

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: COMMITTEES OF THE CNPA

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Purpose

Following agreement in principle at the Board meeting on 25 May to set up 4 committees (Audit, Finance, Recruitment and Planning) and a Call-In group (to deal with decisions on the call-in of planning applications), this papers seeks agreement on membership, chairmanship and remit.

Recommendations

That the Board agree the details of these committees and the Call-In group as set out in the attached paper, becoming effective immediately.

Executive Summary

The Board agreed at their meeting on 25 May that 4 operational Committees should be set up (under the terms of Schedule 1, paragraph 16, of the National Parks (Scotland) Act 2000) to deal with: Audit; Finance; Recruitment; and Planning. It was agreed that the planning Committee should be a committee of the whole authority, and that in addition a separate group should be set up to make decisions on whether or not to call in planning applications within the Park area. It was agreed that further details on membership and remit should be brought to the next meeting for approval (27 June).

CNPA AUDIT COMMITTEE

- Membership:** 5 (quorum 3)
- Members:** Eric Baird
Sally Dowden
Sheena Slimon
Bob Wilson
Duncan Bryden
- Staff in Attendance:** Chief Executive (Accountable Officer) – non voting
Head of Corporate Services - non voting
- External Attendance:** To include external auditor (Auditor General for Scotland) and internal auditor as required.
- Remit:**
- a) To agree appointment of an internal auditor;
 - b) To oversee and monitor the development of the CNPA's internal audit plan (in accordance with the Scottish Public Finance Manual);
 - c) To receive and consider reports by the internal auditor;
 - d) To monitor the adequacy of the CNPA's internal control systems;
 - e) To consider reports by the external auditor on the CNPA's annual accounts and other matters;
 - f) To oversee the CNPA's arrangements for ensuring use of resources economically, efficiently and effectively (as required by s.19 of the National Parks (Scotland) Act 2000).
- Committee Life:** Permanent, but with a review of membership, chairmanship and remit each year (in September).

CNPA FINANCE COMMITTEE

Membership: 5 (quorum 3)

Members: Andrew Thin
Joyce Simpson
David Selfridge
Eleanor Mackintosh
Gregor Rimmel

Staff in Attendance: Chief Executive (Accountable Officer) – non voting
Head of Corporate Services - non voting

Remit:

- a) To oversee the preparation of annual budgets for the CNPA;
- b) To oversee the preparation of the corporate plan and seek approval of the whole CNPA Board prior to submission to Scottish Ministers;
- c) To monitor income and expenditure during the year against budget and report to the CNPA board once per quarter;
- d) Seek approval of the CNPA board to the annual accounts.

Committee Life: Permanent, but with a review of membership, chairmanship and remit each year (in September).

CNPA STAFFING AND RECRUITMENT COMMITTEE

Membership: 5 (quorum 3)

Members: Andrew Thin
Eric Baird
Anne MacLean
David Green
Douglas Glass

External Attendance: For appointment of the Chief Executive, the Committee should include the Head of Environment Group, Scottish Executive (since the appointment is subject to approval by Scottish Ministers).

Remit:

- a) To oversee the recruitment of the CNPA's senior management team and Chief Executive, including agreeing the job descriptions, adverts and salary;
- b) To take responsibility for interviewing and selecting the successful candidates, and seeking the endorsement of the whole CNPA Board (and of Scottish Ministers in the case of the Chief Executive);
- c) To oversee and monitor the HR (human resources) systems put in place for the CNPA;
- d) To provide an interface between staff representative group(s) and the Board.

Committee Life: Permanent, but with a review of membership, chairmanship and remit each year (in September).

