



EXMOOR NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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20 April 2021

EXMOOR NATIONAL PARK AUTHORITY STANDARDS COMMITTEE

To: The Members of the STANDARDS COMMITTEE of the Exmoor National Park Authority

A meeting of the Standards Committee will be held via Microsoft Teams Video Conferencing software on **Wednesday, 28 April 2021 at 2.00pm.**

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

Please be aware that this is a public Authority Meeting and will be **audio and video recorded**. We will make the recordings available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson so that those present may be made aware.

(The agenda and papers for this meeting can be downloaded from the National Park Authority's website www.exmoor-nationalpark.gov.uk).

Sarah Bryan
Chief Executive

A G E N D A

1. **Apologies for Absence**
2. **Minutes:** (1) To approve as a correct record the Minutes of the meeting of the Standards Committee held on 24 September 2020 (Item 2).
(2) To consider any Matters Arising from those Minutes.
3. **Standards Committee Annual Report 2020-2021:** To consider the joint report of the Head of Strategy and Performance and Solicitor and Monitoring Officer (Item 3)
4. **Updated ENPA Complaints Procedure and Report of Complaints Received:** To consider the joint report of the Head of Strategy and Performance and Business Support Officer (Item 4)
5. **Annual Governance Review 2020-2021:** To consider the joint report of the Chief Finance Officer and Solicitor and Monitoring Officer (Item 5)
6. **Any Other Business**

Details of the decisions taken at this meeting will be circulated in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained from Judy Coles, Corporate Support Officer, at Exmoor House. These documents can also be made available in alternative formats such as large print, on tape and on disc.

**EXMOOR NATIONAL PARK AUTHORITY
STANDARDS COMMITTEE**

MINUTES of the meeting of the Standards Committee held at 10.00am on Thursday, 24 September 2020 via Microsoft Teams Video Conferencing software.

PRESENT

Mr J Patrinos (Chairman)
Mr M Ellicott
Mr R Milton
Mr S J Pugsley
Miss E Stacey
Mr N Thwaites

In Attendance:

Mrs S Bryan (Chief Executive)
Ms J Coles (Corporate Support Officer)
Mrs C Reid (Head of Strategy & Performance)
Mr M Riggulsford (Independent Person)
Mr A Yendole (Monitoring Officer).

1. MINUTES:

- i. **Confirmation:** The Minutes of the Standards Committee's meeting held on 2 July 2019 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising from those Minutes.

2. REVIEW OF STANDING ORDERS

The Committee considered the report of the Head of Strategy and Performance

The Committee's Consideration

The proposed amendments to Standing Orders and the Scheme of Delegation were discussed in detail by the Committee.

In relation to the proposal that the Standards Committee would have an overview of general complaints as well as complaints against Members, the Head of Strategy and Performance updated the Committee that the Authority's Leadership Team is currently reviewing its complaints process, with a view to adopting a 2 stage process, which is in line with many other National Park and local Authority's around the country.

With regards to proposal 2.5 of the report - Delegated Powers for Planning Items - Members debated the inclusion of the terms 'sound', 'clear' or 'valid' in relation to statutory consultees providing planning reasons. In the end it was agreed that no adjective was actually required and therefore it was proposed that Clause 7 (3) (i) of Standing Orders should read:

24 September 2020

*“A statutory consultee (e.g. parish/district council, highway authority, Environment Agency) has a view contrary to the recommendation of planning officers, **accompanied by planning reasons** and which is received within the consultation period, excepting in relation to applications for the following (which shall be delegated decision):”*

For consistency, it was also agreed to amend Clause 7 (4) on Page 29 of the Scheme of Delegation, such that it should read:

*“In relation to paragraph 7 (3) (i) above, where a statutory consultee has a view contrary to the recommendation of planning officers, the Head of Planning in consultation with the Deputy Chair (Planning), shall determine whether the view is **accompanied by a planning reason**, and therefore whether or not the provisions for the delegation of planning decision applies.”*

Committee Members agreed with all other proposals contained within the report and resolved to recommend the amendments to Standing Orders and the Scheme of Delegation to the next suitable meeting of the full Authority.

RESOLVED: To recommend that the Authority agrees:

- (1) The proposed amendments to Standing Orders and the Scheme of Delegation to be presented to the full Authority for adoption.
- (2) The proposed work programme for the Committee in paragraph 3.1.

5. **ANY OTHER BUSINESS OF URGENCY:** There was none.

(The meeting closed at 10.40am)

Chairman

EXMOOR NATIONAL PARK AUTHORITY

STANDARDS COMMITTEE

28 April 2021

STANDARDS COMMITTEE ANNUAL REPORT 2020-2021

Joint Report of the Head of Strategy and Performance and the Solicitor and Monitoring Officer

PURPOSE OF THE REPORT: To consider the report of the Standing Committee functions during 2020-2021.

RECOMMENDATIONS: The Committee is recommended to:

- (1) Note the contents of the Annual Report for 2020-2021
- (2) Agree review ENPA Member Code of Conduct at the next meeting
- (3) Discuss any Member training needs for 2021-2022

Authority Priority: To meet the requirements of legislation where applicable to National Parks and conduct Authority business in line with good practice and the 7 principles of public life.

