

# National Park Authority Board Meeting

Agenda Item 6

## Committee/Group Structure and Standing Orders Updates

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### *Paper for decision*

#### 1. Introduction

- 1.1. The purpose of this paper is to (a) propose changes to the Board's Committee and Group structure, in particular to the existing Delivery Group, and (b) to update the Board, Planning and Access Committee, and Local Review Body Standing Orders to ensure they are up to date and fit for purpose.
- 1.2. Our governance structure, including the Board and its Committees and Groups, has evolved over the life of the National Park. Our current Committee and Group structure was put in place two years ago following a review of previous arrangements, with memberships and chair/depute-chair appointments being reviewed on a two yearly cycle. With the benefit of the past two years' experience with the current structure, there is now the potential to make further improvements. The recommended changes seek to reduce some duplication in reporting and overlapping of roles in current structures while creating more opportunities to ensure the skills and expertise of Board members are better utilised in strategy and project development.
- 1.3. In addition, we have reviewed our Standing Orders to ensure they remain fit for purpose. As a result of our recent review, we are proposing several changes and improvements so that they remain a clear and inclusive document. The process of continually reviewing and improving our structures is intended to enable our governance to respond dynamically to the needs of the organisation and the challenges facing the National Park.

#### 2. Recommendations

- 2.1. That the Board:
  - a) Dissolves the Delivery Group
  - b) Creates a new Futures Group and approves its draft Terms of Reference attached at **Appendix 1**.
  - c) Approves the revised Board Standing Orders, attached at **Appendix 2**.
  - d) Approves the revised Planning and Access Committee Standing Orders, attached at **Appendix 3**.
  - e) Approves the revised Local Review Body Standing Orders, attached at **Appendix 4**.

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### 3. Contribution to National Park Partnership Plan and Our 5-year Plan

- 3.1. The efficient functioning of our Board and Committees ensures good governance which underpins all Outcomes and Priorities of the National Park Partnership Plan and Our 5-year Plan 2018-23.

### 4. Committee and Group Structure

- 4.1. We currently have the following Board Committees and Groups as part of our governance structure:
- **Audit & Risk Committee:** to advise the Accountable Officer and the Board on risk and control, accounts, internal and external audit, corporate governance, and anti-fraud processes.
  - **Planning & Access Committee:** to take decisions (as per the relevant schemes of delegation) in relation to the National Park Authority's statutory Planning and Access functions. Members of the Planning & Access Committee are also required to sit on the Local Review Body which considers planning appeals made by one of our Planning Officers as a delegated decision.
  - **Chairs & Executive Group:** to discuss emerging issues in relation to the management of governance and priority issues or developments; to maintain the sustainability and security of the organisation; and to advise the Board on strategic risk or opportunities.
  - **Delivery Group:** to oversee delivery of high priority projects and provide assurance of project progress and management to the Board.
- 4.2. The most significant recommended change arising out of our review is in respect of the Delivery Group. The Delivery Group itself has evolved through time towards its current remit of reviewing high priority projects. In doing so, the Delivery Group has a role in overseeing the management of significant projects, while also providing assurance to the Board on areas such as project timescales, budgets, and risks.
- 4.3. These Delivery Group roles often overlap with the role of other Committees or Groups, in some cases leading to multiple reporting on similar areas. For example, project delivery is also monitored by the Board through the Annual Operating Plan update reports, budgets are reported to the Chairs & Executive Group and the Board, and significant risks are monitored by the Audit & Risk Committee. While the Delivery Group has been able to oversee individual projects, the duplication and overlaps raise questions over the efficiency of the current approach for both Board Members and staff.
- 4.4. At the same time, our Committee and Group structure currently lacks a frequent space for early-stage project and idea development. In recent times this has been

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covered by Board strategic sessions, but these can be infrequent and time-pressured when they do occur. This means officers aren't always able to make the best use of the diverse skills and expertise of our Board members to the full extent in developing new or ongoing work at early development stage.

- 4.5. We are therefore proposing to dissolve the Delivery Group and create a new Futures Group. The primary purpose of the Futures Group would be to contribute to early thinking on strategic topics or significant projects in a more informal way prior to further development by staff and subsequent Board decision-making. It would also have a role in enabling ongoing support and advice, for example by identifying and appointing a Board member champion for a particular topic or project. The Futures Group would also identify external partners, stakeholders or expertise who can support strategic thinking and innovation, and enable the best use of data insights and design thinking to tackle challenging issues.
- 4.6. In terms of mechanics, we propose that the Futures Group would operate flexibly to host bespoke working meetings tailored to the needs of the topic to be discussed. It would receive presentations and run facilitated discussion sessions rather than have agendas and reports. The Group would have a Chair and Depute-Chair, and a core membership of up to five. Importantly, all Board members and a representative of the Youth Committee will be invited to attend meetings with attendance being optional according to whether the topic is of interest.
- 4.7. Since the Delivery Group would no longer exist to provide an assurance role on project risk, it is proposed that this responsibility would fall to the Audit & Risk Committee where projects are identified as carrying significant risk management. This fits well with the wider role of that Committee, and enables project risk to be considered in light of the broader Committee work and the understanding it has of the assurance and control environment within the organisation. We would plan to update the Audit & Risk Committee's Terms of Reference in due course to reflect this additional role, as well as consider the practicalities of reporting on project risk and handling on the Committee's agenda. The format of project risk reporting will be linked to how the Committee currently reviews corporate risks.
- 4.8. The result of these changes is that there would be clearer routes through our governance structure to the main Board. The Futures Group would provide early thinking and input on key strategic topics for the organisation (linked to National Park Partnership Plan priorities and outcomes), the Audit & Risk Committee would provide assurance, the Planning and Access Committee would cover statutory responsibilities in these areas, and the Chairs and Executive Group would continue to provide early input on operational planning, budgets, and Board business planning.

