

Minutes of the meeting held at Yoredale, Bainbridge on Friday, 2 November 2007.

Present:

WH Brown, D Heather, SR Macaré (in the Chair), Mrs S Marshall, Mrs Y Peacock, Dr KM Petyt and S Shaw-Wright.

43/07 PUBLIC MINUTES

RESOLVED –

That the public minutes of

- (a) the 'ordinary' meeting held on 3 August , and
- (b) the Special meeting held on 25 September 2007,

having been printed and circulated, be taken as read and each be confirmed and signed by the Chairman as a correct record.

44/07 PUBLIC QUESTION TIME

No notifications of public questions or of the intention to make a statement had been received.

45/07 EXCLUSION OF THE PUBLIC

RESOLVED -

That pursuant to Section 100(A)(4) of the Local Government Act 1972, the public be excluded during the consideration of Item Nos 14 and 15 on the agenda on the grounds that they each involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

46/07 APOLOGIES FOR ABSENCE

Apologies for absence were presented from W Fenten, KJ Lancaster and Ms N Stedman.

47/07 DECLARATIONS OF LOBBYING

No declarations of lobbying were made at the meeting.

48/07 ANNUAL AUDIT AND INSPECTION LETTER

CONSIDERED – the report of the Head of Finance and Resources.

Members welcomed the Auditor's Letter and particularly –

- the unqualified opinion given on the Accounts;
- the unqualified conclusion in respect of arrangements for securing value for money from the public resources under the Authority's stewardship; and
- the unqualified opinion on the Authority's Best Value Performance Plan.

The Auditor also congratulated the Authority on having its Standards Authority status lifted.

The Chief Executive informed members that he was carrying out a piece of work that compared planning decisions across national park authorities. This was in response to an issue identified in the Audit letter and a complaint that was being investigated by the Local Government Ombudsman (LGO).

In response to a suggestion that a small group of members should, in a 'scrutiny' role, review the officers' assessment, Members were advised to await the outcome of that assessment before considering whether a review was necessary or appropriate.

RESOLVED –

That the report and contents of the Annual Audit and Inspection Letter be noted.

49/07 ANNUAL REVIEW OF THE EFFECTIVENESS OF THE ARRANGEMENTS FOR RISK MANAGEMENT

CONSIDERED – the report of the Head of Finance and Resources.

RESOLVED -

That, in noting the report:

- (a) it be agreed that the Strategic Risk Register contains all identifiable higher level risks which the Audit and Review Committee requires to be monitored; and
- (b) the review of risk by the Senior Management Team be undertaken on a bi-annual basis, before and to inform this half-yearly report.

50/07 BEST VALUE PERFORMANCE INDICATORS - PROGRESS REPORT

CONSIDERED – the report of the Head of Conservation and Policy.

In response to some concerns about the appropriateness and value of some of the performance indicators, the Chief Executive stated that indicators fell into one of three categories: national; National Park; and local, although the Authority's external auditor only considered the Authority's performance against national indicators. Within National Park Authorities however, there was a move to establish a number of common indicators, although it was accepted that unless common methods of measurement were used they would be of little value for purposes of comparison.

RESOLVED –

That the report and the Authority's current performance on the 71 Best Value Performance Indicators for 2007/08 and the estimated end of year position be noted.

51/07 **BEST VALUE PERFORMANCE PLAN 2007/08**
PROGRESS ON ACTIONS AT END OF QUARTER 2

CONSIDERED – the report of the Head of Conservation and Policy.

RESOLVED –

That the progress made towards achieving the actions set out in the Best Value Performance Plan 2007/08 be noted.

52/07 **STANDING ORDERS**

CONSIDERED – the report of the Chief Executive.

Members accepted the recommendation in respect of the Chairman (and Deputy Chairman) of the Standards Committee and endorsed the proposal that if the proposer of a motion wished to withdraw that proposal, that in itself should be sufficient and the 'consent' of the Authority should not be required.

