

Report to **South Downs National Park Authority**
Date **12 December 2023**
By **Chief Executive**
Title of Report **Authority Governance Matters**
Decision

Recommendation: The Authority is recommended to:

- 1. Delegate Authority to the Chief Executive, in consultation with the Chair of the Authority, to appoint the current Director of Planning, Tim Slaney, as Interim Chief Executive, Head of Paid Service, and National Park Officer, subject to the consultation with Natural England, for the period from 1 January 2024 until the beginning of the first working day of the permanent Chief Executive on the terms and conditions to be agreed by the Appointments, Management and Standards Committee pursuant to Appendix 4 of Standing Orders for Regulation of Authority Proceedings and Business;**
 - 2. Note that all matters in relation to the employment of the Interim Chief Executive are delegated to the Appointments, Management and Standards Committee, as set out in the Authority's Standing Orders;**
 - 3. Note that the matter of timing and process leading to the appointment of the permanent Chief Executive will be considered by the Appointments, Management and Standards Committee and reported back to the National Park Authority for decision; and,**
 - 4. Amend the membership of the Appointments, Management and Standards Committee until the Authority AGM in 2024 as set out in Appendix I of this report.**
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1. Introduction

- 1.1 As I am beyond retirement age I have given a lot of thought over the period since the National Park Authority AGM in July 2023, in conjunction with the Chair, about how best to organise my retirement and introduce fresh, new leadership in a manner that delivers stability for the organisation, reassurance for the staff and continuity throughout the period of change.
- 1.2 Extensive discussions with the Chair and members of the Appointments, Management and Standards (AM&S) Committee have concluded that these objectives can best be achieved by my retiring on 31 December 2023 in conjunction with the appointment of appropriate interim provision for the role of Chief Executive, Head of Paid Service, and National Park Officer until such time as a permanent Chief Executive is appointed and takes up post.

2. Issues for consideration

Appointment of Interim Chief Executive

- 2.1 The Authority is required under the Environment Act 1995 to have "at all times an officer appointed by that authority to be responsible to the authority for the manner in which the

carrying out of its different functions is co-ordinated” and to consult with Natural England about such an appointment.

- 2.2 It is proposed that, in line with the current management structure of the organisation, the Director of Planning, Tim Slaney, be appointed as Interim Chief Executive from 1 January 2024 until the beginning of the first working day of a permanent Chief Executive. The consultation with Natural England is currently being undertaken and the current Chief Executive will take this into consideration in exercising his delegated authority on this matter. This interim arrangement will ensure continuity and stability at senior management level without interruption as we continue the work of preparing and approving the Authority’s budget by March 2024 and overseeing the negotiations in regard to the renewal of the section 101 arrangements with our host authorities. There is also work to be done to drive forward the reviews of the Partnership Management Plan and the Local Plan and to push the NPA’s five key “asks” in the run up to the general election and pursue the opportunities provided by the Government’s response to the Landscape Review. It also ensures stable leadership for the Senior Management Team from the start of the new year now that Anita Kerwin-Nye has been appointed as the new Director of Countryside and Policy Management with effect from 15 January and with Mike Hughes to be appointed as Interim Director of Planning from 1 January 2024.