Legal and Equality Implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to “do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to-

- (a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]
- (b) the carrying out of any functions conferred on it by virtue of any other enactment.”

The Localism Act 2011 requires the Authority to promote and maintain high standards of conduct. The Coronavirus Act 2020 make allowances for changes to the way Authorities conduct their business due to the pandemic, until 7 May 2021.

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: There are no implications for Human Rights Act.

Financial and Risk Implications: Reputational and other risks including criminal liability could arise should Members fail properly to comply with the provisions of the Localism Act 2011, particularly in relation to the declaration of relevant interests.

1. INTRODUCTION

- 1.1 This report provides an overview of the functions of the Standards Committee during 2020-2021.
- 1.2 Following a review of Standing Orders undertaken by Members, and approved by the Authority on 3 November 2020 the functions of the Standards Committee have been extended to include:

- Annual review of Standing Orders
 - Annual review of Code of Conduct, including actions to address any repeat infringements
 - Review of the Annual Governance Statement in advance of signature by the Chief Executive and Chair of the Authority
 - Identification of relevant Member training requirements
 - Overview of ENPA complaints and compliments
 - Review of national standards arrangements and good practice
- 1.3 In addition, the Auditors in their Annual Governance Statement (November 2019), recommended that the Standards Committee more actively monitor compliance with the Code of Conduct, and training of Members, and receive periodic reports on these matters.
- 1.4 The Standards Committee met once in September 2020, with a working group meeting also taking place in July 2020 to review Standing Orders and consider recommendations for amendments to these. Due to Covid-19 restrictions, the Annual General Meeting of the Authority did not take place during 2020, and consequently all Member appointments including the Chairman and Membership of the Standards Committee, were rolled forward for this year.

2. Annual Review of Standing Orders

- 2.1 A review was carried out during 2020 by a working group of Members, and recommendations made for amendments and updates to the Standing Orders. These were presented to the Authority and adopted on 3 November 2020.

3. Annual Review of Member Conduct and Code of Conduct

- 3.1 The Member Code of Conduct was last updated on 4 December 2018 and is available on the ENPA website [Member Code of Conduct \(exmoor-nationalpark.gov.uk\)](http://exmoor-nationalpark.gov.uk).
- 3.2 The Local Government Association (LGA) issued a Model Councillor Code of Conduct at the end of December 2020 and committed to carrying out an annual review of the Code. Further guidance on the Model Code of Conduct is still awaited from the LGA. [Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#).
- 3.3 It is proposed that Members review the ENPA Member Code of Conduct at the next Standards Committee meeting when the LGA guidance is available.
- 3.4 The Authority has in place appropriate arrangements for dealing with complaints against Members and a mechanism to deal with allegations that Members may have breached the Code of Conduct. In summary, the Solicitor and Monitoring Officer assesses the complaint and if they feel it warrants investigation they will discuss with the Independent Person and together they will come to a view whether to conduct a full investigation. If it requires investigation the Solicitor and Monitoring Officer will appoint an Investigating Officer, and if they find no case to answer the Solicitor and Monitoring officer will inform the complainant. If there is evidence of a failure to comply with the Code of Conduct, there may be a local resolution or referral to a hearing by the Standards Committee. More information about the Code of Conduct and the complaints process can be found on the ENPA website [Exmoor – Your views \(exmoor-nationalpark.gov.uk\)](http://exmoor-nationalpark.gov.uk).

3.5 The Council has appointed an 'Independent Person' in line with the requirements of the Localism Act 2011. The appointment will be confirmed annually as part of the Member appointments process.

3.6 During 2020-2021 there have been no formal complaints against Members and no action required of the Monitoring Officer or Standards Committee.

4. Review of the Annual Governance Statement

4.1 This is covered separately under Item 5 of the agenda.

5. Identification of Relevant Member Training Requirements

5.1 Two formal Member training sessions were held, as well as several informal Member briefing sessions on a number of topics. In August a planning training session was delivered on uPVC windows and heritage issues. In October, training was given on dealing with Motions at Authority meetings and Safeguarding for vulnerable adults and children.

5.2 At the October training session, the Independent Person and Solicitor and Monitoring Officer also led a training session on Member Conduct, highlighting in particular a number of practical observations following the move to virtual meetings as a consequence of the Covid-19 pandemic. Steps were taken to address those practical matters identified, including further guidance and support for Members in participating in virtual meetings.

5.3 A number of new Members joined the Authority in 2020, and whilst the normal Member induction and training arrangements were not possible, virtual training was provided for all Members by ENPA staff, the Monitoring Officer and Legal advisor. Two of the new Members were also able to attend the national induction course run virtually by the Brecon Beacons NPA on behalf of all Authorities.

5.4 Members may wish to comment on training requirements for 2021-22. Two obligatory planning training sessions are planned for April and September 2021, along with a potential Member Study Tour in October 2021 (it is not possible to run the May Study Tour due to Covid-19 restrictions). In April the training will consider planning enforcement issues.

