

PEAK DISTRICT NATIONAL PARK AUTHORITY

STANDING ORDERS

PART 4

**DELEGATION TO COMMITTEES,
SUB-COMMITTEES AND ADVISORY GROUPS**

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DELEGATION TO COMMITTEES, SUB-COMMITTEES & ADVISORY GROUPS

A. AUTHORITY MEETING

1. The Authority meeting shall exercise all the powers, duties and functions of the Authority, that are not specifically delegated to a Committee under this part of Standing Orders.
2. Any arrangements made by the Authority for the discharge of any of its functions by a Committee, Sub-Committee or an officer shall not prevent the Authority meeting from exercising those functions
3. For the avoidance of doubt, within the delegation scheme, the following powers, duties and functions are specifically reserved to be exercised by the Authority meeting:
 - (a) The approval of the Standing Orders for the conduct of the business of the Authority.
 - (b) Election of the Authority Chair and Deputy Chair
 - (c) Appoint of Committees Chairs + Vice Chairs and Member representatives
The appointment of Members to Committees, Sub committees and Advisory Groups
 - (d) The approval of a Calendar of Meetings for the discharge of the business of the Authority.
 - (e) The appointment of Members or officers to outside bodies.
 - (f) The appointment of Independent Members to the Standards Committee.
 - (g) The consideration of statutory reports from:
 - the Monitoring Officer under S5 Local Government and Housing Act 1989.
 - the Chief Finance Officer under S.114 Local Government Finance Act 1988.
 - the Local Government Ombudsman issued under the Local Government Act 1974.
 - the Head of Paid Service under S4 Local Government and Housing Act 1989
 - (h) The approval of the Annual Budget, the issuing of a levy under the Local Government Finance Act 1988 if required.
 - (i) Approval of Annual Treasury Management Policy Statement
 - (j) The exercise of the Authority's powers of borrowing.
 - (k) The determination of all constitutional and funding issues affecting the Authority and its Members.
 - (l) The approval of the Members' Allowances Scheme.
 - (m) The approval of the Members' Code of Conduct & relevant Protocols.
 - (n) The approval of the Members' annual training programme.
 - (o) The approval of employment policies including health and safety, industrial relations and related issues.

- (p) The appointment and dismissal of the Chief Executive (National Park Officer), Monitoring Officer and Chief Finance Officer and Directors.
- (q) Disciplinary proceedings concerning the Chief Executive (National Park Officer), Monitoring Officer and Directors.
- (r) The approval of the strategies, policies plans and programmes that guide the Authority in the discharge of its powers and duties.
- (s) The approval of the Authority's Performance Management framework and the Authority's Performance Improvement Programme.
- (t) Approval of the Annual Performance and Business Plan
- (u) The approval of the Corporate Risk Assessment Strategy and the Asset Management Plan.
- (v) The adoption of a Local Development Scheme and Local Development Documents prepared under the Planning and Compulsory Purchase Act 2004, and reviews of the documents.
- (w) The adoption of the National Park Management Plan under the Environment Act 1995.
- (x) The approval of the Authority's Publication Scheme under the Freedom of Information Act 2000.
- (y) To determine an Authority response on any proposals that affect the National Park or the Authority, its powers, duties, functions and responsibilities, particularly but not exclusively, from central, regional or local government, neighbouring authorities, partnerships and other external bodies except where the Chief Executive considers that such response should be determined by officers, or a Committee or Sub-Committee.
- (z) The determination of any matters which have been referred for decision by any Committee of the Authority.

B. URGENT BUSINESS ITEMS SUB-COMMITTEE

- (a) Matters requiring urgent decision which cannot wait for the next meeting of the Authority, a Committee or Sub-Committee, but do not justify calling a special meeting.
- (b) Matters of detail in cases where it is expedient for the general principle only to be decided by the Authority, a Committee or Sub-Committee.
- (c) Matters specifically referred to the Sub-Committee for a decision by the Authority, a Committee or Sub-Committee.

