself to appoint Committee Chairs and Deputy Chairs at its AGM but, if it fails to do this (for instance, due to a lack of nominations), SO 8.3 empowers the Committee to elect a Chair or Deputy Chair(s), including where a vacancy in the position arises between AGMs. It is proposed that, in line with the NPA's previous decisions, the NPA appoints two Deputy Chairs of Policy & Resources Committee and, accordingly, two nominations for the position of Deputy Chair are set out in Appendix 6. It is considered that the NPA's earlier decision on 16 May 2019 to empower the Policy and Resources Committee to elect up to two

Deputy Chairs of the Committee continues to apply in the circumstances set out in the amended SO 8.3.

4. Appointments to Outside Bodies

- 4.1 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.
- 4.2 Except in cases where Members perform a role that has separate legal duties, for example, as a company director, 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.
- 4.3 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. Such expressions of interest are considered by the Chair of the Authority and the Chairs of its committees, and proposals for appointment presented to the Annual Meeting for approval.
- 4.4 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 in accordance with the Appointment of Members to Outside Bodies Protocol, and will be reported to the next available meeting of the Authority.
- 4.5 The current appointments to outside bodies are set out in **Appendix 4**. The proposed appointments to outside bodies for approval are set out in **Appendix 5** (to be tabled at the meeting).

5. Non-voting Co-opted Members of Policy and Resources Committee

- 5.1 The membership of the Policy and Resources Committee includes two Co-opted Members, who assist in promoting public confidence in the work of the Committee and in ensuring impartiality in relation to the audit and governance remit of the committee, as set out by the Chartered Institute of Public Finance and Accountancy (CIPFA) as best practice. Tom Fourcade and Catriona Aves were appointed to these roles for four-year terms by the Authority at its AGM in 2022.
- 5.2 At its meeting in December 2020, the NPA agreed to co-opt up to three additional individuals (in addition the two independent (CIPFA) Co-opted Members) to the Policy and Resources Committee to improve decision making through widening the range of voices heard in discussions and debates.
- 5.3 At its meeting in March 2021 the NPA appointed two non-voting Co-opted Members, Lawrence Leather and Morris Findlay, to the Policy and Resources Committee for a pilot period of one year. At its meeting in March 2022, the appointments of both non-voting Co-opted Members were extended until the Authority AGM in 2023. One of these Members, Lawrence Leather, was disqualified from his role as a member of the Committee as he took up a position of employment with the SDNPA. A recruitment process is under way to fill this position.
- 5.4 Morris Findlay, remains a member of the Committee and is keen to continue to serve in this capacity for a further year. As appointments of Co-opted Members are usually for a period of 4 year and Morris Findlay will only have served for two years and four months, it is considered appropriate to recommend Morris Findlay be reappointed as a non-voting Co-opted Member on the Policy and Resources Committee for a further one-year term until the Authority AGM in 2024.
- 5.5 At its meeting in October 2022, the NPA appointed OlaOlu Adedayo to serve as a non-

voting Co-opted Member on the Policy and Resources Committee until the Authority AGM in 2026.

6. Options & cost implications

- 6.1 The Authority could decide not to establish committees to discharge its decision-making responsibilities and/or not appoint to outside bodies. However, the proposed committees and outside body appointments represent what is considered the most effective way of exercising the powers and influence of the Authority.
- 6.2 The costs associated with the administration of the decision-making structures of the Authority are met from within the Authority’s core budget.

7. Next steps

- 7.1 Officers will take the necessary administrative steps to deliver the new committee memberships and outside body appointments.

8. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No
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.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	Effective decision-making contributes to the delivery of all PMP Outcomes and Corporate Plan objectives.
Links to other projects or partner organisations	SDNPA Members are appointed to a number of roles on outside bodies.
How does this decision contribute to the Authority’s climate change objectives	Effective Committees at the Authority play an important role in sustainable development, as set out in the Local Plan and various Supplementary Planning Documents, and in monitoring the performance of the Authority against its Climate Change Action Plan.
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 Equality Act 2010 and reasonable adjustments will be made to support Members and members of the public to participate.

Implication	Yes*/No
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 from the proposal?	None
Are there any Data Protection implications?	Personal data relating to this decision has been and will continue to be managed in accordance with the Authority's information security policy and in compliance with Data Protection legislation.
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.

9. Risks Associated with the Proposed Decision

- 9.1 Members who have been newly appointed to Committees may be required to undertake training in the role and responsibilities of such Committee.
- 9.2 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.

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Appendices

1. Committee terms of reference
2. Committee appointments 2020/21
3. Proposed Committee Appointments (to be tabled at the meeting)
4. Outside Bodies appointments 2020/21
5. Proposed Outside body Appointments (to be tabled at the meeting)
6. Proposed Chairs and Deputy Chairs of Committees (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 Authority Standing Orders

