

Committee: AUDIT AND REVIEW

Date: 9 November 2021

Report: STANDING ORDERS – REVIEW OF 3.2(b)

Purpose of the report

1. To consider Standing Order 3.2(b).

RECOMMENDATION

2. That the Committee recommends to Authority that Standing Order 3.2(b) does not require variation.

Strategic Planning Framework

3. The information and recommendation(s) contained in this report are consistent with the Authority’s statutory purposes and its approved strategic planning framework:

Corporate Plan

Objective 37: Operate governance arrangements that are fit for purpose as reported through the Annual Governance Statement and the Annual Governance Report.

Background

4. The Authority’s Standing Orders contain the following provision at 3.2(b) regarding Members’ attendance at meetings:

3.2 (b) Notwithstanding the statutory requirements regarding attendance, if a Member is absent from meetings of the Authority, or a Committee or Sub-Committee of the Authority for three consecutive meetings of the Authority or the particular Committee or Sub-Committee, the Chief Executive shall bring the failure to attend those meetings to the attention of the Member and to the person or body which appointed the Member unless the Authority is satisfied that circumstances do not warrant that course of action.

5. At the meeting of the Authority on 28 September 2021, a report was presented to Members for a decision regarding a Member’s non-attendance at three meetings of the Planning Committee, as a result of their personal circumstances due to Covid 19. A motion was proposed to amend Standing Order 3.2(b) to incorporate an exception for

long term illness or a long term condition, so that the Authority wouldn't need to consider these cases.

6. In accordance with Standing Order 4.2, any motion to add to, vary or revoke Standing Orders shall, when proposed stand adjourned and be referred to the Audit and Review Committee which shall report back to the Authority no later than 3 months from the adjournment,

Standing Order 3.2(b)

7. Standing Order 3.2(b) is a useful tool in ensuring regular Member attendance at meetings of the Authority and its Committees. The Authority has one of the highest levels of Member attendance at meetings across National Park Authorities (NPAs). If Members do not have a legitimate reason for failing to attend meetings then the Standing Order enables the Authority to report back to the Member's appointing body who can then decide whether any action should be taken.
8. The terms and conditions of the role for Members appointed to NPAs by the Secretary of State include a condition that Defra may terminate their appointment immediately by writing if they have been absent from meetings of the Authority for three consecutive meetings or a period of more than 6 months without the permission of the Authority. The existing provision in the Standing Orders therefore ensures that all Members are treated equally in terms of the management of their attendance at meetings.
9. There have only been five reports to Authority regarding Member non-attendance at meetings since March 2016. Although those Members were not reported to their appointing body, two stepped down from the Committees to which they had been appointed due to the pressure of other commitments and one Member stepped down for personal reasons, giving other Members the opportunity to sit on these Committees.
10. If the Standing Order were varied to incorporate an exception for a long term illness or a long term condition, then an officer or Committee would need to consider what that means, which could lead to an inconsistency in approach. The Standing Order as drafted already enables Members to use their discretion and determine that the particular circumstances of an individual case are such that any failure to attend meetings on the part of a Member does not warrant reporting to the person or body which appointed them. Adding an exception to the Standing Order is likely to make the consideration of Member non-attendance more complicated.

Conclusion

11. The existing Standing Order is considered to be fit for purpose and variation is not required.

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13 October 2021