

Date: 18 December 2012

Report: THE ADVOCACY AND REPRESENTATIONAL ROLE OF MEMBERS

Purpose of the report

1. To review the Authority's guidance on the advocacy and representational role of members.

Strategic Planning Framework

2. The information and recommendation(s) contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework:
 - **Corporate Plan objective 17:** Ensure the Authority has corporate governance and financial arrangements that are fit for purpose, as evidenced through the Annual Governance Statement and an unqualified audit opinion each year
 - **Action 182:** Review the guidance on the advocacy and representational roles of members by December 2012.

Background

3. The Authority first adopted guidance for Members on their advocacy and representational role in September 2006. This sprang from a review of the roles of Authority Members following the National Park Authority Performance Assessment (NPAPA) process which took place in 2005; in particular that there had been a lack of shared understanding between both Members and officers about this aspect of Members' role. The guidance was based on a review of published material on the roles of National Park Authority members.
4. The guidance was reviewed by the Authority in March 2010 and endorsed, without any changes being made. A copy of it is attached as the **Appendix** to this report.
5. Officers have reviewed the guidance again and concluded that the nine principles are still sound, and should provide helpful guidance to both new and existing Members. In the six years since the guidance was first adopted, I am not aware of any Member expressing problems or disagreement with it. There is, however, one area of the roles of Members which has arisen recently, and which I believe merits specific mention in this guidance: that is the Member Parish Initiative.

6. The Member Parish Initiative was introduced in response to recommendations in the 2010 NPAPA process that the ambassadorial role of Members needed to be delivered in a more consistent manner; and that more could be done through improving communication of the positive aspects of the Authority's work to try to change the perception of the organisation amongst the local community. It is an initiative which is led and delivered by Members. Its purposes are: to let participating Parish Councils know about some of the issues facing the Authority; to hear about issues that are important to the Parish Councils; and to identify any areas where the Authority can help or work with the Parish Councils.
7. I believe that it would be appropriate to refer to the Member Parish Initiative in the guidance on advocacy and representational roles, and suggest that this is done by rewording Principle 7 to read as follows: "Members who represent the Authority, for example as Champions, under the Member Parish Initiative or on Partnerships, must do so on the basis of established Authority policy".
8. In the past, practice has been that documents such as this guidance should be reviewed every three years. In the context of reduced resources, the default time for review has been changed to five years. It is therefore suggested that this guidance be reviewed again in five years, unless events in the meanwhile make an earlier review expedient.

RECOMMENDATION

9. That the guidance on the advocacy and representational roles of Members be endorsed, subject to the amendment in paragraph 7 above; and that this guidance be reviewed afresh in five years time.

Richard Daly
Solicitor / Monitoring Officer

21st November 2012

Background documents:

Report to NPA meeting on 26th September 2006 (Item 10).

Report to planned NPA meeting on 25th September 2012 reviewing the Member Parish Initiative (Item 9).

October 2012 version of "Member Parish Information".

Yorkshire Dales National Park Authority

The Advocacy and Representational Role of Members

On 26th September 2006, the Authority adopted nine Principles in relation to Members' advocacy and representational role. The Principles are not binding on Authority Members in the way that, for example, the Code of Conduct is, but they are a collective statement to guide Members in this sometimes difficult area, and are to be used in the induction of new Authority Members. They also support Members in explaining their role, and in managing the expectations of others.

The nine principles are:

1. For all Members, the first consideration should always be the statutory National Park purposes (and, in pursuing those purposes, the socio-economic duty).
2. It is never appropriate for Members to advocate or represent the interests of particular individuals or organisations who are seeking a permission or consent from the Authority, and then to participate in decisions in relation to such matters.
3. All 22 Members represent all of the National Park, and no member has "constituents". Nevertheless it is legitimate, and indeed very important, that members with knowledge of the views and needs of local people represent those views when relevant to decisions which are being taken. In the same way, Members with relevant specialist knowledge or expertise need to bring it in to the decision making process.
4. It is legitimate for Members to point to any facts, or to pursue any line of argument, which they believe is relevant to consideration of any business before the Authority (including matters considered by Committee or by officers). In this sense, Members may advocate or represent any points, or interests, that they believe to be relevant.
5. In the same way, and subject of course to Standing Orders, Members may raise issues which are relevant to the Authority's powers and duties, even if there is no existing item of business to which the issue is relevant.
6. Members should acknowledge that they are fully part of the Authority, and should explain the purposes of the National Park, its structures and decision making, and the basis for the Authority's policies and decisions. Where a Member personally has a different view from the Authority's position, s/he should take care to explain both.
7. Members who represent the Authority, for example as Champions or on Partnerships, must do so on the basis of established Authority policy.
8. Members must always be careful to comply with the Authority's code of conduct, and in particular the provisions regarding Members' interests, and should seek advice in this regard where necessary.
9. Local Authority and Parish Members should consider, with the Authorities which appoint them, whether there are appropriate ways in which they can report back to and influence those authorities in relation to the work of the National Park Authority.

Reviewed and endorsed by the Authority, 30 March 2010