6. Overview of ENPA Complaints and Compliments

6.1 This is covered separately under Item 4 of the agenda.

7. Review of National Standards Arrangements and Good Practice

7.1 In 2018, the Committee on Standards in Public Life carried out a review of local government ethical standards, their report was published in January 2019. In response to the review, the LGA has produced the Model Code of Conduct as stated in paragraph 3.2, and this will be considered by the Committee at the next Standards Committee meeting.

Clare Reid
Head of Strategy and Performance

Andrew Yendole
Solicitor and Monitoring Officer

Background papers on which this report, or an important part of it are based, constitute the list of background papers required by Section 100 D (1) of the Local Government Act 1972 to be open to Members of the public comprise:

- Localism Act 2011.
- Coronavirus Act 2020

EXMOOR NATIONAL PARK AUTHORITY

STANDARDS COMMITTEE

28 APRIL 2021

UPDATED ENPA COMPLAINTS PROCEDURE AND REPORT OF COMPLAINTS RECEIVED

Joint Report of the Head of Strategy and Performance and Business Support Officer

PURPOSE OF THE REPORT: To notify the Standards Committee of the updated complaints procedure and provide details of complaints received.

RECOMMENDATIONS: The Committee is recommended to:

- (1) Note the revised complaints procedure.
- (2) Consider the overview report of general complaints and complements received by the Authority.

Authority Priority: To seek to continually improve services provided by the Authority where complaints received are upheld.

Legal and Equality Implications: Potential for complaints to be relevant to current legislation and/or equalities legislation

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: There are no implications for Human Rights Act.

Financial and Risk Implications: Reputational and other risks including criminal liability could arise should the Authority fail to act on complaints received.

1. INTRODUCTION

1.1 This report provides an overview of the updates to the Exmoor National Park Authority complaints procedure.

1.2 Following a review of complaints procedure, updates have been made to improve efficiency of the procedure providing less repetition for both Officers and Complainant. The main changes are:

- A first informal stage for complaints which are dealt with by the relevant Officers
- A simplified 2-stage formal process dealt with by the relevant Senior Manager; then escalated if needed to the Complaints Officer / Chief Executive

- Response times extended to allow for investigations
 - Additional guidance provided on Unreasonable Complainants
 - Guidance for ENPA Officers and for the public updated
- 1.3 Updated guidance on the complaints process has been provided on the ENPA website [Exmoor – Complaints Procedure \(exmoor-nationalpark.gov.uk\)](http://exmoor-nationalpark.gov.uk)
- 1.4 ENPA Officers at Leadership and Manager level plus relevant Officers from Planning and Recreation and Access have attended complaints handling training delivered by the Local Government and Social Care Ombudsman (LGSCO.)
- 2. Complaints received by Exmoor National Park Authority**
- 2.1 Details of complaints received by ENPA are set out in the Appendix.

Clare Reid
Head of Strategy and Performance

Hazel Malcolm
Business Support Officer

COMPLAINTS RECEIVED AT ENPA FOR FINANCIAL YEARS 2018 - 21

1. Introduction

The Authority values the feedback on our services that we receive through the complaints process and we are committed to dealing with all complaints fairly and impartially, and to making our service as accessible as possible. The complaints process is used to find the root causes of problems and help us to make improvements to systems and processes where they haven't worked properly.

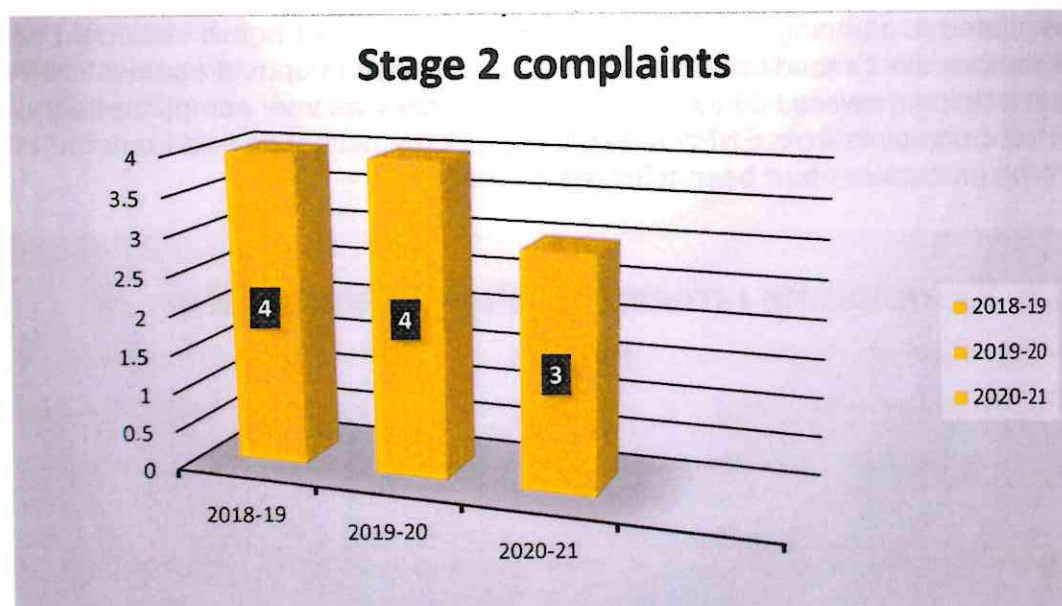
2. Complaints received by ENPA

Since 2018 the number of overall complaints received has increased (from 11 in 2018/19 to 18 in 2020-21). This increase may be due to several factors including better documenting and reporting of complaints. The number of more serious complaints (Stage 2 and above) has remained at a consistent level as set out in Section 3 below.

