

CABINET

13 January 2010

MEMBERSHIP OF THE SOUTH DOWNS NATIONAL PARK AUTHORITY

REPORT OF CORPORATE DIRECTOR (POLICY)

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RECENT REFERENCES:

CAB 1840 - Implications of the South Downs National Park's Confirmation, 21 May 2009.

CAB1874 – Membership of the Future South Downs National Park Authority: A Consultation by the Department for Environment, Food and Rural Affairs, 16 September 2009.

EXECUTIVE SUMMARY:

This report refers to the recently announced decision of the Secretary of State for Environment, Food and Rural Affairs (DEFRA), to finally confirm the designation of a new South Downs National Park and set the precise boundaries of the Park within East Sussex, West Sussex and Hampshire.

It is the Government's intention that 'shadow' arrangements for a National Park Authority (NPA) will be in place by April 2010 and a full Authority, together with its support staff, operational by April 2011. The Statutory Instrument necessary to achieve this will be laid before Parliament early in 2010. If this timetable is adhered to, the South Downs Joint Committee (SDJC) which currently manages the shortly to be replaced East Hampshire and Sussex Downs Areas of Outstanding Natural Beauty will be formally wound up at the end of March 2011.

DEFRA is currently leading the process of preparing for and putting in place procedures and protocols for the administration, day-to-day management and funding of the new Park.

Following the public consultation on the issue of NPA Membership (Report CAB 1874 refers) the Minister has announced that the NPA will have a membership of 27, consisting of 14 local authority members, 6 parish councillors and 7 'National' members.

RECOMMENDATION:

That Cabinet notes the recent decision by the Secretary of State, confirming the designation, final boundaries and member size of the National Park and considers the nomination of a single Member of the City Council to join the South Downs National Park Authority.

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DETAIL:

1 Introduction and Background

- 1.1 Following confirmation of the South Downs National Park's earlier designation and boundary, the Secretary of State has now announced the result of the consultation exercise into the Park membership.
- 1.2 Although the consultation's main proposal was that the overall size of the Park Authority would be between 29 and 37 members, the announcement on the 10 December confirmed that the new Park Authority would in fact consist of 27 members. There had already been an announcement that the local authority members would be in the majority and so the breakdown of the membership is as follows: 14 local authority members, 6 parish council members and 7 'National' representatives. The smaller size has been made possible in part by the agreement between Worthing and Adur councils to share one place leaving one place for each of the remaining 13 councils.

2.0 The Ministerial Decision on SDNPA Membership

- 2.1 In reaching his decision on the size of the NPA, the Secretary of State acknowledged the wide range of views which had been expressed through the public consultation. He also recognised that those respondents, including the City Council, who favoured an authority of 37 places or more, generally did so to allow proportional representation on the part of the local authorities and/or to enable more 'grass roots' representation, with parish councils having several seats.
- 2.2 However, the Secretary of State indicated that "While I understand the reason for many respondents favouring such a composition, it is the case that once selected to serve on the Park Authority members are expected to act in the best interests of the Park in its entirety, so any emphasis on weighted representation is not really consistent with that principle". The full text of the Ministerial Statement is attached to this report as Appendix A.

3.0 The City Council's Representation on the National Park Authority

- 3.1 Following the Ministerial decision, the National Park Authority's recently formed 'Establishment Team' has issued draft informal guidance, in the form of a paper entitled "The Member Role". The purpose of this guidance is to outline the role and

also the skills appropriate to NPA membership. The paper, which draws on the experience of other national park authorities and the DEFRA job description for nationally appointed members, is intended to assist local authorities and others by informing their own nomination processes. The paper, together with an accompanying annex which sets out both roles and skills in matrix form, is attached to this report as Appendix B.

4.0 Summary and Recommendation

- 4.1 Membership of the new South Downs National Park Authority, in accordance with the Secretary of State's decision on overall size and composition, will be determined over the next two months. It is hoped all local authority nominees will be made by the end of January with parish and national placements before the end of February. Training for all the new NPA members is planned for March so that all will be in a position to take up their Shadow Authority role by the 1 April.
- 4.2 The skills needed to cope with the complexity of the National Park, the requirement to act as a representative of the NPA, not the constituent local authority, together with the meeting and representative demands will make the role of Member particularly challenging. The guidance suggests that 2-3 days per month would be taken up with Park meetings with other representative work on top, depending on the particular role undertaken.
- 4.3 Despite these demands, DEFRA has made it clear that the local authorities cannot nominate a deputy member and the nominated member would serve for a term of 4 years as long as they remain an elected member of the Council.
- 4.4 Given the timescales, Cabinet is asked to make a nomination of a Council member representative to the National Park Authority City who will be able to fulfill the role as outlined and to meet the above timescales.

