



NPA/AG/20/006

Dartmoor National Park Authority Audit & Governance Committee

20 November 2020

Financial Management 1 April to 30 September 2020 and Forecast of Financial Outturn 2020/21

Report of the Head of Business Support

Recommendation: **That the content of the report be noted**

1 Monitoring and Management of Revenue Budgets (April to September 2020)

- 1.1 This report enables Members to monitor income and expenditure variations against the approved budget. Effective budgetary control is essential to ensure priorities are delivered in accordance with the Authority's plans. Budget Management is a dynamic process, resulting in the budget being subject to many variations, both favourable and unfavourable throughout the year.
- 1.2 The Authority's Financial Regulations provide delegated authority for the Chief Executive (National Park Officer) in consultation with the Chief Financial Officer to enact budget virement below £30,000. Above that sum, Members' approval would be sought.
- 1.3 Processes for sound budget management are well established within the Authority, with quarterly reports to the Leadership Team and detailed and continuous budget monitoring being carried out across all Directorates involving Heads of Service, spending officers and finance staff. This ensures the early identification of pressures and variances so that timely management action can be taken to adjust the budget and/or work programmes accordingly.

2 Forecast Outturn Position as at the 30 September 2020

- 2.1 The 2020/21 net budget was set at £4,184,768 (NPA/20/005 and NPA/20/012) funded by National Park Grant (NPG) fees and charges and Earmarked Reserves. The Authority approved various transfers to reserves at the end of the 2019/20 financial year (NPA/20/013) which are subsequently brought forward and allocated to the 2019/20 (in-year) budget so that projects can be completed. This has resulted in the net budget increasing to £4,280,473.

2.2 Current projections, based on figures at the end of September (month 6) indicate that a surplus of £28,464 may arise. However, this surplus may have to be used or set aside to meet the cost of some significant building repairs that are likely to be required in the Ballroom at the Princetown Visitor Centre (an assessment of this work is currently being made). A Cost Centre summary can be found at Appendix 1 and a more detailed variance analysis against budget for each service area can be found at Appendix 2.

2.3 The impact of the Coronavirus Pandemic (Covid 19) is being felt in all walks of life, including for National Parks: our usual income generation, our planned work programmes and our core business activity has all been affected in varying degrees. This has resulted in some increased costs, some lost income and conversely some savings; we have also made use of the Coronavirus Job Retention Scheme (CJRS) when our visitor centres were closed and other government support mechanisms made available to us e.g. Business Support Grant and Business Rate Relief.

2.4 The main variations and movements in the management accounts are set out below:

Travel – likely savings of circa £24,000. As a result of Covid 19 restrictions staff travel to meetings with partners, other National Parks, conferences and training has been severely curtailed. Staff undertaking site visits are making use of the pool vehicles, restrictions in the main.

Biodiversity and Land Management – The Land Management Officer vacancy is now filled and is being part funded by contributions from Forest Holidays and the Dixon Foundation. Some filming income received is offsetting the cost of extra work that was required on our own land in the summer.

Archaeology – The Ringmore Premier Archaeological Landscape survey work has been reduced in scope reflecting reduced external funding available from partners.

Built Environment – The Building Conservation Officer vacancy is now filled and temporary cover employed to facilitate the traditional farm buildings grant scheme has been extended until year end.

Higher Uppacott – Business rate relief received, and some planned work is delayed due to Covid 19.

Visitor Management – Indications are that there will be a shortfall of around £21,500 in pay & display income; the car parks were closed during lockdown, but opened as soon as possible; the new charges approved in March have not yet been implemented due to the machine supplier having a backlog of work. This delay has resulted in a potential saving of £6,800 as we investigate using phone payment rather than installing card readers. It is possible that if visitor numbers are sustained at higher than normal levels, that income generation may recover somewhat more over the winter. The mobile vending operators could not operate during lockdown and so a discount was given, resulting in lost income of just under £13,000. Grant income of £11,000 from the Police and Crime Commissioner, Natural England and Forestry England has reduced the increased costs incurred to implement the Dartmoor Marshal Scheme that cost £19,967. The resurfacing of Postbridge car park

came in under budget by amending the specification and this saving (£45,000) is being used to partially offset increased toilet cleaning costs that have had to be put in place this year, which are expected to cost an additional £53,000.

Access & Recreation – Programmed work has been deferred due to Covid 19.

Public Rights of Way – A small amount of infrastructure work is being deferred and the recruitment of an Assistant Ranger post was delayed due to Covid 19.

Visitor Centres – An income deficit of £101,000 is anticipated due to the closure of Visitor Centres during lockdown and for the Postbridge rebuild and is being partially offset by reduced stock purchases, potentially saving circa £53,000. CJRS grant of £24,214 was received from HM Treasury and Business Support Grant of £25,000 from West Devon Borough Council. Other savings include: £5,300 set aside to undertake a visitor survey and potentially some salary savings as rotas and staff cover has been adjusted, but this may change over the winter.

Communications – Production of the 2021 Enjoy Dartmoor will be done differently this year, resulting in savings of £17,550, but will be offset by lost advertising income from the 2020 publication (£3,872) and for the proposed offer of discounted advertising pricing for the 2021 edition (£6,000).

Education – External Grant income from Clarion Housing for the #iwill project will be carried forward to match the project timeline. Due to Covid 19 nearly all formal outreach programmes, Junior and Youth Rangers and Ranger Ralph activities have been suspended, resulting in budget savings but being offset by lost income.

Conservation Works Team – Minor reduced running costs relating to lockdown restrictions when the team could not actually undertake work on the ground.

Rangers - Recruitment of an Assistant Ranger post was delayed due to Covid 19; recruitment for a temporary post is now underway. Acquisition and kitting out of two new vehicles exceeded the budget provision and repair costs were incurred on returning two lease vehicles.

Development Management – Savings include: a contribution that was to be made to the joint local authority trainee post is no longer required and printing, stationery, and training savings. Planning income is currently forecast to be circa £20,000 under the target budget, always difficult to forecast and application numbers do remain steady and therefore will be subject to change, as this is a demand led service.

Forward Planning & Community – The increased salary costs include one re-graded post and a contract extension to end of March to support the National park Management Plan process, submission of external funding bids and Covid 19 business recovery planning. The Authority launched the Coronavirus Community Support Grant scheme as soon as lockdown happened, which has been funded from 2019/20 revenue surplus; a £25,000 budget was identified. The scheme rapidly provides grants of up to £500 to voluntary and community groups to help tackle the impacts of the outbreak, to help those who are most vulnerable and to support the

recovery of the rural economy. At the time of writing this report, 41 applications had been supported and a total of £18,634.90 paid out to applicants across Dartmoor.

Corporate & Democratic Core – The treasury income target is unlikely to be achieved due to zero interest rates from the banks. Donate for Dartmoor income received to date is £2,918 and is unlikely to meet the budget target of £30,000 by year end. Funding received via National Parks Partnerships includes: Clif Bar £10,000 which is being used as match funding for the Green Recovery Challenge Fund bid. Increased external audit and associated actuarial costs are likely to be circa £3,300. Savings of circa £9,500 are anticipated in respect of Members’ travel, expenses and training, as members are attending committee meetings remotely and not attending other normal events and meetings due Covid 19 restrictions and cancellations.

Information Technology – The IT support post contract has been extended until end of March. A provisional budget of £40,000 has been allocated from the project Fund to be spent on new IT equipment for staff to facilitate continued remote and flexible working; procurement is currently in progress and final costs will be confirmed by December.

Corporate Operating Costs – Forecast savings: postage, printing & stationery, hospitality, pool / hire vehicle and insurance offsetting increased telephone and property services costs.

Human Resources – Savings: corporate wide staff training, and Occupational Health and wellbeing initiatives suspended due to Covid 19, which are offsetting increased health and safety and other staff support costs.

Admin & Finance – Salary savings: three vacant posts, two of which are retirements.

Parke & Princetown – Business rate relief for the Duchy Hotel / visitor centre at Princetown and other premises related savings due to the Covid 19 lockdown period and staff now working from home. We are currently investigating a structural problem affecting the Ballroom at our Princetown Visitor Centre. Whilst specific costs are not known it is estimated to be a significant cost – potentially in excess of £50,000 (this is not factored into our budget monitoring).

- 2.5 Other significant projects worth drawing Members’ attention to and included in the tables in the appendices are:

Moor Otters II – Costs incurred to date are £79,995 and income of £28,300 (since 2019). The project was delayed this year due to Covid 19 and the otters are being held in secure storage. We are currently working towards full implementation of the arts trail and the auction for Spring / Summer of 2021. Once the project is complete a full reconciliation of income expenditure will be undertaken to determine if there is a surplus, and if there is, it will be used to fund conservation projects, as we did in 2017. The new economic landscape means that we face a challenging situation in terms of sponsorship and wider income generation and now see Moor Otters II as a key part of our recovery plan.

Postbridge Visitor Centre Extension Project – This project is complete, and the Visitor Centre re-opened in the summer. The full capital cost of the extension build (£452,262) is being funded from capital grant, but the final grant claim cannot be submitted until September 2021, which means that some costs incurred this year (£33,920) will have to be funded by the Authority in advance of the final grant claim being made. Other revenue costs of £44,470, which are architect fees, professional fees and the internal interpretation installation will be met from an earmarked reserve (£20,036 external grant funding) and in-year savings.

- 2.6 Within the budget the Authority set aside a **Project Fund** balance of £100,000. At the time of writing this report, the balance remaining in the Fund is £41,996. Full utilisation of the Fund is anticipated by year-end, although some balances may be carried forward as projects can span more than one financial year. Bids made to the Fund and approved by Leadership Team are set out in the following table:

Project Fund 2020/21	£
Opening Balance	(100,000)
Tablets, cases and charges – Planning Officers	2,057
Postbridge Visitor Centre internal decoration	2,063
Postbridge – drainage works	1,490
IT servers	12,394
Laptops, headsets, cases, mobiles etc (exact costs tbc)	40,000
Balance remaining	(41,996)

- 2.7 As we entered into the national Covid 19 lockdown in March, Defra very quickly offered all National Parks the ability to re-profile our quarterly grant drawn-down claims, effectively allowing us to increase the first quarter's claim to 35% of total NPG (our original claim was for 28%). This gave comfort that cashflow for unanticipated costs could be met during the first stage of the pandemic emergency period.

3 Capital Programme and Prudential Indicators

- 3.1 The Authority's current capital programme is as follows:

	2019/20 Actual	2020/21 Actual / Budget	2021/22 Budget
Capital Scheme	£	£	£
Ranger Vehicles (actual)	0	44,870	0
Conservation Works Team (budget)	0	17,000	0
Development Management IT system (budget)	0	50,000	0
Postbridge Visitor Centre (actual)	305,712	135,244	11,306
Higher Uppacott cottage roof and cottage (budget)	0	0	95,000
Total	305,712	247,114	106,306

Funded From	£	£	£
National Park Grant or Revenue Reserves	(30,000)	(128,790)	(61,080)
Capital receipts	0	(17,000)	0
Rural Development Programme England	(305,712)	(101,324)	(45,226)
Total	(305,712)	(247,114)	(106,306)

- 3.2 Two replacement vehicles have been procured for the Ranger Service costing £44,870 which was more than originally budgeted for; but will be met from in-year savings or from earmarked reserves. The procurement of a replacement vehicle for the Conservation Works Team is in progress and is being funded from capital receipts held in reserves.
- 3.3 The Authority was successful in applying for 100% capital grant from the Rural Development Programme England (RDPE) to build an extension to the Postbridge Visitor Centre (NPA/18/017) which is complete and open to the public. The capital cost was £452,262 (the approved budget was £479,948). The final grant claim cannot be submitted until September 2021 after the final retention payment is made.
- 3.4 The Development Management IT system is due for replacement and a project team has been formed. Due to the impact of Covid 19 the team was unable to undertake much of their scoping exercise planned for the first part of this year, i.e. to visit and view other systems. However, the team are planning to do this remotely soon, and this will bring the project back on track. It is likely, due to Covid 19 and capacity issues, that the project will slip into 2021/22.
- 3.5 As the Authority has no external borrowing, the other prudential indicators do not apply for this financial year. However in future years, due to the implementation of “*International Financial Reporting Standard 16 - Leasing*” from 1 April 2021 (implementation has been delayed due to Covid 19) the Authority will have external borrowing in relation to leasing contracts that it currently holds or enters into in the future (for property, plant and equipment). All current “*operating leases*” unless of low value or of less than 12 months duration, will become “*finance leases*”. This has the “*accounting*” effect of bringing lease liabilities onto the balance sheet, which counts as “*debt*” as far as the *Prudential Code* is concerned.
- 3.6 However, as this “*debt*” relates to transactions that the Authority has already approved, this will be purely an administrative task of increasing (or originating) *Prudential Code Indicator limits* equal to the newly recognised “*debt*”. The “*indicators and limits*” will just describe what has already happened, rather than providing any control.

4 Reserves

- 4.1 The level of the Authority’s reserve balances is determined in part by our on-going work programmes and projects, see Appendix 3; and by using a risk-based analysis and methodology as set out at Appendix 4. Reserve funding is allocated or matched with expenditure according to project / programme requirements, but it should be noted that some projects straddle more than one financial year, or are dependent on partnerships, where timing of spend is uncertain. Therefore, forecasting beyond the current year is subject to considerable change.
- 4.2 The following table, based on the current financial position, sets out what the earmarked reserves are likely to be as at 31 March 2021 (with a 2019/20 comparator). It should be noted that grants and contributions received in 2020/21 and not spent, are carried forward via reserves as committed expenditure and therefore cannot be used for any other purposes (than for that given). The majority of our reserve balances are held to fund specific projects, including partnerships and capital spending; or have been set up to mitigate against financial risk, for example loss of

income, cuts in DEFRA funding or other externally imposed regulatory requirements e.g. changes in pay, terms and conditions.

Actual 2019/20	Earmarked Reserves	Forecast 2020/21
£		£
(2,233,565)	Opening Balance	(2,477,571)
327,738	Use of reserves in year (appendix 3)	702,314
(550,975)	Contributions to reserves / carry forwards*	(74,692)
(20,769)	Transfer to Capital Receipts Reserve	0
(2,477,571)	Closing Balance (forecast)	(2,349,949)
(500,000)	General unallocated Reserve	(500,000)

* Grants and contributions received from partners that are ring-fenced for specific projects i.e. committed expenditure

- 4.3 Reserve balances are closely monitored during the year and as we have now started the process of building the 2021/22 Budget and the Medium Term Financial Plan (up to 2024) the balances are likely to change. Members will note that the current forecast for total reserve balances is anticipated to fall to circa £1.8m by the end of 2023, reflecting the fact that reserve balances are “working balances” and not just used to “save up funds” without proper purpose.

5 Sustainability and Equality Impact

- 5.1 Consideration is always given, when deciding which areas of expenditure should be supported, of the impact on under-represented groups, and the need to promote equal opportunities both as an employer and in respect of the services provided.

6 Conclusions

- 6.1 The forecast outturn surplus of £28,646 represents a -0.66% variance against the (revised) budget. It should be noted that some fluctuations are likely, especially if projects are delayed (e.g. due to further Covid 19 implications, to poor weather conditions or to partnership funding variations / timing) or if other income is received or generated in the next 6 months. This year has been unprecedented due to the Coronavirus pandemic; the impact of significant visitor numbers and behaviours after the lockdown restrictions were eased; the economic impact across the Park and the country for business and partners and the impact on staff and Members of working from home. Many processes and procedure have had to be altered to ensure that the organisation delivers ‘business as usual’ and that decision making for our communities continues.
- 6.2 The current year’s projected outturn will be robustly monitored and challenged over the remaining three months to ensure that the Authority’s aims, objectives and outcomes are achieved. Members will receive the month 9 budget management report in February, and this will provide a more accurate year-end financial forecast.

Members will be notified before year-end if any new budget pressures, or significant variations are likely to occur. Action to fundamentally realign the budget is not recommended at this time.

DONNA HEALY

Background Papers

NPA/20/005: 2020/21 Net Revenue Budget, Medium Term Financial Plan & Capital Budget

NPA/20/012: Financial Settlement 2020/21

NPA/20/004: Treasury Management Investment Strategy 2020/21

NPA/20/013: Financial Outturn 2019/20

Attachments – Appendix 1 - Revenue Budget Monitoring Report Summary
Appendix 2 - Month 6 Variance Analysis
Appendix 3 - General and Earmarked Reserve Balances
Appendix 4 - Reserves: Risk Based Analysis

2020 11 20 DH 2020-21 Fin Mgt Apr-Sept

Functional Strategy	2020/21 Original Budget (Net) £	2020/21 Budget Variation/ Virement £	2020/21 Revised Budget (Net)	2020/21 Actual Month 6 (Net) £	2020/21 Budget Remaining (Net)	2020/21 Projected Outturn (Net)	2020/21 Projected Deficit/ (Surplus) £	Variance % against Budget
Biodiversity	135,235	42,569	177,804	46,585	(131,219)	133,996	(43,808)	-24.64%
Land Management	92,695	(26,021)	66,674	22,703	(43,971)	70,066	3,392	5.09%
Woodlands	43,563		43,563	21,136	(22,427)	43,320	(243)	-0.56%
Dartmoor Headwaters Project	0		0	48,018	48,018	0	0	
Peatlands Project	41,945		41,945	11,771	(30,174)	41,945	0	0.00%
Environmental Land Management (Test & Trials)	0		0	32,229	32,229	0	0	
Facilitation Fund	0		0	(4,841)	(4,841)	0	0	
Hill Farm Project	15,141		15,141	23,790	8,649	15,141	0	0.00%
Natural Environment	328,579	16,548	345,127	201,391	(143,736)	304,468	(40,659)	
Archaeology	114,838		114,838	64,048	(50,790)	113,598	(1,240)	-1.08%
Built Environment	39,454		39,454	3,387	(36,067)	27,619	(11,835)	-30.00%
Moor than meets the eye	0		0	(5,013)	(5,013)	(2,348)	(2,348)	
Higher Uppacott	15,500		15,500	4,816	(10,684)	10,388	(5,112)	-32.98%
Cultural Heritage	169,792	0	169,792	67,238	(102,554)	149,257	(20,535)	
Visitor Management	131,599	19,580	151,179	91,425	(59,754)	198,818	47,639	31.51%
Access	126,320	9,552	135,872	51,938	(83,934)	125,445	(10,427)	-7.67%
Public Rights of Way	117,347	13,078	130,425	51,856	(78,569)	121,289	(9,136)	-7.00%
Sustainable Transport & Tourism	19,141		19,141	5,673	(13,468)	18,579	(562)	-2.94%
Recreation Management, Traffic & Transport	394,407	42,210	436,617	200,892	(235,725)	464,131	27,514	
Visitor Centres	239,447	4,420	243,867	66,540	(177,327)	217,728	(26,139)	-10.72%
Postbridge Visitor Centre Extension & Interpretation Project	0		0	58,539	58,539	58,539	58,539	
Moor Otters II	0		0	24,030	24,030	24,030	24,030	
Communications	205,416	550	205,966	108,193	(97,773)	201,744	(4,222)	-2.05%
Naturally Healthy Dartmoor Project	1,000		1,000	0	(1,000)	1,000	0	0.00%
Education	231,056		231,056	105,645	(125,411)	213,702	(17,354)	-7.51%
Education, Information & Communication	676,919	4,970	681,889	362,947	(318,942)	716,743	34,854	
Rangers	484,729		484,729	210,311	(274,418)	486,129	1,400	0.29%
Conservation Works Service	183,033		183,033	75,334	(107,699)	177,037	(5,996)	-3.28%
Development Management	326,819	2,057	328,876	194,684	(134,192)	340,474	11,598	3.53%
Forward Planning & Community	266,744	11,552	278,296	143,366	(134,930)	299,917	21,621	7.77%
Corporate and Democratic Core	343,954	(3,700)	340,254	168,294	(171,960)	316,428	(23,826)	-7.00%
Information Technology	211,698	73,373	285,071	120,132	(164,939)	287,278	2,207	0.77%
Corporate Operating Costs	124,835	3,700	128,535	84,428	(44,107)	114,087	(14,448)	-11.24%
Finance & Administration	216,191		216,191	99,179	(117,012)	181,129	(35,062)	-16.22%
Legal & Democratic Services	60,000		60,000	30,512	(29,488)	60,512	512	0.85%
Human Resources	164,637		164,637	84,315	(80,322)	163,922	(715)	-0.43%
Office Accommodation (Parke)	107,170		107,170	60,326	(46,844)	103,322	(3,848)	-3.59%
Office Accommodation (Princetown)	28,261		28,261	12,256	(16,005)	16,951	(11,310)	-40.02%
Business Support	912,792	77,073	989,865	491,148	(498,717)	927,201	(62,664)	
Project Fund	100,000	(58,004)	41,996	0	(41,996)	41,996	0	
Total Net Expenditure	4,187,768	92,706	4,280,474	2,115,605	(2,164,869)	4,223,781	(56,693)	-1.32%
Funded By:	£			£	£	£	£	
National Park Grant	(3,825,865)		(3,825,865)	(2,382,864)	1,443,001	(3,825,865)	0	
Transfers from Reserves in original Budget	(361,903)	41,463	(320,440)	0	320,440	(320,440)	0	
Transfers from Reserves - from year end and in-year	0	(134,169)	(134,169)	0	134,169	(139,169)	(5,000)	
Year end carry forwards	0		0			33,229	33,229	
Total	(4,187,768)	(92,706)	(4,280,474)	(2,382,864)	1,897,610	(4,252,245)	28,229	
Budget Variation - (Under) / Over Spend	0	0	0	(267,259)	(267,259)	(28,464)	(28,464)	-0.66%

VARIANCE ANALYSIS MONTH 6	Salaries £	Travel & Subsistence £	Transport £	Premises £	Supplies & Services £	Expenditure Overspend (Underspend) £	Grants £	Sales Fees & Charges £	Income Deficit (Surplus) £	Total Variance Deficit (Surplus) £	Explanation
BIO-DIVERSITY	(17,792)	(1,100)			(373)	(19,265)	(24,543)		(24,543)	(43,808)	Bat survey, Damselfly, Lapwing project spend reduced. Land Management Officer post vacancy now filled - 3 year contract, c/fwd budget. Income £10k Dixon Foundation, £9413 Forest Holidays.
LAND MANAGEMENT	6,360	(500)			2,774	8,634		(5,242)	(5,242)	3,392	£5k Defrence Infrastructure towards mapping
WOODLANDS	293	(250)				43		(286)	(286)	(243)	Land Management Officer post started late. Increased emergency works on own land. HLS and filming income
FACILITATION FUND						0			0	0	
HILL FARM PROJECT						0			0	0	
NATURAL ENVIRONMENT	(11,139)	(1,850)	0	0	2,401	(10,588)	(24,543)	(5,528)	(30,071)	(40,659)	
ARCHAEOLOGY	922	(2,100)				(6,778)	5,538		5,538	(1,240)	Ringmore PAL survey reduced. Partnership income reduced as is project spend accordingly
BUILT ENVIRONMENT	(12,355)				520	(11,835)			0	(11,835)	Vacancy saving April to September - post now filled
MOOR THAN MEETS THE EYE						0	(2,348)		(2,348)	(2,348)	HLF grant income at scheme end
UPPACOTT				(5,112)		(5,112)			0	(5,112)	100% rate relief for Longhouse and some works deferred due to C19
CULTURAL HERITAGE	(11,433)	(2,100)	0	(5,112)	(5,080)	(23,725)	3,190	0	3,190	(20,535)	
VISITOR MANAGEMENT	3,371	(430)	(2,450)	272	18,402	19,165	(6,000)	34,474	28,474	47,639	Increased toilet cleaning costs. Parking meter upgrades delayed due to C19 and being reconsidered. Dartmoor Marshals costs, partially met from partners. Loss of parking and vending licence income. Car park refurbishing costs were less than budget but will be used for extra
ACCESS & RECREATION	423	(850)			(10,000)	(10,427)			0	(10,427)	cleaning costs incurred in the WCs
PROW	(6,640)				(2,496)	(9,136)			0	(9,136)	Programme work delayed due to C19
SUSTAINABLE TOURISM & TRANSPORT	73	(635)				(562)			0	(562)	Assistant Ranger vacancy. Training budget will not be used
RECREATION MANAGEMENT	(2,773)	(1,915)	(2,450)	272	5,906	(960)	(6,000)	34,474	28,474	27,514	
VISITOR CENTRES	(15,631)	(1,300)		2,460	(61,828)	(76,299)	(49,214)	99,374	50,160	(26,139)	Retail stock purchases reduced and lost income due to colsure, Covid Job Retention Scheme grant £24k. Business Support Grant £25k. Forecast loss of sales income for the year (prudent forecast at this time)
POSTBRIDGE VISITOR CENTRE					58,539	58,539			0	58,539	Can be met from in-year balances and not reserves
MOOR OTTERS II					24,030	24,030			0	24,030	Can be met from in-year balances and not reserves
COMMUNICATIONS	2,611	(1,450)			(17,256)	(16,095)		11,873	11,873	(4,222)	Enjoy Dartmoor costs reduced to reflect revised production and reduced forecast advertising income this year and last year. Refund of CRM costs as system not fit for purpose, potential carry forward
NATURALLY HEALTHY DARTMOOR EDUCATION	716	(713)	(250)		(12,613)	(12,860)	(7,600)	3,106	(4,494)	(17,354)	Operating budget savings due to C19. Grant income: Clarion Housing: #will project. Other fees and charges reduced due to C19
PROMOTING UNDERSTANDING	(12,304)	(3,463)	(250)	2,460	(9,128)	(22,685)	(56,814)	114,353	57,539	34,854	
RANGERS	(18,358)	(100)	23,195		(999)	3,738		(2,338)	(2,338)	1,400	Assistant Ranger vacancy. Lease vehicles repair costs (end of lease) and new vehicles purchased - increase on original budget
CONSERVATION WORKS SERVICE	(2,429)		(2,000)	(267)	(1,300)	(5,996)			0	(5,996)	Reduction in running costs
RANGERS, ESTATES & VOLUNTEERS	(20,787)	(100)	21,195	(267)	(2,299)	(2,258)	0	(2,338)	(2,338)	(4,596)	
DEVELOPMENT MANAGEMENT	918	(3,400)			(6,720)	(9,202)		20,800	20,800	11,598	Part time planning officer post vacant and contribution to joint Local Authority trainee post not required. Reduced running costs due to C19. Forecast reduction in planning fee income.
FORWARD PLANNING	21,937	(576)			260	21,621			0	21,621	Increased salary costs: regraded post and a contract extension
CORPORATE & DEMOCRATIC CORE	1,553	(9,800)			(5,361)	(13,608)		(10,218)	(10,218)	(23,826)	Staff and Members travel & subsistence savings due to C19. Increased audit costs (tbc) and ORN membership/subscription. Clif (bar) contribution to be used as match funding for Recovery Challenge Fund bid. Treasury income will not be realised
INFORMATION TECHNOLOGY	4,550	(800)			(431)	3,319		(1,112)	(1,112)	2,207	IT support post extended.
CORPORATE OPERATING COSTS			(5,000)		(9,448)	(14,448)			0	(14,448)	Forecast Savings: Hire vehicles. Postage, Printing, insurance, hospitality
ADMINSITRATION & FINANCE	(35,062)					(35,062)			0	(35,062)	Vacancy savings - 3 x posts
LEGAL & DEMOCRATIC SERVICES					512	512			0	512	
HUMAN RESOURCES	(1,474)	(830)			2,497	193		(908)	(908)	(715)	Vacancy saving . Staff related C19 costs: H&S & equipment being offset by training budget savings
OFFICE ACCOMMODATION (PARKE)	108			(4,116)		(4,008)		160	160	(3,848)	Utility and waste disposal cost savings
OFFICE ACCOMMODATION (PRINCETOWN)				(11,310)		(11,310)			0	(11,310)	Business rates relief & utilities savings. Some maintenance delayed due to C19
CORPORATE SERVICES	(31,878)	(1,630)	(5,000)	(15,426)	(6,870)	(60,804)	0	(1,860)	(1,860)	(62,664)	
RESERVE MOVEMENTS						0			0	28,229	
REVENUE EXPENDITURE	(65,906)	(24,834)	13,495	(18,073)	(26,891)	(122,209)	(84,167)	149,683	65,516	(28,464)	

GENERAL FUND RESERVE BALANCES	2020/21	2020/21	2020/21	2020/21	2021/22	2022/23	2022/23	Notes
	Opening Balance	Transfers out	Transfers In /Within	Forecast Closing Balance	Forecast Movements	Forecast Movements	Forecast Closing Balance	
	£	£	£	£	£	£	£	
Ringfenced External Grants & Contributions with Restrictions								
Hill Farm Project (Princes Countryside Fund)	(35,330)	35,330		0			0	Year end carry forward re-allocated
English Heritage: White Horse Hill	(20,036)	20,036		0			0	Postbridge Visitor Centre
Communities Fund Grant (from District Councils)	(109,799)	20,000		(89,799)	89,799		0	Cash balances are carried forward at each year end as allocated to expenditure
DCLG - Neighbourhood Planning Grant	(10,000)			(10,000)			(10,000)	Ringfenced
DCLG - Unringfenced Grants	(84,940)	41,463	(41,463)	(84,940)	44,000	40,940	0	To be used in the Planning Service
Donate for Dartmoor Balances (public donations)	(22,067)	17,500	(2,918)	(7,485)	7,485		0	Cash balances are carried forward at each year end as allocated to expenditure
Historic England -PALS Grant	(2,841)		2,841	0			0	Complete
Police & Crime Commissioner Grant	(5,000)	5,000		0			0	Used for Dartmoor Marshals Scheme - Covid 19
Peatland Partnership	(115,411)	41,945		(73,466)	73,466		0	NPA17/041 - 3 year project.
ELMS Test and Trials project	(32,755)	32,755		0			0	Year end carry forward re-allocated
Dartmoor Headwaters Project (Environment Agency)	(115,121)	115,121		0			0	Year end carry forward re-allocated
Woodland Trust - Eco Skills	(5,000)			(5,000)	5,000		0	To be used as match funding
Access - MoD	(4,000)	4,000		0			0	Received 2019/20
PRoW - MoD	(2,000)	2,000		0			0	Received 2019/20
Clarion Housing #iwill			(7,600)	(7,600)	7,600		0	Project runs until summer 2021
Clif Bar			(10,000)	(10,000)	10,000		0	To be used as match funding for Green Recovery Challenge Fund Bid
Moor Medieval			(3,036)	(3,036)	3,036		0	To be used as match funding for community dig project
Budget Management Fund - Provisions (risk based)								
Employees	(52,000)			(52,000)			(52,000)	See risk assessment for breakdown - protects against unconfirmed pay awards
Costs and Awards: Appeals/Public Enquiries/Litigation	(250,000)			(250,000)			(250,000)	See risk assessment for breakdown
Loss of Income and Inflation	(34,500)			(34,500)			(34,500)	See risk assessment for breakdown - C19 impact may mean that this is needed in 2020/21
Invest to Save and / or Generate Projects	(33,733)			(33,733)			(33,733)	
Climate Change /Emergency Declaration	(50,000)			(50,000)	25,000	25,000	0	NPA/19/020
Budget Gap 2021/22 to 2022/23				0	50,292	66,634	116,926	NPA/20/005
Annual Revenue Outturn and MTFP budget gaps	(179,955)	163,095	(26,908)	(43,768)	(6,524)	(66,634)	(116,926)	Reallocation
Capital Expenditure Fund								
Vehicles - Sinking Fund - Replacement	(127,321)	33,000		(94,321)	30,000	30,000	(34,321)	Consider allocation as part of new MTFP
Capital Receipts Unapplied	(20,769)	17,000		(3,769)	3,769		0	Ringfenced
Property - Sinking Fund - Repairs & Maintenance	(200,000)			(200,000)			(200,000)	
Known Commitments								
Local Plan Review	(65,420)	63,015		(2,405)	2,405		0	Built into the MTFP - may need to top up
National Parl Management Plan	(25,590)			(25,590)	25,590		0	C/Fwd to be used as required
Historic Farm Buildings Grant Scheme Support	(14,392)		14,392	0			0	C/Fwd from 2018/19
Eco Skills Project	(5,000)			(5,000)	5,000		0	C/fwd from 2019/20 to be used as match funding for Green recovery Challenge Fund bid
Nature Recovery Support	(8,000)	8,000		0			0	C/fwd from 2019/20
Ecology Contracts - work in progress	(8,548)	8,548		0			0	C/fwd from 2019/20
Acces contracts - work in progress	(8,202)	8,202		0			0	C/fwd from 2019/20
Visitor Management contracts - work in progress	(16,930)	16,930		0			0	C/fwd from 2019/20
PRoW contracts - work in progress	(11,078)	11,078		0			0	C/fwd from 2019/20
Visitor Centres contracts - work in progress	(867)	867		0			0	C/fwd from 2019/20
Enjoy Dartmoor contract	(550)	550		0			0	C/fwd from 2019/20
Office 365 Contract	(20,979)	20,979		0			0	C/fwd from 2019/20
Match Funding Reserve								
Cash Flow management of external funding bids	(196,500)		(40,000)	(236,500)			(236,500)	To cover the cash flow relating to claims made in arrears i.e. cash flow delay
Greater Dartmoor LEAF 2015-2020	(6,900)	6,900		0			0	NPA/14/038 for 6 years 2015-2020
Moor Otters Income generated in 2017	(9,000)	9,000		0			0	Projects span more than one year
Postbridge Visitor Centre Building Project	(140,000)		140,000	0			0	NPA18/017 - completed
Public Arts Project 2020 - Moor Otter II	(120,000)			(120,000)			(120,000)	NPA/19/015 - risk that costs will not be covered by income. Project delayed due to Covid 19
Unallocated fund balance - bids being worked up and submitted	(307,037)		(100,000)	(407,037)	6,524	66,634	(333,879)	Held for match funding bids in progress e.g. National Lottery Heritage Fund when the Fund re-opens (delayed due to Covid 19)
Total Earmarked Reserves	(2,477,571)	702,314	(74,692)	(1,849,949)	382,442	162,574	(1,304,933)	
General Reserve (unallocated emergency reserve)	(500,000)			(500,000)			(500,000)	
Total General Fund Balance	(2,977,571)	702,314	(74,692)	(2,349,949)	382,442	162,574	(1,804,933)	

