

GOVERNANCE ARRANGEMENTS FOR NATIONAL PARKS AND THE BROADS

1. INTRODUCTION

- 1.1 As part of the coalition government's commitment "to review the governance arrangements of National Parks in order to increase local accountability", Defra has issued a consultation paper which is available at:

defra.gov.uk/corporate/consult/nationalpark-governance/101109-nationalpark-governance-condoc.pdf

- 1.2 Draft responses to the questions raised are put forward in section 4. As the deadline for responses is the day before the Cabinet meeting these comments have been provisionally forwarded, subject to confirmation at the 2 February meeting.

2. THE CONSULTATION

- 2.1 The consultation paper makes it clear that views on the roles and responsibilities of National Park Authorities are not sought. The paper states that the Government wishes to retain an independent authority for each of the National Parks and the Broads. It intends that these authorities should continue to be the local planning authority for their areas. The review is confined to:

- Looking for ways in which the governance of the NPAs can be made more effective;
- Looking for ways in which the NPAs can be more responsive to the concerns of their local communities, whilst operating within the existing statutory purposes and the spending review 2010 budgets;
- Considering the extent to which different arrangements are appropriate for different NPAs.

- 2.2 The key questions on which the Review is seeking responses is:

- Whether the membership of NPAs, both the size and composition, should be changed;
- Whether the selection process for all categories of members of NPAs can be improved;
- Whether there should be a limit on the length of time which local authority and parish members should serve; and a reduction in the maximum term for the Secretary of State "national" members.

3. CURRENT ARRANGEMENTS

- 3.1 There are nine national parks in England. The membership of each is shown in Appendix 1 to the consultation. The size and composition of each is not standard – account has been taken of local circumstances in determining the composition of each authority. There are three different types of member:

3.1.1. **Local authority** - appointed by constituent local principal authorities.

- Members must be serving councillors of their appointing local authorities
- Local authorities are expected to have regard to the desirability of appointing members who represent divisions or wards wholly or directly within the Park
- Appointments must observe the rules on political balance
- Every local authority wholly or partly in a National Park is entitled to appoint at least one member
- Local Authority members automatically lose their NPA seat when their term of office as a councillor ends, but if re-elected as a councillor, they can be re-appointed to the NPA
- There is no limit to the number of times they can be re-appointed

3.1.2 **Secretary of State “National” Members** – are selected through an open recruitment process which is regulated by the Office of the Commissioner for Public Appointments. The appointments are, in general terms, open to anyone, although there are a few exclusions such as employees of the NPA within the last five years; serving Members of Parliament etc. “National” members should:

- Appreciate the national interest – the views of people not living in or near the National Park
- Understand issues affecting the National Parks and work to achieve the Park’s purposes;
- Bring experience of wider issues;
- Contribute positively to debate within an authority;
- Be ready to make decisions on any aspects of National Park management;
- Commit to a minimum of 2-3 days per month

In making appointments, the Secretary of State seeks a broad range of backgrounds to reflect the social and cultural mix of the country. Individuals are selected for their personal qualities and experiences and not as representatives of specific groups or organisations. “National” members are appointed for terms between 1 – 4 years and can be re-appointed, subject to an overall limit of 10 years.

3.1.3 **Parish Members** - chosen by the parishes collectively, although formally appointed by the Secretary of State.

- They must be serving councillors of a parish council with land in the Park
- The same provisions relating to terms of office apply to parish members as to local authority members, that is, they serve for a maximum of four years during their term of office as a councillor, but, if re-elected as a parish councillor, they may be re-appointed to the Park Authority.
- They are appointed to represent the wider National Park view and not just their own parish or group of parishes.
- The Secretary of State does not appoint as a parish member anyone is a serving member of a county or district council that appoints members to the Authority.
- Parish councils in each National Park are requested to maintain local mechanisms for selecting candidates.

3.2 The New Forest National Park Authority has 22 members appointed as follows:

5 by Hampshire County Council
2 by Wiltshire Council

4 by New Forest District Council
1 by Test Valley Borough Council
4 by Parish Councils
6 by the Secretary of State (“national members”)

- 3.3 There are therefore 16 members who are members of the NPA by virtue of being democratically elected as Councillors, although not directly to the National Park Authority.

4. ISSUES FOR THE DISTRICT COUNCIL TO CONSIDER

Key Questions

- a) **Whether the membership of NPAs, both the size and composition, should be changed?**

Response

Currently none of the Members are directly elected by residents. The absence of direct elections makes the Authority more remote from the public it serves and, certainly, far less accountable to the public. The arrangements also disadvantage those groups who have a specific interest in the wellbeing of the Park, such as ramblers, horse owners and dog walkers, as they have no opportunity to nominate candidates for membership.

The District Council therefore believes that improvements in accountability can best be achieved by establishing a system of direct elections. The Council notes that a number of the members of the Park are appointed by the Secretary of State. Since the Park is governed by legislation and has specific statutory duties, members do not see that there is a need for the Secretary of State to have any role. Eligibility for candidature would need to be similar to those standing for local government elections.

- b) **Whether the selection process for all categories of members of NPAs can be improved?**

Response

The District Council’s views are set out on this under (a) above

- c) **Whether there should be a limit on the length of time which local authority and parish members should serve?**

Response

There should not be any limit on length of membership providing there are direct elections to the Authority.

- d) **to f) - Other questions concerning the Big Society, engagement and scope to improve accountability**

The Council believes that the New Forest National Park has improved its consultation procedures in recent months and now undertakes community involvement very much in line with Big Society principles. The District Council will look to work with the

National Park and other partners on areas where joint consultation is appropriate using the principles set out in the Community Engagement framework agreed by all partners in the New Forest District area.

5. NEXT STEPS

- 5.1 Each individual NPA will be asked to review comments relevant to their Authority. If comments are not specific to any individual authority, they will be considered directly by Defra. Each Authority will produce a summary of the responses relating to its Park and any proposals for changes to its governance arrangements. Defra will consider such proposals on decide on the outcome by the end of March 2011.

6. FINANCIAL, ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 6.1 None arising directly from this report.

7. RECOMMENDED:

- 7.1 That the comments in section 4 be confirmed for submission to Defra in response to the consultation on governance arrangements for the National Parks and the Broads.

For Further Information Please Contact:

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Background papers:

Published documents