CNPA PLANNING AND DEVELOPMENT CONTROL COMMITTEE

- Membership:** The whole CNPA Board
- Staff in Attendance:** Head of Planning
Planning Officers as required
- Remit:**
- a) The determination of planning applications called in by the CNPA. This includes: applications for planning permission; listed buildings consent; conservation area consent; advertisement consent; review of minerals consents; prior notifications of applications for the demolition of buildings; erection of farm/forestry buildings; the development of Crown land;
 - b) The approval of enforcement actions or the serving of any other notices under the Planning Act which may control the development of a site;
 - c) The approval of non-statutory planning policy documents such as statutory planning advice, design guides or other interim policy statements;
 - d) The approval of formal responses to consultations on statutory planning related matters such as Scottish Executive consultations on NPPGs (National Planning Policy Guidance), PANs (Planning Advice Notes) and other policy documents in cases where there may be an adverse impact on the CNPA's interests;
 - e) The approval of formal requests to consultations by neighbouring local authorities on structure plans and neighbouring local plans in cases where there may be an adverse impact on the CNPA's interests;
 - f) The approval of TPOs (Tree Preservation Orders).
- Committee Life:** Permanent, but with a review of membership, chairmanship and remit each year (in September).

CNPA Development Control Call-In Group

Membership: 9 (quorum 5)

Members: Andrew Thin
Bruce Luffman
Andrew Rafferty
Stuart Black
Lucy Grant
Basil Dunlop
Susan Walker
Alastair MacLennan
Peter Argyle

Remit:

- a) To receive advice from the Head of Planning (or staff to whom the Head of Planning has delegated authority) and decide whether or not to call in planning applications made within the Park area, for determination by the planning committee (the whole CNPA Board).
- b) To determine and keep under review the detailed processes through which the Call –In Group operates to reach decisions on call-in of planning applications.

Method of Operation:

These outline arrangements are proposed as a starting point – in practice, they may need to be modified in light of experience of the operation of these novel development control powers.

1. This group has delegated responsibility under The Act (schedule 1, paragraph 17(1)).
2. Local authorities will (as required by the designation order) notify the CNPA of planning applications within the Park boundaries within 5 days of their registration. The existence of such applications will be put in the public domain. The CNPA then has 21 days from this point to decide if it wishes to call-in the application for determination.
3. Each week the CNPA planning staff will circulate a weekly CNPA planning list, showing the planning applications on which a call-in decision needs to be made within the following week, and the advice on whether or not to call them in. This will be sent to all Members of the CNPA for information.
4. There would then be a period of, say, 5 days during which Members of the call-in group can register their disagreement with any of the recommendations of the planning officer on the weekly list. If there were no disagreements on a case within the specified timescale, the decision on call-in would be delegated to officers.

5. If 2 or more members registered their disagreement with the recommendation by a particular time, this would trigger a meeting/discussion between members of the Call-In group to reach a decision. For ease, there should be a fixed time and place (say 2pm, Grantown-on-Spey or the new office on the east side of the Park, every Friday) for meetings of the Call-in Group, to be used if needed, and cancelled if not needed. (Note: at least once every month there will be a board meeting on a Friday, so the call-in meeting would be at that venue on those occasions). Participation in meetings would be in person, or by means of a conference telephone call. The relevant planning officer would participate in order to record the discussion and reasons for the decision.
6. It would be open to the public to make representations in advance of the decision on the matter of calling-in planning applications, given that the registration of all planning applications is publicly available information.
7. The decisions on call-in would be put in the public domain (as described above), whether flowing automatically from the planning offer's advice, or from a meeting. Any judgement on whether or not to call-in will be on the narrow point of whether or not the application raises a planning issue of "general significance" to the Park's aims; it will not be on the merits of the application and its determination.
8. It is expected that the CNPA will call in a relatively small number of planning applications as being significant to the Park's aims. These arrangements are designed to be consistent with the timescales imposed by the designation order; to ensure expeditious processing of planning applications within the National Park with the minimum of delay as a result of the call-in function conferred on the CNPA; but at the same time, ensure transparency of process and decisions, and allow for the public to make representations on the issue of call-in (not the issue of determination of the application itself).

Call-in Group Life: Permanent, but with a review of membership, chairmanship and remit each year (in September).

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