2020/21 RESERVES: RISK BASED ANALYSIS	Risk Level	Rate	2020/21 Opening Balance £'000	2020/21 Forecast Closing Balance £'000
Grants & Contributions with Restrictions carried forward: Grants & Contributions with Restrictions	N/A	Actual	(564)	(291)
Employees: Maternity / Paternity Cover / Pay Awards	Low	Est.	(52)	(52)
Costs & Awards: Appeals / Public Enquiries / Litigation	High	Est.	(250)	(250)
Loss of Income and / or Price Increases: Reduced Sales, Fees & Charges or Inflation cost	Medium	Est	(35)	(35)
Capital - Property: Repairs & maintenance (sinking fund)	Medium	Est.	(200)	(200)
Capital - Vehicles Provision for future replacement of vehicles (sinking fund)	N/A	Est.	(127)	(94)
Capital Receipts Reserve	N/A	Actual	(21)	(4)
Climate Change	N/A	Est.	(50)	(50)
Known Commitments/Contracts Local Plan Review	N/A	Est. & Actual	(65)	(2)
National Park Management Plan	N/A	Actual	(25)	(25)
Contracts - work in progress	N/A	Actual	(94)	(5)
Match Funding Reserve Cash Flow Management of Externally funded projects	N/A	Actual	(90)	(237)
Greater Dartmoor LEAF 2015-2020	N/A	Actual	(7)	0
Moor Otters Project Surplus - allocated to projects	N/A	Actual	(9)	0
Postbridge Visitor Centre - Extension Building Project	N/A	Actual	(140)	0
Public Arts Project - Moor Otters II	N/A	Actual	(120)	(120)
Unallocated fund balance	N/A	Actual	(414)	(407)
Revenue Invest to save and / or Generate Projects	N/A	Actual	(34)	(34)
Revenue Outturn Surplus - to be reallocated	N/A	Actual	(180)	(44)
General Reserve - Minimum amount to cover unanticipated costs / emergencies	N/A	Actual	(500)	(500)
Total Reserve Balance			(2,977)	(2,350)



NPA/AG/20/007

Dartmoor National Park Authority Audit and Governance Committee

20 November 2020

Independent Review into the Oversight of Audit and the Transparency of Local Government Reporting ('The Redmond Review') and the Public Sector Audit Appointments (PSAA) Consultation on Proposed Audit Fee Variations

Report of the Head of Business Support

Recommendation: **That Members**

- (i) **note the recommendations of the Redmond Review. Implementation of these recommendations is dependent on their adoption by the Ministry of Housing, Communities & Local Government (MHCLG).**
- (ii) **Comment on the PSAA's proposed new system for audit fee variations and delegate authority to the Head of Business Support to make a formal response by 1 December 2020, in consultation with the Chair of the Authority and the Chair of Audit & Governance**

1 Background

- 1.1 The Local Audit and Accountability Act 2014 ('the Act') introduced a new Audit regime for local government to replace the previous arrangements, under which the Audit Commission performed that role. The Review, under the leadership of Sir Tony Redmond, was set up to examine the effectiveness of local audit as now practiced.
- 1.2 One of the objectives behind the Act was to widen participation in the local audit market by allowing local authorities to appoint their own auditors. Subsequently, it became clear that the auditor appointment provisions in the Act were onerous and there was little appetite amongst local authorities to appoint their own auditors. As a result, MHCLG undertook a tender exercise to identify an entity which would act as an appointing person for local authority audits.
- 1.3 Public Sector Audit Appointments Ltd (PSAA), a new company set up by the Local Government Association (LGA), was the only bidder. Under the transitional arrangements, PSAA was given the responsibility of managing the framework contracts let by the Audit Commission for external audits running up until 2017/18. PSAA's responsibilities are:

- To perform the functions of an appointing person for local authority audits;
- To take steps to ensure that public money is properly accounted for and protected;
- To oversee the delivery of consistent high quality and effective audit services; and
- To ensure effective management of audit contracts.

1.4 Category 1 Authorities (those with a turnover exceeding £6.5m; for consistency of reporting, Defra subsequently required all NPAs to be treated as Category 1 Authorities regardless of turnover) were given the choice of opting in or out of the PSAA arrangements; opting out would require an Authority to procure its own external auditor, and – at that time – was judged by most Authorities as very likely to be a significantly more involved and expensive approach; 98% of Authorities chose to opt in.

1.5 In 2017 PSAA let the next phase of local audit framework contracts, active from 2018/19 through to 2022/23.

1.6 The effect of these developments for the Authority has been twofold: a change in auditor and a decrease in audit fees. Prior to its framework contracts of 2012, the Audit Commission undertaken our external audit, at which point our annual fee was in the order of £18k pa (this from 2008/09). The frameworks agreed in 2012 and 2014 saw Grant Thornton appointed as External Auditor, but the competitive bidding process had driven down fees so that, by 2012/13, our fee was £12k. The subsequent re-letting of contacts for 2018/19 saw Grant Thornton being retained, and a further fee reduction, with the planned fee for 2019/20 at £9k, however it ended up being £13k.

1.7 This progressive reduction in fees is significant. In ‘cash’ terms, we’ve seen a fall in our fees of 50% since 2009 (to proposed fee in 2019); after taking account of CPI-based inflation, the ‘real terms’ fall is 64%. It shouldn’t be a surprise that this dramatic reduction in fees, driven by competitive tendering, is now undermining the future viability of audit contracts, something which the Redmond Review picks up on.

2 The Key Findings of the Redmond Review

2.1 The Review published its findings in September, in a report running to 148 pages (including annexes) and which describes and discusses the issues highlighted in the feedback from local authorities consulted during the review. The key findings were:

- The mechanisms for achieving consistency in financial reporting, audit quality and applicability are fragmented and piecemeal. Public sector specialist expertise is now dispersed around different bodies. No one body is looking for systemic problems, and there is no apparent co-ordination between parties to determine and act on emerging risks, or to collate and report on the results of the work of the external auditors of local authorities. The review proposes the creation of a new body, the Office of Local Audit Regulation (OLAR), to fill this gap.
- There is widespread agreement that the accounts are not transparent or easily understandable, and so don’t meet the accountability and/or decision-making needs of users in allowing them to ask appropriate questions. The Review proposes a new statement of service information and costs as a means of enabling authorities to communicate, in a standardised format, the key information

relating to the budget compared to actual financial performance.

- The format of local government accounts doesn't provide sufficient information on key issues of interest to stakeholders (or, at the very least, it's very hard to extract this from the accounts). This includes information on financial resilience and sustainability, going concern and value for money. Further information on these matters is included at **Appendix 1**.
- The fee structure doesn't enable auditors to fulfil the role in an entirely satisfactory way. With 40% of audits failing to meet the required deadline for report in 2018/19, this signals a serious weakness in the ability of auditors to comply with their contractual obligations. In addition, the ambition of attracting new audit firms to the local authority market hasn't been realised. Without prompt action, there is a significant risk that the firms currently holding local audit contracts will withdraw from the market. Further discussion of the current fee variation process is included at **Appendix 2**.
- The current deadline of 31 July for the auditor's final report on the accounts (temporarily extended to 30 November this year, due to Covid-19) is very problematic; nationally, up to 40% of audits miss this date.

3 Detailed Recommendations

- 3.1 These are summarised at **Appendix 3**, which also includes commentary and observations on the potential impact of each recommendation

4 The Response from PSAA

- 4.1 Steve Freer, the Chairman of PSAA, has responded in a supportive way to the findings of the review. The only recommendation where there is a difference of view concerns the proposed creation of OLAR, which would bring together functions including procurement, regulation and the new 'system leader' role. Mr Freer makes the point that there is a fundamental question about the time which it may take to legislate and bring a new body fully on stream, and whether that timetable would meet the current urgent challenges.

5 PSAA Consultation: Proposals for a New Approach to Fee Variations

- 5.1 PSAA is now consulting on proposed new arrangements for determining fee variations for local audits of opted-in bodies from audits of 2020/21 accounts onwards.
- 5.2 The current fee variations process requires the auditor to discuss all proposed variations with the audited body before submitting them to PSAA for determination. Feedback from both auditors and audited bodies frequently refers to the practical challenges and limited value of local discussions about proposed variations which relate to those factors which affect most or all audited bodies. Many contributors have asked PSAA to take a national lead on additional fees, where possible removing the need for local negotiations.

5.3 PSAA is therefore proposing a new approach, based on two types of variation:

- National variations, required for changes that relate to the conduct of all or most audits, such as changes to the auditing and accounting codes, standards and regulatory requirements, where a standard cost can be reasonably estimated; and
- Local variations, required for issues that relate to local factors arising from the conduct of a particular audit, such as the additional audit work required if accounts reflect complex transactions that are not built into the scale fee, or where working papers are poorly prepared, or for work relating to an auditor's statutory responsibilities such as objections, statutory recommendations or public interest reports.

5.4 The PSAA consultation paper is attached at Appendix 4 and Members are invited to provide comments so that a formal response can be submitted by 1 December 2020.

6 Conclusion

6.1 The recommendations of the Redmond Review have been designed to deliver a new framework for effective local audit and an annual financial statement which enables all stakeholders to hold local authorities to account for their performance, together with a robust and effective audit reporting regime.

6.2 The Redmond Review report concludes that the audit should include a substantive test of financial resilience and sustainability. The scope of this audit needs to be clearly defined and focused to ensure there is a balance between cost and the potential benefits of such additional audit coverage and reporting.

6.3 MCHLG has a statutory role in regulating and monitoring the financing and service delivery of local government, so it will be up to them to decide which of the Redmond Review recommendations should be taken forward. Some of the recommendations require regulatory or legislative change, so there may be a timing problem, given that many of the issues identified in the report may need urgent attention

6.4 The outcome of the PSAA consultation on the system for audit fee variations should help to provide more clarity and help to resolve recent challenges and uncertainty.

DONNA HEALY

Background papers:

Independent Review into the Oversight of Audit and the Transparency of Local Authority Financial Reporting; Sir Tony Redmond, September 2020.

Attachments: **Appendix 1 – Aspects of Insurance**
 Appendix 2 – Audit Fees and Variations
 Appendix 3 – Recommendations of the Review

20201120 DH Redmond Review and PSAA consultation

Aspects of Assurance

The Redmond Review identified significant expectation gaps, in terms of the way that value for money (VfM) and financial resilience and sustainability were articulated by the accounts and reported on by the auditors. The coverage of the financial and VfM aspect of audits is far narrower than many stakeholders expect, and is underpinned by concerns about the focus of audit work, where an increasing amount of time is spent auditing fixed asset and pension valuations.

In particular:

- The auditors VfM conclusion is viewed by many local authorities to be an exercise with limited use to them as it is too retrospective and often states what the local authority already knows, and gives assurance only that processes are in place to secure value for money.
- The current 'Going Concern' opinion doesn't provide an adequate assessment of financial resilience, which is a more important measure in terms of being able to continue to deliver services at required levels. In any case, 'Going Concern' issues are arguably less significant than for private companies, because of the likelihood of government intervention and support. At present, there is no specific responsibility to provide an opinion on whether a local authority is financially sustainable.

Together, these factors are argued to result in a significant difference between the assurance that external auditors provide and (potential) public expectations.

In 2020, the Comptroller & Auditor General (C&AG) published a new Code of Local Audit Practice, effective from the 2020-21 financial year. The main changes made were in respect of the value for money opinion, which has been replaced by the requirement for a commentary on:

- Financial sustainability: how the authority plans and manages its resources to ensure it can continue to deliver its services;
- Governance: how the authority ensures that it makes informed decisions and properly manages its risks; and
- Improving economy, efficiency and effectiveness: how the authority uses information about its costs and performance to improve the way it manages and delivers its services.

This revised code provides a framework for dealing with the 'expectation gap' issues, the review proposing that the scope of audit should be extended to include a substantive test of a local authority's financial resilience and sustainability. It recognises that this will increase audit costs, but argues that this should be outweighed by the potential benefits of additional audit coverage and reporting, which include providing comfort to the authority and its stakeholders that its finances are in good order. But note that this is likely to increase the workload for officers, who will need to provide robust evidence of resilience and sustainability.

Expanding on the 'resilience' point, the statutory responsibilities to deliver certain services exist even if an authority's resources may be considered to be insufficient at any given

time. Financial resilience in this context means the ability to manage budgets over the medium term whilst continuing to deliver high quality and effective services. CIPFA's 'Building Financial Resilience' report of 2017 sets out markers for financial resilience in a local authority context, highlighting four pillars of sound financial management and five indicators of financial stress (below).

Pillars of financial resilience	Indicators of financial stress
Getting routine financial management right	Running down reserves
Benchmarking against nearest neighbours – e.g. unit costs, under/overspends by service area, under- recovery of income.	Failure to deliver planned savings
	Shortening medium term financial planning horizons
Clear plans for delivering savings	Increase gaps in saving plans (i.e. where proposals are still to be identified)
Managing reserves over the medium-term financial planning horizon.	Increase unplanned overspends in service delivery departments.

Audit Fees and Variations

The review concluded that the apparent inadequacy of audit fees is creating a fundamental problem in the supply of external audits of the appropriate quality, even before considering the additional requirements (and therefore, pressures) that would be placed on the auditor by the recommendations of this review.

This problem is highlighted by the issue of free variations, which can be requested by the auditor on the basis of additional unplanned work being required to complete their audit. Extra work might result from shortfalls in the information or assistance provided by the authority being audited (e.g. staff being unavailable to answer questions) or because of new requirements: in 2019, all pension fund audits were affected by the decision in the McCloud case, which changed the liabilities of those funds as a result of an 'inequalities' issue.

The external auditor notifies PSAA of potential variations, and these are then agreed between the relevant local authority and the auditor, or – where a disagreement arises – PSAA will challenge the variation and facilitate a resolution. This Authority is in this position in relation to the 2019/20 audit fee, Grant Thornton has submitted a formal request for a variation to PSAA and we are currently waiting for a decision / discussion.

Audit firms consider the fee variation process to be unsatisfactory. They have raised concerns that the scope to claim fee variations is not sufficient to meet their costs. Increasing the scale fee, to reflect changes in regulatory requirements is for practical purposes not possible under the current arrangements.

Firms stated generally that the lack of profitability changes the way that local audit work is perceived within the firm. As the contribution that local audit makes to the overall profit of the Partnership is low, specialising in this area is seen by many individuals at audit firms as having a detrimental impact on career prospects, making it difficult for firms to attract and retain high quality staff for such work.

The review found that the number of fee variation requests had been growing, and that the audited bodies were expressing increasing dissatisfaction over this: variation requests were often received some months after audits had been completed, and they were not always supported by evidence of additional work done.

For the 2019/20 audit cycle, PSAA has taken steps to manage fee variations more proactively. Rather than wait for fee variations to be submitted, it has asked all of the firms active in the market to estimate the additional fee required to ensure that their audit work and audit files meet current quality standards. Four of the firms have suggested that an increase of 15% to 25% on the scale fee is required with the fifth firm requesting an increase of 100% on the scale fee. PSAA is currently in the process of reviewing how each firm's standard audit testing programmes have changed over the past three audit years to identify whether the increases requested are justified. PSAA will use this work to enable it to provide reassurance to audited bodies that extra work has been validated.

The Recommendations of the Review

Recommendation	Commentary / Impact assessment
External Audit Regulation	
<p>1. A new body, the Office of Local Audit and Regulation (OLAR), be created to manage, oversee and regulate local audit with the following key responsibilities:</p> <ul style="list-style-type: none"> • procurement of local audit contracts; • producing annual reports summarising the state of local audit; • management of local audit contracts; • monitoring and review of local audit performance; • determining the code of local audit practice; and • regulating the local audit sector. 	<p>The new body will liaise with the Financial Reporting Council (FRC) with regard to its role in setting auditing standards. The engagement of audit firms to perform the local audit role would be accompanied by a new price/quality regime to ensure that audits were performed by auditors who possessed the skills, expertise and experience necessary to fulfil the audit of local authorities. These auditors would be held accountable for performance by the new regulator.</p> <p>The new regulatory body would be small and focused and would not represent a body which has the same or similar features as the Audit Commission. Its operating costs are estimated at £5m pa.</p>
<p>2. The current roles and responsibilities relating to local audit discharged by Public Sector Audit Appointments (PSAA) and the Institute of Chartered Accountants in England and Wales (ICAEW) (amongst others) to be transferred to the OLAR.</p>	<p>This is a necessary step in delivering Recommendation 1.</p>
<p>3. A Liaison Committee be established comprising key stakeholders and chaired by MHCLG, to receive reports from the new regulator on the development of local audit.</p>	<p>To provide the link between government and OLAR.</p>
<p>4. The governance arrangements within local authorities be reviewed by local councils with the purpose of:</p> <ul style="list-style-type: none"> • an annual report being submitted to Full Council by the external auditor; • consideration being given to the appointment of at least one independent member, suitably qualified, to the Audit Committee; and • formalising the facility for the CEO, Monitoring Officer and Chief Financial Officer (CFO) to meet with the Key Audit Partner at least annually. 	<p>Currently, the auditor's annual report is submitted to the full Authority (rather than A&G).</p> <p>The question of independent members on audit committees is challenging, and the review acknowledges the difficulty of recruiting to such posts (which are usually voluntary). Because the review covers practices across all local government bodies - which vary hugely in size and complexity - what might be best practice for a very large authority (e.g. Birmingham) may not add value for one that is many magnitudes smaller.</p> <p>The proposal to meet annually with the Key Audit Partner is – to a degree - already in place, as the Head of Business Support</p>

Recommendation	Commentary / Impact assessment
	(CFO) and the Head of Organisational Development (Monitoring Officer) are in contact with the external auditor throughout the audit process.
5. All auditors engaged in local audit be provided with the requisite skills and training to audit a local authority irrespective of seniority.	This ought to go without saying, but the consultations undertaken by the Review highlighted that many local authorities had significant concerns about the knowledge and expertise of staff working on their audit. Issues included not having a full understanding of how local authorities were funded and how this impacted the accounts, and a lack of auditor continuity from year to year, or in some cases from week to week, leading to a lack of client knowledge.
6. The current fee structure for local audit be revised to ensure that adequate resources are deployed to meet the full extent of local audit requirements.	A fundamental review of the fee structure is proposed. Evidence suggests that audit fees are at least 25% lower than is required to fulfil current local audit requirements effectively.
7. That quality be consistent with the highest standards of audit within the revised fee structure. In cases where there are serious or persistent breaches of expected quality standards, OLAR has the scope to apply proportionate sanctions.	This mechanism is needed for OLAR to be able to deliver its 'performance management' responsibilities.
8. Statute be revised so that audit firms with the requisite capacity, skills and experience are not excluded from bidding for local audit work.	<p>The eligibility criteria as set out in the 2014 Act stipulate that bids for local authority audits can only be made by firms with recent experience of local authority audit: it is very difficult for new entrants to enter the market.</p> <p>This problem will be exacerbated by the Competition and Markets Authority's proposals to implement an operational split between the 'Big Four' accountancy firm's audit and non-audit businesses: If required to choose between specialisms (for example, consultancy or external audit), there is no guarantee that they'll opt for external audit, particularly of a 'low fee' local authority nature.</p> <p>Increasing the number of firms permitted to undertake local audit work should improve the chances for smaller authorities (like us) of obtaining an auditor at an appropriate</p>

Recommendation	Commentary / Impact assessment
	cost. At the moment, our audits are essentially 'lost leaders' within larger contracts.
9. External Audit recognises that Internal Audit work can be a key support in appropriate circumstances where consistent with the Code of Audit Practice.	This is a 'given' of long standing, though in the case of this Authority, the external auditor chooses to make only limited use of the assurance provided by Internal Audit. Making this requirement more explicit would have a positive impact on the quality of the external audit and shouldn't add to workload or cost pressure.
10. The deadline for publishing audited local authority accounts be revisited with a view to extending it to 30 September from 31 July each year.	In 2017-18 the target date for completing local authority audits was brought forward from 30 September to 31 July. This reform was requested by many local authorities, who wanted to complete their accounts and audit process as quickly as possible, so as to free up their finance teams to work on other areas. The compression of the audit timetable was mentioned as an issue by every audit firm. Firms raised concerns about the resulting peaks in workload, pressures on staff during the summer months, and knock-on effects when target dates are not met. These pressures contribute to making work unpopular with local audit staff.
11. The revised deadline for publication of audited local authority accounts be considered in consultation with NHSI(E) and DHSC, given that audit firms use the same auditors on both Local Government and Health final accounts work.	A detail in support of recommendation 10. Note that this would have implications for the timetable for preparing the national Whole of Government Accounts, which we were obliged to contribute to (although we are currently below threshold).
12. The external auditor be required to present an Annual Audit Report to the first Full Council meeting after 30 September each year, irrespective of whether the accounts have been certified; OLAR to decide the framework for this report.	This appears to replicate the first bullet point of Recommendation 4
13. The changes implemented in the 2020 Audit Code of Practice are endorsed; OLAR to undertake a post implementation review to assess whether these changes have led to more effective external audit consideration of financial resilience and value for money matters.	The review questions whether audit work always covers the most important areas of the accounts from a service user perspective. One particular area which was identified as problematic was the apparently excessive focus by the auditor on the valuation of fixed assets and pension fund components: external audit compliance requirements oblige the auditor to challenge valuations placed on these

Recommendation	Commentary / Impact assessment
	<p>material assets or liabilities by other experts, whether specialist valuers (for land and property) or other auditors (for Pension Funds). These valuations have only a limited influence on financial resilience.</p> <p>The extension of the audit to cover financial resilience and VfM in the way proposed will place an additional burden on officers, who will need to provide robust evidence of the Authority's position in relation to those matters.</p>
Financial Resilience of Local Authorities	
<p>14. MHCLG reviews its current framework for seeking assurance that financial sustainability in each local authority in England is maintained.</p>	<p>This is an internal matter for MHCLG, and the review doesn't provide any details of the framework. Note that financial sustainability is an inferred part of financial resilience, and as such is covered by Recommendation 13.</p>
<p>15. Key concerns relating to service and financial viability be shared between Local Auditors and Inspectorates including Ofsted and the Care Quality Commission prior to completion of the external auditor's Annual Report.</p>	<p>The Report identifies that many examples of service delivery and financial failures are underpinned by weaknesses in governance and senior leadership, so it may be valuable for the auditor to find out if those concerns are reflected in other areas of an authority's business or indicative of wider financial resilience issues. The Authority is not subject to routine formal review by Inspectorates concerned with the quality of its services, other than – potentially – the Planning Inspectorate, so this recommendation has limited relevance to us.</p>

Transparency of Financial Reporting	
<p>16. A standardised statement of service information and costs be prepared by each authority and be compared with the budget agreed to support the council tax/precept/levy and presented alongside the statutory accounts.</p>	<p>Other options considered (but deemed less likely to achieve transparency and consistency) included a revision of the current use of IFRS-based accounts and adapting the narrative report within the existing accounts format.</p> <p>The review provides an example of a simplified financial statement, but notes that the current statutory accounts should still be produced.</p> <p>This recommendation would create additional work, at a time of year when officers are working under considerable pressure. Note that for NPAs there is no direct value in being able to link financial performance with council tax and related levies, as we are not involved in such mechanisms.</p>
<p>17. The standardised statement should be subject to external audit.</p>	<p>This would add to audit costs.</p>
<p>18. The optimum means of communicating such information to council taxpayers/service users be considered by each local authority to ensure access for all sections of the communities.</p>	<p>Current requirements include publishing the draft and final accounts on our website. The review contains no suggestions as to how such communication could be widened.</p>
<p>19. CIPFA be required to review the format of the statutory accounts, in the light of the new requirement to prepare the standardised statement, to determine whether there is scope to simplify the presentation of local authority accounts by removing disclosures that may no longer be considered to be necessary.</p>	<p>The review picked up in particular on the length of Local authority accounts compared to those in other sectors, with the former containing more primary statements than central government and private sector accounts. Also that the Pension Fund components are audited as a separate audit engagement, which further lengthens the document and means that the audited accounts can't be published as final until both the local authority audit and the pension fund audit have been completed. MHCLG has been asked to look at decoupling the local authority and pension fund accounts, but that would require primary legislation.</p>
<p>20. The Annual Governance and Accountability Return prepared by smaller authorities should be reviewed to see if it can be made more transparent to readers.</p>	<p>This recommendation isn't relevant to the Authority, as we aren't classed as a 'smaller authority'.</p>



Proposed new system for fee variations

Opted-in local government and police bodies

November 2020

Public Sector Audit Appointments Limited (PSAA) is an independent company limited by guarantee incorporated by the Local Government Association in August 2014.

In July 2016, the Secretary of State specified PSAA as an appointing person for principal local government authorities for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.

From 2018/19 PSAA is responsible for appointing an auditor and setting scales of fees for relevant principal authorities that have chosen to opt into its national scheme.

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Summary

- 1 This consultation sets out our proposed new approach for determining fee variations in respect of local audits of opted-in bodies from 2020/21 onwards.
- 2 Fee variations are the mechanism by which Public Sector Audit Appointments (PSAA) approves additional fees for audit work. Additional fees are required when an auditor needs to undertake substantially more work than was envisaged when the fee scale for the audit was set by PSAA. This is an increasingly common occurrence in the current climate. Since PSAA's contracts with audit suppliers were let in 2017, audits have been subject to increased scrutiny and regulatory pressures following a number of controversial financial failures in the private sector. Additional work has been required in the majority of audits to enable a safe audit opinion on the financial statements. The new Code of Audit Practice will apply from 2020/21 and further additional audit work will be needed to deliver the requirement for a commentary on the body's arrangements for value for money.
- 3 The current fee variations process requires the auditor to discuss all proposed variations with the audited body before submitting them to PSAA for determination. Feedback from both auditors and audited bodies frequently refers to the practical challenges and limited value of local discussions about proposed variations which relate to factors which affect most or all audited bodies. Many contributors have asked PSAA to take a national lead on additional fees, where possible removing the need for local negotiations. PSAA is also engaging with MHCLG to facilitate the proposed approach outlined in this consultation.
- 4 PSAA therefore proposes introducing a new approach to fee variations for audits of 2020/21 and subsequent accounts, based on two types of variation:
 - **national variations**, required for changes that relate to the conduct of all or most audits, such as changes to the auditing and accounting codes, standards and regulatory requirements, where a standard cost can be reasonably estimated; and
 - **local variations**, required for issues that relate to local factors arising from the conduct of the particular audit, such as the additional audit work required if accounts reflect complex transactions that are not built into the scale fee, or where working papers are poorly prepared, or for work relating to an auditor's statutory responsibilities such as objections, statutory recommendations or public interest reports.
- 5 Wherever possible PSAA will calculate and determine national variations. Local discussions between the auditor and the audited body will not be necessary. In order to reach fair determinations, PSAA will carry out research into each of the variations which arise in this category. This will include engagement with representatives of both audit suppliers and audited bodies. We will also consult as appropriate with bodies such as the National Audit Office and the Financial Reporting Council. Implementation of new arrangements will necessarily be influenced by how MHCLG chooses to respond to the recent Redmond Review recommendations.
- 6 Local variations will continue to be the subject of local discussions. We think this is appropriate in the context that these relate to matters which are specific and frequently unique to the particular audit. The relevant auditor and the chief finance officer should

therefore be well aware of the issues and able to bring valuable knowledge and insights to bear.

- 7 The detailed methodology for calculating the value of fee variations uses PSAA's rate card, which prescribes different hourly rates for different levels of audit staff. The Redmond report has recently documented significant challenges in local government auditing, acknowledging that the market is fragile and lacks resilience and highlighting issues in relation to the adequacy and sustainability of audit fees. Against this backdrop we are proposing to increase the relevant hourly rates for fee variations by 25% for 2020/21 audits. The resulting new rates continue to be keenly competitive compared to those payable in other sectors. The cost to local bodies of the rate card increase will vary depending on the scale of any fee variations arising. By way of illustration, if a body experiences fee variations equivalent to say 10% of its scale fee, calculated using current rates, the overall cost of its audit will rise by approximately 2.5% as a result of the rate card change. Current rates will continue to apply for audit years before 2020/21
- 8 We recognise that local bodies are managing hugely challenging budgets and that any increase in the rates for fee variations will be unwelcome. However, in the context of the need to maintain a sustainable audit market going forward, we believe that this is an important and necessary step to take.
- 9 Fee variations often relate to additional audit work which is of a recurring nature. Ideally in these circumstances the scale fee for the relevant body would be updated to reflect the cost of the work concerned in subsequent audits. However, current regulations hamper how quickly this can be done. PSAA is therefore in active discussions with MHCLG with a view to amending the regulations to enable scale fees to be updated more promptly where appropriate.
- 10 We look forward to receiving your comments on our proposals.

Responding to the consultation

We welcome comments on the proposals contained in this document. Please send feedback using this link:

<https://www.surveymonkey.co.uk/r/MGZPNBJ>

The link is to an online survey, using the questions set out below (there is an option to make additional comments on each question).

The consultation will close on **Tuesday 1 December 2020**.

Consultation response questions

1. Do you agree that fee variation arrangements should be changed to improve the efficiency of the process and to help manage the pressures on senior finance staff and auditors?
2. Do you agree that a system based on two distinct categories - national variations and local variations - would be a logical approach?
3. Do you agree that PSAA should lead on national variations, carrying out research to enable it to assess appropriate additional fees for groups of bodies with similar characteristics, with appropriate consultation?
4. Do you agree that local discussions between the auditor and the audited body should continue to be a requirement in relation to additional audit work arising from factors which are specific to a particular audited body?
5. Do you agree that the fee rates applicable to fee variations should be increased in recognition of the importance of maintaining a sustainable local audit market?
6. Any other comments.

PSAA's new fee variations system

Background

- 11 The Local Audit (Appointing Person) Regulations 2015 require PSAA to consult on and set a scale of audit fees for opted-in authorities before the start of the financial year to which the fees apply¹. In addition, a fee scale cannot be altered after the start of the financial year.
- 12 In some cases substantially more audit work may be required than was envisaged when the fee scale was set. In these circumstances the local audit framework allows PSAA to consider and ultimately determine a fee variation claim from the relevant auditor². The volume and aggregate value of such claims has risen significantly in the past two years as all audits have become subject to increased scrutiny and regulatory pressure following a number of controversial financial failures in the private sector. As a result, additional work has been required in the vast majority of local audits to enable a safe audit opinion on the financial statements. The new Code of Audit Practice will apply from 2020/21 and further additional audit work will be needed to deliver the requirement for a commentary on the body's arrangements for value for money.
- 13 Firms are required to share the details and explain the circumstances of any proposed fee variation with the relevant local body and, in submitting a claim to PSAA, to confirm whether the body has agreed to the proposed variation. This arrangement helps to ensure a rounded, balanced process in which the views of both the auditor and the audited body are heard. This approach has worked well for a number of years, during which fee variations have been the exception rather than the rule. However, it has become more controversial during the recent period in which variations have become much more common. Increasingly, feedback from audit suppliers and audited bodies has questioned whether it is helpful for local discussions to take place in relation to variations which relate to changes which affect most or all bodies.