OTHER CONSIDERATIONS:

5. SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

This report is of relevance to the Strategy's Aim of maintaining a high quality of rural and village life, by supporting the rural economy and conserving the rural landscape, together with the Strategy's objective of sustaining and improving the natural environment.

6. RESOURCE IMPLICATIONS:

Until now the City Council has, together with Hampshire County Council and East Hampshire District Council, contributed directly towards the costs of managing the East Hampshire AONB and, in particular, the costs associated with employing the AONB Project Officer (£11,085 in 2008/09).

In resource terms, a primary consequence of the move to National Park status is that, with effect from the date of its establishment, statutory responsibility for funding the operation, management and membership of the new National Park will pass to central Government and be administered by DEFRA. The transfer of financial responsibility will produce some benefit for local authorities within the SDNP, although this may be subject to clarification/confirmation of any implications for the Rate Support Grant.

BACKGROUND DOCUMENTS:

Files and correspondence held in the Strategic Planning Department of the Policy Group.

APPENDICES:

Appendix A:- A Ministerial Statement by the Secretary of State for Environment, Food and Rural Affairs: 'South Downs National Park Authority Membership'.

Appendix B:- A Guidance Paper and Annex on 'The Member Role', issued by the South Downs NP Establishment Team.

WMS 595

WRITTEN MINISTERIAL STATEMENT

DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

South Downs National Park Authority Membership

Date 10 December 2009

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn) On 12 November (col 32WS) I informed the House that I was confirming the designation of the South Downs National Park and signing the Orders which set the precise boundary. I am now proceeding to establish a National Park Authority for the new National Park.

On 16 July 2009 I consulted on the membership of the future South Downs National Park Authority, proposing that the authority should have from 29 to 37 members. I am most grateful to all those who have taken the time to submit a response to that consultation.

There was a diverse range of views expressed, not only on the size of the proposed authority, but also on its composition, and on the representation of those who live in and around the new Park. Although several people offered views on how parish seats might be allocated, this is a matter for the parish councils within the Park to determine.

The main reasons cited by those in favour of a 37 seat authority or larger were that it would enable proportional representation of all local authorities, as well as enable more ‘grass roots’ representation with parish councils having several seats. While I understand the reasons for many respondents favouring such a composition, it is the case that, once selected to serve on the Park Authority, members are expected to act in the best interests of the Park in its entirety, so any emphasis on weighted representation is not really consistent with that principle.

A number of respondents favoured a ‘medium’ sized authority of around 31-33 members, in preference to the two ends of the range laid out in the consultation paper. Whilst appreciating that this might draw together the best features of both a large and small authority, it would not be large enough to allow it to be fully weighted nor would it be small enough to minimise the additional administrative burden which a larger authority might create.

Those supporting a smaller, 29 seat authority saw it as creating an efficient, cost-effective authority, with faster decision-making, and at a lower cost to the taxpayer. The suggested composition was generally 15 local authority, 8 national and 6 parish seats. Although a smaller authority would mean weighted representation wouldn’t be possible, it would still allow every local authority one seat.

A further option emerged in the wake of the consultation which is for a 27 seat authority. This is made possible because two local authorities have stated they wish to share a seat. This would reduce the minimum number of local authority seats from 15 to 14. As I have previously confirmed my view that local authorities should have an absolute majority, this would require the Government to respond to the reduction in local authority members by reducing the number of “national” members from 8 to 7. So the overall composition could be 14 local authority, 7 “national” and 6 parish seats.

Having considered each of the above options carefully, and being satisfied that it would be appropriate for Worthing and Adur councils to share a seat, I have decided to opt for a 27 seat authority. In order to ensure that the National Park authority keeps in close touch with communities and is able to respond to their concerns, I expect the authority to place a big emphasis on community and stakeholder engagement. I shall now include the 27 member authority in the Statutory Instrument which I shall lay before Parliament around the turn of the year. With Parliament’s consent, this will allow the National Park authority to be established from 1 April 2010 and to become operational from 1 April 2011.

A summary of the responses, plus a list of all respondents, can be found on the Defra website at <http://www.defra.gov.uk/corporate/consult/south-downs-membership/index.htm>.