Planning generated the most complaints, although complaints have been reported across most sections at ENPA.

3. Stage 2 Complaints

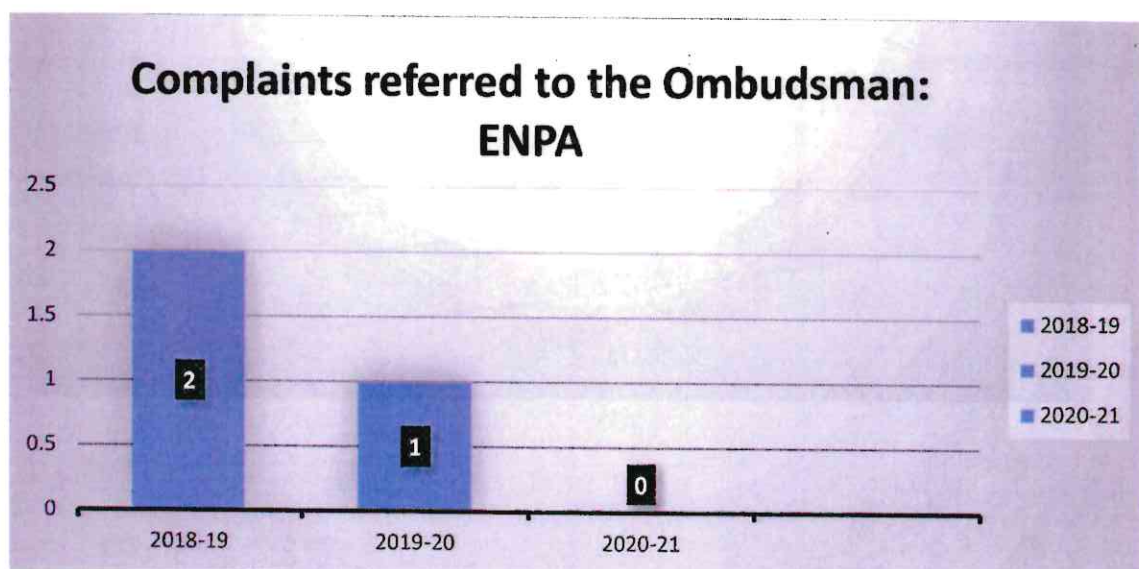
These are the more serious complaints, which are escalated to the Complaints Officer or Chief Executive if the complainant has not been satisfied by the response received in earlier stages of the complaints process. These complaints are reported to Members as part of the Corporate Plan Annual Report.



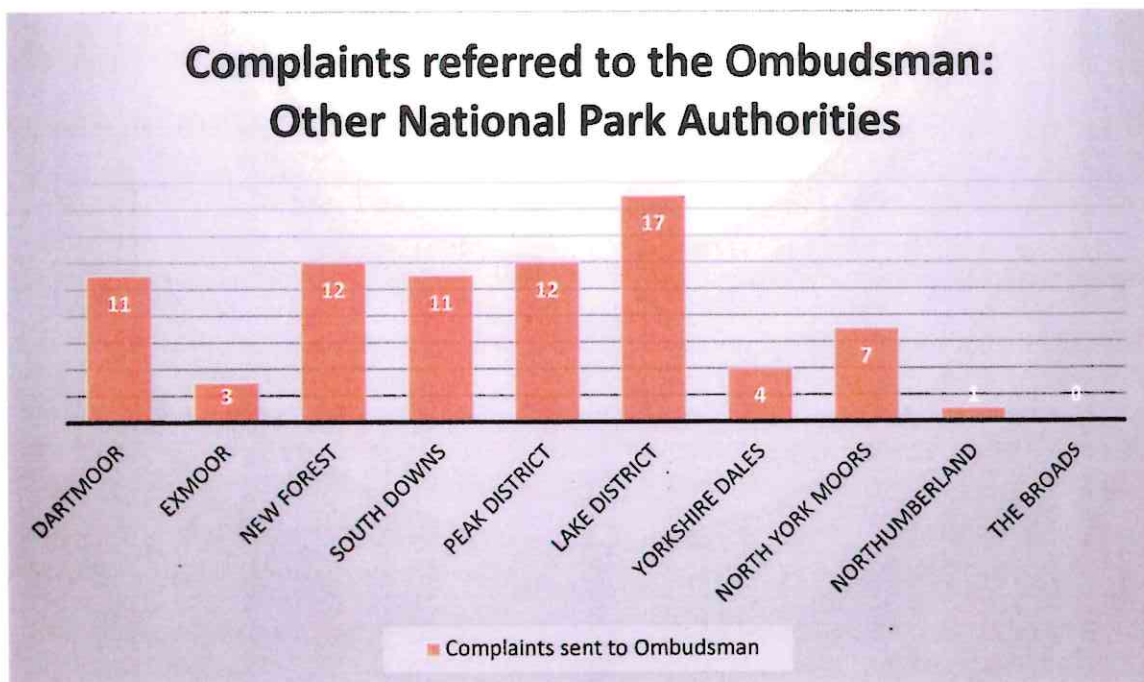
Stage 2 Complaints 2020-21		
Reason for the Complaint	Date	Authority Response
Sustainable Economy - Complaint of unfair competition from the ENPA Day out with a Ranger experiences	April 2020	Complaint not upheld. No fault found in ENPA's setting up and running of the Ranger Experience Days.
Planning and Planning Enforcement - complaint of harassment over a sustained period	November 2020	Complaint upheld. ENPA found that the complainant had followed advice and guidance on the ENPA website which was out of date and should not have been available to the public. ENPA apologised for the distress caused, closed the enforcement case, and removed the incorrect information from the website.
Planning Enforcement - Complaint about unlawful storage of an advertising sign in a neighbour's garden	April 2020	Complaint not upheld. No breach of planning enforcement was found and therefore no action was taken.