¹ Regulation 16 includes:

- (1) An appointing person must specify, before the start of the financial year to which the scale of fees relates, the scale or scales of fees for the audit of the accounts of opted in authorities in relation to which the person is the relevant appointing person.
- (2) A scale of fees must relate to a particular financial year, but may be set for more than one financial year at a time.
- (3) An appointing person may vary the scale of fees which it has specified, but must not do so once the financial year to which the scale of fees relates has begun.

² Regulation 17 includes:

- (1) Subject to paragraph (2), the fee for the audit of the accounts of an opted in authority must be set in accordance with the appropriate fee scale specified in accordance with regulation 16.
- (2) If it appears to an appointing person, on the basis of information supplied by the local auditor which it has appointed
 - (a) that the work involved in a particular audit was substantially more or less than that envisaged by the appropriate scale, or
 - (b) any of the provisions mentioned in paragraph (3) apply,the appointing person may charge a fee which is larger or smaller than that referred to in paragraph (1), as appropriate.

A new fee variations system

- 14 Encouraged by feedback from stakeholders, we have therefore considered options for redesigning the fee variations process to improve efficiency and to reduce the burden of local discussions on auditors and senior finance staff. As a result, we are now proposing a new system, commencing from audits of 2020/21 accounts, based on two types of variation:
- a) **national variations** which will reflect national changes in audit requirements: that is, changes that relate to the conduct of all or most audits, such as changes to the auditing and accounting codes, standards and regulatory requirements, where a standard cost can be reasonably estimated; and
 - b) **local variations** which reflect local changes in circumstances: that is, issues arising from the conduct of a particular audit, such as the additional audit work required if accounts reflect complex transactions that are not built into the scale fee, or working papers are poorly prepared, or for work relating to an auditor's statutory responsibilities such as objections, statutory recommendations or public interest reports..

National variations

- 15 We propose that, with effect from the audit of 2020/21 accounts PSAA will lead on assessing the potential audit work and fee impact of new and updated audit requirements and standards applicable to local audit. These are changes that have the potential to affect the conduct of all or most audits, requiring more or less audit work to be carried out. However, their implications may vary between different types or groupings of local bodies.
- 16 PSAA has already commissioned a programme of work to consider the likely audit work and fee impact of expected changes in audit requirements. Some anticipated changes are unlikely to result in an increase in audit work, but others are potentially significant and may justify fee variations. The latter grouping includes:
- the Code of Audit Practice applicable from 2020/21, which contains new requirements in relation to reporting on value for money arrangements;
 - ISA 220 (Revised): Quality control of an audit of financial statements (applicable from 2020/21 audits);
 - ISA 315 (Revised): Identifying and assessing the risks of material misstatements (applicable from 2022/23 audits);
 - ISA 540 (Revised): Auditing accounting estimates and related disclosures (applicable from 2020/21 audits);
 - ISA 600 (Revised): Specific considerations – audit of group financial statements (applicable from 2020/21 audits); and
 - IFRS 16 Leases (applicable from 2021/22 audits).
- 17 PSAA will undertake research to inform our understanding of each relevant standard or other change in requirements. In doing so we will consult with audit suppliers as well as seeking the views of audited bodies via relevant societies/associations of chief finance officers. Engagement with stakeholders such as the NAO and the FRC will also be

important to test our thinking and ensure that the resulting additional fees PSAA determines are reasonably consistent with any other relevant assessments. Our intention is to assess the additional work and consequent fee requirements for each relevant change driver, taking account of the differing needs of particular types or groups of authority.

- 18 In some cases, the nature of the change may be more significant for one type of local body than for another and our determinations will therefore need to be stratified accordingly.
- 19 We may find that at the outset a particular change cannot be assessed with the required level of confidence. In these circumstances we may initially specify a range rather than a precise figure for resulting fee variations, reserving final determinations until more information is available.
- 20 In dealing with national variations, PSAA will take particular care to identify ongoing audit work and costs which ultimately need to be consolidated in revised scale fees. This in turn requires careful earmarking of pre-implementation work, for example in relation to prior year disclosures for IFRS 16, as well as any one-off implementation year work which is not a continuing requirement, such as the first year of the new value for money arrangements reporting under the Code of Audit Practice. This work will qualify for a fee variation but is clearly not a recurring requirement.
- 21 A key assumption when determining any national variation will be that both the body and the auditor meet the requirements of the Statement of Responsibilities (see paragraphs 34-35 below).
- 22 We believe our proposed approach to national variations will obviate the need for a significant proportion of local fee variation discussions by relieving audited bodies and audit firms of much of the burden of dealing with system-wide issues at local level. In doing so it responds directly to stakeholders' expressed concerns and offers the prospect of improving both the efficiency of the fee variation process and the consistency of resulting determinations.
- 23 It is important to acknowledge that our proposed approach inevitably involves a degree of estimation. Fee variations will be considered and standardised for groups of bodies with similar characteristics, rather than being determined after assessing the position at the level of each individual body. The system will only realise the benefits outlined if audited bodies and audit suppliers accept that some estimation is implicit in this approach.
- 24 Potential national fee variations will be evaluated at the earliest opportunity, enabling to allow PSAA to build them into scale fees when it is possible to determine the ongoing impact of a change in requirements. Timing of implementation will be influenced by further engagement with MHCLG including how MHCLG chooses to respond to the recent Redmond Review recommendations.

Local variations

- 25 Auditors will continue to advise and enter into local discussions with audited bodies about the nature and circumstances of any potential fee variations arising from the conduct or local circumstances of the particular audit. This will ensure that the audited body is

informed about likely variations of this type and has an opportunity to seek any further information or explanations from the auditor. Local variations may relate to specific challenges which have emerged during the audit or they may relate to distinctive local developments such as a body implementing new financial systems.

- 26 Local fee variation requests must be made to PSAA by the auditor using a standard process, which PSAA is updating following recent review. The process will identify one-off and recurring implications so that each can be handled appropriately. The auditor should not invoice an audited body until PSAA has authorised it so to do. Further information on the fee variations process is available from the PSAA website.

Fee variations for ongoing requirements

- 27 As we have outlined, fee variations which are of a recurring nature, whether national or local, should be consolidated into scale fees at the earliest opportunity. Unfortunately, however, current regulations inhibit seamless early consolidation. This is best explained by way of an illustration. A variation relating to 2020/21 may be determined in say, September 2021, and be identified as recurring. By that stage the 2021/22 year has clearly started, and current regulations prohibit alteration of a scale fee after the start of the financial year. The variation will therefore have to be repeated in respect of 2021/22 and the earliest opportunity for consolidation will be 2022/23. PSAA is currently in discussions with MHCLG concerning the possibility of amendments to the regulations to enable earlier updating of scale fees.
- 28 In the meantime, we are currently finalising a detailed review of fee variations approved for 2018/19 to identify those which relate to ongoing audit requirements. Our next main fee consultation will propose the consolidation of these variations into 2021/22 scale fees.

Fee variation rates

- 29 The fee rates applicable specifically to fee variations are set by PSAA in the form of a rate card which prescribes hourly rates for different types of audit staff, for example partners, managers, and other staff. The rates represent an important part of the mechanism for determining both national and local variations. The rate card has been subject to successive fee reductions in recent years, linked to changes in scale fees. Over the same period, rates for audit work in other sectors have risen. This is an increasing concern to audit suppliers given the higher volumes of variations as a result of increased audit work now required.
- 30 The Redmond report has recently documented significant challenges in local government auditing, acknowledging that the market is fragile and lacks resilience and highlighting issues in relation to the adequacy and sustainability of audit fees. Against this backdrop we are proposing to increase the relevant hourly rates for fee variations by 25%. The resulting new rates, set out in the table below, continue to be keenly competitive compared to those payable in other sectors. Going forward we plan to review the rate card annually alongside scale fees.

Fee variation rates

Description	Hourly rates			
	Partner/ Director	Senior Mgr/ Mgr	Senior Auditor	Other staff
PSAA current rates	£132	£73	£47	£36
Proposed rates from 2020/21	£165	£91	£59	£45

- 31 The cost to local bodies of the rate card increase will vary depending on the scale of any fee variations arising. By way of illustration, if a body experiences fee variations equivalent to say 10% of its scale fee calculated using current rates, the overall cost of its audit will rise by approximately 2.5% as a result of the rate card change.
- 32 We recognise that local bodies are managing hugely challenging budgets and that any increase of this type will be unwelcome. However, in the context of the need to maintain a sustainable audit market going forward, we believe this is an important and necessary step to take.
- 33 In determining fee variations PSAA will continue to challenge the auditor's request for the variation in a variety of ways including:
- reviewing the justification and supporting documentation;
 - considering the complexity and size of the variation including the time inputs of staff;
 - comparing with similar variations for other bodies;
 - confirming that the work is consistent with the auditor's responsibilities and PSAA's other records;
 - confirming that the authority has agreed the fee variation (and if it has not, consulting with the body to understand concerns); and
 - ensuring that the auditor has reported the variation to the relevant body in the required manner.

Statement of responsibilities

- 34 The [statement of responsibilities of auditors and audited bodies](#) sets out the expectations on which scale fees are based. The statement effectively represents the terms of engagement between appointed auditors and audited bodies and summarises their respective responsibilities. Scale fees are based on the expectation that audited bodies can provide the auditor with complete and materially accurate financial statements and supporting working papers within agreed timeframes. Where an authority is unable to fulfil these requirements, local fee variations may be required.
- 35 The same expectations will apply to the expected work covered by national fee variations. If an audited body does not meet its responsibilities, creating a need for further additional audit work, an additional local fee variation could also apply.
- 36 The statement of responsibilities also applies to auditors. Additional audit costs that arise due to auditors not meeting the expectations are ineligible for a fee variation.

Next steps

We welcome comments from audited bodies and stakeholders on the proposals outlined in this document. The closing date for comments is **Tuesday 1 December 2020**. Consultation feedback should be made using the survey at:

<https://www.surveymonkey.co.uk/r/MGZPNBJ>

- 37 Please send any questions on this consultation to: workandfeesconsultation@psaa.co.uk.
- 38 We will take account of the feedback to this consultation in setting out its fee scale proposals for 2021/22 early in 2021.
- 39 If you have complaints about the way this consultation has been conducted, these should be sent by email to generalenquiries@psaa.co.uk.



NPA/AG/20/008

Dartmoor National Park Authority Audit and Governance Committee

20 November 2020

Business Plan Monitoring 2020/21 (April – September 2020)

Report of the Head of Organisational Development

Recommendation: **That Members note the content of the report and comment on performance and progress to date against the key actions identified in the 2020/21 Business Plan, in particular the ongoing impact of the coronavirus pandemic**

1 Purpose of the Report

- 1.1 This report informs Members of the Authority's performance at Quarter 2 against the key actions identified in the Business Plan for 2020/21.
- 1.2 The Authority uses a spreadsheet (traffic light system) to track progress which is reviewed by Leadership Team each quarter. A copy of the Business Plan monitoring spreadsheet for 2020/21 is attached at Appendix 1.
- 1.3 Members will be aware that whilst this report focuses on specific key actions, the current Business Plan also recognises that the Authority's core business continues on a daily basis.

2 Performance against key actions in Quarter 2

- 2.1 The Business Plan 2020/21 identifies 27 key actions against the following priorities for the Authority:
 1. Better for Nature
 2. Better for Cultural Heritage
 3. Better for Farming and Forestry
 4. Better for People
 5. Better for Communities and Business
 6. Be an excellent organisation
- 2.2 The Coronavirus pandemic is having an impact on our work programmes and this is reflected in the progress reports summarised in Appendix 1. We have inserted

three new key actions to reflect the work that we are doing in response to the pandemic:

- **Action 1C19** – Governance and service delivery. In summary, we have had to re-design our service delivery model in response to the initial lockdown and changing guidance/instruction on safe working practices.
- **Action 2C19** – Supporting Dartmoor communities. From the announcement of the initial national lockdown we have sought to support Dartmoor communities through initiatives such as the Coronavirus Community Support Grant and our work on visitor management
- **Action 3C19** – Recovery planning and implementation. We established a task and finish group to develop ideas and plans for the recovery phase focusing on the local economy, how we welcome and manage visitors and ‘build back better’. This work has fed into bids to the Green Recovery Challenge Fund and the Princes’ Countryside Fund and to initiatives such as the Food and Drink online directory and the ‘We Are Dartmoor’ campaign supporting local businesses.

2.3 The number of key actions highlights the breadth of the work of the Authority and Members will note the nature of the key actions ranges from specific short-term projects to longer term strategic goals, each requiring different levels of officer and Member input and commitment.

2.4 Members will note the progress at the mid-point in this business year made against the **30** key actions (additional 3 actions relate to the Authority’s response to the coronavirus pandemic) summarised in the table below:

Progress	No.	%
On target / completed	12	40%
Delayed / behind schedule	9	30%
Unlikely to complete	9	30%

2.5 Since March 2020, the focus of the Authority’s work has been responding to the pandemic: ensuring effective governance, maintaining service delivery and the safety of its staff, Members and volunteers. A Community Support Grant provided urgent support to groups/organisations and a Recovery Planning Group was set up to support Dartmoor’s economic and social wellbeing.

2.6 The following actions are specifically highlighted for Members:

Action 1 – Climate Action Plan

We have completed the installation of an electric vehicle charging point adjacent to Haytor Visitor Centre and we are working, with other organisations, on the Devon Carbon Plan. One positive impact of the first national lockdown and continued restrictions on travel has been the reduction in our CO2 emissions. We are currently looking at how we can work more flexibly in the future to sustain the reduction in travel and ensure we retain the positive aspects of ‘electronic delivery’ whilst recognising the value and importance of face-to-face meetings/engagement.

Action 14 – Dark Night Skies

An application for a Dark Night Sky Award is not being progressed as the lead officer advises that the National Park would no longer be eligible. The Authority has been working with the North Bovey Group who carried out night sky readings across the National Park between 2015 and 2017. Further readings were taken earlier this year in the northern (darker) part of the National Park but were then paused due to the coronavirus pandemic. The most recent readings do not meet the required criteria which was updated in 2018 (and is due to change again in 2021). The awarding body, the International Dark Sky Association have confirmed that the Authority do not meet the current criteria and would not be eligible for an Award.

- 2.7 Delivery of some key actions is delayed. This is due to a mix of external factors (e.g. closure of National Lottery Heritage Fund to new bids); having to re-prioritise staff time (e.g. work on net biodiversity gain); and the difficulty of partnership working when face to face meetings have been limited/partners have furloughed staff etc.
- 2.8 Members are invited to review the Business Plan monitoring spreadsheet and recognise, question or seek assurances regarding the delivery of the 2020/21 Business Plan.

3 Equality and Sustainability Impact

- 3.1 The Authority seeks to treat all people equally, honestly and fairly in any, or all of its business activity, including partners, visitors, suppliers, contractors, service users. There are no specific impacts arising from this report.

4 Financial Implications

- 4.1 There are no financial implications arising directly from this report.

5 Conclusion

- 5.1 Given the context of the current pandemic we are making good progress in delivering the Business Plan 2020/21. We have identified and are delivering against three new key actions in direct response to the impacts of the pandemic. We have already achieved some key actions (e.g. completion of the new Visitor Centre at Postbridge) and some of the actions that are flagged red are categorised thus due to circumstances beyond our control

NEIL WHITE

Attachments: Appendix 1 – Business Plan Monitor 2020/21

20201120 NW Business Plan Monitoring 2020/21 (April – September 2020)

Action No.	Key Action	Lead Officer	Quarter 1 (April, May, June)	Quarter 2 (July, August, September)	Quarter 3 (October, November, December)	Quarter 4 (January, February, March)
RESPONDING TO COVID-19						
1C19	Governance and Service Delivery <i>Outcome sought: Ensure that we can maintain service delivery and the safety of our staff, members and volunteers</i>	LT	Milestone: Effective delivery of services and governance whilst staff and Members are working from home	Milestone: Following easing of lockdown restrictions, enable resumption of use of offices by staff, reintroduce site meetings and volunteering in line with Government advice.	Milestone:	Milestone:
			Actual progress: Supported home working through effective IT systems. Regular communication re: working arrangements with staff and Members. Virtual Authority meetings enabled, protocol developed and training. Report to Authority NPA/20/017 detailing response to pandemic. Site visits restarted end of May 2020. Furloughed Information Advisers.	Actual progress: Covid-Secure risk assessments developed and regularly reviewed. Required PPE provided to staff. Ongoing effective communication with staff and Members. Regular LT meetings to review emerging Government advice. 'Learning from Lockdown' survey completed by staff. Agreement to provide IT equipment to all staff to support flexible working	Actual progress:	Actual progress:
2C19	Supporting Dartmoor Communities <i>Outcome sought: Community cohesion as we address the pandemic</i>	LT	Milestone: Guidance written and approved. Press release written and information available on website (ES)	Milestone: Alter guidance to accommodate changes to the pandemic's impact on communities. Commence evidence gathering (finance, volunteer hours, numbers of beneficiaries), for first tranche of grants (ES).	Milestone: All funding awarded for the CCSG fund (€25k). Commence final phase of evidence gathering. Promote project success via press release (ES).	Milestone: Evidence gathering complete.
			Actual progress: Community Support Grant provided fast support to community initiatives.	Actual progress: CCSG fund: 35 community groups and organisations have applied for grants, 39 grants have been awarded and £17,784.90 has been allocated. So far the grant scheme has enabled volunteers to give over 31,521.5 hrs of their time to supporting Dartmoor's communities during the pandemic. Grant guidance updated in late September to accommodate projects focused on recovery (ES). The New Parishscapes Grant Scheme: Of the seven projects awarded grants at the start of the year, three have been completed (Lustleigh Society, Mary Tavy Community Allotments and Chagford Ringers), three are paused due to the pandemic and one is underway. £4810 granted to date (ES).	Actual progress:	Actual progress:
3C19	Recovery - Planning and Implementation <i>Outcome sought:</i>	LT	Milestone:	Milestone:	Milestone: Third Business Survey to be undertaken and draft Economy Recovery Action Plan to be drafted for consultation	Milestone:
			Actual progress: Established cross department Recovery Planning Group (see NPA/20/017 for key themes). Group also linked to English NPAs.	Actual progress: All DNPA visitor facilities open and communications successfully implemented. Good partnership working. Business recovery still ongoing - see action 20 below. Partnership expression of interest submitted to Green Recovery Challenge Fund. Still awaiting guidance and National Heritage Lottery Fund to open. Meeting held with project officers.	Actual progress:	Actual progress:
ORIGINAL BUSINESS PLAN ACTIONS 2020/2021						
1	Deliver DNPA's Climate Action Plan <i>Outcome sought:</i> Carbon neutral Authority by 2025.	AG	Milestone: Progress against 2020 projects in the carbon action plan (see para 5.7)	Milestone: Progress against 2020 projects in the carbon action plan (see para 5.7)	Milestone: Completion of carbon footprint of DNPA land assets	Milestone: Scope and where applicable apply for public sector decarbonisation grant funding
			Actual progress: COVID disturbed implementation of projects due to staff capacity and changing work patterns, including Haytor Solar PV scheme, LED lighting at Parke car park, and decarbonisation of vehicle fleet. COVID also progressed implementation of many behaviour change, sustainable transport and digital by default objectives far quicker than we could have imagined, however it is essential that work policies are introduced to capture these benefits when work returns to normal.	Actual progress: Electric vehicle charging point installed at Haytor, helping unlock pathway to part-electrification of DNPA fleet. Synthetic PPA with DCC on course to be available in winter 2021. An opportunity has emerged to apply for grant funding for decarbonisation measures. Currently scoping of a possible grant application with the Head of ICT & Premises. Progress/update report relating to DNPA Climate Action Plan with recommendations/options to be presented to LT in November 2020.	Actual progress:	Actual progress:
2	Implement Dartmoor Test and Trials and develop the moorland vision to cover the whole of the NP <i>Outcome sought:</i> A new ELMS that reflects Dartmoor's special qualities and provides scope to maintain and enhance a wide array of public benefits. A role for the Authority in co-designing the system and facilitating in its delivery through advice.	CG	Milestone: Produce working paper on Natural Capital. Begin developing a framework for commons based land management plans identifying data requirements, vision for environmental enhancement and management. Initial scoping paper on payment by results with a focus on commons. Begin developing a PBR pilot This will explore two scenarios: commons based contract and a contract for the home farm that includes the common (i.e. a farm-based approach).	Milestone: Continue developing a framework for commons based land management plans. Begin developing trial frameworks (in conjunction with Defra work on outcomes/outputs) looking at advice required, how environmental outcomes can be linked to wider farm business plans. Continue developing a PBR pilot.	Milestone: Paper outlining framework for local priority setting and landscape planning. Continue developing trial frameworks. Continue developing a PBR pilot. Develop model structure that will enable private businesses to buy environmental benefits/net gain. Use the land management plans developed for up to three commons and a series of farms as 'demonstration schemes'. Begin trial PBR approach up to 3 commons - this will link to the work on land management plans. Begin practical testing of blended finance on two case study farms	Milestone: Conclude trial frameworks. Conclude land management plan trials. Final report on Commons based land management plans. Continue developing and trailing PBR approach up to 3 commons - this will link to the work on land management plans. Continue practical testing of blended finance on two case study farms.
			Actual progress: Advisory Team and project board are established and meeting. Papers produced on Natural Capital, Payment by results, outlining Land Management Plan approaches and a draft paper on one potential Blended Finance approach. 250+ hours farmer engagement. Significant information and content going out to the Dartmoor community and back to Defra in terms of meeting notes, presentations and questionnaires.	Actual progress: Continued meeting regularly with farm advisory group. Commissioned ORC to produce scorecard for Obj 2 and James Moran to help with Obj 3 based on farmer input. Communications/co-design working well despite Covid.	Actual progress:	Actual progress:
3	An enhanced Visitor Centre Postbridge <i>Outcome sought:</i> An enhanced National Park Visitor Centre at Postbridge which will enable us to better interpret the archaeology and cultural importance of Dartmoor, support local economic development and enhance peoples' experience of the National Park.	SH	Milestone: Build completed, building handed back from contractor, interpretation and shop fitting underway	Milestone: final training and testing, centre opened mid-July	Milestone: Project complete	Milestone: Project complete
			Actual progress: Lockdown halted work on site for 6 weeks. Construction then re-commenced and thank fully because they were ahead construction work has been completed only 4 weeks behind schedule.	Actual progress: Despite lockdown putting a delay on the project the centre opened only a month behind schedule in mid August. The construction was completed UNDER budget and interpretation fitted ready for opening. Third claim to RPA submitted and paid. Feedback from the Duchy and the public has been very positive, retail takings are up compared to same months last year.	Actual progress:	Actual progress:
					COMPLETED	COMPLETED

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4	Complete the revised Management Plan for Dartmoor National Park <i>Outcome sought:</i> A Management Plan that is owned and supported by stakeholders, outlines a clear vision for the National Park and provides a framework for partnership working.	JS	Milestone: Consultation period finishes 20 April 2020. Begin to collate responses for the report, and separate responses by category to send to lead officers for their responses and edits to individual sections of the Management Plan. Actual progress: Consultation period extended to 31 May 2020 due to Covid 19, to enable organisations to prepare their responses fully. A plan made for how to structure the report and analyse responses, and responses by section separate out for sending to lead officers.	Milestone: Analyse draft responses and develop revised plan for Authority approval in December Actual progress: Consultation analysis complete and drafting of revised plan underway	Milestone: Authority approval for new National Park Management Plan Actual progress:	Milestone: Publish new National Park Management Plan Actual progress:
5	Deliver the Next Generation Manifesto <i>Outcome sought:</i> The next generation engaging with and influencing the future of the National Park, championing delivery of the next generation manifesto.	JM	Milestone: Run the Next Generation Survey to identify how young people might want to engage with the Next Generation Manifesto. Survey to sit alongside Management Plan consultation Actual progress: Survey was extended to 31 May alongside Management Plan consultation	Milestone: Review survey responses. Finalise Manifesto document and design. Discuss delivery options for Manifesto and how we are going to adopt manifesto as an organisation and involvement of other organisations. Actual progress: Review of responses completed and considering next steps. Not progressed further due to Covid and other priorities	Milestone: Confirm next steps for Manifesto. Finalised document and design Actual progress:	Milestone: Actual progress:
6	Local Plan <i>Outcome sought:</i> An adopted Local Plan that (together with the Management Plan) provides a framework for the future development and management of the National Park, helps deliver National Park purposes and vibrant communities.	DJ	Milestone: Submit Local Plan to Planning Inspectorate Actual progress: Final documentation completed ready for submission. Delays due to need for outstanding documents; revised report from Housing Consultants, internal capacity, and time taken to achieve Duty to Co-operate signatures.	Milestone: Examination process (responding to Inspectors questions, preparing for hearings) Actual progress: Local Plan submitted and examination now in progress. Progress forward subject to PINS, and questions and matters to respond to, and hearings timescales.	Milestone: Examination process (Hearings - subject to PINS timetable) Actual progress:	Milestone: Examination process (Hearings, and consultation on modifications - subject to PINS timetable and hearings progress) Actual progress:
7	Enabling development that is good for Dartmoor <i>Outcome sought:</i> Proactive planning enabling support for affordable housing delivery, economy and regeneration.	DJ	Milestone: Develop a list of business contacts within the National Park. Engage through survey work to support the preparation and delivery of a COVID recovery plan. Support the delivery of affordable housing through ongoing liaison with Housing Authorities and support for Housing Associations and S106 site delivery. Actual progress: 44 affordable homes approved. Exception site at Widecombe support towards application stage. Continued liaison with Longstone Cross site to support delivery. Business survey complete and used to inform development of Recovery Plan (JS).	Milestone: Develop links with business contacts, begin delivery of a COVID recovery plan. Consideration of development of Business Network. Complete business survey. Support the delivery of affordable housing through ongoing liaison with Housing Authorities and support for Housing Associations and S106 site delivery. Actual progress: 31 affordable homes approved and application received for Widecombe. Second business survey complete and meeting with local businesses held. WeAreDartmoor campaign launched (at Mid August the hashtag has around 137,367 potential impressions and total reach on Facebook (from DNP posts only) is around 33,600)	Milestone: Develop links with business contacts, continue delivery of a COVID recovery plan. Build links with partners, and identify programme of business support. Complete business survey. Support the delivery of affordable housing through ongoing liaison with Housing Authorities and support for Housing Associations and S106 site delivery. Actual progress:	Milestone: Complete business survey. Identify specific bids or resource needs to identify ongoing economic development role with partners and businesses. Support the delivery of affordable housing through ongoing liaison with Housing Authorities and support for Housing Associations and S106 site delivery. Actual progress:
8	Delivering Biodiversity Net Gain <i>Outcome sought:</i> Start preparing a Supplementary Planning Document (SPD) to guide the delivery of a broad approach to Biodiversity Net Gain through emerging Local Plan policy. With potential for pilot project links with ELMS and NFM.	DJ	Milestone: Start scoping work for SPD on Net Gain (subject to LP weight/confidence). Identify pilot project ideas/links. Actual progress: Ideas around pilot projects but currently not developed due to resourcing. SPD not progressed as LP prioritised (SPD should not move forward ahead of LP without sufficient confidence).	Milestone: Identify and develop partner links and potential workshop (subject to LP weight/confidence). Develop pilot project ideas/links. Actual progress: Not progressed due to Local Plan priorities and certainty needed. Scoping to start in Q3.	Milestone: Prepare first draft SPD. Scoping report to be developed. Actual progress:	Milestone: Consult on draft SPD and prepare for adoption (subject to LP progress - SPD may not be adopted without confidence LP policy is moving to adoption) Actual progress:
9	Peatland Restoration <i>Outcome sought:</i> Restoration and enhancement of 276ha of peatland on Dartmoor between 2018 and 2021. Agreed strategy and funding for future delivery.	DL	Milestone: Planning for next season's conservation work, including a new site in partnership with NFM project Actual progress: Budget and priorities agreed with NFM project for work in the Holne Moor area; Proposals prepared and consulted on with HE team for Holne Moor; Next year's timber requirement planned and communicated to the Woodland Trust; Extra funding secured for the South West Peatland Partnership.	Milestone: Complete restoration plan for Holne Moor; Restart work on Hangingstone and Redlake/Left Lake. Define new restoration sites and plans for additional Nature for Climate funding. Actual progress: Restoration plans complete pending consultation with farmers. ALL delivery delayed due to significant issues with UXO contractor not providing data on time. SWW are managing contract. This will also delay delivery of additional objectives secured this year through Nature for Climate funding. Confirmation of Nature for Climate funding not confirmed by Defra.	Milestone: Start restoration at Holne Moor; Continue restoration at Hangingstone and Redlake Actual progress:	Milestone: Complete restoration work at Hangingstone, Redlake/Left Lake and Holne Moor; Plan in place for future restoration work and funding identified Actual progress:

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10	Common Cause <i>Outcome sought:</i> Shared local visions for commons, showcasing new approaches to management of common land to deliver a range of public benefits. Improved public understanding of commoning. Contribute to thinking about ELMS.	AK	Milestone: Appoint Project Manager and complete Permission to start	Milestone: Appoint Project Manager and complete Permission to start	Milestone: Project Manager starts and Local Project Officers appointed	Milestone:
			Actual progress: Start delayed due to Covid-19	Actual progress: Delayed due to COVID19 recruitment process now started. Although delayed the project will still be a 3.5 year project so no renew risk to delivery at moment	Actual progress:	Actual progress:
11	Develop a network of landscape scale nature recovery areas <i>Outcome sought:</i> Test nature recovery at a landscape scale in two pilot areas working closely with farmers, landowners and local communities.	CG	Milestone: Research methodologies for NRAs and produce a series of options to present to the Natural Environment Advisory Group	Milestone: Present proposal to NE group and agree approach. Develop into draft NRAs for wider consultation. Employ Land Management Advisor to help facilitate nature recovery.	Milestone: Finalise NRAs following consultation and identify 2 pilots. Develop/submit funding bids to drive delivery. Work with partners and landowners to agree vision.	Milestone: Work with landowners and partners to facilitate delivery.
			Actual progress: Extensive work carried out looking at options, models and strategies. Liaised with LNP around Devon NRN. Produced proposal to present to NE Group. Solution to opportunity mapping proving elusive.	Actual progress: Methodology for defining NRA's complete and approved by NEAG. Pilots agreed and Land Management Advisor recruited (start date 05/10). Applied for funding to ground truth and condition assess pilot areas and help ratify SWEEP works	Actual progress:	Actual progress:
12	Produce species re-introduction strategy <i>Outcome sought:</i> Strategic approach focusing on species that support the greatest environmental benefit and are supported by Dartmoor community.	CG	Milestone: No action planned in Q1	Milestone: Form Natural Environment Task and Finish Group to develop re-introduction strategy. Hold series of meetings and produce draft.	Milestone: Finalise strategy through group and wider consultation.	Milestone: Integrate strategy with nature recovery areas and explore opportunities.
			Actual progress:	Actual progress: Delayed until Q4 due to NRA work	Actual progress:	Actual progress:
13	Natural Flood Risk Management <i>Outcome sought:</i> Test natural approaches to flood management that deliver a range of public benefits in a way that supports the farming/land owning community. Agree future priorities and funding. Contribute to thinking on ELMS.	CG	Milestone: Planning and re-prioritising projects-current, for autumn and winter and new projects. Incorporate new proposals for Peatland restoration on Holne and Buckfastleigh commons and help with field work. Employ and integrate the new NFM Assistant into the team and plan comms work.	Milestone: Obtain final consents, permissions and advice for priority projects. Engage contractors and let new contracts-Buckfastleigh Moor/ Skerraton, Peter Tavy. NFM work at Mardle Head- Phase 1 to begin in September. Walkhampton Works begin mid July. Continued input into peatland restoration plans. Develop pilot plans for Challacombe and ideas for wider Webburn Valley with HFP in Phase 2. NFM assistant to take on agreed contracts, plan for volunteer tasks in autumn and increase the media profile of the project.	Milestone: Evaluation of completed projects. Oversee contracts in progress- soils, BFL moor, Skerraton, Peter Tavy common/ in-bye. Ensure coms goes out re completed works. Tree planting work with volunteers and possible tree planting project at Forder Farm. Finalise Phase 2 plans and secure funding.	Milestone: Complete phase 2 of NFM work at Mardle Head-willow faggot work. Complete and evaluate projects, gather results, data and feedback. Collate lessons learnt report with EA project manager. Progress those projects going forward into Phase 2, funding opportunities identified.
			Actual progress: Priority projects identified- soils, Mardle Head, Buckfastleigh common, Brook Manor, Peter Tavy common and in-bye land water storage project. Negotiations over new projects on Buckfastleigh Moor and Skerraton. Plans progressing for all except Peter Tavy. Assisted with Peatland Restoration field work for Holne and Buckfastleigh during lockdown. NFM newsletter distributed widely and receiving good interest and feedback. NFM assistant settling in well. Has been shown around the catchments and is producing comms material and working with EA on monitoring ideas.	Actual progress: Success in progressing all NFM projects from a DNPA perspective, new contracts now all awaiting landowner and contractor quotes. Good progress in Walkhampton, Phase 1 delivered, phase 2 in progress. All other listed objectives have been met and more. Working closely with David L on peatland restoration at Holne and Buckfastleigh. New NFM assistant is now up to speed and providing excellent support. Funding secured to extend both posts until Mar 2022. Working closely with EA in design of Phase 2 from Apr 22	Actual progress:	Actual progress:
14	Dark Night Skies <i>Outcome sought:</i> Ensure that our policy framework supports Dart Night Sky status and, subject to cost, apply for International Dark Sky status.	BB	Milestone: Assess the data collected by the North Bovey Group and confirm whether the Authority would still be eligible for a Dark Sky Park Award.	Milestone: Review the updated dark sky quality readings collected by the North Bovey Group	Milestone:	Milestone:
			Actual progress: Dark Night skies and their protection have been embedded in the Local Plan. I have been discussing the Authority's application for a Dark Sky Park Award with the International Dark Sky Association. The night sky quality thresholds have changed (and will change again in 2021) and based on the night sky quality readings in 2017 the Authority is right on the threshold. The readings are being updated and the trend is a deterioration in night sky quality, taking the Authority below the threshold. The advice from the IDA is that the Authority is unlikely to be successful in its bid and if it was successful it would soon lose the designation because of the vast amount of development taking place around the boundary of the Park. I am in contact with the North Bovey Group and waiting for them to complete the survey work.	Actual progress: The criteria for eligibility for Dark Sky Park status has changed and based on the data collected by the North Bovey Group Dartmoor dark sky quality is below the minimum threshold and Dartmoor is not be eligible for a Dark Sky Park Award.	Actual progress:	Actual progress:

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15	Dartmoor Hill Farm Project <i>Outcome sought:</i> Support for farm businesses across the National Park to help then deliver a range of public goods as part of a sustainable business and promote effective collaboration.	DA	Milestone: Planning and re-prioritising events and training for autumn and winter. Incorporate new funding streams/projects into the future events plan - Common Cause, Farm Resilience Programme. Develop online presence. Maintain communications with farmers through regular newsletters, emails and social media. Actual progress: DHFP responded to the Covid pandemic by adapting its work. A Dartmoor food and drink map was produced which lists local suppliers and helps promote small businesses on Dartmoor. Increased content was added to the website and social media, with webinars and projects updates available. The Steering Group recruited new members and increased from 16 to 18 members. The focus of DHFP has been on future events planning.	Milestone: Hold Steering Group meeting with new members welcomed and Chair/VC elected. Assist farmers with Countryside Stewardship applications where required, and record advice and outcomes. Deliver training and events plan for adaptation as and when Covid restrictions allow, to encompass agreed outcomes as part of the over arching agreement with PCF. Develop events and training as part of Common Cause project, to start in October. Recruit farmers for PCF Farm Resilience Programme and hold initial event. Continue work with Postbridge Cluster Group, and plan targeted event(s) for Tavy Facilitation Fund area. Develop and promote Contributors scheme. Identify funding for business resilience work strand. Actual progress: A steering group was held with new members on-line and re-election of chair and vice chair. Despite Covid-19 support was given to landowners applying for CS grants and some training was continued in small groups. Cluster activities were maintained with meetings and speaker engagement linked to development of proposals on the ground. Work commenced on the Common Cause programmes looking at delivery and promotion of the PCF Resilience Programme attracting 12 farms to date. Facilitation Fund impacted by covid but one event undertaken on the Tavy and then postponed. Contributor event held in September and membership being developed.	Milestone: Hold initial Common Cause events, to include establishment of walling club and development of Common Skills training scheme. Continue work with Postbridge Cluster Group, and plan targeted event(s) for Tavy Facilitation Fund area to incorporate as many FF members as possible. Continue with PCF Resilience Programme, and use surplus funding from previous apprenticeship scheme to provide mental health training for farmers. Continue to develop work on soils and grasslands group and hold workshops which provide expert advice and encourage farmer information/knowledge sharing. Consider other potential sources of funding and apply as appropriate.	Milestone: Continue work on Common Cause, Facilitation Fund and Resilience Programme. Provide focussed support on BPS payments reductions and hold workshops on Countryside Stewardship to encourage applications. Produce end of project report for FF if funding not extended.
16	Love Moor Life <i>Outcome sought:</i> Changed behaviour of all visitors, locals and tourists, by improved understanding of Dartmoor and its special qualities leading to reduced number of incidents and bylaw offences.	JM	Milestone: Produce project plan for delivery of LML and Ranger Code. Update LML webpages with relevant links and messaging Actual progress: Plan for LMLM produced but not yet agreed. Webpage content update still required, camping pages has been updated as part of Covid response. Responsible access messaging for Covid became priority and has formed part of LML messaging	Milestone: Future plan for LML to be completed jointly Recreation Strategy Development Officer (JM) and Communications Officer - Projects & Design (RMC). Webpages update to be completed and webpages to be updated Actual progress: Agreed that a further meeting is required to identify direction of LML and Ranger Code. Not progressed due to other priorities. Meeting planned for November	Milestone: Agree and finalise direction of LML and Ranger code with working group. Agree on spending of Mole Valley funding	Milestone:
17	Pathways Project <i>Outcome sought:</i> Access routes and associated infrastructure that is in good condition, easy to use and helps support the Dartmoor economy; delivery supported by volunteers and fundraising.	AW	Milestone: Identify new pathways priority areas for improvement Actual progress: Routes from Ivybridge have been surveyed and improvement works to path networks identified and costed work programme. In process of obtaining quotes for contractors to undertake the work. Other Postbridge routes identified to link from Postbridge "Hub". Limited progress due to Covid-19.	Milestone: Priorities identified to link with possible Duchy funding or other sponsorship. Complete draft of PROW Asset Management Plan Actual progress: Asset Management Plan drafted - due to go to LT in December. Ivy bridge hub works progressing again with works due to be completed in Q3.	Milestone: Improvement works completed	Milestone: Identify priorities and areas for 2021
18	Junior and Youth Rangers <i>Outcome sought:</i> An expanded programme that provides a range of young people from all backgrounds with an enjoyable experience and a better understanding of the National Park; nurturing the skills and passion and building a long term relationship between the young people, Dartmoor and the Authority. Future ambassadors.	OR	Milestone: Original target: Launch Junior & Youth Rangers 2020 following a recruitment campaign in Q4 of 2019-20 to attract new young people from a range of diverse backgrounds. Actual progress: Launch and delivery in Q1 halted by Coronavirus lockdown and subsequent restrictions. Junior and Youth Rangers receive 12 podcasts over the most restrictive 6 week period to maintain contact - with Dartmoor and with the natural world.	Milestone: Original target: Delivery of meaningful, authentic and immersive learning and conservation skills experiences. New target: explore opportunities for a 'compressed' programme - if social distancing allows. Actual progress: Opportunities for a compressed programme in August were explored - but the social distancing and 'bubble' guidance meant that this was not feasible: bringing together 15-20 young people from different households or school bubbles would have been at best questionable and at worst irresponsible. Reputation risk as well as potential for local spread of C-19.	Milestone: Original target: Delivery of meaningful, authentic and immersive learning and conservation skills experiences together with a concluding celebratory event. New target - consider value of share and celebration event if a compressed programme is feasible.	Milestone: Evaluation of programme 2020 - recruitment for Junior and Youth Rangers 2021
19	Outreach and Engagement Strategy <i>Outcome sought:</i> A funded strategy delivering a significant increase in the range and number of people who visit or engage with the National Park and develop a long lasting connection with the place.	OR	Milestone: Report to LT - summarising progress in Q4 with staff / stakeholder away day. Actual progress: Options report produced for LT. Instruction for next steps provided.	Milestone: Draft Outreach & Engagement Strategy for LT. Actual progress: LT receives draft in June 2020. Comments and revisions incorporated to produce a short form 'strategy' document together with supporting evidence document. For discussion by Members at Park Management Working Panel October 2020 and full Authority November 2020.	Milestone: Agreed Outreach & Engagement Strategy to full Authority. Where possible funding bids starting to be worked up/submitted.	Milestone: Start delivery of new Outreach & Engagement Strategy. Continued funding bids.
20	A healthy future for local produce <i>Outcome sought:</i> Agreed programme of activity to further develop and help promote local produce; reducing food miles and supply chains	DJ	Milestone: Develop Dartmoor Producers Directory of food outlets as part of Covid Response Actual progress: HFP delivered directory with DNPA support.	Milestone: Build and review Directory (including through business survey). Identify opportunities with business for collaboration and opportunities for local food security/supply, and shop local campaigns. Actual progress: Directory complete. Opportunities for expansion and review identified through Business Survey and google analytics. Limited resources not progressed further in this quarter. Shop local campaign progressed (#WeAreDartmoor) with opportunities for alignment with directory.	Milestone: Identify opportunities for expansion (subject to success) of Producers Directory and consider development of online store or closer business links. Identify project funding if needed. Develop opportunities around local food with winter shop local campaign.	Milestone: Develop/deliver agreed options around expanded Food Directory. Deliver support around business networking.

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21	Moor Otters 2 Outcome sought: A public Arts trail that raises income for National Park projects, supports local businesses, helps engage new audiences and raises the profile of the National Park.	SJ	Milestone: Launch of Trail with all Otter sculpture hosts and majority of sponsors secured. Publicity materials and campaigns launched. Retail stocked and priced. Actual progress: The Moor Otters project has been postponed to 2021 to ensure maximum benefit as a recovery tool for Dartmoor businesses, leisure and tourism.	Milestone: Restart project Actual progress: Project restarted, some host businesses lost but majority still on board with the project. Contingency plans and adaptations in development.	Milestone: Actual progress:	Milestone: Planning ahead... Actual progress:
22	Contribute to Government review and policy Outcome sought: Glover, CSR, Brexit A policy framework that supports National Parks and the work of the Authorities and provides for the future enhancement of the place and further improvements to the work of the authorities.	KB	Milestone: Agree DNPA position on recommendations in the Landscapes Review and input as required to NPE work on Landscapes Review. Input to CSR via NPE Actual progress: DNPA position on Landscapes Review agreed (12 June 2020) and approval to establish informal task and Finish Group on governance. Inputted to NPE proposals for a National Landscapes Panel which were submitted to Ministers. Briefed MPs on our position regarding Landscapes Review. Chair of NPE has written to SofS highlighting concern that the Government's response is focused on National Landscape Service proposal and other, potentially, more significant opportunities are being missed.	Milestone: Conclude initial work on DNPA governance and input to Spending Review and Glover Review considerations Actual progress: Internal working group on governance has developed proposals for reform of DNPA's governance which have been submitted to Defra Minister for feedback. DNPA position on Glover proposals agreed and used as input to Defra and NPE work. Chair has written to Secretary of State outlining our 'ask' concerning Spending Review. We have also inputted to NPE work on Spending Review. Government response to Glover due by end of 2020. Spending Review announcement due November 2020.	Milestone: TBD dependent on timing of Government's response to Landscapes Review and CSR Actual progress:	Milestone: TBD dependent on timing of Government's response to Landscapes Review and CSR Actual progress:
23	Moorscapes Outcome sought: A community grant scheme for projects that enhance the environment, respond to climate change and/or help a wider range of people understand or enjoy it.	ES	Milestone: Funding bid submitted in April Actual progress: Project development has resumed after the period of lockdown and contact has been re-established with organisations who expressed interest in being involved at the beginning of the year. Contact has been made with potential new partners including Devon in Sight, the Plymouth and Devon Racial Equality Council and British Red Cross (Asylum seekers and refugees) as well as CCSG fund recipients. These partnerships are in their infancy and will be developed over the coming months.	Milestone: Funding bid submitted in September. Pilot projects developed. Plymouth and Devon Racial Equality Council engaged. Develop JDs. Actual progress: Project development was underway until late September, when the NLHF announced a further delay to re-opening the Our Heritage grant programme - now scheduled for 2021 (possibly Spring). NLHF will contact ES in December 2020 to inform of committee decision regarding re-opening of grant programmes. In the meantime, engagement with partners has paused but project is well-placed to make opportunistic funding bid if the chance presents. New partners engaged include Devon in Sight and PDREC. JDs complete. Application drafted although key stats likely to be out-of-date by date of submission (ES). NLHF to re-open Spring. Project on hold. Bid to Green Recovery Challenge Fund progressed instead	Milestone: Known re-opening date of grant scheme from NLHF. Develop activity plan once re-opening timeframe known. Actual progress:	Milestone: Prepare bid once new NHLF guidelines published Actual progress:
24	Develop a green transport and behaviour change strategy Outcome sought: Carbon emissions from traffic in the National Park are reduced as visitors and local communities have options for, and choose, greener travel.	AW	Milestone: Actual progress: No progress due to Covid.	Milestone: Initial scoping work on a green transport strategy Actual progress: Scoping delayed due to Covid. Links to A38 corridor scoping work. First EV charger installed at Haytor VC	Milestone: Meeting with partners to scope Actual progress:	Milestone: Strategy agreed and produced Actual progress:
25	Deliver the revised Dartmoor Recreation Strategy Outcome sought: Projected increase in visitor numbers are positively managed to help people enjoy the National Park whilst supporting nature recovery and providing positive benefit to local businesses and communities.	AW	Milestone: Recreation Strategy reviewed as part of management Plan work Actual progress:	Milestone: Responses to consultation that relate to recreation, access and visitor management considered and taken into account, revisions to Man Plan as necessary. Actual progress: Recreation Strategy sits within Better for People section of the new National Park Management Plan. Due to go to Authority December 2020. A38 corridor work identified as a priority area to progress and initial scoping work completed.	Milestone: Develop action plan for A38 corridor to share with community groups on agreed priorities. Review Bovey to Ashburton section. Actual progress:	Milestone: Identify funding and resources required to deliver action plan through 2021 against agreed priorities. Actual progress:
26	Deliver a new partnership project to deliver Management Plan priorities and apply for National Heritage Lottery Funding to deliver. Outcome sought: An external funding package to help deliver key priorities in the National Park Management Plan review including nature recovery, environmental enhancement, engaging and welcoming a wider range of people and supporting sustainable use of the National Park.	AK	Milestone: Actual progress:	Milestone: Awaiting revised guidance from NHLF which closed to new applications due to Covid-19 Actual progress:	Milestone: Submit application to GRFC Actual progress:	Milestone: Develop vision for new bid with partners building on ambitions in NPMP Actual progress:

Action No.	Key Action	Lead Officer	Quarter 1 (April, May, June)	Quarter 2 (July, August, September)	Quarter 3 (October, November, December)	Quarter 4 (January, February, March)
27	Developing a strong evidence base Outcome sought: Strong partnerships with local universities to develop, deliver and share research and/or expert knowledge to support decision making	AK	Milestone: Progress meeting with South West Economic and Environment - Woodlands to moorland Quantitative habitat Mapping . Ground truthing.	Milestone: Progress meeting with South West Economic and Environment - Woodlands to moorland Quantitative habitat Mapping . Ground truthing. Contact local universities re study into Visitor Motivations	Milestone: Progress meeting re SWEEP habitat mapping . Brief for Motivations Study completed and tender released subject to funding through GRCF	Milestone: Habitat Mapping Completed
			Actual progress: Virtual meeting took place . Ground truthing may be delayed due to Covid-19	Actual progress: SWEEP Some ground truthing taken place and programme progressing but behind schedule . Consultant advising on how to progress brief for Motivations Study	Actual progress:	Actual progress:

Priorities:

Adapting to and mitigating against climate change - particularly peatland restoration;
 Conservation and enhancement of the natural and historic environment;
 Work to support sustainable farming systems;
 Managing future visitors, to provide a quality experience and protect the National Park;
 Engaging with wider audiences (visitors and local residents), particularly young people;
 Work towards ensuring Dartmoor has a thriving local economy;
 Improve support to and engagement with local communities;
 Be an excellent organisation and, particularly, working to a carbon neutral Authority, seeking external funding and promoting the work we do.



NPA/AG/20/009

Dartmoor National Park Authority Audit and Governance Committee

20 November 2020

Performance Indicators 2020/21 and Annual Ombudsman Letter

Report of the Head of Organisational Development

Recommendations: **That Members:**

- (i) **note the content of the report;**
- (ii) **analyse the performance for 2020/21 to date, noting the ongoing impact of the coronavirus pandemic, and consider any action which may be taken to maintain and/or improve good performance or to address under performance; and**
- (iii) **note the annual letter received from the Local Government & Social Care Ombudsman**

1 Purpose of the Report

- 1.1 This report informs Members of performance at Quarter 2 against the Authority's agreed performance indicator targets for 2020/21 and provides an opportunity to discuss, query and challenge performance against each indicator.

2 Performance Indicators

- 2.1 The current performance indicator framework comprises a set of 37 indicators. The Authority's current set of performance indicators include 'state of the park' indicators that we have little direct influence over as well as more specific indicators about the Authority's performance. Some of these indicators are agreed locally and others are agreed nationally (i.e. required by Central Government or agreed with other National Park Authorities).
- 2.2 Performance indicators that relate to how our services are performing (a sub-set of all performance indicators) are monitored and reported to the Audit & Governance Committee during the year.

3 Performance for the first half of the business year 2020/21

- 3.1 Attached at Appendix 1 is the list of performance indicators including a description of how we measure our achievement. Performance to Q2 this year is shown as well as the previous two years (2018/19 & 2019/20) for comparison purposes.

- 3.2 The coronavirus pandemic has had a direct impact on key areas of our work, including volunteering, outreach events and our Visitor Centres which is reflected in the performance data. As reported elsewhere, the Authority's capacity to generate income has been significantly affected, demonstrated by the reduction in the figures for Donate for Dartmoor (P14).
- 3.3 One notable change this year been the significant reduction in sickness absence (S12), a rather unexpected trend during a pandemic and one that is shared with other National Park Authorities and our constituent local authorities. There are likely to be several factors including: employees working at home (less transmission of colds and coughs); not wanting to attend GP surgeries and hospital; a possible reluctance to acknowledge feeling unwell in case this resulted in needing to self-isolate and the difficulties this brought; the cancellation of routine operations; presenteeism (feeling a need to work even if feeling a bit off colour or being able to do so more easily at home); and potentially some under reporting as the Authority's robust procedures may have eased during the past six months.
- 3.4 It is also noted that since the change to remote meetings Member attendance at formal Authority meetings (S14) has exceeded the target in the first two quarters of this year.
- 3.5 The extended effect of the pandemic has had a direct effect on Q2 performance in Development Management. The effects of the initial lockdown period on the ability to determine applications in a timely manner are still reflected in Q2 statistics. The need to re-configure workflows towards full electronic delivery was disruptive but is now embedded. Demands on the service have not diminished and in some areas (requests for pre-application advice) there has been a marked increase (around 60%) based on pre-covid levels. Agreed extensions of time are being effectively used where timescales are needed to be extended to reach decisions. 86% of all applications are approved - our appeal performance against those that are refused remains excellent with none overturned in the quarter.
- 3.6 Over the past quarter we have seen a significant increase in digital engagement via our social media channels and our website. This has meant that after six months we have already exceeded our target for unique [new] visitors to the website (P10) and almost hit out target for followers on social media (P9a). There are a few reasons for this; lockdown saw a spike across digital engagement generally as people moved to online forms of communication and social interaction. We used this to our advantage to share interesting facts, inspirational films, and messaging around responsible behaviour. We also developed the very successful Dartmoor Connections Festival, a celebration of our wildlife and cultural heritage online through web, social media, and some live web talks with experts. This event generated a lot of online traffic many of whom were from the local area, with 57% saying that they had learnt something new. There was also a huge spike of engagement when the Bellever camping ban was introduced with lots of feedback and support for the Authority's action.
- 3.7 A further response to the pandemic included, in quarter 2, the successful delivery of online events, talks and Facebook workshops to support public engagement (E11).

- 3.8 The second quarter of this year also saw a noticeable increase in the number of litter bags collected by staff and volunteers (E4) as lockdown measures were eased.
- 3.9 The percentage change in the Authority's CO₂ emissions is normally reported annually, however Members will be interested to note reductions in the consumption of CO₂ in our buildings of 45% and 29% in quarters 1 and 2 respectively compared to last year. The lockdown period explains the huge decrease in the first quarter with consumption increasing in quarter 2 as the Visitor Centres and offices reopened.
- 3.10 Travel consumption also decreased when compared to 12 months ago by almost 48% in quarter 1 and 31% in quarter 2 with no travel by trains or planes at all in this six-month reporting period.

4 Annual Complaints Letter 2019/20

- 4.1 In July 2020, the Local Government & Social Care Ombudsman published the annual review letter (see Appendix 2) containing details of the number of complaints and enquiries received and decisions made by the Ombudsman regarding Dartmoor National Park Authority for the period until 31 March 2020. This is provided for information and consideration.
- 4.2 Members are advised that the Ombudsman received four complaints during 2019/20, all relating to planning and development. Two of the complaints were closed by the Ombudsman after making initial enquiries. The complaint that was upheld related to the provision of pre-application advice and in this instance the Ombudsman was satisfied with the remedy provided by the Authority. The other complaint (received by the Ombudsman in March 2020) was still to be determined at the end of the reporting period (the Ombudsman has subsequently issued its decision that there was no fault on behalf of the Authority in relation to the matter).

5 Equality and Sustainability Impact

- 5.1 The Authority seeks to treat all people equally, honestly, and fairly in any, or all its business activity, including partners, visitors, suppliers, contractors, service users. There are no specific impacts arising from this report.

6 Financial Implications

- 6.1 There are no financial implications arising directly from this report.

7 Conclusion

- 7.1 This year has been like no other with the coronavirus pandemic being the ultimate game-changer. The way we live our lives and how we work will probably never be the same again.
- 7.2 'Team Dartmoor' – staff, Members, and volunteers – have shown remarkable dedication, flexibility, and adaptability to meet the challenge of working differently and in doing so remaining positive and looking out for each other.

- 7.3 Members will note from this report the impact that the coronavirus pandemic has had on the work of the Authority and recognise how the Authority has responded during the first six months of the business year.

NEIL WHITE

Attachments: Appendix 1 - Performance Indicators 2020/21
Appendix 2 - Local Government & Social Care Ombudsman

20201120 NW Performance Indicators 2020/21

Ref No.	How will we measure our achievement	Responsible Officer	Outturn 2018/19	Outturn 2019/20	Target	Quarter 1	Quarter 2	
					2020/21			
SUSTAIN - Conservation of the Natural and Historic Environment								
S12	Number of working days lost due to sickness per Full Time Equivalent (FTE)	a) including long term absence	NW	12.17	7.16	7	0.6	2.06
		b) excluding long term absence		3.52	3.94	3.5	0.6	1.2
S13	% of enforcement cases resolved without the need for formal action	JA/NS	96%	92.70%	90%	82.4%	97.4%	
S14	% of Membership attending Authority meetings	PB	Authority: 83% Development Mgt: 83% Audit & Gov'nce: 63% Overall attendance: 82%	Authority: 88% Development Mgt: 88% Audit & Gov'nce: 73% Overall attendance: 87%	85%	Authority: 83% Development Mgt: 94% Audit & Gov'nce: No Meeting Held (Covid-19) Overall attendance: 91%	Authority: 89% Development Mgt: 86.5% Audit & Gov'nce: No Meeting Held (Covid-19) Overall attendance: 87.5%	
S15	% of invoices paid on time	CAR	100%	100%	100%	100%	100%	
S17	% of appeals allowed against DNPA decision to refuse consent (low figure is positive)	CH/JA	37%	27.27%	33%	Nil	Nil	
ENJOY - Promote a positive experience of Dartmoor National Park for Residents and Visitors								
E1	Number of visitors to Visitor Centres at:	a) Haytor	RM	42,603	43,216	52,000	0	7,298
		b) Postbridge	RM	53,527	37,286	58,000	0	4,945
		c) Princetown	RM	74,749	70,551	80,000	0	8,815
		TOTAL:	RM	170,879	151,053	190,000	0	21,058
E4	Number of litter bags collected by DNPA staff or volunteers	SL	650	307	no target set	55	93	
E9	Number of volunteer days attended by under-represented groups and % of total days (excluding older people)	NW		304.5 (21.4%)	400	0 due to Covid-19	6 (2.6%)	

Ref No.	How will we measure our achievement	Responsible Officer	Outturn 2018/19	Outturn 2019/20	Target	Quarter 1	Quarter 2	
					2020/21			
E10	Number of large scale organised events notified to the Authority and subsequently held on Dartmoor National Park (NB figures for large on road cycle "sportives" that we are not consulted on, are shown in brackets) [to be revised - see below]	AW	54	63	no target - record of trends	3 event notifications received, 0 events held due to Covid-19	0 events held due to Covid-19	
	number of people participating	AW	12,775	15,500	reduce number of very large events	0	0	
E11*	Public engagement events	CP	108 events	75 (3212 people)	135 events	0	18 online events (22,443) 6 x talks 153, 12 x Facebook workshops 22,280	
PROSPER - Work towards ensuring Dartmoor has a thriving economy								
P1		a) major applications determined within 13 weeks *If over 13 weeks Nos of PPAs or Exts	CH (TJ)	0%	Nil	50%	Nil (*1)	Nil (*3)
		b) minor applications determined within 8 weeks	CH (TJ)	53.30%	67.20%	65%	46.20%	48.60%
		c) other applications determined within 8 weeks	CH (TJ)	81%	72.70%	85%	60.70%	72.50%
P2	% of planning applications dealt with in a timely manner:	a) % of all planning applications determined which have been approved	CH (TJ)	87%	86.90%	no target - success is positive decisions for Dartmoor	88.70%	86.00%
		b) % of pre-applications for minor and householder applications which have been dealt with within 28 days	CH (TJ)	72%	62.20%	90%	78.00%	62.30%
		c) % of pre-applications for major applications which have been dealt with within 42 days	CH (TJ)	0%	66.90%	70%	Nil	50.00%

Ref No.	How will we measure our achievement		Responsible Officer	Outturn 2018/19	Outturn 2019/20	Target	Quarter 1	Quarter 2
						2020/21		
P3	Volunteer Days	a) Total number of volunteer days organised or supported by the NPA	NW		1486	9000 (including volunteer conservation groups grant aided by DNPA)	0 due to Covid-19	252
		b) Value (expressed in £) of volunteer days	NW (via NPE)	£672,000	£111,450	£675,000	£0	£25,200
P5	Number of affordable housing units approved		DJ	2 A further 19 units approved subject to S106s which has not yet been signed (15 at M'hampstead in outline, 4 at South Zeal).	7 (82 affordable units approved subject to S.106 Agreements)	25	44	31
P9	Number of:	a) Followers on Social Media (running total)	SH	38,100	47,216	60,000	53,494	59,200
		b) Subscribers to e-communications (running total)	SH	1,490	1,939	2,500	2,101	2,410
		c) % opened	SH	34%		45%	55%	41%
P10	Number of unique visitors to website & page views		SH	337,120 / 1,607,246	359,252 / 1,522,993	350,000 / 2,000,000	141,260 / 413,747	212,654 / 678,064
P11	Parish Meetings	% of Parish meetings attended at least once in the year	PB	78%	87%	80%	Reported Annually	
		a) Number of Parish meetings attended by Rangers / Officers	PB	43	36	53	7	
		b) Number of Parish meetings attended by Members	PB	47	79	30	30	20
P12	DNPA attendance at Local shows	a) Number of shows attended	CP	17	16	18	0	0
		b) Number of contacts made	CP	2,200	2427	2,500	0	0
P13	Number of parishes engaged in preparing a community led plan during the year with advice /assistance from DNPA		Forward Planning	10	10	To be confirmed	No longer reported on - only reactive support now provided and via links with Districts.	

Ref No.	How will we measure our achievement	Responsible Officer	Outturn 2018/19	Outturn 2019/20	Target	Quarter 1	Quarter 2
					2020/21		
P14	Donate for Dartmoor:	LT	£22,084	£26,734	Overall target: £30,000	£1,130	£1,788 (Cumulative £2,918)

Family Performance Indicators

Local Government &
Social Care
OMBUDSMAN

22 July 2020

By email

Dr Bishop
Chief Executive & NPO
Dartmoor National Park Authority

Dear Dr Bishop

Annual Review letter 2020

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to resolving complaints. We recognise cases where an authority has taken steps to put things

right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance.

The data for councils will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

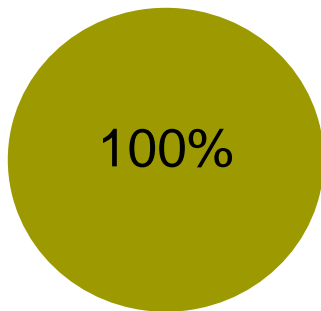
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



100% of complaints we investigated were upheld.

This compares to an average of **23%** in similar authorities.

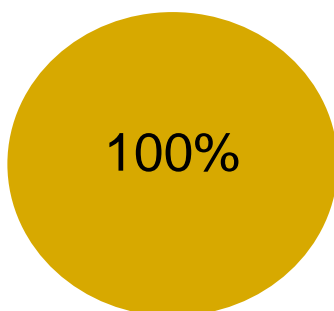
1
upheld decision

Statistics are based on a total of 1 detailed investigation for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

Satisfactory remedies provided by the authority



In **100%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **33%** in similar authorities.

1
satisfactory remedy decision

Statistics are based on a total of 1 detailed investigation for the period between 1 April 2019 to 31 March 2020



NPA/AG/20/010

Dartmoor National Park Authority Audit and Governance Committee

20 November 2020

Strategic Risk Register 2020/21

Report of the Head of Organisational Development

Recommendation: **That Members approve the current Strategic Risk Register for 2020/21 attached at Appendix 1**

1 Background

- 1.1 The Strategic Risk Register forms part of the Authority's overall risk management strategy.
- 1.2 While the formal recording of risk management information is clearly important, equally important are the discussions and dialogues that take place about identifying and managing risks across all areas from the individual to the organisational.

2 Monitoring and Reporting Framework

- 2.1 As part of the risk management strategy it is important that Members review the strategic risks for the Authority to raise issues for further consideration and highlight possible areas of risk for addition or deletion.
- 2.2 Appendix 1 contains the Strategic Risk Register for 2020/21 for comment and approval. The risk management process requires us to:
 - identify, assess and record Strategic Risks (by staff, managers, Leadership Team and Members)
 - determine the consequences of not taking any action to manage / mitigate those risks
 - record control measures that are in place to manage the risk and provide a current "Risk Rating"
 - identify additional control measures that can be implemented, along with any resources that might be required
 - re-evaluate and re-score the risk to demonstrate the anticipated "Planned Residual Risk Rating" (i.e. if the additional control measures are implemented).

2.3 The risk ratings (current and planned) are scored and colour coded as follows:

- 0 – 9 = Green – risk accepted;
- 10 – 19 = Yellow - needs attention;
- 20 – 25 = Red – cause for concern.

2.4 Leadership Team monitors and reviews the Strategic Risk Register on a quarterly basis and has recently updated the Register in light of changing circumstances, in particular the impact of the coronavirus pandemic, so we are clear about potential risks and how we might mitigate these.

2.5 Leadership Team have removed from the Register entries relating to the New Visitor Centre at Postbridge (S5) and the Moor than meets the eye Landscape Partnership Scheme (F4) following completion of these projects.

2.6 The Register has four categories of risk: Performance, Strategy, Finance and Governance and the table below summarises the risks and residual risk ratings with further details provided in Appendix 1:

Risk Ref	Risk Description	Planned Residual Risk
PERFORMANCE		
P1	Ineffective internal communication	8
P2	Inadequate external communication/community engagement	6
P3	Inadequate Info Management/Business Continuity Planning.	4
P4	Inadequate focus on Performance Management	6
P5	Lack of support to deliver on the actions in the NPMP	6
P6	Failure to determine major planning applications < 13 weeks	4
STRATEGY		
S1	Failure to implement culture of risk assessment/management	6
S2	Emergencies affecting DNPA land/buildings or activity	4
S3	Managing officer workload	15
S4	Workforce planning and resilience	20
S5	New Visitor Centre at Postbridge	deleted
FINANCE		
F1	Potential for further reductions in National Park Grant	16
F2	Inadequate financial management	4
F3	Appeals, Public Enquiries and enforcement action	6
F4	Moor than meets the eye Landscape Partnership Scheme	deleted
F5	Moor Otters	12
GOVERNANCE		
G1	Fraud & Corruption	2
G2	Inadequate procurement practice	6
G3	Inadequate management of partnerships and projects	8
G4	Inadequate decision-making process and documentation	6
G5	Failure to implement new or changes to legislation or policy	6

- 2.7 Members are invited to discuss and approve the register, subject to any amendments Members may wish to make.
- 2.8 The Strategic Risk Register is reported to the Audit & Governance Committee in May and November each year.

