**PART E - The Structure of the Authority and its Committees**

**E1 INTRODUCTION**

E1.1 The Lake District National Park Authority (“the Authority”) is a legal entity known as a ‘body corporate’ and was established by [section 63](https://www.legislation.gov.uk/ukpga/1995/25/section/63) of the Environment Act 1995. The constitution of the Authority is set out at [Schedule 7](https://www.legislation.gov.uk/ukpga/1995/25/schedule/7) of the Environment Act 1995 and in the [National Park Authorities (England) Order 2015](https://www.legislation.gov.uk/uksi/2015/770/contents). The constitution is reflected in the Authority’s structure and its Core Documents.

E1.2 The Authority was set up with purposes and duties to which it must adhere (sections [61](https://www.legislation.gov.uk/ukpga/1995/25/section/61) and [62](https://www.legislation.gov.uk/ukpga/1995/25/section/62) of the Environment Act 1995). These statutory duties are:

* To conserve and enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park; and
* To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

and in pursuing those purposes:

* To seek to foster the economic and social well-being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters.

E1.3 The Authority only owns approximately 4% of the land within the Lake District National Park so working with other partners and stakeholders is a vital requirement. The Authority is therefore a key promoter of and partner on the Lake District National Park Partnership, which is made up of several partner organisations.

E1.4 The Vision for the Lake District National Park set out below is a Partnership Vision that has been agreed by the Lake District National Park Partnership. For the Authority, it is how we interpret and deliver our Statutory Purposes in a more contemporary way.

The Lake District National Park will be an inspirational example of sustainable development in action.

A place where its prosperous economy, world class visitor experiences and vibrant communities come together to sustain the spectacular landscape, its wildlife and cultural heritage.

Local people, visitors and the many organisations working in the National Park or have a contribution to make to it, must be united in achieving this.

E1.5 The [Lake District National Park Partnership’s Management Plan](https://www.lakedistrict.gov.uk/caringfor/lake-district-national-park-partnership/management-plan) (‘the Partnership Plan’) is the Authority’s statutory Management Plan. It explains how the Authority, together with a collective of key organisations working together as part of the Lake District National Park Partnership, will manage the Lake District National Park as effectively as possible to meet the strategies outlined in the Partnership Plan.

E1.6 The [Business Plan](https://lakedistrictgovuk.sharepoint.com/sites/WayMarkerOurOrganisation/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FWayMarkerOurOrganisation%2FShared%20Documents%2F2021%2D24%20Business%20Plan%2Epdf&parent=%2Fsites%2FWayMarkerOurOrganisation%2FShared%20Documents) sets out how we will deliver our statutory purposes and duty in the context of the Partnership Plan. It sets out the key actions we will take over the next three years. It also sets out how we will focus our resources to achieve the Vision and our priorities.

**E2 THE COMPOSITION OF THE AUTHORITY**

E2.1 [Schedule 1](https://www.legislation.gov.uk/uksi/2015/770/schedule/1) of the National Park Authorities (England) Order 2015 as amended states that the Lake District National Park Authority shall consist of 20 Members. Members are appointed by local authorities and by the Secretary of State for the Environment.

Local Authority Appointed Members - 10

Of which 6 are nominated by Westmoralnd and Furness Council

 ; and

 4 are nominated by Cumberland Council

Secretary of State Appointed Members (5 Parish and 5 National) - 10

E.2.2 Local Authority Appointed members must be serving councillors of their appointing local authority and such authorities should try to appoint members who represent divisions or wards situated wholly or partly within the National Park. Councillors should have relevant experience and close links to the Park. The Secretary of State has ensured that there should be equal representation from each tier of principal local authorities.

E.2.3 Secretary of State Appointed Members are appointed as either the result of nomination by their Parish Council or through direct appointment as a result of application made by an interested member of the public.

E.2.4 A Parish appointee must be a Member of a Parish Council, or the Chairman of the Parish Meeting of a parish which does not have a separate Parish Council, wholly or partly situated in the National Park. Their role is to ensure that local people have a greater involvement in the running of the Park. Parish Members are appointed not just the interest of their own parish but as representatives rather than delegates of the grouping of parishes that have nominated them. Parish Members are elected to the position by their fellow Parish Council members in theirs Distinctive Area, but only become a member upon the written endorsement of the Parliamentary Under Secretary of State for Natural Environment and Science. Anyone who is a serving councillor of a County or District Council appointing Members to the Authority, or anyone employed by such a Council cannot be appointed as a Parish Member.