4. Complaints referred to the Ombudsman

No complaints were referred to the Ombudsman in 2020-21. Analysis from the last 3 years shows that all ENPA complaints that have been referred to the Ombudsman have related to planning, and this is consistent with other English National Parks. In all instances the Ombudsman has found no complaint to uphold against ENPA. In the recent training delivered by the LGSCO the Trainer was very complimentary about the referred complaints from ENPA reiterating that no malpractice had been found and planning procedures had been followed correctly.

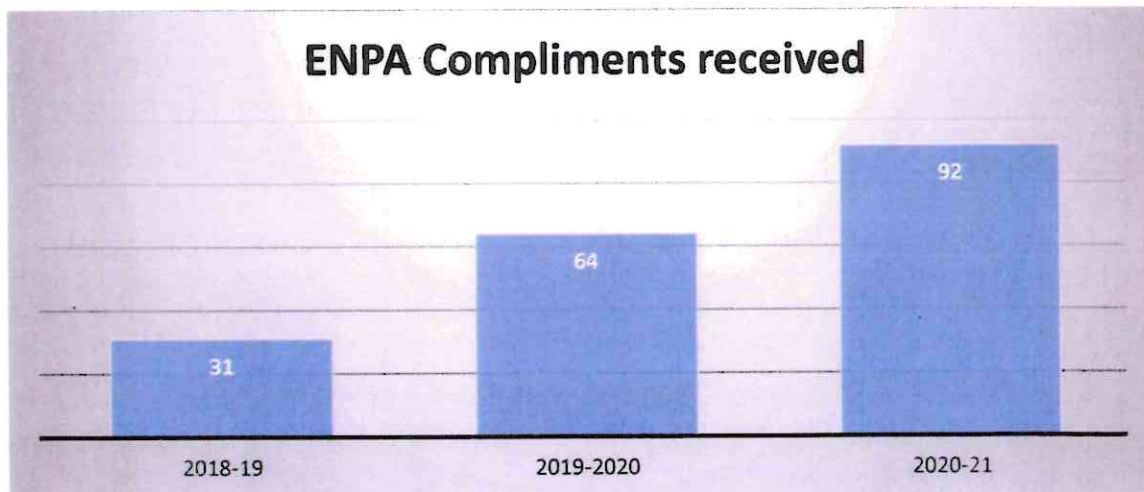


As can be seen by the chart below, levels of serious complaints received by ENPA which are then referred to the LGSCO are low.



5. Compliments

As well as complaints ENPA receives many compliments. These compliments cover all sections of ENPA, though most relate to Planning and Recreation and Access.



Hazel Malcolm
Business Support Officer
April 2021

EXMOOR NATIONAL PARK AUTHORITY

STANDARDS COMMITTEE

28 April 2021

ANNUAL GOVERNANCE REVIEW 2020-2021

Joint Report of the Chief Finance Officer and Solicitor and Monitoring Officer

Purpose of Report: To report compliance with the Authority's Code of Corporate Governance and consider the Annual Governance Statement.

RECOMMENDATIONS: The Standards Committee is recommended to:

- (1) Approve the Annual Governance Review.
- (2) Approve the Annual Governance Statement as set out in the attached Appendix for inclusion with the Annual Accounts for 2020-2021.

Authority Priority: Achieve Best Value from our resources and improve our performance.

Legal and Equality Implications: Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), and Sections 1-39

Accounts and Audit (England) Regulations 2011, Sections 4 (Responsibility for Financial Management), 5 (Accounting Records and Control Systems) and 6 (Internal Audit).

High standards of corporate governance are essential in ensuring all business is transacted lawfully and with propriety.

The equality and human rights impact of the recommendations of this report have been assessed as having no adverse impact on any particular group or individual.

Financial and Risk implications: The report has no financial implications but the risks to the Authority could be substantial for non-compliance with its Code of Corporate Governance.