3 Equality and Sustainability Impact

- 3.1 The Authority seeks to treat all people equally, honestly, and fairly in any, or all its business activity, including partners, visitors, suppliers, contractors, service users. There are no specific impacts arising from this report.

4 Financial Implications

- 4.1 There are no financial implications arising directly from this report.

5 Recommendation

- 5.1 Members are invited to discuss and approve the register, subject to any amendments Members may wish to make.

NEIL WHITE

Risk Category: PERFORMANCE

Appendix 1 to Report No. NPA/AG/20/010

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P1	Ineffective internal communication				
	<p>Consequence if no action</p> <p>Lack of understanding of objectives, targets, priorities, issues, and challenges Dis-engaged staff create a poor impression of DNPA when in-contact with the public and our stakeholders</p>	<p>Leadership Team meets every Monday morning for a quick communication catch up. Messages are then disseminated as appropriate. Key messages are communicated by email to all staff.</p> <p>Monday Message is a regular communication tool from Chief Executive to all staff and Members.</p> <p>“Golden thread” linking Management Plan and Business Plan with individual appraisals & 1:1s.</p> <p>Annual <i>Team Dartmoor Day</i> (cancelled in 2020) and individual <i>Team Dartmoor</i> days. Regular team meetings</p> <p>‘Time Well Spent’ middle managers meeting</p> <p>Intranet & website</p> <p>Regular briefings to Members and two officer/Member working panels.</p> <p>During Covid-19 pandemic managers are encouraged to hold regular virtual meetings with teams and individual members of staff to monitor both performance and well-being. We have provided Lifesize video conference facilities for managers to engage with staff and are in the process of rolling out Microsoft Teams to all staff.</p>	3	4	12
Additional control measures planned					
Organisational Development Strategy “Developing Team Dartmoor” has a specific focus on improving internal communication and employee engagement. Staff survey undertaken every two years (last completed in 2019) with focus on employee engagement. Six monthly meetings between LT & TWS introduced to share strategic direction, key developments, political and financial context (during lockdown LT and TWS met regularly to establish new working arrangements – key message to ensure effective communications was maintained. Effective staff induction process in place. Communication methods constantly reviewed and mixture of written and face to face utilised. Additional training planned for MS Teams to ensure staff are getting the most from new communication channels.					
Resources required: Staff & Member time is needed to participate fully. Funding for MS Teams training.					

Planned Residual Risk	Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
	2	4	8
Outcome Ensure staff can contribute and feel valued Staff and members are ambassadors for the organisation Promote full understanding and ownership of the Authority's work, priorities, and change agenda Develop a better understanding of the Authority and its work			

Risk Category: PERFORMANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P2	Inadequate external communication and community engagement				
	<p>Consequence if no action Damage to reputation. Poor support from community, business & stakeholders Lack of understanding of the value of DNPA and the work it does Confusion with other organisations Projects not supported as no 'buy-in' from stakeholders</p>	<p>Communications strategy implemented through developing a forward plan. Supporting communication tools include: Media briefings & releases. Authority publications. Authority Website Variety of forums Social media, films, and targeted e-newsletters Surveys Outreach and Engagement strategy developed with several projects and initiatives highlighted to target engaging with communities and key underrepresented groups</p>	3	3	9
Additional control measures planned					
<p>Communications & Community engagement are priorities for the Authority. Refreshing the communications strategy to develop a forward plan and manage reputational issues, alongside embedded outreach and community engagement are key to reaching our target audiences. At a national level, a UK Comms team has been established to develop the national park brand, highlight, and share the positive work the national parks do.</p> <p>Residents' survey undertaken in 2013 and 2017. Results were used to improve communication with residents. The residents' survey is due to be repeated in three-year intervals but has not been budgeted for due to pressures on the revenue budget and we will be looking at other ways to provide resident/community feedback. We now have an online planning satisfaction survey with a link provided to all users of the planning service (from pre-application to formal planning applications).</p> <p>Increased presence at Parish meetings and local special interest groups – need to consider process for briefing in advance of the meetings and how we feedback after the meetings. Continue with supplying content in parish/community magazines/newsletters and quarterly newsletter Moor Life to improve awareness and understanding of our work.</p> <p>Authority and Development Management meeting with Members held virtually throughout Covid-19 pandemic, with public participation and Livestreaming via the internet to ensure continued public access to meetings.</p> <p>A business review in 2019 created an Outreach and Engagement Team to develop new ways to engage with hard to reach groups and communities. This included a Community Engagement Officer building on experience developed through MTMTE. Through COVID this capacity alongside the Forward Planning and Economy team has enabled continued engagement with communities and businesses and the small COVID Community Grants scheme has enabled support and continued relationship building. A new bid to Princes' Countryside</p>					

Fund will help embed this further.
 COVID-19 has had an impact on external communications – it has reinforced the importance of effective communication and, at the same time, made it harder to engage through face to face meetings. We have sought to convey clear and concise messages and briefings throughout the pandemic – to visitors, local communities, and partners. We have organized informal video conferences with community representatives and separate ones with business representatives to inform our response and pick up on key issues. We have run three business surveys and redeployed staff to undertake a visitor survey – the results from these have helped inform our work programmes and external communication.

The Authority has been praised for the way it kept communities informed and how the visitor management messages were coordinated and shared with landowners such as NT/SWLT and Dartmoor Commons Owners.

Resources required: Staff time will be needed to communicate and engage with residents and prepare materials. The extra capacity and new focus for Community Engagement has been useful and well received

Planned Residual Risk	Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
	2	3	6

Outcome
 A greater understanding of what DNPA does in relation to Dartmoor the place, so people value and support the work we do
 A good reputation as an organisation that listens and understands
 Excellent relationships with our communities and stakeholders
 Promoting understanding and enjoyment of Dartmoor’s special qualities
 Ensure staff can contribute and feel valued

Risk Category: PERFORMANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P3	Inadequate Information Management and Information Technology System failure. Inadequate Business Continuity Planning.				
	<p>Consequence if no action</p> <p>Non compliance with legislation. Inability to provide core services. Loss of reputation. Impact on service delivery. Breakdown of communication. Delays/failure to update records.</p>	<p>ICT systems and data backed up daily and copies stored off-site. Document Management System implemented for electronic storage of paper records. Disaster Recovery Plan in place, and critical elements tested Alternate venues/home working available in the event of loss of office accommodation Virtualised servers and desktops speed up recovery times Security patches and upgrades regularly applied to the firewall and virtual servers External penetration testing of security systems carried out annually to ensure system integrity</p>	2	2	4
Additional control measures planned					
<p>We are currently implementing a daily online backup of our systems at Parke to a datastore at our Princetown site, to improve disaster recovery and reduce our reliance on backup tapes. This work should be complete by end of 2020. Server refresh planned for Autumn 2020 which will improve performance and resilience. New equipment being provided to staff during late 2020 to support users in homeworking during Covid-19 pandemic, to support flexible working going forward and ensure that staff are able to maximise video conference etc. in order to reduce our need to travel. Standard deployment and user access control will improve security for users working from home.</p>					
Resources required					
<p>Staff Time Funds for new ICT hardware and software</p>					

Planned Residual Risk	Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
	2	2	4
Outcome Continuous business efficiency in the event of systems failure or major emergency affecting operational buildings			

Risk Category: PERFORMANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P4	Inadequate focus on Performance Management (including customer service)				
	<p>Consequence if no action</p> <p>Individual and organisational performance not monitored. Low achieving Authority Unclear targets and objectives. Resources not targeted</p> <p>Reputational risk for the Authority.</p> <p>More complaints.</p>	<p>Business Plan & Annual Review Organisational Development Strategy Service planning/Service dashboards Audit & Governance Committee with clear remit to monitor and challenge performance. Suite of PIs that are focused on delivering against the Business Plan Parke House Project Management and staff trained maintaining focus on effective project management Robust and highly visible process for monitoring of key actions in the Business Plan. Detailed and thorough performance reporting and analysis by Leadership Team and Audit & Governance. Performance Improvement Policy Customer Service Standards Lessons learnt from complaints</p>	3	3	9
Additional control measures planned					
Terms of reference for Audit and Governance Committee reviewed and updated (2018). Assurance & Governance training provided to members (Dec 2017) to help with their role to challenge, scrutinise and gain assurance, especially in areas such as audit, finance, performance, and governance. Complaints Procedure to be reviewed/updated by March 2021.					
Resources required: Staff time					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	3	6
Outcome					
Good performing organisation, with evidence of continuous improvement					

Risk Category: PERFORMANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P5	Lack of support and resources from partners/stakeholders to deliver on the actions in the Management Plan				
	<p>Consequence if no action</p> <p>Management Plan actions not undertaken</p> <p>Ambitions not delivered</p>	Extensive engagement with partners and stakeholders in development of the current NPMP. This is being replicated as we review the NPMP through a series of 'Dartmoor Debates', public consultation and the annual Steering Group meeting. A draft Management Plan has been agreed by Members and an extended consultation period due to COVID19 impact on communities and other stakeholders. We have had a good response to the consultation with responses from most of our key stakeholders. A draft plan will be presented to Authority in January 2021. Key partners are fully engaged. Resources to deliver are going to be a challenge given uncertainty over public spending and the impact of COVID on charitable partners. The new ELMS will be a crucial deliver mechanism and the details of this are still unclear. We are working closely with partners and this will be crucial going forward, the bid to the GRCF and the PCF are good examples of this.	3	3	9
Additional control measures planned					
Strategic Planning & Projects Officer appointed to project manage this work and contract extended to March 2021.					
Resources required: Staff time					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	3	6

Outcome

Clear agreed vision for the National Park

Actions to achieve the Vision shared and owned by delivery partners

Clear process for monitoring delivery and assessing progress towards the Vision

Risk Category: PERFORMANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
P6	Failure to determine major planning applications within the set Government target of 13 weeks				
	<p>Consequence if no action</p> <p>Authorities who 'poorly' perform over a 2-year period may be subject to special measures. The risk is therefore that the Authority could lose its ability to deal with applications resulting in a loss of income and reputation</p>	<p>Planning Performance Agreements (PPA) are in place which are a 'contract' between the planning authority and the developer in how their application will be dealt with including timescales.</p> <p>All such applications which are subject to a PPA do not have to be identified under the government speed targets and can be reported separately.</p> <p>Ongoing monitoring of the effectiveness of this control mechanism.</p> <p>Planners need to be realistic about time scale on framework, particularly if legal work is required.</p> <p>COVID-19 related restrictions have added complexity for site visits and engagement with applications (actual and potential). We have invested in tablets for Planning Officers to reduce reliance on paper plans and improve our effectiveness. The planned investment in a new planning IT system should also assist.</p>	1	4	4
Additional control measures planned					
Structure established for Planning Service to provide effective leadership and management. Currently (Oct 2020) recruiting to posts in Development Management and Enforcement to maintain capacity at officer level. Service level agreement for provision of legal services in place.					
Resources required: Staff time					
			Probability	Severity	Planned

Planned Residual Risk	(5=high, 1=low)	(5=high, 1=low)	Residual Risk Rating
	1	4	4
Outcome Major applications are dealt with in a timely way The performance agreement will allow time to be taken to achieve a quality outcome			

Risk Category: STRATEGY

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
S1	Failure to implement a robust culture of risk assessment and risk management.				
	<p>Consequence if no action</p> <p>Disruption to service delivery. Waste of financial resources as number and cost of losses escalate. Increasing cost or unavailability of insurance cover. Critical reports by external audit. Increase likelihood of major loss/incident. Loss of reputation.</p>	<p>Risk Management Strategy</p> <p>Risks monitored by A&G and Leadership Team.</p> <p>Corporate Risk Management Steering Group (Leadership Team). Operational Risk Management via work programmes/projects. Internal and External Auditors base their work / review programmes on a Risk Based approach</p> <p>Annual Governance Statement following review of all governance arrangements.</p> <p>Health, Safety & Wellbeing Committee</p> <p>SLA with TDC to provide operational and strategic H&S support and compliance. SLA with PDNPA (2017-2020) in place to provide strategic advice and joint working with other NPAs. Risk assessment training provided regularly to relevant officers and further training available. H&S briefing provided at induction</p>	2	3	6
Additional control measures planned					
<p>Reviewed health and safety management in 2019/20; revised SLA in place with TDC</p> <p>All members of LT have completed IOSH 'Leading Safely' course: Head of Organisational Development (June 2017); Head of Business Support (2018); Chief Exec, Director of Conservation & Communities, Head of Comms & Fundraising (April 2019)</p> <p>Increased focus on strategic management of occupational health and safety.</p> <p>Health & Safety training provided (April 2018) Risk Assessment training delivered to managers and staff (35) - Nov 2018); H&S training plans being developed, review/rationalisation of current risk assessments ongoing.</p> <p>Organisational and site-specific risk assessments in relation to Covid-19, including detailed zoning plans of offices showing maximum occupancy levels, created, and reviewed regularly. Changes to risk assessments are being informed by Government guidance and feedback from staff and Managers.</p>					
Resources required: None					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating

	2	3	6
Outcome Risk based approach embedded in culture of the organisation. All risks effectively managed.			

Risk Category: STRATEGY

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
S2	Emergencies affecting land or buildings owned or leased by DNPA or operational activity				
	<p>Consequence if no action</p> <p>Incidents such as flooding, storms, fire, which could disrupt the business of the Authority. Possible restrictions on access imposed because of outbreaks of disease. Denial of access to key premises resulting in major disruption to service delivery. Financial – increased cost of provision of alternative working locations.</p>	<p>Emergency Planning. Close working relationship with police and other emergency services Staff awareness training (induction training). ICT Disaster Recovery plan, H&S, Lightning Protection, Fire Regulations (including regular testing of fire systems), etc. Alternate venues/home working available in the event of loss of office accommodation. Robust maintenance programme and risk assessments for operational property</p>	1	4	4
Additional control measures planned					
This is a risk which it is difficult to control, but is considered relatively low risk					
Offices and Visitor Centres initially closed during Covid-19 lockdown but regular security and building compliance checks carried out but Works Team throughout. Occupancy levels in premises being controlled through risk assessment and zoning plans to reduce risks to staff from Coronavirus infection. Supported staff to work effectively at home; provision of IT systems (e.g. Lifesize) and equipment.					
Resources required:					
Funding for Personal Protective Equipment, including perspex screens, hand sanitiser, face masks and visors, paper towels, anti-bacterial wipes etc., from Health & Safety budget.					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			1	4	4
Outcome					
Business continuity in the event of an emergency affecting business premises Effective and appropriate use of DNPA's resources in other emergencies affecting the National Park					

Risk Category: STRATEGY

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
S3	Managing officer workload. Our challenge will always be to ensure we set realistic work programmes but also improve organisational 'productivity'				
	<p>Consequence if no action</p> <p>Failure to deliver corporate objectives. High stress levels and staff absence. Targets/improvement not achieved Staff unclear of roles & responsibilities in new structure</p>	<p>Officers (particularly middle managers) fully involved in developing the Authority's Business Plan and thus shaping work programmes HR Policies; Business Plan, Appraisal process – identifying clear priorities and work programmes for individuals, teams, and the Authority as a whole – through manager and staff engagement. Implementation of the OD Strategy. Good internal communications/staff survey /feedback channels/liaison with representatives. Support to managers and focus on developing management skills. Proactive attendance management; provision of Employee Assistance Programme; OH service. Quarterly review at LT identifying pressure points and where additional support may be required. Provision of Project Fund within the budget to enable in-year bids for additional resource.</p>	3.	5	15
Additional control measures planned					
Face to face (Covid-Secure) appraisal reviews (Sept/Oct 2020) encouraged with a focus on employee wellbeing and working effectively. Work programmes revised due to Covid-19.					
Resources required: Staff time and resources to deliver an effective programme.					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			3	5	15
Outcome					
Well informed, motivated workforce Effective leadership Appropriately supported and trained staff					

Risk Category: STRATEGY

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
S4	Workforce planning/resilience: limited capacity to cover for absences of key posts. Difficulty to recruit to certain posts. The risk derives primarily from the lack of core funding and the inherent problem of retaining staff on fixed term contracts				
	<p>Consequence if no action</p> <p>Reduced capacity/productivity Service pressures could lead to 'bad' decisions and high stress levels Poor performance Increase in complaints Contracts and obligations not fulfilled</p>	<p>Active staff management and support through a mixture of:</p> <ul style="list-style-type: none"> • Project Fund enabling flexibility to buy-in support as required • Staff support e.g. Occupational Health, EAP; counselling etc. • Increased joint working with other Local Authorities and partners • Some SLAs in place (Finance, ICT, Payroll, H&S, Legal) • LT regularly review workforce planning and impact of staff absence • LT strategic meetings consider future work programmes / direction of travel • Effective performance and absence management policies and practices 	5	5	25
Additional control measures planned					
This will remain an area of high risk given the size and scope of our organisation and operations. Senior officers, service managers, project officers and specialist staff are fundamental to our performance and success as an Authority, therefore any significant absences can have a real impact on delivery.					
Resources required: Staff time and resources to deliver an effective programme. May need external support					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			4	5	20

Outcome

Well informed, motivated workforce

Effective leadership

Appropriately supported and trained staff

Risk Category: FINANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
F1	Potential for reductions in National Park Grant (NPG) and / or changes in Defra's requirements (clause 23 of the National Parks Financial Grant Agreement)				
	<p>Consequence if no action</p> <p>Insufficient funds to meet statutory requirements and delivery of National Park Purposes. Failure to meet Performance Targets A new National Parks Financial Grant Agreement has been put in place by Defra for all NPAs; the addition of a new clause allowing Defra to alter its requirements (of NPAs) may risk the Authority's ability to exercise complete independence and fulfil its business plan objectives</p>	<p>Authority has set a balanced budget for 2020/21 receiving a one-year settlement only. All National Parks and NPE have engaged with Defra in the current comprehensive spending review process; the outcome of which is anticipated November 2020. Assurance has been obtained from Defra that Clause 23 would only be exercised in exceptional circumstances; that existing commitments (of NPAs) would be honored and that advance discussions would take place, before implementation Workforce and resource planning is an on-going process to match revenue and resources to deliver outcomes Developing new strategies and ideas to generate other income streams, to reduce reliance on NPG Robust level of Reserve Balances maintained Strong budget management and procurement performance and evidence of using resources efficiently and effectively</p>	4	5	20
Additional control measures planned					
We are taking steps to diversify our income streams (e.g. introduction of car park charging and external fundraising initiatives such as Moor Otters II) but our ability to generate income is limited by our lack of assets from which to trade/generate income and the fact that we are a public authority charged by Parliament with providing public services.					
Resources required: Officer time					
			Probability (5=high,	Severity (5=high,	Planned Residual

Planned Residual Risk	1=low)	1=low)	Risk Rating
	4	4	16
Outcome Focused organisation with resources targeted to agreed priorities Reduced reliance on NPG			

Risk Category: FINANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
F2	Inadequate financial management				
	<p>Consequence if no action</p> <p>Unfunded budget variance. Under spend of core grant Reputational damage</p> <p>Covid 19 – risk of reduced income when facilities are closed due to lockdowns and customers unable to pay for services received (debtors)</p>	<p>Robust Budget monitoring and procurement process. Financial Regulations / Standing Orders. Sustainable procurement policy Procurement procedures Staff training on procurement rules and procedures Devolved budgets with clear accountability supported by timely and accurate financial reporting Quarterly reports to Leadership Team & A&G Committee Training for staff in financial management</p> <p>Seek / apply for Government support schemes; reduce associated costs accordingly and ensure plans to re-open services can be implemented quickly. Maintain close and regular contact with customers to monitor debtor balances, adjust payment terms if required and assess ability to pay.</p>	2	4	8
Additional control measures planned					
On-going training for staff in financial management and procurement Capacity issues are recognised and extra support is brought in to progress work programmes					
Resources required: Staff time and training resources					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			1	4	4

Outcome

Financial outturn on target

Risk Category: FINANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
F3	Appeals, Public Enquiries and enforcement action could expose the Authority to considerable financial risks and create poor PR				
	<p>Consequence if no action</p> <p>Bad decisions that damage Dartmoor Additional costs and significant budget overspend Loss of public confidence Poor PR</p>	<p>Head of Development Management reviews all appeal files to learn lessons; reporting to LT and Members</p> <p>External legal advice and support obtained where necessary</p> <p>Good Practice Guide for Members and officers (planning) and appropriate training</p> <p>Enforcement Policy</p>	3	5	15
Additional control measures planned					
<p>Procure expert input when necessary</p> <p>Clear project management arrangements for high profile cases</p> <p>Clear operational procedures to support Enforcement Policy</p>					
Resources required: Staff time and financial resources					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	3	6
Outcome					
<p>All decisions are lawful, in accordance with advice and can be supported on appeal</p> <p>Public confidence in decisions</p> <p>Minimise payment of costs</p>					

Risk Category: FINANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
F5	<i>Moor Otters II</i> : Financial and reputational risk to the Authority Risk of cancellation for second year due to Covid-19				
	<p>Consequence if no action</p> <p>Risk of financial loss from reserves if project does not generate anticipated income to cover outlay costs and generate additional income.</p> <p>Risk of financial loss if project must be cancelled for a second year due to covid-19</p> <p>Reputational issues for the Authority if businesses, stakeholders, and the public are not engaged and supportive of the project</p>	<p>Head of Communications & Fundraising is LT sponsor, closely overseeing project manager. Member steering group set up.</p> <p>Clear project plan and timeline developed with breakpoints to end project if needed.</p> <p>Ensure clear plan developed for 2021 that considers new Government measures to control the virus, working with host businesses to implement as part of the recovery. Otters have been decorated by artists so could be sold to recover some costs, even if trail could not go ahead</p> <p>Project management contract established to ensure buy-in from artists, sponsors, and stakeholders.</p>	4	5	20
Additional control measures planned					
Changes and risk to delivery identified early. Risk to be continually monitored.					
Resources required: Staff time and financial resources					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating

	3	4	12
Outcome Successfully delivered project			

Risk Category: GOVERNANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
G1	Fraud & Corruption				
	<p>Consequence if no action</p> <p>Misappropriation of Authority resources (not always financial)</p>	<p>Financial Regulations. Standing Orders. Prosecution deterrent. Internal checks / controls. Scheme of delegation. Internal / External Audit. Whistle-blowing Policy. Bank Reconciliation. IT Firewall. IT security / passwords. Anti-fraud & corruption policy in place. Information security policy</p>	1	2	2
Additional control measures planned					
Risks monitored especially during financially difficult times					
Resources required: Staff time					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			1	2	2
Outcome					
Staff aware of risks and controls regarding fraud & corruption					

Risk Category: GOVERNANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
G2	Inadequate procurement practice				
	<p>Consequence if no action</p> <p>Failure of partners/contractors Schemes not delivered on time or over budget. Damage to reputation. Value for Money not achieved Sustainability principles not applied Procurement rules not followed providing opportunity for challenge</p>	<p>Service level agreement with Devon Procurement Service to provide procurement support Standard set of templates, terms and conditions etc. kept up to date by DPS (on SharePoint site) Use of e-procurement portal Member of Devon & Cornwall Procurement Partnership. Financial appraisal. Risk Assessments. Financial Regulations / Standing Orders. Sustainable procurement policy Procurement procedures Procurement training Contract management Contractor Vetting & Insurance Project Management Training</p>	2	3	6
Additional control measures planned					
On-going staff training on procurement rules and procedures and project management					
Resources required					
Staff time and potentially resources if purchasing is to adopt more sustainable principles					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	3	6
Outcome					
All procurement undertaken within policies, procedures & legislation					

Risk Category: GOVERNANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
G3	Inadequate management (and success) of partnerships and projects				
	<p>Consequence if no action Failure to meet DNPA objectives. Inadequate SLAs and potentially poor performance, service failure & reputational damage. Inadequate contract conditions/ management structure & dispute resolution process. Failure of partnership arrangement. Financial over-commitment by the Authority due to unpaid grant claims.</p>	Signing up to formal agreements (Contracts, SLAs, MoUs, etc.) that set out terms of reference, agreed objectives and outcomes, roles, responsibilities, exit strategies etc. Risk Assessments. Standing Orders. Financial Regulations. Internal/External Audit. External partners' controls Parke House Project Management Embedded link between project management and personal performance management via appraisals, work plans and the Business Plan. Performance monitoring - Business Plan.	3	4	12
Additional control measures planned					
Ongoing monitoring of compliance with procedures and staff training.					
Resources required: Staff time					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	4	8
Outcome					
Robust, well managed partnerships and projects that help to deliver Business Plan and National Park Management Plan objectives					

Risk Category: GOVERNANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
G4	Inadequate decision-making process; inadequately documented decision-making process				
	<p>Consequence if no action</p> <p>Financial cost. Judicial reviews/Legal challenges. Loss of reputation. Demands on legal service time High level of complaints/appeals Information Commissioner adverse finding</p>	<p>Complaints procedures. Ombudsman. Legal process. Authority policy of open & honest response to complaints. Standing Orders Rules & Procedures in relation to decision making. Publications Scheme (FOI) Recording in writing of decisions undertaken under delegated powers Written advice about recording key decisions and process established</p> <p>During the COVID-19 pandemic we have continued to keep Members informed and provided regular briefings (written and via video conference).</p>	2	3	6
Additional control measures planned					
Ongoing training for staff and Members					
Resources required: Staff & member time and training resources					
Planned Residual Risk			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
			2	3	6
Outcome					
Low level of complaints, appeals & legal challenge					

Risk Category: GOVERNANCE

Risk Ref	Risk Description	Control measures to manage risk	Risk Rating		
			Probability (5=high, 1=low)	Severity (5=high, 1=low)	Residual Risk Rating
G5	<p>Changes in legislation/failure to implement new legislation or policy</p> <p>We are currently in a period of unprecedented policy uncertainty: we await the Government's response to the Landscapes Review; the Government is considering profound changes to the planning system; delays to the Environment Bill could mean a potential enforcement gap; details of the new Environmental Land Management system are unclear and post Brexit trade and economic development arrangements are unknown</p>				
	<p>Consequence if no action</p> <p>Financial cost/budget difficulties. Requirement to revise working practices or introduce new systems. Potential compliance difficulties. Financial impact if the Authority cannot effectively respond promptly</p>	<p>The National Park Authorities 'Legalnet', South West Councils (HR) XpertHR online subscription Technical Support subscription (Finance) and member of Devon Accounting Group External Legal Services provision Various on-line alerts Up-dates and policy work via National Parks England and various Professional network groups</p>	2	3	6
Additional control measures planned					
Various legislation relating to planning to be monitored closely by Head of Development Management and Head of Forward Planning & Economy					

Resources required: Staff time with a plethora of legislation and consultations being issued			
Planned Residual Risk	Probability (5=high, 1=low)	Severity (5=high, 1=low)	Planned Residual Risk Rating
	2	3	6
Outcome Legally compliant with no challenges through Judicial Review			



NPA/AG/20/011

Dartmoor National Park Authority Audit and Governance Committee

20 November 2020

Revisions to Standing Orders

Report of the Head of Organisational Development

Recommendation: **That Members comment on the proposed revisions to the Standing Orders ahead of presentation to the Authority for formal approval.**

1 Background

- 1.1 The Authority's Standing Orders were adopted in May 2007 and are a key part of the governance framework under which the Authority controls its proceedings and decision-making.
- 1.2 Periodically, normally at the Annual Meeting, a report is prepared for Members setting out any amendments which are believed necessary or appropriate, in the light of new legislation and/or experience in the preceding year(s). The last review of the Authority's Standing Orders was in 2016.
- 1.3 The Standing Orders and the related Appendices have been recently reviewed and updated to reflect changes to working practices and arrangements. These documents have been shared with our legal advisers (Devon County Council) and we await their comments for consideration before presentation for formal adoption by the Authority in December 2020.

2 Regulations introduced due to the coronavirus pandemic

- 2.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April 2020 and currently apply until 7 May 2021.
- 2.2 These Regulations were introduced to enable local authorities to meet remotely and provided flexibility regarding the frequency of meetings/Annual Meetings. The Regulations also override provisions in existing standing orders or rules governing meetings.

- 2.3 The Authority continues to operate in accordance with the new Regulations, as appropriate, and it is not considered necessary at this stage to make any changes to the Standing Orders in response to the pandemic.

3 Standing Orders

- 3.1 The updated Standing Orders for Regulation of Business Proceedings and Business is provided at Appendix 1. All changes have been tracked to show the previous text and proposed new text.
- 3.2 Members will note the proposed change to use the gender-neutral term of Chair rather than Chairman throughout.

4 Standing Orders - Appendices

- 4.1 The updated Appendices to the Standing Orders is provided at Appendix 2. All changes have been tracked to show the previous text and proposed new text.
- 4.2 In addition to some general updates, Members will note the changes at Appendix 8 relating to public participation at meetings and Appendix 9 relating to voting procedures relating to the Development Management Committee.
- 4.3 Appendix 10 relating to the Rules on Elections has also been revised so that the process of electing the Deputy Chair of the Authority would be the same as that for electing of the Chair of the Authority, whereby candidates would have the opportunity to address the meeting ahead of the ballot.

5 Equality and Sustainability Impact

- 5.1 The Authority seeks to treat all people equally, honestly and fairly in any, or all its business activity, including partners, visitors, suppliers, contractors, service users. There are no specific impacts arising from this report.

6 Financial Implications

- 6.1 There are no financial implications arising directly from this report.

7 Conclusion

- 7.1 The focus of the Authority's governance arrangements should be to set out the fundamental principles for decision-making within the Authority; establish clear and robust procedures that are effective and fit-for-purpose; and incorporate appropriate safeguards and accountability.
- 7.2 The proposed amendments to Standing Orders seek to ensure that the arrangements for meetings of the Authority are always in accordance with the statutory rules.

NEIL WHITE

Attachments: Appendix 1 – Standing Orders
Appendix 2 – Appendices to Standing Orders



Dartmoor National Park Authority

Standing Orders

for Regulation of Authority Proceedings and Business

Adopted: 4 May 2007

Revised:

3 August 2007

27 June 2008

5 September 2008

7 November 2008

6 November 2009

13 April 2012

6 July 2012

6 June 2014

6 March 2015

1 July 2016

4 December 2020

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(a) **Introduction**

These Standing Orders are made for the regulation of the meetings, proceedings and business of the Dartmoor National Park Authority pursuant to the Environment Act 1995 (*"the 1995 Act"*); Schedule 2 of the National Park Authorities (England) Order 1996 (*"the 1996 Order"*); Schedule 12 to the Local Government Act 1972 and all other enabling powers.

(b) **Definitions**

In these Standing Orders, unless inconsistent with the subject or context:

'The Authority' shall mean the Dartmoor National Park Authority.

'Member' shall mean a person elected as a Councillor and appointed to the Authority by a Local Authority or a person appointed to the Authority by the Secretary of State in accordance with Schedule 7 to the 1995 Act.

'ChairmanChair' and **'Deputy ChairmanChair'** shall mean the Members so appointed for the time being in accordance with Standing Order 6.

'Chief Executive (National Park Officer)' shall mean the person appointed by the Authority in accordance with the 1995 Act and the 1996 Order.

'Officer' shall mean a person employed by or on behalf of the Authority.

the headings to the clauses and schedules shall not affect the interpretation.

words importing any gender shall include every gender.

any reference to any statute (whether or not specifically named) shall include any statutory modification or re-enactment of it for the time being in force and any order, instrument, plan, regulation, permission and direction made or issued under it, or under any statute replaced by it or deriving validity from it.

(c) **Principal Legislation**

The Local Government Act 1972 (*"the 1972 Act"*)

The Local Authorities (Standing Orders) Regulations 1993 (*"the 1993 Regulations"*)

The Environment Act 1995 (*"the 1995 Act"*)

The Natural Environment and Rural Communities Act 2006 (*"the 2006 Act"*)

The Local Government & Public Involvement in Health Act 2007 (*"the 2007 Act"*)

The Localism Act 2011 (*"the 2011 Act"*)

The National Park Authorities (England) Order 2006 (*"the 2006 Order"*)

The Local Government (Access to Information)(Variation) Order 2006 (*"the 2006 Access to Information Order"*)

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

1 MEMBERSHIP OF THE AUTHORITY

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- 1.1 The Authority shall consist of such persons as shall be elected or appointed by the relevant local authorities and the Secretary of State pursuant to Regulation 4 and Schedule 1 to the 2006 Order.
- 1.2 Membership of the Authority shall at all times be regulated in accordance with Appendix 1 to these Standing Orders.
- 1.3 Nothing in these Standing Orders shall in any way derogate from Schedule 7 to the 1995 Act as regards disqualification of Members.