SDNPA Steering Group Meeting Agenda Item 6: Draft Skills and Knowledge Framework for Member Development

Job Description	Meaning:	Skills set needed or to be developed	
		Knowledge of:	Skills in:
<p>Strategic and External Leadership</p>	<ul style="list-style-type: none"> - Using understanding of the external environment and relationships within which the NPA operates to further achievement of NPMP outcomes; - being an external advocate -influencing policy direction and programmes - Being an advocate for how the NPA contributes to the achievement of NPMP outcomes 	<ul style="list-style-type: none"> National Park Management Plan and outcomes National Park Authority performance and business plan Local Development Frameworks Partnership protocols and structures 	<ul style="list-style-type: none"> Partnership working External advocacy
<p>Governance, Performance and Scrutiny</p>	<ul style="list-style-type: none"> - Understanding the different roles of members and staff and fulfilling the particular role of the member in governance - interpreting and having access to performance data so as to assess how well the Authority is doing - independently scrutinising the workings and policies of the NPA 	<ul style="list-style-type: none"> Specialist knowledge including of National Park Strategies/ Action Plans Planning Performance management framework including risk management Equality and Diversity Standing orders and financial regulations Medium term financial planning, budgets and capital strategy Asset Management Plan Workforce Policies and Plans Role of Internal and External Audit 	<ul style="list-style-type: none"> Scrutiny and constructive challenge Using data and evidence to inform decisions Open and transparent decision making

Job Description	Meaning:	Skills set needed or to be developed	
		Knowledge of	Skills in:
Contribution and Development	<ul style="list-style-type: none"> - Using existing skills, knowledge and abilities to help ensure the NPA fulfils its purposes - Developing skills, knowledge and abilities further to help and ensure the NPA fulfils its purposes - Understanding how to contribute effectively 	<ul style="list-style-type: none"> Member role Members' code of conduct and protocols Meeting procedures Targets for participation in formal committees and training events Need to give time of approx 2/3 days per month and more depending on any special roles Procedure for handling complaints against members 	<ul style="list-style-type: none"> Leadership Chairing meetings Effective behaviour in committee and other meetings Constructive questioning & challenge Listening Building relationships Basic computer literacy
Communication & Engagement	<ul style="list-style-type: none"> - Accessing and understanding the communications received from the NPA about the Park Purposes, NPMP outcomes and the NPA's priorities - Communicating well to different audiences and partners the Park Purposes, NPMP outcomes and the NPA's priorities - Communicating to their appointing body on National Park Purposes, NPMP outcomes and NPA priorities - Helping the NPA to engage with communities to understand and respond to their needs and aspirations 	<ul style="list-style-type: none"> Section 62 role 	<ul style="list-style-type: none"> Public speaking Dealing with the media Listening and engaging with community groups Facilitating dialogue and conclusions that have wide ownership
Values	<ul style="list-style-type: none"> - The new Authority will want to identify values that underpin its work with communities, stakeholders, customers and staff. From initial discussions the following will be important for the South Downs: <ul style="list-style-type: none"> • Inspirational and innovative • Adding value and building capacity • Unifying and giving leadership • Enabling and empowering • Responsive and flexible 	<ul style="list-style-type: none"> The Authority's values 	<ul style="list-style-type: none"> Showing and using values through role of Member

The Member Role

Purpose of the paper

1. The purpose of this paper is to set out draft informal guidance on the role and skills of members of the South Downs National Park Authority that could be shared with local authorities and parish councils to inform their nomination processes. The paper draws on the Defra job description for nationally appointed members, the discussion at the November Steering Group on values and material that is used in other national park authorities to define member roles and development programmes.
2. The views of the Steering Group are invited on the content of the matrix at Annex 1 and on how such guidance might practically be shared with councils.

Discussion

3. The membership of the new south Downs NPA will be determined over the next two or three months and is likely to be announced in February 2010. "National" members will be interviewed by a selection panel in January. Parish Council Associations are arranging a selection process through a combination of ballot and hustings. Local authorities will nominate through internal decision processes.
4. It may be helpful for those wishing to be considered for membership, and for those considering nominating others, to reflect on the role of the member and the skills required. The new Authority will want to develop a framework for the development of members, potentially leading to Charter status. Annex 1 sets out the knowledge and skills needed by members, either on their appointment or through development.
5. It is suggested that this could be circulated to local authorities and parish council associations to give a feel for the commitment and development that will be needed to support the new Authority and help it make a success of its role.
6. Official guidance is contained in the Defra note on the role of members. The guidance at Annex 1 has no official status but is intended to be helpful in setting out a framework for skills development. The November Steering Group meeting asked for such a matrix to be developed and presented for discussion in December.

Conclusion

7. The Steering Group is asked to advise on:
 - a) The content of the guidance at Annex 1
 - b) The best mechanisms for sharing the guidance with local authorities and parish council associations.

Richard Shaw

Interim Chief Executive