1. INTRODUCTION

- 1.1 Sound governance arrangements and accountability are critical to the Authority to fulfil National Park purposes, deliver the intended outcomes in the National Park Partnership Plan and the Corporate Plan and operate in an effective, efficient and ethical manner. Good governance leads to good management, good performance, good stewardship of public money, good public engagement and ultimately good outcomes for the public and service users.
- 1.2 The Authority has endorsed the "Delivering Good Governance in Local Government Framework (2016)" that has been produced by CIPFA (Chartered Institute of Public Finance and Accounting) and SOLACE (Society of Local Authority Chief Executives and Senior Managers) which has the support of the Department for Communities and Local Government.

- 1.3 The CIPFA/SOLACE framework is based on the following seven core principles of good governance:
- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
 - B. Ensuring openness and comprehensive stakeholder engagement.
 - C. Defining outcomes in terms of sustainable economic, social and environmental benefits.
 - D. Determining the interventions necessary to optimise the achievement of the intended outcomes.
 - E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
 - F. Managing risks and performance through robust internal control and strong public financial management.
 - G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.
- 1.4 These seven principles are reflected in the Authority's Code of Corporate Governance. The CIPFA/SOLACE Framework sets out a number of supporting principles for each of the seven core principles and these are translated into a range of governance arrangements that the Authority has in place. This report summarises the Authority's compliance with these principles during 2020/21.
- 1.5 Governance in the Authority was impacted by the Coronavirus over the course of the year. We look forward to a point where in person meetings can again take place and staff and members can again engage in person.
2. **A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**
- 2.1 The governance arrangements the Authority has in place to achieve these principles are:
- codes of conduct which define the standards of conduct and personal behaviour to which members, staff and agents of the Authority are required to subscribe.
 - an effective Standards Committee.
 - arrangements and mechanisms to ensure all codes of conduct continue to operate in practice, to ensure that members and staff are not influenced by prejudices, bias or conflicts of interest in dealing with the public and stakeholders.
 - arrangements for reporting concerns at work (whistleblowing) which are accessible to all staff and contractors.
 - shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Authority.
 - member training and induction.
 - a register of gifts and hospitality and comply with anti- bribery and money laundering legislation.
 - partnerships underpinned by a common vision that is understood and agreed by all partners.

2.2 In year Commentary

- (i) Following the abolition of the Standards Board through the Localism Act 2011, new arrangements have been implemented and were approved in June 2012. The Authority has also appointed an 'Independent Person' to provide an external perspective on any investigations undertaken by the Standards Committee. We plan to review the code of conduct at the next Standards Committee once the LGA guidance has been issued.
- (ii) An annual reminder is sent to all staff reminding them of their responsibilities and the requirement to comply with all policies, procedures, standing orders (including contract standing orders) and financial regulations.

3. B. Ensuring openness and comprehensive stakeholder engagement

3.1 The governance arrangements the Authority has in place to achieve these principles are to:

- meet on a regular basis with meetings open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.
- undertake a number of consultative committees with parishes and other interested bodies throughout the year as a forum for discussing common issues.
- engage with local councils and the Local Enterprise Partnership to ensure that National Park priorities are heard.
- produce effective consultation and communication arrangements.
- undertake regular surveys of visitors and businesses to ensure that balanced and representative opinions are available to inform decision making.
- enable a complaint or request for information regarding any aspect of the Authority's activities to be easily lodged and to ensure it is properly addressed.

3.2 In year Commentary

- (i) Extensive consultation arrangements are in place. The Corporate Plan continues to compare performance against the objectives set for the previous year and sets the targets for the forthcoming year.
- (ii) During 2020/21 Partnership Groups continued to operate where possible although meetings were disrupted by either poor weather or Coronavirus. Together with Authority representatives the Partnership Groups enable progress to be monitored and further opportunities for co-operation between these Partnership Groups in support of Partnership Plan action plans and further partner engagement to be realised. An update on delivery of the Partnership Plan is being prepared.
- (iii) The Authority continues to consult widely with interested parties and holds a number of meetings of the Exmoor Consultative and Parish Forum at which questions relating to the activities and services of the Authority can be raised.
- (iv) The structure of meetings in 2020/21 remains the same although the pandemic has recently impacted on the ability of staff and members to meet in person with key groups. Where technology allows, new methods of interacting have been introduced. We continue to respond to Freedom of Information, Environmental Information Regulation requests, complaints and compliments.

- (v) The study of businesses on Exmoor has been completed and the results are currently being written up. Rural Enterprise Exmoor is moving in to the next phase which includes business engagement.

4. C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

4.1 The governance arrangements the Authority has in place to achieve these principles are to:

- produce a National Park Partnership Plan, reviewed every five years, which contains a vision for Exmoor, key challenges and ambitions.
- publish a Corporate Plan and performance report presenting an objective and understandable account of its activities and achievements, its financial position and performance and an assessment of plans to maintain and improve service quality.
- produce a Medium-Term Financial Plan which estimates income and expenditure over a five year period to ensure that obligations can be met.
- engage with young people and a wide variety of community groups to ensure that the value of national parks is appreciated into the future.
- ensure that the forward year budget includes a risk assessment.
- assess the impact on community groups before recommendations are made.
- work positively with DEFRA to ensure the long term role and funding of national parks is secured.