2 MEETINGS OF THE AUTHORITY

2.1 Number of Meetings

The Authority shall in every year hold one Annual Meeting and at least three other meetings for the transaction of general business.

2.2 Dates of Meetings

The meetings of the Authority shall be held as near as may be at regular intervals on such dates as the Authority shall determine. The Chief Executive (National Park Officer) in consultation with the **ChairmanChair** shall have authority to change the date of any meeting of the Authority if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

2.3 Date of Annual Meeting

The Authority shall in every year hold an annual meeting. The first meeting of the Authority held after 31 May in any year shall be the annual meeting.

2.4 Extraordinary Meetings

An extraordinary meeting of the Authority may be called at any time by the **ChairmanChair** or, if the office of **ChairmanChair** is vacant, the Deputy **ChairmanChair**.

In addition the **ChairmanChair** shall call an extraordinary meeting of the Authority upon receipt of a written request for that purpose specifying the nature of the important or urgent business, signed by five Members of the Authority. Should the **ChairmanChair** not call an extraordinary meeting within seven days of receipt of the request, any five Members of the Authority may forthwith call an extraordinary meeting of the Authority.

2.5 Time of Meetings

The meetings of the Authority shall commence at such times as the Authority shall determine. The Chief Executive (National Park Officer) in consultation with the **ChairmanChair** shall have authority to change the time of any meeting of the Authority if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

2.6 Summons for a Meeting

The Chief Executive (National Park Officer) shall issue a public notice of the time and place of any meeting of the Authority together with a summons to every Member of the Authority to attend the meeting, to be posted not less than five clear days before the meeting to which it relates.

The summons for any extraordinary meeting shall set out the business proposed to be transacted at that meeting.

Want of service of a summons on any Member of the Authority shall not affect the validity of any meeting.

3 COMMITTEES

3.1 At the Annual Meeting of the Authority, the Authority shall resolve and appoint:

- (a) the committees, sub-committees, working panels or other groups necessary to discharge the functions of the Authority;
- (b) the membership or method of appointment for each committee, sub-committee, working panel or other group;
- (c) a person to preside at the meetings of each committee & sub-committee (the ~~chairman~~Chair);
- (d) a person to preside at a meeting of a committee or sub-committee in the absence of the ~~chairman~~Chair (the deputy ~~chairman~~Chair);
- (e) the terms of reference of each committee, sub-committee, working panel or other group;
- (f) whether non-voting members, assessors and advisers may also be appointed to any such committee, sub-committee, working panel or other group;
- (g) the limitations, if any, to be placed on the powers of any committee to arrange for the discharge of its functions by a subcommittee.

3.2 The number, date, time and place of meetings of every committee, sub-committee, working panel or other group shall be as determined by the Authority, or if no such determination is made, as may be decided by the committee, sub-committee, working panel or other group or its ~~Chairman~~Chair for the convenient and/or efficient dispatch of its business.

3.3 Every committee, sub-committee, working panel or other group established under this Standing Order shall at all times be constituted and act in conformity with these Standing Orders and, in particular, the provisions set out in Appendices 2 & 3 hereto.

3.4 The number, date, time and place of meetings of every committee, sub-committee, working panel or other group shall be as determined by the Authority, or if no such determination is made, as may be decided by the committee, sub-committee, working panel or other group or its ~~Chairman~~Chair for the convenient and/or efficient dispatch of its business.

3.5 ~~Every committee, sub-committee, working panel or other group established under this Standing Order shall at all times be constituted and act in conformity with these Standing Orders and, in particular, the provisions set out in Appendices 2 & 3 hereto.~~

Commented [NW1]: Repeat of 3.3

4 QUORUM

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- 4.1 Except where authorised by statute or otherwise specifically ordered by the Authority, no business shall be transacted at a meeting of the Authority or its committees or sub-committees unless:
- (a) at least one-third of the whole number of Members of the Authority, committee or sub-committee are present, provided that in no case shall the quorum of any committee be less than three Members; and
 - (b) of those present at least one is a local authority Member and at least one a Member appointed to the Authority by the Secretary of State.

Note: the quorum for a meeting of the full Authority of ~~2219~~ Members is ~~87~~

- 4.2 The quorum for a meeting of the Standards sub-committee shall be three Members of the Authority of whom at least one is a local authority Member
- 4.3 If, during any meeting of the Authority, the ~~Chairman~~Chair, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned for 15 minutes, or until a quorum shall be present whichever shall, be the sooner time.
- 4.4 If at the end of the period of adjournment in accordance with Standing Order 4.3 above, after counting the number of Members present, the ~~Chairman~~Chair declares that there is not a quorum present, the meeting shall forthwith end and any business shall stand adjourned to the next meeting of the Authority
- 4.5 In the application of this Standing Order to any committee or sub-committee, a meeting may continue at the discretion of the ~~Chairman~~Chair of that committee or sub-committee, provided that the absence of a quorum shall be noted in the minutes and no decision shall be taken or resolution made without submission of the proposal to the Authority.
- 4.6 Where more than one-third of the Members of the Authority become disqualified at the same time, the quorum of the Authority shall be determined by reference to the number of Members of the Authority at that time remaining qualified.

5 ATTENDANCE AT MEETING

- 5.1 Every Member attending a meeting of the Authority or any of its committees and sub-committees of which he/she is a member, shall certify his/her attendance by signing against his/her name in the attendance book or record sheet provided for that purpose.
- 5.2 It shall be a requirement that every Member of the Authority attends each meeting of the full Authority together with every meeting of any committee, sub-committee, working panel or other group to which he/she consents to be elected or appointed.
- 5.3 Save in the event of emergency or sudden illness, a Member shall tender his/her apology to Parke not less than 3 days before the date of a meeting which he/she is unable to attend.

- 5.4 In exceptional circumstances, the Chief Executive (NPO) in consultation with the ChairmanChair shall be authorised to consider and determine a request from a Member for leave of absence, for a period not exceeding 3 months (such period shall be capable of extension or renewal to a maximum aggregate period of 9 months)
- 5.5 Unless leave of absence shall previously have been agreed, a Member who fails on 3 occasions in any 12 month period to attend a meeting of the Authority, or a committee, sub-committee, working panel or other group to which he/she has consented to be elected or appointed (a separate record and account to be kept for every such body) shall be invited by the Chief Executive (NPO) and ChairmanChair of the Authority to a meeting to discuss the non-attendance.

6 CHAIRMANCHAIR AND DEPUTY CHAIRMANCHAIR

Local Government Act 1972 Sch 12 para 5

- 6.1 At the Annual Meeting of the Authority the first item of business shall be to elect a ChairmanChair of the Authority and the second item of business shall be to elect a Deputy ChairmanChair of the Authority.
- 6.2 Elections at the Annual Meeting of the Authority and any meeting of the Authority and its Committees shall be held in accordance with the Rules on Elections set out in Appendix 10.
- 6.3 RESERVED
- 6.4 The ChairmanChair and Deputy ChairmanChair shall be elected for a period not exceeding one year but both such persons shall, on ceasing to hold office at the end of their elected term, be eligible for re-election.
- 6.5 The ChairmanChair or Deputy ChairmanChair may at any time resign his/her office by notice in writing delivered to the Chief Executive (National Park Officer).
- 6.6 A person shall cease to hold office as ChairmanChair or Deputy ChairmanChair of the Authority upon ceasing to be a Member of the Authority.
- 6.7 If any vacancy in the office of ChairmanChair or Deputy ChairmanChair shall arise it shall be the duty of the Members of the Authority to secure that the vacancy is filled as soon as possible.
- 6.8 Where a casual vacancy in the office of ChairmanChair or Deputy ChairmanChair of the Authority is filled the person then elected shall hold office until the next Annual Meeting of the Authority.

7 CONDUCT OF MEETINGS

- 7.1 At a meeting of the full Authority the ChairmanChair, if present, shall preside.

- 7.2 If the **ChairmanChair** is absent from a meeting of the full Authority the Deputy **ChairmanChair**, if present, shall preside.
- 7.3 If both the **ChairmanChair** and Deputy **ChairmanChair** of the Authority are absent, the Members of the Authority present at that meeting shall choose a person from their number to preside as **chairmanChair** for that meeting.
- 7.4 For the avoidance of any doubt, any powers or duty in relation to the conduct of a meeting assigned to the **ChairmanChair** by these Standing Orders may be exercised by any person presiding at a meeting in accordance with Standing Order 7.3.

8 MEMBERS INTERESTS

- 8.1 All Members, including any person co-opted as a member of the Authority or one of its committees, sub-committees, working panels or other groups, shall at all times when conducting the business of the Authority, or conducting the business of the office to which the Member has been appointed or elected, or acting as a representative of the Authority, act in accordance with:
- (a) the Members Code of Conduct
 - (b) the Protocol for Member/Officer Relations
 - (c) the provisions in these Standing Orders relating to Members Interests
- 8.2 A Member who has a **personal interest** in a matter and who attends any meeting at which that matter is considered or discussed, shall disclose to that meeting the existence and nature of that interest at the start of the meeting, or at the commencement of that item of business, and in any event no later than at the time during that item of business when he/she first becomes aware of the interest.
- 8.3 For the purposes of this Standing Order 8, **personal interest** has the meaning set out in paragraph 9.1 of the Member **eCode of eC**onduct and **meeting** has the meaning set out in paragraph 2 of the Member **eCode of eC**onduct.
- 8.4 A Member who has a **disclosable pecuniary interest** in any matter shall:
- (a) not participate in any discussion of that matter, or participate in any vote taken on that matter, or discharge any function in relation to that matter without first obtaining a dispensation from the Authority's Monitoring Officer
 - (b) withdraw from the room or chamber where the meeting considering the matter is being held, at the commencement of the consideration of that matter, unless a dispensation has been granted
- 8.5 A Member must register those matters specified in the Member Code of Conduct, namely:
- (a) membership in a position of general management or control of any body:
 - (i) exercising functions of a public nature; or

- (ii) directed to charitable purposes; or
- (iii) whose principal purposes include influence of public opinion or policy
- (b) membership of any other local Authority
- (c) membership of any political party or trade union
- (d) membership of the United Grand Lodge of England (freemasons)
- (e) receipt in the past 12 months in their capacity as a Member of any gift or hospitality with an estimated value exceeding £50

9 ORDER OF BUSINESS

Local Government Act 1972 s.100B(4) & Sch 12 para 4(2)

- 9.1 Subject to paragraphs 9.2, 9.3 and 9.4 of this Standing Order and any statutory requirements, the order of business at every meeting of the Authority shall be:
- (a) at the Annual Meeting only in every year, the appointment of the ~~Chairman~~Chair and Deputy ~~Chairman~~Chair in accordance with the procedure set out in Standing Order 6;
 - (b) in the absence of both the ~~Chairman~~Chair and the Deputy ~~Chairman~~Chair, to choose a Member of the Authority to preside;
 - (c) to deal with any business required by statute to be done before any other business;
 - (d) to approve and sign as a correct record the Minutes of the last meeting of the Authority. This sub-clause shall not apply to any extraordinary meeting of the Authority unless at such extraordinary meeting the business transacted alters or affects in any way any resolution passed at a previous meeting of the Authority for which the minutes have not received approval and signature;
 - (e) to deal with any business expressly required by statute to be done;
 - (f) the ~~Chairman~~Chair's announcements and correspondence;
 - (g) to introduce any business which by reason of special circumstances such that the ~~Chairman~~Chair, after consultation with the Chief Executive (National Park Officer), is of the opinion that the matter should be considered as a matter of urgency **AND** then to resolve when such business should be ordered on the Agenda;
 - (h) to dispose of business remaining from the last meeting;
 - (i) to consider motions in the order in which notice has been received;
 - (j) other business specified in the summons;
 - (k) to consider questions from Members of which notice has been given in accordance with Standing Orders;
 - (l) to receive public participation in accordance with Appendix 8.

- 9.2 The order of business falling under items 9.1(a) (b) and (c) shall not be displaced.
- 9.3 At an extraordinary meeting the order of business falling under items 9.1 (b) (c) and (d) shall not be displaced and any other business shall be exactly that set out in the Summons and no other business shall be considered.
- 9.4 Subject to paragraphs 9.2 and 9.3 of this Standing Order the order of any other business may be varied either at the ~~Chairman~~Chair's discretion or by a resolution passed on a motion duly moved, seconded and put without debate.
- 9.5 Except in the case of business required by or under the 1996 Order or any other statutory provision to be transacted and other business brought before the meeting as a matter of urgency in accordance with the Authority's Standing Orders, no business shall be transacted at a meeting of the Authority other than that specified in the summons relating thereto.

10 MINUTES

Local Government Act 1972 Sch 12 paras 41(1) (3) (4) & 44(2)

- 10.1 Not less than three days prior to every meeting of the Authority a printed copy of the draft minutes of the previous meeting shall be sent to every Member.
- 10.2 Provided that Standing Order 10.1 has been complied with, the draft minutes shall be taken as read and the ~~Chairman~~Chair shall immediately put the question 'May the minutes of the meeting held on the X day of Y be approved as a correct record?'
- 10.3 There shall be no discussion upon the draft minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been resolved, the ~~Chairman~~Chair shall sign the minutes.
- 10.4 The Chief Executive (National Park Officer) shall make arrangements for a signed copy of the approved ~~m~~Minutes of every meeting of the Authority and every committee and sub-committee of the Authority to be kept securely and any minute purporting to be so signed shall be received in evidence without further proof.
- 10.5 The provisions contained in this Standing Order shall also apply in relation to meetings of all committees and sub-committees.
- 10.6 A copy of the minutes of the proceedings at each meeting of the Authority shall be published upon the Authority's website and made available for public inspection within 10 working days of the date of the meeting at which those minutes are approved.

11 URGENT MATTERS

Issued ~~1 July 2016~~ December 2020

- 11.1 The decision-making powers, discretions and duties vested in the Authority are deemed to rest with the Authority acting as a statutory body corporate, except where they have been expressly delegated under the scheme of delegation to a properly constituted committee or sub-committee of the Authority or a Joint Committee or an Officer of the Authority.
- 11.2 The Authority recognises that exceptional circumstances may occasionally arise under which it is essential and in the best interests of the Authority for urgent action to be authorised and taken on its behalf, when such action does not fall within the scope of the scheme of delegation.
- 11.3 In such circumstances, the Chief Executive (National Park Officer) shall be empowered to act on the Authority's behalf, provided always that all such action shall be in accordance with policy and in the best interests of the Authority and shall only be taken after (a) having consulted with the ~~Chairman~~Chair; and (b) having received and considered such legal and specialist advice as may be required to make a reasonable decision.
- 11.4 In the event that urgent action pursuant to Standing Order 11.3 appears to be necessary, but the ~~Chairman~~Chair cannot be contacted despite diligent efforts or is unable to act, the ~~Chairman~~Chair's responsibilities under Standing Order 11.3 shall be discharged by the Deputy ~~Chairman~~Chair. If both shall be unavailable or unable to act, the matter shall not be dealt with except by a properly constituted extraordinary meeting of the full Authority.
- 11.5 In the event that urgent action pursuant to Standing Order 11.3 appears to be necessary, but the Chief Executive is unavailable or unable to act, the Chief Executive's responsibilities under Standing Order 11.3 may be discharged by any ~~Director of the Authority~~ member of the Authority's Leadership Team.
- 11.6 Any "urgent action" taken in accordance with Standing Order 11.3 shall be reported in writing to every Member of the Authority as soon as possible and in any event within 3 working days and shall also be reported to the next meeting of the Authority.

12 MEETINGS TO BE OPEN TO THE PRESS AND PUBLIC

- 12.1 Every meeting of the Authority or any Committee or Sub-committee shall be open to the press and public except in the following circumstances:
- (a) the press and public **SHALL** be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information as defined in s100A(3) of the 1972 Act would be disclosed to them in breach of the obligation of confidence;
 - (b) the press and public **MAY** by resolution under s100A(4) of the 1972 Act be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present

during that item there would be disclosure to them of exempt information, as defined in s100 I of the 1972 Act.

- (c) If any question arises at a meeting of the Authority or any Committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of any Officer, or where persons are being considered for an appointment with the Authority, a motion under Section 100A(4) of the 1972 Act to exclude the public shall be moved forthwith by the **ChairmanChair** and put without debate.

12.2 A resolution under Standing Order 12.1(b) shall identify the proceedings, or the part of the proceedings, to which it applies, and state the description, in terms of Schedule 12A to the 1972 Act, of the exempt information giving use to the exclusion of the press and public.

12.3 Unless the **ChairmanChair** shall direct otherwise, the business the subject of any resolution under Standing Order 12.1 shall, upon the passing of that resolution, forthwith stand adjourned until the conclusion of all other business at the meeting, whereupon the **ChairmanChair** shall invite the press and public to leave the meeting so that the adjourned business shall be considered.

12.4 Unless the **ChairmanChair** shall direct otherwise, upon the conclusion of any item of business taken following a resolution under Standing Order 12.1, Members shall forthwith return to the Chief Executive or his nominee all reports, documents and papers relating to that item, for secure disposal as confidential waste.

13 CONFIDENTIALITY

A Member or Officer of the Authority shall not:

- (a) disclose any information or matter which has been reported to or debated by the Authority or any Committee or Sub-committee and which is confidential information within the meaning of s100A of the 1972 Act; or
- (b) without the express permission of the Authority, disclose any information or matter which is identified as exempt information following a resolution pursuant to s100A of the 1972 Act to exclude the public from the meeting.

14 VOTING

Local Government Act 1972 Sch 12 para 44

14.1 Subject to Standing Order 6.2 every question shall be determined by a show of hands, unless otherwise decided by a majority of the meeting.

14.2 Pursuant to Schedule 12 of the 1972 Act, all questions coming or arising before a meeting of the Authority shall be decided by a majority of the Members of the Authority present and voting at that meeting.

- 14.3 On the ChairmanChair putting a motion to the vote, no further discussion on it shall take place. The question having been put by the ChairmanChair and voting having commenced no Member shall speak, nor any questions be asked.
- 14.4 Where an equality of votes on any matter arising throughout the course of any meeting occurs, the person presiding at that meeting in accordance with these Standing Orders shall have a second or casting vote.
- 14.5 If immediately after a vote is taken any Member so requests, a record shall be kept in the Minutes of that meeting whether that Member cast his/her vote for the question, against the question or abstained from voting.

15 MOTIONS

15.1 Notice of Motion

Notice of every motion (other than those which under Standing Order 16.1 may be moved without notice) shall be given in writing and signed by the Member or Members giving the notice and delivered so as to be received at least seven working days before the date of the next meeting of the Authority to the Chief Executive (National Park Officer). Upon receipt it shall be dated and numbered in the order in which it is received.

15.2 Motions to be Set out in Summons

The Chief Executive (National Park Officer) shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the Member when giving such notice intimated in writing that they propose to move it at some later meeting, or has since withdrawn it in writing.

15.3 Motion Not Moved

If a motion which is set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his/her behalf it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.

15.4 Scope of Motion

Every motion shall be relevant to some matter in relation to which the Authority has power or duties or which affects the Dartmoor National Park.

15.5 Form of Motion

If it shall appear to the Chief Executive (National Park Officer) that a motion of which notice has been received pursuant to Standing Order 15.1 is not in order or is framed in improper or unbecoming language or otherwise fails to comply with the provisions of these Standing Orders, the direction of the ChairmanChair shall be sought as to whether and in what form the motion shall be placed upon the Summons and Agenda, and the decision of the ChairmanChair, after consultation with the Member giving the notice if possible, shall be final.

16 MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE

- 16.1 The following motions and amendments need not be in writing and may be moved without notice:
- (a) Appointment of the **ChairmanChair** of the meeting at which the motion is made;
 - (b) Motions relating to the accuracy of the minutes;
 - (c) To vary the order of business;
 - (d) For leave to be given to withdraw a motion;
 - (e) To amend a motion;
 - (f) To refer the motion to a committee or sub-committee;
 - (g) Receipt of reports or adoption of recommendations of committees or Officers and any consequent resolutions;
 - (h) "that the question be now put";
 - (i) "that the Authority (or committee) proceeds to the next item of business";
 - (j) "that the debate be now adjourned";
 - (k) "that the Authority (or committee) do now adjourn";
 - (l) To exclude the public in accordance with Standing Order 19;
 - (m) "that the Member be not further heard" (Standing Order 19);
 - (n) "that the Member leave the meeting" (Standing Order 19);
 - (o) To give the consent of the Authority where the consent of the Authority is required by these Standing Orders;
 - (p) Appointment of a committee or Member thereof occasioned by an item mentioned in the summons to the meeting.

17 DEBATE

- 17.1 All discussion and debate in a meeting of the Authority or any committee and sub-committee shall be conducted in accordance with the Rules of Debate set out in these Standing Orders.
- 17.2 For the purpose of conducting the business of meetings in an informal and amicable manner, it shall always be open to the **ChairmanChair** to allow debate which does not comply with the formalities of Standing Order 18.
- 17.3 The **ChairmanChair** may at any time determine to call upon the meeting to bring its procedures into full and strict conformity with these Standing Orders and the decision as to the necessity for and/or timing of any such determination shall be final and not subject to debate or challenge, and for the avoidance of doubt the provisions of Standing Order 18.14 and 29 shall not apply to this Standing Order.

18 RULES OF DEBATE

18.1 Discussion of a Motion or Amendment

A motion or amendment shall not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 15, the **ChairmanChair** may require the matter to be put into

writing and handed to the ChairmanChair before it is further discussed or put to the meeting.

18.2 Secunder's Speech

When seconding a motion or amendment, a Member may reserve his/her right to speak until later in the debate by declaring his/her intention to do so.

18.3 Speaking in Debate

A Member when speaking shall address the ChairmanChair. If two or more Members indicate a wish to speak, the ChairmanChair shall call one to speak; the other or others shall then await their opportunity to speak. While a Member is speaking the other Members shall refrain from speaking unless raising a point of order.

18.4 Content and Length of Speeches

A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. A Member shall not be entitled to read a prepared speech, but may refresh his/her memory by reference to notes. No speech may exceed five minutes except with the consent of the ChairmanChair.

18.5 Speaking More Than Once

A Member who has spoken on any motion shall not speak again while it is the subject of debate, except:

- (a) once on an amendment moved by another Member;
- (b) if the motion has been amended since he/she last spoke, to move a further amendment;
- (c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
- (d) in exercise of a right of reply;
- (e) on a point of order or by way of personal explanation.

18.6 Amendments to Motions

An amendment shall be relevant to the motion and shall be either:

- (a) to leave out words; or
- (b) to insert or add words; or
- (c) to leave out words and insert or add others;

But such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority, or introducing a substantially new proposal.

18.7 Discussion of Amendments

Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of, but notice of further amendments may be given.

The ChairmanChair may permit two or more amendments to be discussed together (but not voted on together) if he/she is of the opinion that this course would facilitate the proper conduct of Authority business.

18.8 **Further Amendments**

If an amendment is not carried, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

The mover and seconder of a motion or an amendment not carried by the Authority shall not be entitled to move any further amendment to the same or similar effect at that meeting on the question under discussion.

18.9 **Withdrawal of Motion or Amendment**

A motion or amendment may be withdrawn by the mover with the consent of the seconder and of the Authority, which shall be signified without discussion, and no Member may speak upon the amendment after the mover has asked permission for its withdrawal, unless such permission has been refused.

18.10 **Right of Reply**

The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. The reply shall be strictly confined to answering previous speakers and shall not introduce any new matters into the debate. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment but shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on that amendment.

18.11 **Motions Which May be Moved During Debate**

When a motion is under debate no other motion shall be moved except the following:

- (a) to amend the motion;
- (b) that the question be now put;
- (c) to adjourn the debate;
- (d) to proceed to the next item of business;
- (e) to adjourn the meeting;
- (f) a motion under Standing Order 19 to exclude the public;
- (g) that the Member be not further heard (Standing Order 19);
- (h) that the Member leave the meeting (Standing Order 19).

18.12 **Closure Motions**

A Member may move without comment at the conclusion of a speech of another Member: "That the Authority proceed to the next item of business", "That the question be now put", "That the debate be now adjourned" or "That the Authority do now adjourn", on the seconding of which the procedure shall be as follows:

- (a) on a motion to proceed to the next item of business, unless in the **Chairman/Chair**'s opinion the matter before the meeting has been insufficiently discussed, the **Chairman/Chair** shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;

- (b) on a motion that the question be now put, unless in the **ChairmanChair**'s opinion the matter before the meeting has been insufficiently discussed, the **ChairmanChair** shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion their right of reply before putting the motion to the vote;
- (c) on a motion to adjourn the debate or the meeting, if in the **ChairmanChair**'s opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion the **ChairmanChair** shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion.

18.13 **Points of Order**

A Member may raise a point of order or a matter of personal explanation and shall be entitled to be heard forthwith.

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken.

A personal explanation shall be confined to some material part of a former speech by him/her which appears to have been misunderstood in the present debate.

The ruling of the **ChairmanChair** on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

18.14 **Respect for the ChairmanChair**

Whenever the **ChairmanChair** speaks during a debate, any Member then speaking shall immediately stop and the Authority shall be silent. The decision of the **ChairmanChair** on all points of procedure, order and interpretation of the Rules of Debate shall be final and no debate shall be permitted thereon **Provided Always** that the **ChairmanChair**'s ruling on a particular issue or matter may be challenged by motion, which motion shall upon being duly seconded, be put without debate.

19 **PREVENTION OF DISORDER**

- 19.1 If during any meeting of the Authority the **ChairmanChair** forms the opinion that a Member has engaged or is engaging in misconduct by persistently disregarding the ruling of the **ChairmanChair**, or by behaving irregularly, improperly or offensively, or by willfully interrupting or obstructing the business of the Authority, the **ChairmanChair** shall inform the meeting of that opinion and may take any of the following actions, either in sequence or separately:
- (a) formally warn the Member regarding his/her conduct;
 - (b) direct that the Member refrain from speaking during all or part of the debate or meeting;

- (c) direct that the Member withdraw from all or part of the remainder of the debate or meeting;
- (d) move "That the Member named be not further heard" (the motion being put and determined without seconding or debate)
- (e) move "That the Member named do leave the meeting" (the motion being put and determined without seconding or debate)
- (f) adjourn the meeting of the Authority for such period as in the opinion of the ChairmanChair is expedient

19.2 In the event that an officer or member of the public wilfully interrupts the proceedings at any meeting or behaves irregularly, improperly or offensively, the ChairmanChair shall warn him/her. If the misconduct continues or is repeated the ChairmanChair shall order that person to leave the room for the remainder of the meeting. If the person refuses or fails to leave the room, or having left the room returns, the ChairmanChair may order his/her removal from the room.

19.3 In case of a general disturbance in any part of the room open to the public, the ChairmanChair may order that part to be cleared for all or part of the remainder of the meeting. In the event of a general disturbance which, in the opinion of the ChairmanChair renders the due and orderly dispatch of business impossible, in addition to any other power vested in him the ChairmanChair may, without the question being put, adjourn the meeting of the Authority for such period and to such place as the ChairmanChair shall consider expedient.

20 REVERSAL OF PREVIOUS RESOLUTION

No motion to rescind or reverse any substantive resolution passed by the Authority within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless the notice thereof given in pursuance of Standing Order 15 bears the names of at least six Members. When any such motion or amendment has been disposed of by the Authority, it shall not be open to any Member to propose a similar motion within a further period of six months. This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee.

21 QUESTIONS BY MEMBERS

21.1 Authority Business

A Member may ask any question upon the business before the Authority, if the question is put before the Authority's consideration of such business is concluded.

21.2 Notice of Questions and Replies Thereto

A Member may:

- (a) ask any question relating to the business of the Authority provided written notice is received at the office of the Chief Executive (National Park Officer) at least seven working days before the meeting;

- (b) with the permission of the ~~Chairman~~Chair, put any question relating to urgent business, but a written copy of such question shall be delivered to the Chief Executive (National Park Officer) not later than 3.00pm on the day before the meeting.

Provided that:

- (a) where the desired information is contained in any publication of the Authority it shall be deemed a sufficient reply if the publication containing the information is indicated;
- (b) if a reply to any question cannot conveniently be given orally it will be deemed a sufficient reply if the answer is circulated to Members with the minutes of the meeting at which the question has been asked;
- (c) every question shall be put and answered without discussion and no provision shall be made for asking supplementary questions;
- (d) any person to whom a question is put may decline to answer.

22 PUBLIC PARTICIPATION

- 22.1 The Agenda for every meeting of the Authority and its committees and sub-committees shall include an item making provision for participation by the public, through questions and/or statements, in accordance with Appendix 8. This item shall usually appear on the Agenda pursuant to Standing Order 9.1(I).
- 22.2 At meetings of the Authority's Development Management Committee, public participation in relation to an application or matter before the committee shall usually be taken at the time that item is called for debate.
- 22.3 Appendix 8 to these Standing Orders shall further regulate public participation at meetings of the Authority and its committees and sub-committees.

23 WHEN STANDING ORDERS MAY BE SUSPENDED, REVOKED OR ALTERED

Local Government Act 1972 ss16(1) 106 & Sch 12 para 43

- 23.1 These Standing Orders shall only be capable of variation, amendment, revocation, replacement or other alteration by the Authority at a meeting of the full Authority and upon notice of motion specifying the alteration proposed to be made.
- 23.2 Excepting always those matters specified in Standing Order 23.3 below, Standing Orders or any part of them may, upon motion and without notice, be suspended at any meeting of the Authority as regards any agenda item or items at such meeting specified in that motion, provided that at least one half of the Members of the Authority are present.
- 23.3 For the avoidance of doubt, it is hereby declared that the following Standing Orders are not capable of suspension and further that no motion to suspend Standing Orders shall be moved in relation to them or their provisions:

- (a) Membership of the Authority *(Standing Order 1)*
- (b) Quorum *(Standing Order 4)*
- (c) Attendance at meeting *(Standing Order 5)*
- (d) Conduct of meetings *(Standing Order 7)*
- (e) Members Interests *(Standing Order 8)*
- (f) Urgent matters *(Standing Order 11)*
- (g) Meetings to be open to the public *(Standing Order 12)*
- (h) Confidentiality *(Standing Order 13)*
- (i) Voting *(Standing Order 14)*
- (j) Prevention of disorder *(Standing Order 19)*
- (k) Suspension & alteration of Standing Orders *(Standing Order 23)*

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24 INSPECTION OF DOCUMENTS

24.1 All reports made or minutes kept by the Authority shall be open for inspection by any Member at any reasonable time. Further, a Member may for the purposes of his/her duties as a Member, but not otherwise, inspect any document, report, file or background information which is in the possession of or under the control of the Authority (including documents and information held in electronic formats) that contains material relating to any business to be transacted at a meeting of the Authority or of any committee or sub-committee of the Authority, and shall be provided with a copy of such document, report or information on request.

PROVIDED ALWAYS that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she or his/her spouse is professionally interested or in which he/she has directly or indirectly any personal or prejudicial interest within the meaning of Part 2 of the 2001 Order and that this Standing Order shall not require the ~~Solicitor~~ Legal Adviser to the Authority to allow inspection of any document which is, or in the event of legal proceedings would be, protected by legal professional privilege.

24.2 A Member who wishes to inspect any other document or information, not falling within paragraph 24.1, should make a written request to the Chief Executive (National Park Officer) specifying the documents or information.

24.3 Unless the Chief Executive (National Park Officer), after consultation with the ~~Chairman~~ Chair, believes that the request to inspect the document or information is unreasonable or improper or that the Member appears to have a personal or prejudicial interest in respect of any matter contained or referred to in the document or information, the document and information requested shall be produced for the Member's inspection.

24.4 If the Member's request under paragraph 24.2 appears to raise any legal issues affecting the Authority, the Monitoring Officer and the Authority's ~~Solicitor~~ Legal Adviser shall be consulted before any decision is made.

24.5 If the matter is not resolved to the satisfaction of the Member making the request, it shall be referred to the next full meeting of the Authority.

25 AUTHENTICATION OF DOCUMENTS

Where any document will be a necessary step in legal proceedings or shall be a legal agreement, contract, notice, or order under hand on behalf of the Authority it shall (unless any other enactment requires or authorises or the necessary delegated authority shall have been given to some other person) be signed by the Chief Executive (National Park Officer) or in his/her absence by an Authorised Officer of the Authority.

