

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
AUDIT & REVIEW COMMITTEE**

15th September 2006

Report of the Corporate Governance Working Group

The Corporate Governance Working Group met on 16th June 2006 (Meeting 4)

Members present: Yvonne Peacock (in the Chair), Malcolm Petyt, and Yvonne Rose.

Apologies: John Blackie and Shelagh Marshall

Officers present: Irene Brannon, Richard Burnett and Richard Daly

Report of last meeting

The Working Group reviewed the notes of its previous meeting held on 15th May 2006, and agreed them as a correct record.

Action List

In relation to how the policy context is dealt with in reports to the Planning Committee, it was noted that this was being actively monitored by the Probity in Planning Group (an officer group). The objective was to ensure the development of good practice, whereby reports explicitly assessed the relevant policies and explained how they had been applied by officers in making a recommendation. Where appropriate (which would be very rarely) reports should also identify cases where material considerations might justify a departure from policy.

In terms of taking forward the issues raised in relation to Principle 2, SMT's suggestions were agreed. It was noted that a paper on the advocacy and representational roles of Members would be available for discussion at Policy Development Forum in July 2006.

Principle 4

Principle 4 is that good governance means taking informed, transparent decisions, and managing risk.

The Group looked at the specific questions relevant to Principle 4:

Question 1: *How well do our meetings work? What could we do to make them more productive and do our business more effectively?*

The general feeling of the Group was that meetings were too lengthy, too formal, and involved too much paperwork, some of which was presented to members too late to be properly considered. In relation to the latter point, it was noted that a line was to be drawn at noon on the Friday before Planning Committee for "late papers", and that items received after this deadline would not be put to Members.

Whilst Authority and Committee meetings do have to take clear decisions, the wording of which needs to be minuted with complete clarity and accuracy, the formal rules governing

meetings largely derive from the Authority's Standing Orders, and there are no legal constraints preventing these being changed to make meetings less formalistic. It was felt that the current rules often stifle free debate, and appear mysterious and confusing to members of the public attending meetings. At the same time it was recognised that any changes would need to be accompanied by changes in Members' behaviour – in particular greater self discipline in not feeling a need to speak on all items, and not repeating points which had already been made. The Group suggests that work be done to explore how formal requirements could be relaxed with a view to improving meetings.

It was also felt that, at meetings of the full Authority, there is not enough emphasis on the Authority's front line and operational work: "too much bureaucracy and not enough butterflies". A review of Standing Orders could encompass the opportunity for oral reports to each Authority meeting by two or three of the Member Champions, summarising developments in the areas in which they were involved.

In some areas, particularly within the remit of Audit & Review Committee, more work could be done effectively in smaller, less formal groups, which would have no decision making powers, but would be tasked by the Committee with looking at a particular issue or area of work, and then reporting back to the Committee with conclusions and recommendations.

Question 2: Have we formally agreed on the types of decisions that are delegated to the executive and those that are reserved for the governing body? Is this set out in a clear and up-to-date statement? How effective is this as a guide to action for the governing body and the executive? How well do we explain the reasons for our decisions to all those who might be affected by them?

There are statements of the terms of reference of Committees and of the powers delegated to officers contained in the Members' Handbook. These were under review currently, and a report would be presented to the Authority meeting in July. Financial Regulations had just been reviewed, and changes approved by Finance and Resources Committee. The new Regulations had been introduced, and all staff informed.

The Authority performs less well in terms of explaining the reasons for its decisions. The wording of planning decision letters should be reviewed in the light of the recent adoption of the Local Plan, to ensure that they gave a clear and understandable account not only of the decision reached, but also the reasons for it. This information should also be available with planning papers on the website. Over time, there might be merit in developing a system of "case summaries" on the website which summarised key planning decisions in perhaps a dozen lines of text; this would help the public to understand the Authority's policies and how they are applied in practice. Information about the Plan-based system of decision making could also be on public display at Planning Committee meetings.

Opportunities should be taken – for example in "Dales" newspaper and through FAQs on the website – to get across the message about who takes what decisions within the Authority, and the basis on which they do so. In terms of information about the extent to which the Authority's policies are given practical effect, that information available in the BVPP, the "State of the Park" report, and publicly available performance reports to the Audit & Review Committee was felt to be good, though the message could be "sold" more in Authority publications.

Question 3: Is the information we receive robust and objective? How could the information we receive be improved to help improve our decision making? Do we take professional advice to inform and support our decision making when it is sensible and appropriate to do so?

The information received by Members in relation to decisions was generally felt to be full and helpful, and professional advice is taken. It would be good practice, in appropriate cases, for reports to set out a number of options (and their pros and cons), rather than just a single recommendation.

The main problem in this area currently is late papers for Planning Committee: Members receive an unmanageable amount of information without time properly to consider it. When the new system for late representations is introduced, the position will need to be monitored to see if the new rules are working: this will be an issue for the Planning Performance Working Group and/or the Development Control champion. One outstanding point is whether individuals and organisations can put their full argument before members by submitting it late, when if they had submitted it in time it would merely have been summarised in the officer's report.

Question 4: How effective is the organisation's risk management system? How do we review whether this system is working effectively? Do we develop an action plan to correct any deficiencies in the systems? If so, do we publish this each year?

It was agreed that there was a need to develop a specific (and brief) statement of the Audit & Review Committee's role in relation to risk management. The current system of the full Risk Register being brought to the Committee annually should be replaced by the Committee considering a report on strategic risks every 6 months (it might be appropriate for the relevant Member Champion to look at the Register every quarter). Risks which were not strategically significant, in terms of their potential impact / likelihood of occurring should be managed at officer level.

It is not appropriate for all Authority and Committee reports to contain a section on risk assessment. However, any new proposals coming to Members should be accompanied by a risk assessment. In terms of information available to the public about risk management, appetite for this is likely to be low, and the current statement in the BVPP, and public availability of the Statement of Internal Control, are adequate.

Business continuity plans should be developed by officers and agreed by members in relation to the few key risks where they could be genuinely helpful: eg a major IT crash; either of the two main offices being unusable (due to fire, flood etc); and a major outbreak of disease in the area. Such plans should concentrate on practical information and steps which would be useful to those persons responsible for dealing with the situation at the time.

Finally, more attention needs to be given to documenting relationships within key partnerships, including that with the Yorkshire Dales Millennium Trust. This needs to be based on a consideration of the risks to the Authority (including reputational risks) involved in such partnerships.

Dates of Next Meetings

1.30pm on 15th September 2006, at Yoredale, Bainbridge, to consider Principle 5.

1pm on 31st October 2006, at Yoredale, Bainbridge, to consider Principle 6.

1.30pm on 15th December 2006 at Yoredale, Bainbridge, to consider the way forward, and the development of a corporate governance policy for the Authority.

Yvonne Peacock
20th June 2006