4.2 In year Commentary

- (i) The Corporate Plan report for 2020/21 was issued to the Authority at the March 2020 meeting and has continued to guide the Authority's activities during the year. This had to be revised due to the impact of the pandemic and the disappointing National Park Grant figure for the year. A six-month progress report was presented to Members in December 2020.
- (ii) The Annual Statement of Accounts for 2019/20 received an unqualified opinion from the Auditor, Grant Thornton LLP in November 2020. This was much later than normal due to the impact of conducting an audit remotely. Complaints procedures are in place, are easily accessible and are easy to use. Requests for information under the Freedom of Information Act, 2000 are dealt with in accordance with the statutory requirements. Reports on both complaints and Freedom of Information Act requests were submitted to the National Park Authority.
- (iii) Partnership working continues to be a key feature of the Authority's working, the most significant during the past year being the Headwaters of the Exe and Exmoor Mires Projects with South West Water, the Exmoor Non Native Invasive Species programme with the Environment Agency, the "Get Involved" Volunteers programme, the development of White Rocks Cottage with the Simonsbath Trust and the "Moor to Enjoy" Health & Wellbeing partnership with funding from both Devon and Somerset County Councils. We are also conducting Environmental land Management 'Tests and Trials' with Defra. Clear understandings are agreed with Partners and where the Authority takes the lead role, all matters are conducted in accordance with the Authority's Standing Orders and Financial Regulations.

- (iv) In 2019/20 the Authority declared a Climate emergency and we have prepared an action plan for ENPA and are working closely with the Devon and Somerset Climate Action groups to deliver a workable plan.
- (v) The task of developing a balanced medium-term financial plan is ongoing. The Authority is currently managing the one-off financial impact of the Coronavirus and looking ahead to see what the next funding settlement delivers. The Authority has now received two years of a cash- neutral budget.

5. **D. Determining the interventions necessary to optimise the achievement of the intended outcomes**

5.1 The governance arrangements the Authority has in place to achieve these principles are:

- considering a full range of options before recommendations are presented to members of the Authority.
- undertaking regular surveys of visitors and businesses to ensure that balanced and representative opinions are available to inform decision making.
- producing a Corporate Plan setting out objectives and targets for the period ahead.
- monitoring the achievement of these targets in year, and publicly reporting performance at the year end.
- producing a Medium-Term Financial Plan (MTFP) which estimates income and expenditure over a five year period, agreeing annual budgets which implement the Corporate Plan and are informed by the MTFP.
- the Finance and Performance Advisory Panel which will provide scrutiny over the budget setting process.
- when assessing options for capital investment the Authority, considering the life-cycle costs of the asset and the cost of capital financing.

5.2 In year Commentary

- (i) The Authority's decision-making processes are based on a slim line structure embracing the principle that there should be no duplication of effort. The Authority is not required to provide executive arrangements which were introduced in the Local Government Act 2000 and apply only to local authorities.
- (ii) The present Authority structure meets all the requirements of the Local Government Act. Standing Orders, Powers, Duties and Functions of the Authority Meeting, Scheme of Delegation and Financial Regulations were reviewed and updated during 2020 and adopted by the Authority in November 2020. The Members' Code of Conduct was last revised by the Authority in December 2018 and is due to be reviewed by the Standards Committee in 2021.
- (iii) The scheme of delegation of functions to Authority Committee and to the Chief Executive works well and is kept under review. In any public authority, decisions are being made all the time and it is important to strike the right balance between those that require Member consideration and those that can be taken by Officers. The scheme of delegation is set out fully in the

Authority's standing orders. All decisions by Officers must accord with all Authority policies and must where appropriate involve consultation with Members. Whether a Member or Members should be consulted on any particular issue is a matter of judgement but it is the practice to consult committee chairmen and deputy chairmen on some issues and indeed local Members, that is to say those representing a division, ward or parish. An overriding safeguard in the delegation scheme is that the Chief Executive is required in all cases to consider whether, rather than proceed under the scheme, she should refer the matter to a committee for decision. Where any controversy is likely, it is always the policy to refer such matters to committee for decision. Due to the Covid-19 pandemic, the revised Scheme of Delegation adopted in November 2020 included emergency powers to enable the Chief Executive, in consultation with the relevant Chairperson / Deputy Chairperson, to take decisions in an emergency situation.

- (iv) The Finance and Performance Advisory Panel establishes greater budgetary scrutiny and oversight of investment decisions. It has not met in 2020-21 due to the Covid-19 pandemic.
- (v) Over the course of 2020/21 we successfully managed the transition to virtual meetings. Staff and members have endeavoured to minimise the impact to local accountability of delivering the meetings remotely, and it may be that virtual meetings have enabled greater accessibility as people are able to view the meetings remotely rather than having to attend in person.