26 THE AUTHORITY'S SEAL

26.1 Custody of Seal

The Common Seal of the Authority shall be kept in the custody of the ~~Solicitor to the Authority~~ Monitoring Officer who will arrange it's safe keeping.

26.2 Sealing of Documents

The Common Seal of the Authority shall not be affixed to any document unless the matter has been authorised by a resolution of the Authority, committee or sub-committee or by an Officer to whom the Authority have delegated their powers in this behalf.

26.3 Attestation of Sealing

The Seal shall be attested by the Chief Executive (National Park Officer) or an Authorised Officer of the Authority and an entry of every sealing of a document shall be made and consecutively numbered in a sealing register. ~~kept by the Solicitor to the Authority.~~

27 FINANCIAL REGULATIONS

The Authority and its committees, sub-committees, working panels & other groups and every Member and Officer shall at all times act in accordance with and behave in conformity with all financial regulations as may be made by the Authority.

28 APPOINTMENT OF CHIEF OFFICER

Environment Act 1995 Schedule 7 para 14; Local Authorities (Standing Orders) Regulations 1993 Schedule 1

28.1 Pursuant to Schedule 7 of the 1995 Act, the Authority shall ensure that there is at all times a person appointed as Chief Executive (National Park Officer) with responsibility for the execution, maintenance and co-ordination of the Authority's duties, functions and responsibilities.

28.2 Appendix 4 to these Standing Orders shall govern the appointment of the Chief Executive (National Park Officer) and any matter concerning the investigation and/or discipline of the Chief Executive (National Park Officer).

29 INTERPRETATION OF STANDING ORDERS

The decision of the ~~Chairman~~Chair on all points of procedure, order and interpretation of these Standing Orders shall be final and no debate shall be permitted thereon **PROVIDED ALWAYS** that the ~~Chairman~~Chair's ruling on a particular point of procedure, order or interpretation of these Standing Orders may be reversed by motion without notice, which motion being duly seconded shall be put without debate.



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- 9 Guidance on Voting Procedures (Development ManagementControl)
- 10 Rules on Elections

Appendix 1

Provisions Regulating Membership of the Authority

- 1 Membership of the Authority shall be governed by the 1995 Act and the 1996 Order (as amended), and in particular Schedule 1 to the 1996 Order (as inserted by the 2006 Order).
- 2 A Member may at any time resign his membership of the Authority by notice in writing delivered to the Chief Executive (National Park Officer) and his resignation shall take effect on the receipt of the notice by that Officer.
- 3 Where a vacancy arises in the membership of the Authority, it shall be filled as soon as is practicable:
 - (a) where the vacancy is for a local authority Member, by the council in whose representation the vacancy arises; and
 - (b) where the vacancy is for a Member whose appointment falls to be made by the Secretary of State in accordance with Paragraph 4 of Schedule 7 to the 1995 Act, by the Secretary of State after consultation with Natural England or its successor body
- 4 As soon as is practicable after receiving a notice under paragraph 2 above, the Authority shall give public notice of:
 - (a) the resignation, termination or vacancy, and
 - (b) the name of the person concerned.

Appendix 2

Provisions Relating to Committees of the Authority

1 Membership & Function

- 1.1 At the Annual Meeting of the Authority, the Authority shall resolve and appoint:
 - a) the membership or method of appointment for each committee
 - b) the terms of reference of each of those committees
 - c) whether non-voting members, assessors and advisers may also be appointed to any such committee
 - d) the limitations, if any, to be placed on the powers of any such committee to arrange for the discharge of its functions by a sub committee
- 1.2 The Authority shall appoint, from among the Members, a Member to preside at the meetings of each committee (*the ~~chairman~~Chair*).
- 1.3 The committee may appoint from its members a Member to preside in the absence of the ~~chairman~~Chair (*the deputy ~~chairman~~Chair*).
- 1.4 The ~~Chairman~~Chair and Deputy ~~Chairman~~Chair of the Authority shall be ex officio members of every committee (excepting always the Standards sub-committee) unless they decline to serve on any particular committee.
- 1.5 It is hereby declared and affirmed that a committee may, subject always to any resolution of the Authority under Standing Order 3 and the mandatory requirements of Section 104 of the 1972 Act (Disqualifications), include co-opted persons who are not Members.
- 1.6 In determining the membership and composition of any committee, due regard shall be had to the number of elected and appointed Members established by Regulation 4 and Schedule 1 to the 1996 Order (as amended).

2 Proceedings

- 2.1 Except where required by statute or expressly authorised by the Authority, no business shall be transacted at any meeting of a committee unless a Quorum of Members is present in accordance with Standing Order 4.
- 2.2 All discussion and debate in any committee shall be conducted in accordance with the Rules of Debate set out in Standing Order 18.
- 2.3 For the purpose of conducting the business of meetings in an informal and amicable manner, it shall always be open to the ~~Chairman~~Chair to allow debate which does not comply with the formalities of Standing Order 18.

2.4 Standing Order 6 shall govern voting and decision-making in any meeting of a committee.

3 Meetings

- 3.1 Standing Order 3.2 shall govern the number, date and time of meetings of every committee.
- 3.2 The Chief Executive (National Park Officer) shall issue the summons for any meeting not less than 5 clear days before the meeting to which it relates, and shall forward it by email or ordinary prepaid post.
- 3.3 A Member shall have the right to attend any meeting of a committee of which he/she is not a member and may receive the relevant papers thereof, however he/she shall not be entitled to speak at that meeting except with the consent of the ~~Chairman~~Chair, neither shall he/she have any right to vote and he/she shall leave the meeting if requested to do so.
- 3.4 Any Member who wishes to place a matter appropriate to its remit on the agenda of any committee may do so by giving written notice to the Chief Executive (National Park Officer) at least seven working days before the next ordinary meeting of the committee concerned.

Provisions Relating to Working Panels and Other Groups

4 Membership & Function

- 4.1 At the Annual Meeting of the Authority, the Authority shall resolve and appoint:
- a) the membership or method of appointment for any working panel or other group
 - b) the terms of reference of each of those working panels or other groups
- 4.2 The Authority shall appoint, from among the Members, a Member to preside at the meetings of each working panel or other group (~~the chairman~~Chair).
- 4.3 The working panel or other group may appoint from its members a Member to preside in the absence of the ~~chairman~~Chair (~~the deputy chairman~~Chair).
- 4.4 The ~~Chairman~~Chair and Deputy ~~Chairman~~Chair of the Authority shall be ex officio members of every working panel or other group unless they decline to serve on any particular working panel or other group.
- 4.5 It is hereby declared and affirmed that a working panel or other group may, subject always to any resolution of the Authority under Standing Order 3 and the mandatory requirements of Section 104 of the 1972 Act (Disqualifications), include co-opted persons who are not Members.

5 Proceedings

5.1 Except where required by statute or expressly authorised by the Authority, a working panel or other group shall have no decision-making function, nor shall it make resolutions or recommendations, vote on any matter, or otherwise transact any business. The role of a working panel or other group shall be:

- to consider the matter or matters referred to it by the Authority;
- to make such enquiries or investigations as are necessary to the proper consideration of the matter or matters;
- to arrange such consultations and discussions with interested parties as are desirable; and
- to communicate the views of its members to Officers of the Authority

6 Meetings

6.1 It shall be for the members of the working panel or other group to determine the number, date and time of meetings of the panel or group.

6.2 The Chief Executive (National Park Officer) shall issue a notice of meeting, not less than five days before the meeting to which it relates, and shall forward it by email or ordinary prepaid post.

6.3 A Member shall have the right to attend any meeting of a working panel or other group of which he/she is not a member and may receive the relevant notice and papers thereof.

6.4 Any Member who wishes to place a matter appropriate to its remit before a working panel or other group may do so by giving written notice to the Chief Executive (National Park Officer) at least ~~ten~~^{seven} working days before the next meeting of the working panel or other group concerned.

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 - (a) where the vacancy is for a local authority Member, by the council in whose representation the vacancy arises; and
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- 1.3 The committee may appoint from its members a Member to preside in the absence of the *ChairmanChair* (*the deputy ChairmanChair*).
- 1.4 The *ChairmanChair* and Deputy *ChairmanChair* of the Authority shall be ex officio members of every committee (excepting always the Standards sub-committee) unless they decline to serve on any particular committee.
- 1.5 It is hereby declared and affirmed that a committee may, subject always to any resolution of the Authority under Standing Order 3 and the mandatory requirements of Section 104 of the 1972 Act (Disqualifications), include co-opted persons who are not Members.
- 1.6 In determining the membership and composition of any committee, due regard shall be had to the number of elected and appointed Members established by Regulation 4 and Schedule 1 to the 1996 Order (as amended).

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- 2.1 Except where required by statute or expressly authorised by the Authority, no business shall be transacted at any meeting of a committee unless a Quorum of Members is present in accordance with Standing Order 4.
- 2.2 All discussion and debate in any committee shall be conducted in accordance with the Rules of Debate set out in Standing Order 18.
- 2.3 For the purpose of conducting the business of meetings in an informal and amicable manner, it shall always be open to the *ChairmanChair* to allow debate which does not comply with the formalities of Standing Order 18.
- 2.4 Standing Order 6 shall govern voting and decision-making in any meeting of a committee.

3 Meetings

- 3.1 Standing Order 3.2 shall govern the number, date and time of meetings of every committee.
- 3.2 The Chief Executive (National Park Officer) shall issue the summons for any meeting not less than 5 clear days before the meeting to which it relates, and shall forward it by email or ordinary prepaid post.
- 3.3 A Member shall have the right to attend any meeting of a committee of which he/she is not a member and may receive the relevant papers thereof, however he/she shall not be entitled to speak at that meeting except with the consent of the ~~Chairman~~Chair, neither shall he/she have any right to vote and he/she shall leave the meeting if requested to do so.
- 3.4 Any Member who wishes to place a matter appropriate to its remit on the agenda of any committee may do so by giving written notice to the Chief Executive (National Park Officer) at least seven working days before the next ordinary meeting of the committee concerned.

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4 Membership & Function

- 4.1 At the Annual Meeting of the Authority, the Authority shall resolve and appoint:
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- 4.2 The Authority shall appoint, from among the Members, a Member to preside at the meetings of each working panel or other group (~~the chairman~~Chair).
- 4.3 The working panel or other group may appoint from its members a Member to preside in the absence of the ~~chairman~~Chair (~~the deputy chairman~~Chair).
- 4.4 The ~~Chairman~~Chair and Deputy ~~Chairman~~Chair of the Authority shall be ex officio members of every working panel or other group unless they decline to serve on any particular working panel or other group.
- 4.5 It is hereby declared and affirmed that a working panel or other group may, subject always to any resolution of the Authority under Standing Order 3 and the mandatory requirements of Section 104 of the 1972 Act (Disqualifications), include co-opted persons who are not Members.

5 Proceedings

- 5.1 Except where required by statute or expressly authorised by the Authority, a working panel or other group shall have no decision-making function, nor shall it

make resolutions or recommendations, vote on any matter, or otherwise transact any business. The role of a working panel or other group shall be:

- to consider the matter or matters referred to it by the Authority;
- to make such enquiries or investigations as are necessary to the proper consideration of the matter or matters;
- to arrange such consultations and discussions with interested parties as are desirable; and
- to communicate the views of its members to Officers of the Authority

6 Meetings

6.1 It shall be for the members of the working panel or other group to determine the number, date and time of meetings of the panel or group.

6.2 The Chief Executive (National Park Officer) shall issue a notice of meeting, not less than five days before the meeting to which it relates, and shall forward it by email or ordinary prepaid post.

6.3 A Member shall have the right to attend any meeting of a working panel or other group of which he/she is not a member and may receive the relevant notice and papers thereof.

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Commented [NW1]: Changed to match 3.4

Terms of Reference for Committees of the Authority

1 Audit & Governance Committee

The general functions of the Audit & Governance Committee are:

- (a) to exercise such powers and decision-making duties as may be delegated to the committee by the Authority;
- (b) to scrutinise the activity of the Authority with particular reference to audit, governance, risk management, performance management and use of resources (including financial and human);
- (c) to maintain a sub-committee to deal with Standards issues;
- (d) to provide assurance to and make recommendations to the Authority, its committees and sub-committees as appropriate;
- (e) to report its findings and confirm the level of assurance that has received [In-year] to the whole Authority (via committee minutes, reviewed at Authority meetings, or other reports as determined);
- (f) to consider any relevant issue referred to it by the Chief Executive, Chief Finance Officer, Monitoring Officer, Head of Internal Audit or External Audit.

Without prejudice to its general functions, the Audit & Governance Committee shall have the following specific functions:

A Audit

- to support the provision, management and performance of the internal and external audit functions;
- to approve the appointment of Internal and External Auditors, to the extent permitted by law;
- to receive and consider the External Auditor's annual Audit (work) Plan and fee;
- to receive and consider the Internal Auditor's Audit (work) Plan and fee;
- to receive and consider letters, reports, audit findings and action plans received from the Internal and the External Auditors, monitoring progress on agreed recommendations and making requests for further audit work or investigation if required.

B Performance and Risk

- to monitor and review the performance of the Authority with particular regard to the Business Plan, Budget Management, Treasury Management, Key Performance Indicators, other Strategic Plans and any other agreed service standards and targets;
- to receive and approve the Financial Outturn Report (making recommendations to the Authority if required)

- to approve a [Best Value] Service / Special Projects Review Programme as required and receive reports and monitor progress against action plans;
- to receive and consider other assurance reports and improvement action plans, such as: the annual report on the complaints procedure, reports on customer survey/satisfaction, peer reviews, self-assessments, Health & Safety etc. and monitor progress against them
- to consider the effective development and operation of the Risk Management Policy and procedures; obtaining assurance that risk management processes are working effectively
- to receive and consider the Strategic Risk Register and associated reports; obtaining assurance that key strategic risks are being effectively managed and addressed.

C Governance

- to maintain an overview of the Authority's corporate governance arrangements, including regular reviews of the Authority's Local Code of Corporate Governance and the Annual Governance Statement;
- to maintain an overview of financial regulations, procurement policy & procedures, Standing Orders, Scheme of Delegation, working protocols and codes of conduct and behaviour - not otherwise reserved for the Standards sub-committee;
- to keep under review and monitor the effectiveness of the systems of internal control;
- to keep under review and monitor the Anti-fraud & Corruption and Confidential Reporting (Whistleblowing) Policies; and receive and consider any investigation reports referred to it;
- to consider the effectiveness of the Authority's Information Governance arrangements (General Data Protection Regulations/Freedom Of Information/Environmental Information Regulations); and seek assurance that action is taken relating to any breaches or issues of non-compliance;
- to consider any issue of Authority non-compliance with its own and other relevant published regulations, waivers and exemptions of these regulations;
- to consider and make recommendations to the Authority regarding legislation, policies and procedures which guide the Authority in the discharge of its powers and duties;
- to form a panel to hear appeals from staff pursuant to various HR policies, as required.

D Standards

- to promote and maintain high standards of conduct by Members and officers;
- to promote a zero tolerance to fraud and corruption within and against the Authority;
- to advise the Authority on the adoption of a Code of Conduct pursuant to s.27(2) of the Localism Act 2011;
- to assist Members to observe the Code of Conduct;
- to consider and determine complaints against Members under the Code of Conduct.

2 Development Management Committee

The general functions of the Development Management Committee are to exercise the Authority's development management functions as follows:

- (1) as a planning authority and mineral planning authority for Dartmoor National Park under Parts III, VII, VIII, X, XI and XV of the Town and Country Planning Act 1990 as amended or revoked and re-enacted, and any Statutory Instrument or Regulations made thereunder;
- (2) as the relevant authority under Parts I, II and III of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended or revoked and re-enacted, and any Statutory Instrument or Regulations made thereunder;
- (3) as the relevant authority for the purposes of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 as amended or revoked and re-enacted and all related matters;
- (4) as local planning authority in relation to the issue of certificates of appropriate alternative development under the Land Compensation Act 1961 as amended or revoked and re-enacted, and
- (5) as hazardous substances authority under the Planning (Hazardous Substances) Act 1990 and Planning (Hazardous Substances) Regulations 1992, as amended by the Planning (Control of Major Accidents Hazards) Regulations 1999 or revoked and re-enacted.

Without prejudice to its general functions, the Development Management Committee shall have the responsibility, in accordance with the policies and any directions of the Authority, to exercise the following powers and duties of the Authority:

- (a) to determine planning applications;
- (b) to authorise enforcement action, including legal action, or determine that it is not expedient to take action upon any breach of planning control;
- (c) to give or refuse consent for alterations to listed buildings and works in conservation areas;
- (d) to regulate advertisements;

- (e) to make site inspection visits;
- (f) to respond to consultations from neighbouring local authorities.

TERMS OF REFERENCE FOR WORKING PANELS & OTHER GROUPS

1 ~~Chairman~~Chair's Advisory Group (CAG)

Membership

As determined by the Authority at its Annual Meeting, and usually:

- ~~Chairman~~Chair & Deputy ~~Chairman~~Chair of the Authority (ex officio)
- ~~Chairman~~Chair of the Development Management Committee
- ~~Chairman~~Chair of the Audit & Governance Committee
- ~~Chairman~~Chair of the Park Management Working Panel
- ~~Chairman~~Chair of the Planning & Sustainable Development Working Panel
- Chief Executive (National Park Officer)
- Other Officers or Members by invitation

Remit

- 1) to provide an informal forum for the exchange of information, discussion and debate on matters relating to the Authority
- 2) to facilitate greater member involvement on all matters relevant to the Authority
- 3) to provide an opportunity for early consideration of matters likely to come before future Authority meetings
- 4) to provide a forum for panels and committees to highlight or raise issues they believe require fuller debate

Terms of Reference

- 1) to consider and discuss matters relating to the Authority
- 2) to request the attendance of Officers to discuss matters as and when necessary.
- 3) to make such enquiries or investigations as are necessary to the proper consideration of the matter or matters
- 4) to arrange such consultations and discussions with interested parties as are appropriate in pursuance of the remit of the CAG; and
- 5) to communicate the views of its members to Officers of the Authority

Powers

Except where required by statute or expressly ~~authorized~~authorised by the Authority, the CAG shall have no decision making function, nor shall it make resolutions or recommendations, vote on any matter, or otherwise transact any business.

There shall be no power for the CAG to publish or state any view or opinion; make any recommendation; or commission any activity. However, this shall be entirely without prejudice to the right of any individual member of the CAG to raise any issue, canvass

any direction, express any view or opinion, put forward any recommendation, or promote any activity as a member of the Authority at a duly constituted meeting of the Authority or one of its committees.

2 Park Management Working Panel

Membership

As determined by the Authority at its Annual Meeting, and usually not less than six Members

Remit

- 1) to provide an informal forum to consider matters relevant to policy, priorities and performance in relation to the Authority's statutory conservation, and understanding and enjoyment purposes
- 2) to facilitate greater member focus and involvement on policy development, and the monitoring of delivery
- 3) to provide an opportunity for early consideration of matters likely to come before future Authority meetings
- 4) to provide a forum for Members to highlight or raise issues they believe require fuller debate

Terms of Reference

- 1) to consider and discuss matters relating to the Authority and in particular the statutory purposes of conserving and enhancing the natural beauty and promoting the understanding and enjoyment of the special qualities of the National Park
- 2) to request and receive reports and presentations from officers as appropriate
- 3) to monitor delivery of the National Park Management Plan in areas within the Panel's remit and contribute to an annual review of the Management Plan's priorities and objectives
- 4) to make such enquiries or investigations as are necessary to the proper consideration of matters within the remit of the Panel
- 5) to arrange such consultations and discussions with representatives of other stakeholder bodies as are appropriate within the remit of the Panel
- 6) to communicate the views of its members to Officers of the Authority
- 7) to arrange at least one field tour each year to review relevant land management, conservation, recreation, communication and education issues

Powers

Except where required by statute or expressly authorised by the Authority, the Panel shall have no decision making function, nor shall it make resolutions or recommendations, vote on any matter, or otherwise transact any business.

There shall be no power for the Panel to give instructions or directions; publish or state any view or opinion; make any recommendation; or commission any activity. However, this shall be entirely without prejudice to the right of any individual member of the Panel to raise any issue, canvass any direction, express any view or opinion, put forward any recommendation, or promote any activity as a member of the Authority at a duly constituted meeting of the Authority or one of its committees.

3 Planning & Sustainable Development Working Panel

Membership

As determined by the Authority at its Annual Meeting, and usually not less than six Members

Remit

- 1) to provide an informal forum to consider matters relevant to policy, priorities and performance in relation to the Authority's forward planning and development management functions and the statutory duty to seek to foster the socio-economic well-being of the local community insofar as this is compatible with the pursuit of National Park purposes
- 2) to facilitate greater member focus and involvement on policy development, and the content of the Development Plan and supplementary planning [guidance documents](#)
- 3) to provide an opportunity for early consideration of matters likely to come before future meetings of the Development Management Committee or full Authority
- 4) to provide a forum for Members to highlight or raise issues they believe require fuller debate

Terms of Reference

- 1) to consider and discuss matters relating to Development Management, development plan policy, the duty to promote sustainable development and the responsibility for forward planning, [community and economic development](#) ~~& community~~.
- 2) to request and receive reports and presentations from officers as appropriate
- 3) to monitor performance and delivery of the socio-economic components of the National Park Management Plan, the policies in the Development Plan and development management decisions
- 4) to make such enquiries or investigations as are necessary to the proper consideration of matters within the remit of the Panel
- 5) to arrange such consultations and discussions with representatives of other stakeholder bodies as are appropriate within the remit of the Panel
- 6) to communicate the views of its members to Officers of the Authority

- 7) to arrange at least one field tour each year, ~~in conjunction with officers and Members of Exmoor National Park Authority~~, to review recent planning decisions and consider planning policy and sustainable development issues.

Powers

Except where required by statute or expressly authorised by the Authority, the Panel shall have no decision making function, nor shall it make resolutions or recommendations, vote on any matter, or otherwise transact any business.

There shall be no power for the Panel to give instructions or directions; publish or state any view or opinion; make any recommendation; or commission any activity. However, this shall be entirely without prejudice to the right of any individual member of the Panel to raise any issue, canvass any direction, express any view or opinion, put forward any recommendation, or promote any activity as a member of the Authority at a duly constituted meeting of the Authority or one of its committees.

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The Chief Executive (National Park Officer)

1 Appointments

The Environment Act 1995 Schedule 7 para 14 & The Local Authorities (Standing Orders) Regulations 1993

- 1.1 Where the Authority proposes to appoint a Chief Executive (National Park Officer) and it is not proposed that the appointment should be made exclusively from among the existing Officers of the Authority, it shall:
- (a) draw up a statement specifying—
 - (i) the duties of the Chief Executive (National Park Officer), and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
 - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - (c) make arrangements for a copy of the statement mentioned in paragraph (a) above to be sent to any person on request.
- 1.2 Where a post has been advertised as provided in paragraph 1.1(b) above, the Authority (or an Appointment Committee or sub-committee of the Authority for that purpose) shall:
- (a) interview all qualified applicants for the post, or
 - (b) select a short list from amongst such qualified applicants and interview those included on the short list, or
 - (c) where no qualified person has applied or is able to be appointed, make further arrangements for re-advertisement in accordance with paragraph 1.1(b) above.
- 1.3 Every appointment of a Chief Executive (National Park Officer) shall be made by the Authority except that:
- (a) the steps taken under paragraph 1.1 or 1.2 above may be delegated by the Authority to an Appointments Committee or sub-committee of the Authority established for that purpose;
 - (b) the interview, selection and appointment of a Chief Executive (National Park Officer) may be delegated by the Authority to an Appointments Committee or sub-committee of the Authority established for that purpose, or a relevant Joint Committee.
- 1.4 Before making or adopting an appointment of a Chief Executive (National Park Officer) or assigning additional responsibilities to a person holding such an appointment, the Authority shall consult Natural England.

2 Disciplinary Action

- 2.1 No disciplinary action (within the meaning of Part II of the 1993 Regulations) in respect of the Chief Executive (National Park Officer) except action described in paragraph 2.2 below may be taken by the Authority, or by a committee, sub-committee, relevant Joint Committee or any other person acting on their behalf,

other than in accordance with a recommendation in a report made by a designated independent person under Regulation 3 of the 1993 Regulations.

- 2.2 The action mentioned in paragraph 2.1 above is suspension of the Chief Executive (National Park Officer) by the Authority, or in an urgent case by the ~~Chairman~~Chair or in his/her absence the Deputy ~~Chairman~~Chair acting on behalf of the Authority, for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

3 Investigation of Alleged Misconduct

- 3.1 Where it appears to the Authority that a complaint of misconduct involving the Chief Executive (National Park Officer) (*"the Chief Officer"*) requires to be investigated, the Authority shall appoint a person (*"the designated independent person"*), being such person as may be agreed between the Authority and the Chief Officer or, in default of such agreement, appointed by the Secretary of State.
- 3.2 The designated independent person—
- (a) may direct—
 - (i) that the Authority terminate any suspension of the Chief Officer, or
 - (ii) that any such suspension shall continue after the expiry of the period mentioned in Paragraph 2.2 above or the expiry of any period specified in any such previous direction, as the case may be, or
 - (iii) that the terms on which any such suspension has taken place shall be varied in accordance with the direction;
 - (iv) that no steps (whether by the Authority or any Committee, Subcommittee or Officer of theirs) towards disciplinary action or further disciplinary action against the Chief Officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made under sub-paragraph (d) below;
 - (b) may inspect any documents relating to the conduct of the Chief Officer which are in the possession of the Authority, or which the Authority has power to authorise him/her to inspect;
 - (c) may require any Officer of the Authority to answer questions concerning the conduct of the Chief Officer;
 - (d) shall make a report to the Authority—
 - (i) stating his/her opinion as to whether (and if so, the extent to which) the evidence he/she has obtained supports any allegation of misconduct against the Chief Officer, and
 - (ii) recommending any disciplinary action which appears to him/her to be appropriate for the Authority to take against the Chief Officer; and
 - (e) shall no later than the time at which he makes his report under sub-paragraph (d), send a copy of the report to the Chief Officer.

3.3 The Authority shall pay the remuneration of the designated independent person, and reimburse any costs and expenses incurred by him/her in or in connection with the discharge of his/her functions.

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Provisions Relating to Members Interests

1 General Obligations

All Members, including any person co-opted as a member of the Authority or one of its Committees, Sub-committees, working panels or other groups, shall at all times when conducting the business of the Authority, or conducting the business of the office to which the Member has been appointed or elected, or acting as a representative of the Authority, act in accordance with:

- (a) the Members Code of Conduct
- (b) the Protocol for Member/Officer Relations
- (c) the provisions relating to Members Interests

2 Registration of Interests

A Member or co-opted member shall within 28 days of his/her appointment register his/her disclosable pecuniary interests as required by law, together with those matters specified in paragraph 8.1 of the Members Code of Conduct (Registerable Interests) with the Authority's Monitoring Officer for inclusion in the official Register of Members' Interests

3 Canvassing for Appointments

- 3.1 Any candidate for employment by the Authority or for any appointment by or behalf of the Authority, who shall canvass any Member or Committee of the Authority in respect of his/her employment or appointment, whether directly or indirectly, or shall seek any reference or testimonial as to his/her ability, expertise or character in order to accompany or support his/her application for employment or appointment, shall be disqualified from that employment or appointment.
- 3.2 A Member of the Authority shall not solicit for any person any employment with the Authority or appointment by the Authority.
- 3.3 A Member shall not provide any reference or testimonial to a candidate's ability, expertise or character to accompany or support of any application for employment with the Authority or appointment by the Authority.

4 Relatives of Members or Officers

- 4.1 Every candidate for employment with the Authority or appointment by Authority shall when making his/her application be required to declare whether he/she knows himself/herself to be related to any Member or Officer of the Authority. Any person who knowingly or recklessly makes a false declaration shall be disqualified from that employment or appointment and if already employed or appointed shall be liable to be dismissed forthwith from that employment or appointment.
- 4.2 Every Member and Officer of the Authority shall disclose to the Chief Executive (National Park Officer) any relationship known to him/her to exist between

himself/herself and any person whom he/she knows or believes to be a candidate for employment with the Authority or appointment by Authority.

4.3 The effect of this Standing Order shall be included in any form of application.

4.4 For the purpose of this Standing Order, persons shall be deemed to be related to one another if their relationship is one of:

- a spouse or partner
- a father or mother
- a son or daughter
- a brother or sister
- a grandparent or grandchild
- an aunt, uncle, niece or nephew
- a step-son, step-daughter or child of the family
- the spouse or partner of any of the preceding persons

For the avoidance of any doubt, the term “partner” above shall refer to any two persons not married to one another but living together as a couple in one household.

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DARTMOOR NATIONAL PARK AUTHORITY

MEMBERS CODE OF CONDUCT

PART 1 GENERAL PROVISIONS

Introduction: Public Duty and Private Interests

- 1.1 This Members Code of Conduct (“this Code”) applies to you as a Member or a co-opted Member of Dartmoor National Park Authority (“the Authority”).
- 1.2 When acting in your capacity as a Member or co-opted Member of the Authority you should have regard to the Seven Principles of Public Life (also known as the Nolan Principles) namely, Selflessness, ~~Honesty~~ Integrity, Objectivity, Accountability, Openness, ~~Honesty, Personal judgment, Respect for others, Duty to uphold the law, Stewardship~~ and Leadership.
- 1.3 When acting in your capacity as a Member or co-opted Member of the Authority –
- (a) you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, a member of your family, a close associate or relevant person;
- (b) you must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;
- (c) you must make all choices when carrying out your public duties, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;
- (d) you are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office;
- (e) you must be as open as possible about your decisions and actions and the decisions and actions of the Authority and should be prepared to give reasons for those decisions and actions in accordance with any statutory requirements and

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any reasonable additional requirements imposed by the Authority or contained in its Standing Orders;

(f) you must declare any disclosable pecuniary interest or personal interest that relates to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out at Part 2 of this Code;

(g) you must, when using or authorising the use by others of the resources of the Authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and that any use is in accordance with the Authority's reasonable requirements;

(h) you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or any similar Communications Protocol or Code adopted by the Authority;

(i) you must promote and support, by leadership and example, high standards of conduct when serving in your public post, in particular as characterised by the above requirements.

- 1.4 Whilst you may be strongly influenced by the views of others, it is your responsibility alone to decide what view to take on any question which Members have to decide.
- 1.5 You should do nothing as a Member which you could not justify to the public.
- 1.6 The reputation of the Authority depends on your conduct and what the public believes about your conduct.
- 1.7 It is not enough to avoid actual impropriety, you should at all times avoid any occasion for suspicion or appearance of improper conduct.
- 1.8 It is your responsibility to comply with the provisions of this Code.

DEFINITIONS

2. In this Code –

“pecuniary interest” means the matters prescribed by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 made by the Secretary of State pursuant to section 30(3) of the Localism Act 2011, set out at paragraph 7.1 below

“personal interest” means where a decision in relation to any business of the Authority would be regarded by a reasonable person with knowledge of the relevant facts as affecting your well-being or financial position, or the well-being or financial position of a relevant person, to a greater extent than the majority of residents or inhabitants in the National Park

“registerable interest” means the matters specified at paragraph 8.1 below

“meeting” means any meeting:

- of the Authority
- of the Authority’s Committees, Sub-Committees, Joint Committees, Joint Sub-committees or Area committees
- of one or more Members (with or without officers) relating to the discharge of the Authority’s functions, where a formal record of meeting is taken by an officer

“member of your family” means:

- your partner (i.e. your spouse, civil partner, someone you live with in a similar capacity);
- your parent, parent-in-law, son, daughter, step-son, step-daughter, child of partner;
- your brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece

and the partners of any of these persons.

“relevant person” means:

- any member of your family;
- any of your close associates;
- any person or body with whom you, a member of your family, or a close associate has a financial interest or a contractual relationship, including by employment
- any body of which you are in a position of general control or management

“close associate” means someone with whom you are in close regular contact over a period of time who is more than an acquaintance. It may be a friend, a colleague, a business associate or someone you know through general social

contacts. It is someone a reasonable member of the public would think you might be prepared to favour/disadvantage.

“**the Register**” means the Authority’s Register of Members’ Interests

“**well-being**” means your general sense of contentment and quality of life

Scope

3. You must comply with this Code whenever you are acting in your official capacity, when:
 - (a) you are engaged on the business of the Authority; or
 - (b) you behave so as to give a reasonable person the impression that you are acting as a representative of the Authority.