Items of business must fall within the above terms of reference. Consideration must also be given to:

- (i) The public and political sensitivity of any items.

- (ii) Whether the Authority, a Committee or Sub-Committee should be given the opportunity to make a decision.
- (iii) Whether the matter can be left to the next appropriate meeting.

C. APPEALS PANEL

- a) To hear and determine appeals by an employee (excluding the Chief Executive and Head of Paid Service) who elect to have their appeal against a decision to dismiss the employee (for reasons of conduct or capability or redundancy) heard by members.
- b) The Panel's decision is binding on the Authority.
- c) The membership of the Panel is 4 Council Members and 4 Secretary of State Members (National and Parish).
- d) The quorum for the Panel is 3 members.

(Authority Meeting 01/07/11)

D. LOCAL JOINT COMMITTEE

- (a) To establish regular methods of negotiation and discussion between the Authority and its employees, in order to prevent differences and to resolve them should they arise. No question on an individual's grading shall be within the scope of the Local Joint Committee.
- (b) To consider any relevant matter referred to it by a Committee of the Authority, or by any representative meeting of the Employees.
- (c) To consider matters relating to the application of the terms and conditions of service and to the education and training of Employees of the Authority.
- (d) To receive and seek to settle grievances referred to the Local Joint Committee under the Authority's staff grievance procedure
- (e) To consider any matters referred to the Local Joint Committee by the Health and Safety Committee set up under Safety Representatives and Safety Committee's Regulations 1978 by S.2(7) of the Health and Safety at Work etc Act 1974.
- (f) The Local Joint Committee may refer any question coming before it for consideration by, or for the advice of, the East Midlands Provincial Council. It shall inform the Provincial Council of any decision or recommendation of the Local Joint Committee which appears to the Local Joint Committee to be of more than local interest. Any recommendation to be referred to the East Midlands Provincial Council shall be approved by the Authority and by a representative meeting of the appropriate Trade Union, prior to its submission.
- (g) To discharge such other functions as may, from time to time, be specifically assigned to the Local Joint Committee.

E. STRATEGIC ADVISORY GROUP

- (a) To consult with the Chief Executive and Senior Management on the strategic management of the Authority.
 - (b) To consider issues at a strategic level prior to policy papers being considered by the
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Authority.

- (c) To consider responses to strategic consultations, opportunities for engaging in strategic meetings or strategic publications ensuring best input by Members to this work.
- (d) To advise on the communication of strategic matters to staff, Members and outside organisations.
- (e) Executive action to be taken by the Chief Executive or by reference to a meeting of the Authority or a relevant Committee.

F. PLANNING COMMITTEE

To exercise the powers and duties of the Authority:

1. DEVELOPMENT MANAGEMENT

- (a) As local planning authority and mineral planning authority in respect of all matters relating to development control.
- (b) As local planning authority in respect of all matters relating to listed buildings.
- (c) As local planning authority in respect of all matters relating to certificates of appropriate alternative development; pipe lines; limestone pavements; hazardous substances.
- (d) In respect of all matters relating to design briefs, Authority's Design Guide and Design Guidance notes or appendices.
- (e) In respect of all matters relating to the consideration and designation of Neighbourhood Forums, Neighbourhood Areas, Neighbourhood Development Orders, Neighbourhood Development Plans and Community Right to Build Orders.
- (f) Consideration of the Annual Monitoring Report for the Local Development Framework.
(Authority Meeting 03/02/12)

2. CONSERVATION AREAS

All matters relating to Conservation Areas.

3. GRANTS

- (a) All matters relating to grants in respect of listed buildings and conservation areas.
- (b) All matters relating to wildlife & countryside grant aid for development approved by the Authority, in accordance with any overall policy.

4. GENERAL

- (a) The appointment of temporary Task Teams relevant to the functions of the Committee and the receipt of reports.
- (b) The attendance of Members of the Committee at conferences, seminars or other meetings relevant to the functions of the Committee.