E.2.5 A directly appointed Secretary of State Member is someone who expresses an interest in serving as such by applying to become a member in response to a public advertisement. In making his appointments, the Secretary of State takes account of the national purposes for which National Parks have been designated. Selection is made of individuals who have a capacity to present a wider national viewpoint and for experience, preferably in a combination of fields, with direct relevance to the character of the Lake District National Park. Individuals are selected for their personal qualities and experience and not as representatives of specific groups or organisations. Appointments are normally made for a four year term and may be extended for a further term of 1 or 4 years.

E2.6 To comply with the provisions of [section 28](https://www.legislation.gov.uk/ukpga/2011/20/section/28) of the Localism Act 2011, the Authority has appointed two Independent Persons. Their role is to assist the Authority in promoting high standards of conduct of elected and co-opted members of the Authority and, in particular, to uphold the [Member Code of Conduct](https://lakedistrictgovuk.sharepoint.com/%3Aw%3A/r/sites/WayMarkerOurOrganisation/_layouts/15/Doc.aspx?sourcedoc=%7BE002FC33-EA1E-4FBB-B5FB-E653FC724FA8%7D&file=PART%20I%20Member%20Code%20of%20Conduct%202021.docx&action=default&mobileredirect=true). They are appointed by the Authority Committee in response to a public advertisement and appointments are for a term of four years.

**E3 HOW THE AUTHORITY DOES ITS WORK...**

E3.1 The Authority is a partnership between the Members and Officers – the Officers providing the professional advice on which Members make decisions.

E3.2 To enable the Authority to undertake its business effectively and efficiently, the Authority has established a [Scheme of Delegation](https://lakedistrictgovuk.sharepoint.com/%3Aw%3A/r/sites/WayMarkerOurOrganisation/_layouts/15/Doc.aspx?sourcedoc=%7B0F4249A1-F456-4711-A584-A96F4E478440%7D&file=PART%20D%20Scheme%20of%20Delegation.docx&action=default&mobileredirect=true) which delegates some of its decision making to Committees and Officers. Committees are made up of a smaller group of Members who determine matters on behalf of the Authority and the Chairs of these Committees report these decisions to the Authority Committee. However, certain aspects of the work must be decided by the full Authority membership.

E3.3 The membership of a Committee may decide to form a Sub-Committee which can take its own decisions based on powers delegated to it by the parent Committee. The work of the Sub-Committee is reported to the parent Committee. Sub-Committees are usually set up to undertake time specific or specialised areas of work e.g. a Sub-Committee of the Governance Committee that is set up to deal with the determination of a complaint made against a Member. Smaller working groups can also be formed – of appointed Members and Officers – to focus on this detailed matter and advise the parent Committee. Members are also appointed by the Authority to sit as representatives of the Authority on outside groups or bodies to ensure that National Park interests are discussed and debated.

E3.4 The Authority has established the following Committees:-

Development Control Committee

Executive Performance Committee

Governance Committee

Park Strategy & Vision Committee

Resources Committee

Rights of Way Committee

E3.5 The following meetings take place to deal with the business of the Authority:

Authority as required (usually 4 times each year)

Development Control Committee every month (except January)

Park Strategy & Vision Committee two monthly as required

Resources Committee quarterly as required

Governance Committee quarterly as required

Rights of Way Committee quarterly as required

Executive Performance meetings as required

The dates of meetings are put in the diary and are available to everyone at least one year in advance to assist with planning.

**E4PUBLIC ATTENDANCE AT COMMITTEE MEETINGS**

G4.1 The Authority Committee and Committee meetings must be open to the public and press. The Authority facilitates this through the use of live streaming technology to broadcast committee meetings and publishes a link to access the live stream on its agenda for the relevant meeting. Members of the public or press **can** be excluded from a meeting in the following circumstances:

* If an item of business includes confidential or exempt information as defined in section [100A](https://www.legislation.gov.uk/ukpga/1972/70/section/100A)(2) and [Schedule 12A](https://www.legislation.gov.uk/ukpga/1972/70/schedule/12A) of the Local Government Act 1972 (LGA 1972).
* To suppress or prevent disorderly conduct or other misbehaviour.