General Obligations

4. You **must** –
 - (a) treat others with courtesy and respect,
 - (b) when reaching a decision on any matter, do so on the merits of the circumstances and in the public interest and have reasonable regard to any relevant advice provided to you by an officer of the Authority.
5. You **must not** –
 - (a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
 - (b) do anything which may cause the Authority to breach a statutory duty or any of the equality enactments (as defined in section 149 of the Equality Act 2010);
 - (c) bully any person (bullying may be characterised as any single act or pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse or misuse of power or authority which attempts to undermine or coerce or has the effect of undermining or coercing an individual or group of individuals by gradually eroding their confidence or capability which may cause them to suffer stress or fear);
 - (d) intimidate or attempt to intimidate any person who is or is likely to be –
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings

- in relation to an allegation that any Member has failed to comply with this Code; or
- (e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority;
 - (f) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is –
 - in the public interest; and
 - made in good faith; and
 - in compliance with the reasonable requirements of the Authority;
 - (g) prevent another person from gaining access to information to which that person is entitled by law;
 - (h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Authority into disrepute.

PART 2 INTERESTS

Registration of Interests

- 6.1 You must, within 28 days of—
- (a) this Code being adopted by the Authority; or
 - (b) your appointment as a Member or co-opted Member of the Authority
- whichever is later, provide written notification to the Authority's Monitoring Officer of:
- (i) any pecuniary interest; and
 - (ii) any registerable interest
- which will be recorded in the Register and made available for public inspection, including on the Authority's website
- 6.2 Within 28 days of becoming aware of any new pecuniary interest or registerable interest, or any change to any such interest already registered, you must register

details of that new interest or change by providing written notification to the Authority's Monitoring Officer.

- 6.3 If a pecuniary interest or registerable interest has not been entered onto the Authority's register, then you must disclose that interest to any meeting at which you are present, unless the matter is a 'sensitive interest'.
- 6.4 Following any disclosure of a pecuniary interest or registerable interest not on the Authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Pecuniary Interests

- 7.1 The pecuniary interests you **must** register, as required by law, are prescribed in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows:

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by you or a relevant person
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992
Contracts	Any contract which is made between you or a relevant person (or a body in which you or a relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest held by you or a relevant person in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) held by you or a relevant person to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which you or a relevant person has a beneficial interest.
Securities	Any beneficial interest that you or a relevant person have in securities of a body where— (a) that body (to your knowledge) has a place of business or land in the

area of the relevant authority; and
(b) either—
(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

7.2 The following definitions, as set out in the Relevant Authorities (Disposable Pecuniary Interests) Regulations 2012, shall apply for the purposes of paragraph 7.1 (but only for that paragraph) :

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” includes an easement, servitude, interest, or right over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“relevant authority” means the authority of which you are a member;

“relevant person” means you, your spouse or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living with as if you are civil partners;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

7.3 Where you have a **pecuniary** interest in any matter to be considered at a meeting :

- (a) you must not seek to influence improperly a decision about that matter
- (b) you must not participate in any discussion of that matter, participate in any vote taken on that matter, or discharge any function in relation to that matter, unless you have obtained a dispensation from the Authority’s Monitoring Officer
- (c) you must withdraw from the room or chamber where a meeting considering the matter is being held, at the commencement of the consideration of that matter at that meeting unless a dispensation has been granted

Registerable Interests

- 8.1 The other interests you **must** register are those matters specified by the Authority in this Code, namely:
- (a) your membership in a position of general management or control of any body:
 - (i) exercising functions of a public nature; or
 - (ii) directed to charitable purposes; or
 - (iii) whose principal purposes include influence of public opinion or policy
 - (b) your membership of any other local Authority
 - (c) your membership of any political party or trade union
 - (d) your membership of the United Grand Lodge of England (freemasons)
 - (e) any gift or hospitality you have received in the past 12 months in your capacity as a Member with an estimated value exceeding £50;

- 8.2 Where you have a **registerable** interest in any business:
- (a) you must not seek to influence improperly a decision about that business
 - (b) you must disclose to any meeting that you attend at which that business is to be considered the existence and nature of that interest
 - (c) You must disclose the registerable interest in accordance with the Authority's reasonable requirements, and no later than the commencement of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you.

Personal Interests

- 9.1 You have a personal interest in any business of the Authority where a decision in relation to that business would be regarded by a reasonable person with knowledge of the relevant facts as affecting your well-being or financial position, or the well-being or financial position of a relevant person, to a greater extent than the majority of residents or inhabitants in the National Park
- 9.2 Where you have a **personal** interest in any business:
- (a) you must not seek to influence improperly a decision about that business
 - (b) you must disclose to any meeting that you attend at which that business is to be considered the existence and nature of that interest

- (c) You must disclose the personal interest in accordance with the Authority's reasonable requirements, and no later than the commencement of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you
- (d) If the interest is one which a reasonable person with knowledge of the relevant facts would regard as so significant that it is likely to prejudice your judgement of the public interest, you should withdraw from the room or chamber where a meeting considering the business is being held, at the commencement of the consideration of that business at that meeting, unless you have obtained a dispensation from the Authority's Monitoring Officer

Sensitive Interests

- 10.1 Where a Member believes and the Authority's Monitoring Officer also considers that the nature of an interest is such that the disclosure of the details of the interest could lead to the member of a person connected with the ~~Member~~ being subject to violence or intimidation, the Monitoring Officer shall ensure that any publicly available copy of the Register does not include details of the interest (although it may state that the ~~Member~~ has an interest the details of which have been withheld)
- 10.2 In the event that a Member is required to declare at a meeting a pecuniary interest or a personal interest that is also a sensitive interest within the meaning of paragraph 10.1 above, it shall be sufficient that the Member discloses the fact of having a pecuniary interest or personal interest.
- 10.3 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded is no longer sensitive information, notify the Authority's Monitoring Officer so that the information may be included in the Register.

Confidential Reporting Policy

'Whistleblowing'

1 Introduction

- 1.1 The Public Interest Disclosure Act 1998 aims to ensure that irregularities can be identified and addressed quickly and seeks to strengthen employment rights by protecting responsible workers who report wrongdoing or failures in the workplace.
- 1.2 Employees may be the first to realise that something seriously wrong appears to be happening within the Authority. However, they may be reluctant to express their concerns either because they feel that speaking up would be disloyal to their colleagues or to the Authority or because they fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern than to report a suspicion of malpractice.
- 1.3 The Authority is committed to the highest possible standards of openness, probity and accountability as is shown in its separate Anti-Fraud and Corruption Policy. In line with that commitment the Authority encourages employees and others with concerns about any aspect of the Authority's work to come forward and voice those concerns. It recognises that certain cases will have to proceed on a confidential basis. This policy makes it clear that staff can do so without fear of reprisals and is intended to encourage and enable staff to raise serious concerns **within** the Authority rather than ignoring a problem or reporting it to an outside body.
- 1.4 The Authority recognises and endorses that seeking advice from, and being represented by your Trade Union may be the best course of action for a member of staff to raise any issue under this policy.

2 Aims and Scope of this Policy

- 2.1 This policy aims to:
 - provide avenues for employees, Members and volunteers to raise concerns and receive feedback on any action taken;
 - allow employees, Members and volunteers to take the matter further if dissatisfied with the Authority's response;
 - reassure employees, Members and volunteers that they will be protected from reprisals or victimisation when reporting concerns in good faith.
- 2.2 This policy covers concerns that fall outside the scope of other procedures. It is not intended as a mechanism to challenge lawful financial or business decisions made by the Authority or its Committees. Nor is it an alternative to disciplinary or grievance procedures. It may however overlap with other corporate policies for dealing with suspected irregularities (fraud or corruption)

complaints, the Member Code of Conduct and protocols for good working relationships within the Authority.

2.3 Concerns raised under this Whistleblowing Policy should be about something believed to be:

- unlawful;
- unauthorised;
- dishonest;
- corrupt;
- contrary to the Authority's Standing Orders, Scheme of Delegation, Financial Regulations or Procurement Policy and Procedures;
- in breach of the Authority's duties regarding the health, safety and welfare of employees;
- improper conduct or unauthorised use of public funds;

3 Safeguards

3.1 Harassment or Victimisation

The Authority recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the suspected malpractice. The Authority will take action to protect any person who raises a concern in good faith. Harassment or victimisation will not be tolerated and will be treated as a serious matter to be dealt with under the appropriate disciplinary procedures.

3.2 The fact that a concern is raised under this Whistleblowing Policy by a person who is subject to any disciplinary, capability or redundancy process, shall not affect that process, unless the concern is directly related to the reasons for or conduct of that disciplinary, capability or redundancy process

3.3 Confidentiality

All concerns will be treated in confidence and the Authority will do its best to protect your identity if you do not want your name to be disclosed. If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement then your evidence may be important. However, your name will not be released as a possible witness until the reasons have been discussed with you.

3.4 Anonymous Allegations

The Authority would strongly encourage you to put your name to your concern. It may not be possible to investigate or act upon concerns expressed anonymously, particularly if important information is not available. In deciding whether to take action in respect of an anonymous report the following criteria will be considered:

- the seriousness of the concern raised;
- the circumstances in which the concern is reported;
- whether there is a realistic prospect of investigating the concern.

3.5 For concerns raised anonymously, it will be more difficult for the matter to be investigated and for feedback to be provided. For this reason, if you wish to raise your concern anonymously, it may be better to contact your trade union and ask them to raise the concern on your behalf.

3.6 Incorrect and Unsubstantiated Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make untrue, malicious or vexatious allegations, disciplinary action may be taken against you.

4 How to Raise a Concern

4.1 As a first step, you should normally raise concerns with your Line Manager, a member of Leadership Team or the Monitoring Officer. If for some reason you feel that this is inappropriate, or if your complaint is that something seriously wrong is occurring at a senior management within the Authority, you may prefer to approach the Monitoring Officer, the Chief Financial Officer or the Head of the Devon Audit Partnership (DAP) tel. 01392 382438; e-mail: audit@devon.gov.uk

These Officers will then liaise to ensure that the concern is properly investigated and that any such investigation is properly monitored.

Alternatively, if your complaint is that something seriously wrong is occurring at a senior management level within the Authority you may prefer to approach either the External Auditor or one of the Independent MemberPersons of the Authority's Standards Sub-Committee.

To ensure that allegations are considered consistently you should seek a private meeting to raise your concern with any of the people listed above, who will ensure that the concern is properly investigated and that any such investigation is properly monitored.

4.2 Concerns can be raised orally but it is good practice for the concern to be recorded in writing at an early stage to ensure that all the details are correctly understood. You may be asked to set out the background and history of the concern (giving names, dates and places where possible) and the reason why you are particularly concerned about the situation. However, if you do not feel able to do this, the person to whom you voice your concerns will produce a written note of your concern and give you an opportunity to agree and sign this as a correct record.

4.3 The earlier you express the concern, the easier it is to take action.

4.4 Although you are not expected to prove the truth of an allegation, you will be asked to explain fully the grounds for your concern and any evidence in support.

4.5 If you are a member of a Trade Union, you may wish to seek advice from your Trade Union representative on how best to raise your concern. Where you wish to raise your concern anonymously it may be possible to do this through your Trade Union.

5 How the Authority will Respond

- 5.1 The action taken by the Authority will depend on the nature of the concern. After initial enquiries to assess the seriousness of the matter it may be:
- investigated internally;
 - the subject of an independent (external) investigation;
 - referred to Internal Audit (Devon Audit Partnership)
 - referred to the police;
 - referred to the Standards sub-committee;
- 5.2 Some concerns may be resolved without the need for investigation and without the person or persons under investigation being aware of the process.
- 5.3 In any event, within ten working days of a concern being received, the Authority will write to you at your home address:
- acknowledging that the concern has been received;
 - indicating how it proposes to deal with the matter;
 - giving an estimate of how long it will take to provide a response;
 - telling you whether further investigations will take place, and if not, why not;
 - naming an independent officer to support you during any investigation.
- 5.4 The named support officer will make contact with you, to explain his/her role, agree frequency of contact and keep you informed about the progress of the investigation. You should raise with this support officer any concerns you have about the conduct of the investigation. The support officer will take appropriate steps to support you in the workplace and at any criminal or disciplinary proceedings which may eventually result from your concern and at which you are asked to give evidence.
- 5.5 The Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations and/or proceedings.

6 Detriment

The Authority is committed to ensuring that an employee, Member or volunteer who reports a concern in good faith suffers no detriment by reason of doing so.

7 How the Matter can be Taken Further

- 7.1 This policy is intended to provide you with a way to raise concerns within the Authority. The Authority hopes you will be satisfied by its response. If you are not you may wish to raise the matter with the Chief Executive (NPO) or the [Chairman/Chair](#) of the Authority.
- 7.2 If you feel that it is necessary to take the matter outside the Authority, you may wish to consider:

- your Trade Union [~~UNISON~~ ~~nison~~ hotline for whistleblowers 0800 0 857 857 5979750];
 - the Local Government & Social Care Ombudsman;
 - relevant professional bodies or regulatory organisations;
 - your solicitor or legal adviser;
 - the Police;
 - ~~the~~ the Health and Safety Executive;
 - the Advisory, Conciliation & Arbitration Service (ACAS)
 - ~~'Protect Public Concern at Work'~~ – a Registered Charity: www.protect-advice.gov.uk.
 - Independent ~~Person~~ ~~Member~~
 - ~~External Auditor~~
- For further advice, visit www.gov.uk/whistleblowing

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8 The Responsible Officer

The Monitoring Officer has overall responsibility for the operation of this policy. The Monitoring Officer will maintain a record of all concerns raised under this policy and the outcomes of any investigations (but in a form which does not compromise confidentiality) and report as necessary to the Authority.

APPENDIX 4

(a) Persons to whom concerns should be reported and / or contact in confidence for advice

The Monitoring Officer – Neil White, Head of Organisational Development

The Chief Financial Officer (S151 Officer) - Donna Healy, Head of Business Support

The Chief Executive (National Park Officer) - Kevin Bishop

Leadership Team - Alison Kohler, Samantha Hill, Neil White, Donna Healy, Kevin Bishop

The Head of Devon Audit Partnership - Rob Hutchins

Your trade union representative

Appendix 8

Provisions Relating to Public Participation at Meetings

For the purposes of this Schedule "participation" and "participate" shall mean the asking of any question, the making of any presentation or statement, or the submission of any petition.

1 Public Participation at Meetings of the Authority

- 1.1 Subject to certain limitations and exceptions as set out below, Town Councils, Parish Councils (including Parish Meetings), members of the public and representatives of organisations shall have an opportunity to participate at meetings of the Authority.
- 1.2 The agenda for a meeting of the Authority, save the Annual Meeting, shall include an agenda item to receive public participation
- 1.3 Any member of the public or representative of an organisation who wishes to take this opportunity of participation at a meeting of the Authority shall notify Business Support Legal and Democratic Services at least 24 hours before the commencement of the meeting.
- 1.4 The notification under 1.3 above shall include the name of the person to address the meeting and a brief summary of the matter or matters to be raised, in the case of a Town Council, Parish Council or Meeting, written confirmation that the person is authorised to speak on behalf of the Town Council, Parish Council or Meeting.
- 1.5 For the avoidance of doubt, participation may be exercised with regard to any matter within the purview of the Authority and shall not be limited to matters on the agenda for that meeting.
- 1.6 Subject to Standing Order 9, the ChairmanChair will invite each speaker who has given prior notice in accordance with 1.3 (above) to address the meeting. The speaker may address the meeting for up to 3 minutes, or such longer period as the ChairmanChair in his absolute discretion may permit.
- 1.7 The total time allowed for all public participation at any meeting under these Standing Orders shall not normally exceed 20 minutes.
- 1.8 Any statements, questions or petitions shall be heard and received without debate. Members may ask questions for clarification but shall not respond on any matter or enter into any debate.
- 1.9 Every person asking a question or making a statement requiring a response shall receive a written response from an Officer of the Authority within 14 days, unless additional time for investigation and/or consideration is required. If additional time is required an interim response shall be sent giving reasons and the date by which it is anticipated that a final response will be provided.
- 1.10 Members of the Authority shall be informed of the response in due course.

- 1.11 Where there are a number of people wishing to participate, who in the opinion of the ChairmanChair appear to be concerned with the same subject matter, the ChairmanChair may indicate that the number of individual speakers cannot be accommodated and may ask those concerned to nominate a spokesperson to address the meeting. In these circumstances the ChairmanChair may allow a brief adjournment to enable a spokesperson to be appointed and may indicate that a speaking time in excess of 3 minutes will be permitted.
- 1.12 Upon the conclusion of the time for public participation the ChairmanChair shall move to the next item of business and from that point no further public participation shall be permitted at that meeting.
- 1.13 For the avoidance of doubt "ChairmanChair" shall mean the person presiding at the meeting of the Authority in accordance with Standing Order 7.

2 Public Participation at Meetings of the Development Management Committee

- 2.1 Subject to certain limitations and exceptions as set out below, there shall be an opportunity for Town Councils, Parish Councils (including Parish Meeting), members of the public and representatives of organisations to participate in certain items of business at meetings of the Development Management Committee.
- 2.2 This opportunity for participation shall be limited to the following items on the agenda:
- ~~(a) reports of site inspections~~
 - ~~(ab)~~ applications for determination by the committee
 - ~~(be)~~ monitoring & enforcement
- 2.3 For the avoidance of doubt, participation may only be exercised with regard to any matter on the agenda for that meeting.
- 2.4 Any Town Council, Parish Council (including Parish Meeting), member of the public or representative of an organisation who wishes to take this opportunity of participation at a meeting of the Development Management Committee shall notify Business SupportLegal and Democratic Services in writing by 10am on the day before the meeting
- 2.5 The notification under 2.4 above shall include:
- (a) the name of the person to address the meeting;
 - (b) written confirmation that the person is authorised to speak on behalf of the Town Council, Parish Council or Parish Meeting;
 - (c) the application/matter(s) they wish to speak on; and
 - (d) an indication whether they will speak in support of or against the proposal.

Commented [NW3]: No longer done separately. Part of officer's report.

2.6 Subject to Standing Order 9, the ChairmanChair will invite public participation by any person who has given prior notice in accordance with 2.4 and 2.5 (above). The order for speaking shall be as set out in this clause and only one speaker shall be permitted in each category (a) ~~and (b) to (e)~~. Each speaker may address the meeting for up to 3 minutes, or such longer period as the ChairmanChair in his absolute discretion may permit.

A Site Inspections & Applications

- (a) an authorised representative of the Town Council/Parish Council/Meeting(s) for the area
- (b) any person objecting to the application
- (c) the applicant or his agent or any person supporting the application

B Monitoring & Enforcement

- (a) an authorised representative of the Town Council/Parish Council/Meeting for the area
- (b) any person supporting legal action
- (c) the land owner or his agent or any person opposing legal action

2.7 The right to participate shall not include the right to circulate, distribute or display any document, plan, image or photograph

2.8 Any participation shall be heard and received without debate. Members may ask questions for clarification but shall not respond on any matter or enter into any debate with a speaker.

2.9 Where there are a number of people wishing to participate, who in the opinion of the ChairmanChair appear to be concerned with the same subject matter, the ChairmanChair may indicate that the number of individual speakers cannot be accommodated and may ask those concerned to nominate a spokesperson to address the meeting. In these circumstances the ChairmanChair may allow a brief adjournment to enable a spokesperson to be appointed and may indicate that a speaking time in excess of 3 minutes will be permitted.

2.10 Where there are two or more applications on the agenda concerning similar or related matters (e.g. listed building consent & planning permission for same proposal; 3 separate free-standing applications for a structure to be erected on different parts of the same parcel of land) the ChairmanChair shall determine and announce whether the applications are being taken together. If it is determined to take the applications together the speaker shall not be entitled to address the meeting for more than one period of up to 3 minutes, or such longer period as the ChairmanChair in his absolute discretion may permit.

2.11 Upon the conclusion of the time for public participation the ChairmanChair shall open the debate and from that point no further public participation shall be permitted on that matter / those matters at that meeting.

2.12 For the avoidance of doubt “~~Chairman~~Chair” shall mean the person presiding at the meeting of the Development Management Committee in accordance with Standing Order 7.

3 Public Participation at Meetings of the Audit and Governance Committee and Standards Committee

3.1 Subject to certain limitations and exceptions as set out below, members of the public and representatives of organisations shall have an opportunity to participate at meetings of the Audit and Governance Committee and Standards sub-committee.

3.2 The agenda for a meeting of the Committees, save any extraordinary meeting, shall include an agenda item to receive public participation

3.3 Any member of the public or representative of an organisation who wishes to take this opportunity of participation at a meeting of the Committee shall notify ~~Business Support~~Legal and Democratic Services at least 24 hours before the commencement of the meeting.

3.4 The notification under 3.3 above shall include the name of the person to address the meeting and a brief summary of the matter or matters to be raised.

3.5 For the avoidance of doubt, participation may be exercised with regard to any matter within the purview of the Committee and shall not be limited to matters on the agenda for that meeting.

3.6 Subject to Standing Order 9, the ~~Chairman~~Chair will invite each speaker who has given prior notice in accordance with 3.3 and 3.4 (above) to address the meeting. The speaker may address the meeting for up to 3 minutes, or such longer period as the ~~Chairman~~Chair in his absolute discretion may permit.

3.7 The total time allowed for all public participation at any meeting under these Standing Orders shall not normally exceed 20 minutes.

3.8 Any statements, questions or petitions shall be heard and received without debate. Members may ask questions for clarification but shall not respond on any matter or enter into any debate.

3.9 Every person asking a question or making a statement requiring a response shall receive a written response from an Officer of the Authority within 14 days, unless additional time for investigation and/or consideration is required. If additional time is required an interim response shall be sent giving reasons and the date by which it is anticipated that a final response will be provided.

3.10 Members of the Committee shall be informed of the response in due course.

3.11 Upon the conclusion of the time for public participation the ~~Chairman~~Chair shall move to the next item on the agenda and from that point no further public participation shall be permitted at that meeting.

3.12 For the avoidance of doubt "~~Chairman~~Chair" shall mean the person presiding at the meeting of the Authority in accordance with Standing Order 7.

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Appendix 9

Voting Procedures (Development Management)

Notes of guidance produced in October 2006

Planning permission may only be granted or refused following a resolution (*motion*) which is properly proposed, seconded and carried on a vote.

A motion to grant planning permission which is not carried at the vote does not amount to a decision to refuse planning permission.

In the same way, a motion to refuse planning permission, which fails at the vote, is not a resolution to grant planning permission.

The procedure for determining an application before the Development Management committee may be summarised as follows:

- 1 Agenda for meeting contains Officer report with recommendation** - this does not constitute a resolution or motion.
- 2 Officer outlines case and gives oral update** (may include new conditions / change of recommendation in some cases).

3 Applicant (Agent), & Objector and Town Council/Parish Council/Meeting invited to speak.

45 Member puts a Motion (*eg moves recommendation in report to grant planning permission with conditions*).

56 Motion seconded.

64 Members debate report & recommendation.

~~**5 Member puts a Motion** (*eg moves recommendation in report to grant planning permission with conditions*).~~

~~**6 Motion seconded.**~~

NO FURTHER SUBSTANTIVE MOTIONS SHOULD BE ACCEPTED UNTIL COMMITTEE HAS VOTED ON MOTION AS PROPOSED (see below)

- 7 Debate continues until Chairman/Chair calls for vote** (including speakers for & against the Motion; proposals to amend the Motion; calls to defer or adjourn to site inspection).

NB proposal for site inspection or to defer amount to new Motions and may only be considered when there is not a Motion under debate (ie after a vote on the current Motion).

- 8 Vote** - if Motion is carried: **Decision**
- if Motion is not carried: **Motion lost, Chairman/Chair calls for new Motion.**

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Commented [NW4]: Order of proceedings changed about 18 months ago. Motion is put forward and seconded (normally by Chair and Deputy) before Member debate the first motion on the table/

- 9 **Member puts new Motion*** (must have reasons - planning policy grounds & evidence in support of policies) * *The new motion can be similar to first motion (eg grant with different conditions) or contrary to first motion (eg refusal).*
- 10 **Motion seconded.**
- 11 **Debate continues until vote.**
- 12 **Vote** - if Motion is carried: **Decision**
- if Motion is not carried: **Motion lost, ChairmanChair** calls for new Motion.

Amendments may be proposed to Motion at any time before vote (e.g. add/remove conditions or reasons) but an amendment must not contradict the Motion (that requires a new Motion).

Standing Order 18.6 states:

An amendment shall be relevant to the Motion and shall be either:

- (a) to leave out words; or*
- (b) to insert or add words; or*
- (c) to leave out words and insert or add others;*

But such omission, insertion or addition of words shall not have the effect of negating the Motion, or introducing a substantially new proposal.

Only one amendment should be considered at a time.

An amendment must be proposed, seconded and separately voted on:

- **if carried, motion stands amended and committee must proceed to vote on motion as amended** (or consider any further proposed amendments);
- **if not carried, amendment lost and committee must proceed to vote on original motion** (or consider any further proposed amendments).

Standing Order 18.11 provides that when a Motion is under debate no other Motion shall be moved except the following:

- (a) to amend the motion;*
- (b) that the question be now put;*
- (c) to adjourn the debate;*
- (d) to proceed to the next item of business;*
- (e) to adjourn the meeting;*
- (f) a motion to exclude the public (Standing Order 12);*
- (g) that the Member named be not further heard (Standing Order 19);*

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(h) that the Member named leave the meeting (Standing Order 19).

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Appendix 10

Rules On Elections

1 Election of ~~Chairman~~Chair of the Authority

The election of the ~~Chairman~~Chair of the Authority shall be the first item of business at the Annual Meeting and shall be conducted as follows:

- (a) not less than 14 days before the date of the Annual Meeting, the Chief Executive shall email or write to all Members calling for nominations in writing
- (b) to be valid, a nomination shall be in writing (including email) and contain a declaration by the candidate that they are willing to stand for election.
- (c) candidates shall be able to submit an election statement, in the prescribed form, for circulation.
- (d) Members are requested to return nominations 2 days prior to the Annual Meeting, but the time for nominations shall remain open until the start of the Annual Meeting
- (e) at the start of the Annual Meeting the Chief Executive (National Park Officer) or his/her nominee shall preside for this first item of business
- (f) the Authority's Monitoring Officer, Deputy Monitoring Officer or ~~Solicitor~~Legal Adviser shall act as Returning Officer and shall be responsible for the election process
- (g) the person presiding shall declare nominations closed and the Returning Officer shall announce the valid nominations which have been received.
- (h) if only one nomination has been received, the person presiding shall declare that person duly elected and shall install them as ~~Chairman~~Chair of the Authority
- (i) if more than one valid nomination has been received, the election shall proceed by ballot
- (j) the person presiding shall invite each candidate, or - if the candidate prefers - the person nominating the candidate, to address the meeting for not more than 2 minutes, in alphabetical order by surname.
- (k) once the candidates have addressed the meeting, the ballot shall be held without comment, question or debate
- (l) a secret ballot shall be held using the elimination ballot system as follows:
 - (1) The Returning Officer shall invite Members to vote clearly for one candidate only. Candidates shall be entitled to vote for themselves.
 - (2) The Returning Officer shall distribute the voting papers to Members and then collect them once votes have been cast
 - (3) The Returning Officer shall examine the voting papers and shall sort them into parcels according to the votes recorded for each candidate, rejecting any that are invalid.
 - (4) If once the votes have been counted the candidate with the highest number of votes has secured more than 50% or more of the number of votes cast,

the Returning Officer shall inform the person presiding who shall declare that candidate duly elected

- (5) If the candidate with the highest number of votes does not secure more than 50% or more of the number of votes cast, the Returning Officer shall inform the person presiding that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot
- (6) The person presiding shall declare to the Annual Meeting the name of the candidate who is eliminated from the ballot and shall call for a further ballot between the remaining candidates
- (7) This process of elimination shall continue until such time as a candidate secures the highest number of votes **AND** more than 50% or more of the number of votes cast, at which time the Returning Officer shall inform the person presiding who shall declare that candidate duly elected
- (8) In the event of a tie or equality of votes in any ballot, for whatever cause, the person presiding shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the person presiding on the toss of a coin.

2 Election of Deputy ~~Chairman~~Chair of the Authority

The election of the Deputy ~~Chairman~~Chair of the Authority shall be the second item of business at the Annual Meeting and shall be conducted as follows:

- (a) the ~~Chairman~~Chair shall preside and the Authority's Monitoring Officer, Deputy Monitoring Officer or ~~Solicitor~~Legal Adviser shall act as Returning Officer and shall be responsible for the election process
- (b) the ~~Chairman~~Chair shall call for nominations and shall ask each candidate nominated whether they are willing to stand for election
- (c) for the avoidance of doubt, a Member shall be entitled to nominate him/herself
- (d) if only one nomination is received, the ~~Chairman~~Chair shall declare that person duly elected and shall install them as Deputy ~~Chairman~~Chair of the Authority
- ~~(e) if more than one valid nomination has been received, the election shall proceed by ballot~~
- ~~(f) the person presiding shall invite each candidate, or - if the candidate prefers - the person nominating the candidate, to address the meeting for not more than 2 minutes, in alphabetical order by surname.~~
- ~~(g) once the candidates have addressed the meeting, the ballot shall be held without comment, question or debate~~
- (e) ~~if more than one valid nomination is received, there shall be no election statements or addresses and the election shall proceed by ballot without comment, question or debate~~
- (fh) a secret ballot shall be held using the elimination ballot system as follows:
 - (1) The Returning Officer shall invite Members to vote clearly for one candidate only. Candidates shall be entitled to vote for themselves.

- (2) The Returning Officer shall distribute the voting papers to Members and then collect them once the vote has been cast
- (3) The Returning Officer shall examine the voting papers and shall sort them into parcels according to the votes recorded for each candidate, rejecting any that are invalid.
- (4) If once the votes have been counted the candidate with the highest number of votes has secured more than 50% or more of the number of votes cast, the Returning Officer shall inform the ChairmanChair who shall declare that candidate duly elected
- (5) If the candidate with the highest number of votes does not secure more than 50% or more of the number of votes cast, the Returning Officer shall inform the ChairmanChair that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot
- (6) The ChairmanChair shall declare to the Annual Meeting the name of the candidate who is eliminated from the ballot and shall call for a further ballot between the remaining candidates
- (7) This process of elimination shall continue until such time as a candidate secures the highest number of votes **AND** more than 50% or more of the number of votes cast, at which time the Returning Officer shall inform the ChairmanChair who shall declare that candidate duly elected
- (8) In the event of a tie or equality of votes in any ballot, for whatever cause, the ChairmanChair shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the ChairmanChair on the toss of a coin.

3 Election of ChairmanChair and Deputy ChairmanChair of a Committee; and ChairmanChair of a Working Panel

At the Annual Meeting of the Authority, the election of the ChairmanChair and Deputy ChairmanChair of each committee, and ChairmanChair of each sub-committee or Working Panel, shall be conducted as follows:

- (a) the ChairmanChair shall preside and the Authority's Monitoring Officer, Deputy Monitoring Officer or Solicitor-Legal Adviser shall act as Returning Officer and shall be responsible for the election process
- (b) the ChairmanChair shall call for nominations and shall ask each candidate nominated whether they are willing to stand for election
- (c) for the avoidance of doubt, a Member shall be entitled to nominate him/herself
- (d) if only one nomination is received, the ChairmanChair shall declare that person duly elected
- (e) if more than one valid nomination is received, the meeting shall determine whether to proceed by show of hands or secret ballot.
- (f) there shall be no election statements or addresses and the election shall proceed by show of hands or ballot without comment, question or debate

- (g) if it is determined to hold a secret ballot, the elimination ballot system shall be used as follows:
- (1) The Returning Officer shall invite Members to vote clearly for one candidate only. Candidates shall be entitled to vote for themselves.
 - (2) The Returning Officer shall distribute the voting papers to Members and then collect them once the vote has been cast
 - (3) The Returning Officer shall examine the voting papers and shall sort them into parcels according to the votes recorded for each candidate, rejecting any that are invalid
 - (4) If once the votes have been counted the candidate with the highest number of votes has secured more than 50% or more of the number of votes cast, the Returning Officer shall inform the ChairmanChair who shall declare that candidate duly elected
 - (5) If the candidate with the highest number of votes does not secure more than 50% or more of the number of votes cast, the Returning Officer shall inform the ChairmanChair that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot
 - (6) The ChairmanChair shall declare to the Annual Meeting the name of the candidate who is eliminated from the ballot and shall call for a further ballot between the remaining candidates
 - (7) This process of elimination shall continue until such time as a candidate secures the highest number of votes **AND** more than 50% or more of the number of votes cast, at which time the Returning Officer shall inform the ChairmanChair who shall declare that candidate duly elected
 - (8) In the event of a tie or equality of votes in any ballot, for whatever cause, the ChairmanChair shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the ChairmanChair on the toss of a coin.