- b) To make any appropriate recommendations to the Authority, its Committees or Sub-Committees.
- e) To determine an Authority response on any proposals that affect the National Park or the Authority, its powers, duties, functions and responsibilities, particularly but not exclusively, from central, regional or local government, neighbouring authorities, partnerships and other external bodies where the proposals are relevant to the functions of the Committee and where the Chief Executive considers that such response should be determined by the Committee.

(Authority Meeting 01/07/11)

G AUDIT RESOURCES & PERFORMANCE COMMITTEE

To exercise the powers and duties of the Authority in relation to:

1. FINANCE

The operational financial affairs of the Authority, including the Annual Statement of Accounts; insurance; external funding; Authority grant schemes; trading operations; Members Allowances payments.

2. HUMAN RESOURCES

All human resources matters in accordance with the Authority's employment and other policies, including training and development, health and safety, industrial relations and related issues, the Local Government Superannuation Acts and regulations.

3. ASSET MANAGEMENT

All matters relating to the management of the Authority's land holdings and buildings including acquisition and disposal by agreement or by compulsory purchase within the policies of the Authority and the Asset Management Plan.

The provision of equipment for the exercise of the Authority's functions.

4. INFORMATION COMMUNICATIONS TECHNOLOGY

All matters relating to information communications technology in accordance with the Authority's Information Management Strategy.

5. AUDIT & CORPORATE GOVERNANCE

- a) Internal and external Audit matters
- b) Matters relating to the Authority's corporate governance framework which do not fall within the remit of the Standards Committee, including the Annual Governance Statement and the Annual Governance Report.

6. PERFORMANCE MANAGEMENT

- a) To agree the Authority's set of Performance Indicators and to monitor the performance of the Authority within the Performance Management Framework including the Corporate Risk Assessment Strategy and Register.
- b) To scrutinise the performance of the Authority through the appointment of Scrutiny groups and Micro Scrutiny inquiries and the receipt of reports.
- c) To agree a framework for the handling of complaints about the Authority's services

and to monitor its operation.

7 STANDARDS

- (a) To promote and maintain high standards of conduct by Members.
- (b) To advise the Authority on the adoption or revision of the Members' Code of Conduct.
- (c) To advise on training or arrangements to train Members on matters relating to the Code of Conduct.
- (d) To monitor the operation of the Members' Code of Conduct.
- (e) To grant dispensations to Members from requirements relating to interests set out in the Members' Code of Conduct up to a maximum of 4 years.
- (f) To consider reports from the Monitoring Officer, or the Independent Persons(s) and all other matters
- (g) To approve procedures for the proper investigation by the Monitoring Officer of allegations of misconduct. relating to the Code of Conduct.
- (h) To determine any action to be taken against a Member who has been the subject of an investigation in accordance with the procedures

7. IMPLEMENTATION

- a) To exercise the Authority's statutory powers and duties in pursuance of the Authority's statutory purposes, set out below.
- b) The exercise of such powers and duties exclude:
 - matters specifically reserved to be exercised by the Authority
 - matters delegated to another Committee or sub-committee
 - matters that the Chief Executive considers should be referred to a meeting of the Authority for determination
- c) The Authority's statutory purposes are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the National Park's special qualities and the duty to seek to foster the economic and social well-being of local communities within the National Park.

8. GENERAL

- a) To authorise any Member or officer of the Authority to institute or defend any court proceedings for the benefit or protection of the Authority or the National Park or its residents.
- b) To make any appropriate recommendations to the Authority, its Committees or Sub-Committees.
- c) The appointment of temporary Task Teams relevant to the functions of the Committee and the receipt of reports.
- d) The appointment of Members of the Committee to attend conferences, seminars or other meetings relevant to the functions of the Committee.

- e) To determine an Authority response on any proposals that affect the National Park or the Authority, its powers, duties, functions and responsibilities, particularly but not exclusively, from central, regional or local government, neighbouring authorities, partnerships and other external bodies where the proposals are relevant to the functions of the Committee and where the Chief Executive considers that such response should be determined by the Committee.

(Authority Meeting 04/02/11)