E4.2 If the Authority is planning to exclude the public or press from part of a meeting, any relevant documents should be marked as confidential before the meeting by the Proper Officer (as defined in [section 270](https://www.legislation.gov.uk/ukpga/1972/70/section/270)(3) of the LGA 1972).

E4.3 If the Authority wishes to exclude the public or press from part of a meeting, members must consider a resolution: Identifying the proceedings (or part) to which it applies and describing the exempt information that gives rise to the decision to exclude the public from the meeting. Members must consider whether the information contained within the report is indeed “exempt information” and whether, in all the circumstances of the case, the public interest in maintaining the exemption (i.e. dealing with the report in private) outweighs the public interest in disclosing the information. If Members pass the resolution, the Authority will be permitted to lawfully exclude the public during the relevant proceedings at a meeting. As with confidential information, if Authority is planning to exclude the public or press from a part of the meeting, any relevant documents should be marked as exempt by the proper officer before the meeting. Such papers will not be made available to the public or the press unless Members of the Authority decide against the resolution to exclude the public in which case the papers will be published on the Authority’s website.

E4.4 The Authority can exclude the public and press to "suppress or prevent disorderly conduct or other misbehaviour at a meeting" (section [100A](https://www.legislation.gov.uk/ukpga/1972/70/section/100A)(8), LGA 1972). A chairman is able to adjourn a meeting because of disorder among the public or press. Once a meeting is resumed, if the individual or group continue to cause disorder, they can be excluded from the meeting. However, the remaining public in attendance cannot be excluded on the ground that re-admission could lead to further disorder. As a matter of good practice, an individual or group should be given an opportunity to leave quietly of their own accord before they are actively removed from the meeting.

E4.5 Upon request, the public are allocated time at all meetings of the Authority’s Committees to address the Members. The details of the arrangements for public speaking can be found in the document entitled “[Public Attendance and Speaking at Committee Meetings](https://lakedistrictgovuk.sharepoint.com/%3Aw%3A/r/sites/WayMarkerOurOrganisation/_layouts/15/Doc.aspx?sourcedoc=%7BE6DF1880-CE66-4108-B942-B84B3E0E5B61%7D&file=PART%20G%20Public%20Attendance%20and%20Speaking%20at%20Committee%20Meetings.doc&action=default&mobileredirect=true)”.

**E5 RECORDING AT COMMITTEE MEETINGS**

E5.1 The [Openness of Local Government Bodies Regulations 2014](https://www.legislation.gov.uk/uksi/2014/2095/contents) permits any member of the public or press to take photographs; film and audio record the proceedings and report on all public meetings. While no prior permission is required to carry out this activity, it is advisable that any person wishing to film or audio record a public meeting lets the Member Services Co-ordinator know so that all necessary arrangements can be made. This is important because the rules require local government bodies to provide reasonable facilities for any member of the public to report on meetings.

E5.2 The rules on use of communications methods, such as filming and audio recording, only require the Lake District National Park Authority to allow the reporting of meetings open to the public. This means that members of the public and press are not permitted to film or audio record private meetings. They are also not permitted to leave recording equipment in the room where a private meeting is held for the purposes of reporting on the meeting.

E5.3 Any member of the public or press who wish to record the meetings by sound, video, film, photograph or any other means must ensure that they do not act in a disruptive manner as this could result in them being excluded from the meeting. Disruptive behaviour is any action or activity which disrupts the conduct of meetings or impedes other members of the public being able to see, hear or film the proceedings. In particular members of the public or press are requested to comply with the following conditions:

* Recording must be carried out without any disruption to proceedings;
* Recording must be carried out from the area designated for the public/press unless consent of the Chair permits the recording from another area of the meeting room;
* No equipment must be linked to the Authority’s sound or recording systems;
* If any member of the public indicates that they do not wish to be recorded, recording must immediately cease;
* Use of intrusive lighting and flash photography is not permitted; and
* Members of the public or press may not ask for people to repeat statements for the purposes of recording.

E5.4 The Authority uses an audio sound system during committee meetings and will make a digital sound recording of the meeting. The recordings will be retained for a period of 12 months before being deleted and will be made available to the public upon request.