A member questioned whether, if the Chairman and Chief Executive had supported the Authority decision to revert to a Planning Committee of 15 members, the proposal to amend Standing Orders in relation to "Rescinding of a previous decision and Suspension of Standing Orders" would have been before members.

The Chief Executive reminded members that any proposals to amend Standing Orders were automatically referred to this Committee for consideration. He stated that his report to the Special meeting of the Authority, at which the decision to revert to a Committee of 15 members had been taken, had, unlike most reports presented to members, deliberately not contained any specific recommendations, but had been an 'options' paper.

The Chief Executive confirmed that member concerns had been raised with him about the suspension of standing orders and the potential for the 'regular' re-consideration of the same issue which under the Authority's current 'rules' would be permissible, but which in terms of practicality and the operation of the Authority would be unacceptable.

Members agreed that the level of support required for Standing Orders to be suspended should be in line with that required for the reconsideration of a previous decision under the 'six month rule'.

RESOLVED –

That the Authority be recommended to approve:

- (a) the inclusion of a Standing Order, within Section 1.2 Chairmen of Committees and Sub-Committees, that will require the Authority's Standards Committee to appoint its Chairman (and, if one is appointed, its Deputy Chairman) from amongst the independent members of that committee;

(b) a revision of Standing Order 2.6(i), to delete the requirement for the Authority to 'consent' to the withdrawal of a motion or of an amendment to a motion; and

(c) the amendment of Standing Order 4.3(b) to read: "A motion to suspend any of the preceding Standing Orders may only be approved if that motion is supported by at least 16 members of the Authority."

53/07 ANNUAL REPORT ON CORPORATE GOVERNANCE

CONSIDERED – the report of the Solicitor/Monitoring Officer.

In welcoming the report, members raised a number of issues, including:

- accepting that a mechanism was needed for Member Champions to report to the Authority on their work; and
- in noting the question of performance appraisal for all Authority members, the Chief Executive stated that whilst there had been a suggestion that a process might be developed nationally, he thought it more likely that it would be either in-house or through the family of National Parks.

RESOLVED –

That:

(a) the Annual Corporate Governance report be received;

(b) the assessment of the Authority's governance arrangements contained in the Local Code of Corporate Governance (Appendix 2) be noted and the proposals contained within paragraph 9 of the report of the Solicitor/Monitoring Officer be endorsed in relation to further work needing to be done;

(c) a Working Group of members, consisting of the Chairman and Deputy Chairman of the Committee and D Heather meet with the Solicitor/Monitoring Officer to give consideration to whether, for the future, governance arrangements within the Authority should be based on the six principles (and their supporting principles) used to date, or should be based on the CIPFA / SOLACE version, or some combination of the two;

(d) the conclusion of the Solicitor/Monitoring Officer that governance arrangements are tested in the ways advocated by CIPFA / SOLACE, subject to more explicit "signposting" of the annual assessment of governance arrangements on the Authority's website be endorsed; and

(e) the suggestions in paragraphs 25 and 26 of the report, in relation to the preparation of a governance statement to replace the previous Statement of Internal Control, be agreed.

54/07 LOCAL GOVERNMENT OMBUDSMAN – ANNUAL LETTER

CONSIDERED – the report of the Secretariat Administrator.

RESOLVED –

That the report be noted.

55/07 COMPLIMENTS AND COMPLAINTS

CONSIDERED – the report of the Secretariat Administrator.

RESOLVED –

That the report be noted.

The remainder of business was considered in private

56/07 LOCAL GOVERNMENT OMBUDSMAN – ANNUAL LETTER

CONSIDERED – the private report of the Secretariat Administrator, which set out details of individual cases of complaints against the Authority currently being investigated by the Local Government Ombudsman.

RESOLVED –

That the report be noted.

57/07 COMPLIMENTS AND COMPLAINTS

CONSIDERED – the private report of the Secretariat Administrator which set out details of complaints received by the Authority and handled under the compliments and complaints procedure.

RESOLVED –

That the report be noted.