

National Park Authority Board

Decision by correspondence



Governance Arrangements and Contingencies during the COVID-19/Coronavirus Crisis

Paper for decision

1. Introduction

- 1.1 This paper presents a summary of our response to the COVID-19 crisis and in particular the actions taken in response to rapidly unfolding events since the Board meeting held on 16th March 2020. Members are asked to note and endorse the actions taken by officers to date. Under the current Government restrictions it is not possible to hold in-person Board or Committee meetings and it is also expected that further Business Continuity Plan operational decisions will be required in the coming weeks. This paper proposes temporary amended governance arrangements to ensure continuing appropriate Board Member oversight and decision making during the crisis and to facilitate virtual Board and Committee meetings which could be broadcast to the public. It is also recommended that additional Vice-Convenor/Chair positions are appointed as a contingency for current office bearers becoming unavailable for meetings

2. Recommendations

- The Board is requested to:
- a) Note and endorse the actions taken by officers in response to the unfolding COVID-19/Coronavirus crisis as set out in Appendix 1.
 - b) Appoint from the date of their decision to approve and for a temporary period the nominated Members set out in Paragraph 3.8 (to be reviewed by 14th September 2020)
 - i. Heather Reid as an additional Vice-Convenor,
 - ii. Claire Chapman as Acting Vice-Chair of Planning and Access Committee,
 - iii. Christopher Spray as an additional Vice-Chair of Audit and Risk Committee.
 - c) Approve from the date of their decision to approve the amended temporary Terms of Reference and Membership of the Chairs and Executive Meeting and List of Powers as set out in Appendix 2, including the delegation (in terms of Paragraph 17 of Schedule 1 to the National Parks (Scotland) Act 2000 as applied by the Loch Lomond and The Trossachs National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2002) to the Chairs and Executive Meeting of powers to take urgent decisions on behalf of the Board and approve temporary amendments to Standing Orders for the Board and Planning and Access Committee and the Local Review Body in response to the COVID-19/Coronavirus crisis.
 - d) Agree that the provisions of Standing Order 25 will apply for the duration of the social distancing restrictions and that Board, Committee meetings and the Local Review Body will be held virtually during this time.

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3. Background

Operational Response to the COVID-19/Coronavirus Crisis

- 3.1 The organisation has been responding on a daily basis to the events, guidance and restrictions brought about by the COVID-19/Coronavirus crisis since early February 2020. Many operational decisions have had to be taken in reaction to a rapidly changing environment, particularly during the course of March 2020. Since the previous Board meeting on 16th March 2020, the crisis has escalated rapidly requiring radical changes to the way the organisation operates. The Business Continuity Plan log of responses and actions is attached as Appendix 1 of this report. Members are asked to note and endorse the actions taken by officers to date.
- 3.2 In particular the following should be noted;
- a. All staff are working from home unless authorised by the Executive to carry out an essential task which is satisfactorily risk assessed.
 - b. Remote access for staff to essential systems has been successfully implemented.
 - c. Operation of financial and payment systems is continuing and the end of financial year processes have been well managed.
 - d. A small number of capital projects were halted at close to completion stage and there is a delay to some essential facilities repair work being carried out.
 - e. All National Park Authority gated sites and buildings are closed to the public until restrictions on travel for recreation are lifted.
 - f. All campsites and camping permit areas are closed to campers and the camping byelaws are still in force.
 - g. Tenants have closed down their operations and upon request will be granted a 3 month rent holiday subject to review.
 - h. No face to face meetings or site visits are being undertaken unless an emergency requires otherwise.
 - i. Board and Committee business will require to be held virtually until Government restrictions allow otherwise.
- 3.3 Processes are underway to determine the operating capacity and service provision that can be delivered through remote working and under current Government restrictions as follows;
- a. Operational Managers are establishing what staff capacity is available in the context of health, caring and domestic circumstances and identifying tasks that can be delivered through remote working.
 - b. The Planning service is focussed on delivering decisions on delegated cases that were at an advanced stage of processing. Emergency Scottish Government legislation is awaited to establish how the planning system can operate with the current travel and social distancing restrictions in place. There will inevitably be disruption to the level of service provided and the type of applications that can be progressed.