Membership of Appointments, Management and Standards Committee

- 2.3 The Authority has a duty under Schedule 7 of the Environment Act 1995 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 the Authority itself.
- 2.4 It is also proposed that the membership of the AM&S Committee be amended, as set out in **Appendix I**, to add the Chairs of the Planning and Policy & Resources Committee in order to consider the arrangements for the recruitment of a permanent new Chief Executive. The amended membership also makes clear that all apart from one of the appointments to the committee are ex-officio with full voting rights. The division of Members on committees is considered carefully by the Chair of the Authority alongside the skills and experience of the Members being appointed to those committees. These additions are proposed by the Chair of the Authority as it is considered particularly important in recruiting a new Chief Executive that the senior Members of the Authority be involved in leading this process.
- 2.5 The current membership of the AM&S Committee is not quite compliant with the requirements of the legislation referred to above. I recognise that, with the proposed additions, the membership of the Committee will still not comply with the legislation as there will be four Secretary of State appointed Members and one Local Authority appointed Member. The effect of the legislation requires there to be slightly more Local Authority Members than Secretary of State Members. However, I propose that the Secretary of State Members to be appointed should all be appointed ex officio meaning that they are appointed by reason of their office as Authority Chair, Authority Deputy Chair, Chair of Planning Committee and Chair of Policy & Resources Committee. So, if there is a change in the Member occupying the office, there would similarly be a change in the membership of the Committee. This doesn’t mean that the Authority will currently be complying with its legal duty, but it does provide the rationale for the decision for these appointments.
- 2.6 The committee will bring back its recommendations to the Authority, including, its recommendation as to whether or not the appointment of the Chief Executive should be made exclusively from among the existing officers of the Authority. In the likely event that a decision is made that an external recruitment process be undertaken, this would be overseen by the AM&S Committee, as is delegated to them in Standing Orders.
- 3. Options & cost implications**
- 3.1 The appointment of the Interim Chief Executive as proposed is considered key to ensuring the stability of the senior management team and the wider organisation during 2024.
- 3.2 The remuneration of the Chief Executive is provided for in the Authority’s budget.

- 3.3 The Authority could decide not to make the amendments to the AM&S Committee. However, it is considered this would be detrimental to any process that the AM&S Committee would undertake to recruit and appoint a Chief Executive for the Authority.
- 3.4 The costs of administering committees are met from within the Authority's core budget.

4. Next steps

- 4.1 Should the Interim Chief Executive appointment be approved, the AM&S Committee will meet to agree the terms and conditions of employment and Tim Slaney will take up the role beginning 1 January 2024. The AM&S Committee will then consider the timing and process for the recruitment of a permanent Chief Executive and will report back to the National Park Authority for decision.
- 4.2 Officers will take the necessary administrative steps to effect the changes to committee appointments.

5. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Yes, as set out in paragraph 4.1
Does the proposal raise any Resource implications?	The remuneration of the Chief Executive is provided for in the Authority's budget. The recruitment of a permanent Chief Executive is likely to incur some costs. The administration and meeting costs of Committees is covered by existing Authority staff and budgets.
How does the proposal represent Value for Money?	The Authority is required to have a Chief Executive in place and this role is vital to the effective and efficient running of the Authority.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	The Chief Executive leads on the Authority on the delivery of both the PMP Corporate Plan.
Links to other projects or partner organisations	None
How does this decision contribute to the Authority's climate change objectives	Effective leadership is key to the Authority delivering 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?	As part of the recruitment process for a Chief Executive the Authority's duty would be considered and an Equalities Impact Assessment undertaken. 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.
Are there any Human Rights implications arising from the	None

Implication	Yes*/No
proposal?	
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	The Chief Executive has the responsibility for the day-to-day management of Health and Safety at the Authority.
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.

6. Risks Associated with the Proposed Decision

- 6.1 Should the interim arrangements, as proposed, not be agreed this would introduce significant instability to the Authority and substantially hinder the organisation's ability to deliver during 2024.
- 6.2 The amendments to the membership of the AM&S committee are proposed to ensure that any process that the AM&S Committee would undertake to recruit and appoint a Chief Executive for the Authority can be effective and are led by the senior Members of the Authority. Was the membership not to be agreed, the committee and the Authority would need to consider how else it would deliver an effective and appropriate recruitment process.

TREVOR BEATTIE

Chief Executive Officer

South Downs National Park Authority

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Appendices I. Amended Appointments to the AM&S Committee to the Authority AGM in 2024

SDNPA Consultees Chief Executive Officer, Director of Countryside Policy & Management, Director of Planning, Monitoring Officer, Head of Governance.

External Consultees None

Background Documents [Authority Standing Orders](#)

Amended Appointments to the Appointments, Management and Standards Committee to the Authority AGM in 2024

Appointment, Management and Standards Committee (5)
Chair of the Authority
Deputy Chair of the Authority
Chair of Planning Committee
Chair of Policy and Resources Committee
Janet Duncton (LA)
Substitute members:
John Hyland (SoS)
Robert Mocatta (LA)

