

North York Moors National Park Authority

23 September 2013

Protocol for Arranging Substitute Members for Committees and Forums

1. Purpose of the Report

- 1.1 To seek Member approval of the proposal for the arrangements for substitution at Committees and Forums to supplement the Standing Orders.

2. Standing Orders

- 2.1 The Authority's Standing Orders have been formally amended in relation to the provisions for substitutes at Committees. It is important that the Authority has arrangements in place to ensure that the quoracy and balance of committees is maintained. The current Standing Orders at paragraph 27 state that

"The Authority may make arrangements for substitute membership of Committees, Sub Committees and Task and Finish groups in accordance with such schemes as it may approve"

The purpose of this report is to seek approval for a scheme to operate in accordance with this provision.

- 2.2 The Authority membership is divided into those appointed by the Secretary of State and those by the constituent local authorities. In order to ensure the legality of decision making Standing Orders require at least one member from each group should be in attendance to meet the quoracy requirements. In addition, the Authority must secure the same proportion of these two groups of Members in its Committees as in the full Authority.
- 2.3 The only decision making committee which meets on a regular cycle which could be impacted by these proposals on substitutes is Finance, Risk, Audit and Standards, as the Authority and Planning Committee consist of all Members. However, the Forums are included in this paper even though substitutes are not required in terms of legality as these are advisory only (and the rule regarding proportions of Members from the two groups does not apply).

3. Proposal

- 3.1 For practical reasons it is proposed that Officers of the Authority make arrangements for substitutes rather than require the Member who cannot attend to make their own arrangements for a substitute. This is because Officers often know when Members have holiday or other diary commitments. However, it is important that in terms of the transparency of decision making there is a clear protocol which Officers should work to when contacting Members relating to substitutes.
- 3.2 The following proposal is considered to be a workable and practical solution;
- 1) The Chair or Deputy Chair if attending in their ex- officio capacity act as the first choice substitutes (the Chair first, then Deputy)
Where the Chair and Deputy are absent or more substitutes are required then

- 2) If the Member who is unable to attend wishes to express a preferred Member to act as substitute from the same group (so as to ensure the proportionality requirement in para 2.2 above) Officers will approach this Member before going to level 3) below
- 3) Other Members within the same group who have past experience of the Committee or Forums and subject to availability
- 4) and finally, other Members from the same group who have not had past experience of the Committee of Forums
- 5) In pursuing the hierarchy outlined in 1-4 above, Officers shall as far as possible maintain the correct balance between the two groups of Members.

3.3 In respect of Finance, Risk, Audit and Standards Committee provided that sufficient notice of absence is given, as this is a decision making committee and quoracy is vital to its operation Officers will use best endeavours to ensure that substitutes are found. However, in respect of Forums and other advisory Committees, as these are non-decision making, if it seems that there will only be one absentee then Officers may do nothing.

3.4 This protocol does not apply to representation on other bodies as the substitute is named.

4. **Financial and Staffing Implications**

4.1 There are no financial or staffing implications arising from this report.

5. **Sustainability Appraisal**

5.1 A Sustainability Assessment is not required because the report is an administrative issues report.

6. **Legal Implications**

6.1 The legal implications are described in the report.

7. **Recommendation**

7.1 That Members approve the proposal in paragraph 3.2 as the means by which substitutes will be appointed to Committees, Task and Finish Groups and Forums.

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