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4.9. The National Park Youth Committee has continued to have some virtual meetings during the COVID pandemic but disruption has affected some planned activities. Officers have been facilitating a number of sessions on topics identified by the Committee members. It is intended to do more work to further describe the relationship the Youth Committee has with our broader governance once more normal programmed meetings are possible. Heather Reid will continue to be the Board champion in this area.

### 5. Standing Orders Updates

5.1. We have reviewed the Standing Orders for the Board, the Planning and Access Committee, and the Local Review Body. During the review we took into account recent lessons from working with the Standing Orders, including in light of the COVID-19 pandemic, and updates as a result of the Planning (Scotland) Act 2019.

5.2. The main updates to the Standing Orders include:

Topic	Standing Order Number		
	Board	PAC	LRB
a) <b>Business continuity:</b> To allow for the postponement of meetings and the postponement or cancellation of meetings with less than one week's notice where the Convener / Chair considers this is not reasonably practical.	30	2	54
b) <b>Pre-determination hearings:</b> Pre-determination hearings are no longer a statutory requirement but we propose to retain the discretion to hold a pre-determination hearing if appropriate in the opinion of the Chair of the Planning & Access Committee in consultation with the Director of Planning & Rural Development.	45	8	n/a
c) <b>Voting in virtual meetings:</b> When meetings are held virtually, voting intentions would be indicated by verbal confirmation.	32, 48, 54, 58, 64	3, 33, 44, 46, 51	51
d) <b>Voting procedures:</b> To provide greater clarification on the voting procedure (consistent with proposed changes to the Planning and Access Committee Standing Orders).	54 to 65	42 to 53	n/a
e) <b>Standing Order Review:</b> Changed from a two-yearly review to a periodic review of the Standing Orders. We consider this would be more appropriate for this documentation to be updated as is required and necessary, since changes (such as those required by the	77	n/a	n/a

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Planning (Scotland) Act 2019) are often required out with a set review period.			
f) <b>Deputations:</b> Changed to ensure that those who have proposed to make a deputation are given advance notice of whether it will be heard at the meeting. In the existing Standing Orders, the applicant would only receive confirmation at the meeting itself.	38c)	n/a	n/a
g) <b>Requests to speak:</b> To allow the Chair/Depute Chair in consultation with the Director of Rural Development and Planning to consider requests to speak from those that have already made written representations on a case under exceptional circumstances prior to the Planning & Access Committee meeting (currently this can only be decided at committee). Also to allow for an increase in the number of speakers to be heard at a Planning & Access Committee meeting/hearing should a particular application merit this higher level of engagement from interested parties.	n/a	17, 26	n/a
h) <b>Site visits:</b> Provision included for the use of video footage.		33	
i) <b>New matters:</b> To clarify the process that will be followed when a potential new matter is raised at a Local Review Body.	n/a	n/a	10
j) <b>Housekeeping:</b> Several updates to improve the internal consistency of the document and to implement gender-neutral language.	Various		

### 6. Future governance work

6.1. In addition to the above changes, we have further governance improvements that we hope to take forward in 2021, as timing and resource allows. We consider that this further work will help with continuous improvement of our governance to ensure it remains fit for purpose and continues to lead to high quality outcomes for the National Park. In particular it will be important to consider, in the light of the benefits arising from the necessity of holding virtual meetings during the pandemic, particularly providing digital access, what the best approach to modern governance should be once restrictions are lifted.

6.2. **Audit & Risk Committee Terms of Reference** – As noted in the section above on Committee structure, we will consider how these Terms of Reference need to change in order to refer to the responsibility for providing oversight on project risk, now that the Delivery Group is no longer covering this.

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- 6.3. **Corporate reporting** – We plan to review how various statutory and compliance reports come to the Board. Currently these sit across the main Board itself (e.g. the annual Health & Safety report) as well as the Audit & Risk Committee (e.g. performance information in the Annual Accounts). We do not currently consider wholesale change is needed on statutory and compliance reporting, but plan to consider whether any slight adjustments would improve the effectiveness of Board oversight of these areas.
- 6.4. **Virtual meetings** – As we emerge from the COVID-19 pandemic we will be considering what format our future meetings should take and what role virtual or hybrid meetings should have. In order to do so we need to consider the broader governance environment and equalities impacts, as well as the transparency, financial, and environmental considerations.
- 6.5. **Youth Committee** – We plan to explore ways to further integrate the Youth Committee into our Board meetings to ensure its unique perspective can help inform Board discussions and decisions.

Appendix 1 – National Park Authority Futures Group Terms of Reference

Appendix 2 – National Park Authority Board Standing Orders

Appendix 3 – National Park Authority Planning & Access Committee Standing Orders

Appendix 4 – National Park Authority Local Review Body Standing Orders

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