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- c. Enforcement of Planning, Access and Byelaws as well as supervision of our estate for site safety and security will need to be considered and the deployment of single person vehicle patrols are under consideration.
 - d. The Executive will be reviewing the approved 2020/21 Budget and Annual Operating Plan based on best assumptions about the length of time the current restrictions will apply and what can be delivered across the year. Previous income projections will require to be radically reduced.
 - e. Officers are already working on action plans so that we are ready to reopen facilities and deploy seasonal field staff timeously when restrictions are lifted. Our role will be important in the recovery of the National Park visitor economy.
 - f. Offers of assistance to the main local authorities in the National Park have been made and an audit of potentially available staff volunteers is being collated to assist with wider Civic Duty support work. There will be collaboration with the Community Partnership to ensure good communications with communities on support to vulnerable people affected by the crisis.
 - g. We are considering how local tourism businesses can be supported as the crisis subsides and the tourism economy begins to rebuild.
- 3.4 Officers would envisage providing updates to the Chairs and Executive group in its proposed amended role between scheduled Board meetings.

Governance Business Continuity Arrangements

- 3.5 There is a need to facilitate appropriate levels of Governance while the COVID-19/Coronavirus crisis continues. Board Standing Order 25 allows for meetings to be held virtually at the discretion of the Convener as follows;
- 25 *Members will be expected to attend Board meetings regularly. Participation will normally be in person, but may in exceptional circumstances (with agreement of the Convener) be by virtual meeting. In such circumstances Members will be deemed to be present and attending and constitute part of the Board for the purpose of the meeting.*
- 3.6 It is proposed that Board, Committee and Local Review Body business is conducted virtually until restrictions are lifted. Officers are investigating suitable video/tele-conferencing software that will also facilitate public broadcast (and participation for Planning and Access Committee and the Local Review Body). Details will be provided for Members once a preferred system is identified. The limitations of video/tele-conferencing may require amendments to Standing Orders and it is proposed that the power to make such amendments is delegated to the Chairs and Executive Meeting.
- 3.7 The possibility of the current Convener/Chairs and Vice-Convener/Chairs becoming indisposed due to the virus requires contingencies to be in place to ensure Board/Committee and Local Review Body Business can be conducted. It is

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therefore suggested that it would be prudent to identify additional Vice-Chairs for the Board and statutory Committees who can be drawn on if required. These additional positions would be reviewed by 14 September 2020.

- 3.8 Nominations proposed by the Convener and seconded by the Vice-Convener are as follows;

Board Vice-Convener – Heather Reid
Vice-Chair of Planning and Access Committee – Claire Chapman
Vice-Chair of Audit and Risk Committee – Christopher Spray

- 3.9 It is possible that the impacts of the COVID-19/Coronavirus make it appropriate to seek to vary the quorum requirements established in standing orders, to allow for decisions to continue to be taken. It is not proposed to vary quorum numbers at this point (other than for the amended Chairs and Executive Meetings' Terms of Reference and List of Powers). However this can be reviewed by the Chairs and Executive Group under the proposed temporary delegated powers.

4. Conclusion

- 4.1 We are proposing temporary governance arrangements that aim to provide resilience and timely decision making during the ongoing COVID-19/Coronavirus crisis. We moved quickly in response to the rapidly changing crisis, and we will continue to work closely with partner organisations to consider the residual effects of this and further actions needed, as well as to identify where our staff could potentially play a wider civic duty role in response to the crisis. Over the coming weeks we will be considering what risks needed to be managed once social distancing measures are removed, as well as reviewing our Annual Operational Plan and Budget in light of the crisis. We will also begin to engage with businesses and communities on plans to support the recovery from the crisis and in particular explore our role in helping rebuild the tourism economy in the National Park.

Author and Executive Sponsor: Gordon Watson, CEO

Appendix 1 – *Confidential* - Chronology of events – COVID-19 outbreak – LLTNPA
Appendix 2 – Temporary Revised Terms of Reference for Chairs and Executive Meetings and List of Powers