6. E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

6.1 The governance arrangements the Authority has in place to achieve these principles are:

- ensuring the Chief Executive is responsible and accountable to the Authority for all aspects of operational management.
- ensuring induction programmes are arranged for new members and new staff.
- ensuring Members are provided with the necessary training to perform their roles including member review and Member briefing arrangements.
- ensuring that staff are competent to perform their roles and that arrangements are in place for all staff to have a Personal Development Review.
- ensuring mechanisms are in place to maintain the health, safety and wellbeing of staff at work.
- ensuring that the roles and responsibilities of Members and staff are documented including those of the statutory officers namely Chief Executive, Chief Finance Officer and Monitoring Officer.
- providing arrangements that are designed to encourage individuals from all sections of the public to engage with, contribute to and participate in the work of the Authority.
- ensuring meetings are held on a regular basis, are open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.

6.2 In year Commentary

- (i) Induction Programmes were carried out during 2020/21 for new Members and new staff although these had to be adapted due to the Covid-19 pandemic to enable them to be delivered remotely. Members identify the subject areas for briefings/updates each year and this has been supplemented by a monthly informal Members' Forum where Members can request an updating or briefing on any topic or area of activity.
- (ii) Members have adopted a job description outlining the role and responsibility of members and an annual Member review is conducted by the Chairperson and Deputy Chairperson.
- (iii) All members of staff normally receive an annual performance and development review which included ensuring their job description was up to date, reviewed progress against current individual objectives and sets new objectives for the coming year. These objectives are directly linked to those contained in the Corporate Plan. Managers were encouraged to deliver these remotely during the pandemic.
- (iv) Many organisations are committed to taking a lead role in the achievement of actions in the National Park Partnership Plan and these comprise local authorities, statutory agencies, voluntary organisations and partnerships. All contribute to the periodic updating of progress against the targets.
- (iv) Leadership Team meets regularly and during the Covid-19 pandemic a regular meeting with Delivery Team managers has helped to guide the Authority through the many changes required to operations and service delivery as a result of the various lockdowns and restrictions.

7. **F. Managing risks and performance through robust internal control and strong public financial management.**

7.1 The governance arrangements the Authority has in place to achieve these principles are:

- to produce and agree an annual risk register and risk management policy.
- to maintain an effective risk management system including systems of internal control and internal audit.
- a Health and Safety Committee and focus groups to ensure that accidents and incidents are reported and appropriate management action taken to reduce risk.
- information management, e-mail, internet and ICT policies that are communicated and understood.
- targets for performance in the delivery of services on a sustainable basis.
- ensuring the Chief Finance Officer advises on all financial matters, keeps proper financial records and accounts and maintains an effective system of internal financial control.
- to produce an annual governance statement for inclusion in the Annual Statement of Accounts.
- to operate a Final Accounts Committee and the Finance and Performance Advisory Panel to provide an additional level of oversight and challenge.
- an Internal Audit service to provide reassurance over the operation of internal control and processes.

7.2 In year Commentary

- (i) The Corporate Plan sets out the priorities and objectives for each financial year with periodic reports to those charged with governance on achievements/progress.
- (ii) Annual reports have been made to the National Park Authority on the Risk Management Strategy and the Internal Audit Service. The Auditor, Grant Thornton LLP presented their Annual Audit Findings Report to the Authority in January 2020 with an unqualified opinion for the year ended 31 March 2020 and a conclusion that the Authority had adequate arrangements to secure economy, efficiency and effectiveness in the use of resources.
- (iii) Our Health and Safety practices have been externally appraised and a new Health, Safety & Welfare policy has been agreed. The Health and Safety meeting structure is currently working remotely have met more frequently during the pandemic. The existing system of reporting continues.

8. **G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability**

8.1 The governance arrangements the Authority has in place to achieve these principles are:

- ensuring meetings are held on a regular basis, are open to the public except where reasons of commercial or individual confidentiality require the meeting to be closed.
- arrangements designed to encourage individuals and groups from all sections of the public to engage with, contribute to and participate in the work of the Authority.
- ensuring that all activities are legally correct, fully documented, appropriately authorised and carried out in a planned manner.
- ensuring the Chief Executive is responsible and accountable to the Authority for all aspects of operational management.
- ensuring that the roles and responsibilities of officers are documented including those of the statutory officers namely Chief Executive, Chief Finance Officer and Monitoring Officer.
- publishing an Annual Statement of Accounts each year in accordance with statutory requirements.
- arrangements to enable a complaint or request for information regarding any aspect of the Authority's activities to be easily lodged and to ensure it is properly addressed.
- ensuring the Chief Finance Officer maintains proper records to ensure the annual statement of accounts show a true and fair view and that expenditure has been properly authorised and allocated in an appropriate manner.
- commissioning an Internal Audit service to provide reassurance over the operation of internal control and processes.
- inclusion of an annual governance statement in the Statement of Accounts.
- a Corporate Plan setting out the objectives and targets for the period ahead and annual reports on performance against targets.

- an annual update on the progress of the Authority and its partners on the implementation of the National Park Partnership Plan.
- auditing of the Authority's financial position and performance every year via an External Audit of the final accounts.

8.2 In year Commentary

- (i) Extensive consultation arrangements are in place. The Corporate Plan continues to compare performance against the objectives set for the previous year and sets the targets for the forthcoming year.
- (ii) Annual reports have been made to the National Park Authority on the Risk Management Strategy and the Internal Audit Service. The Auditor, Grant Thornton LLP presented their Annual Audit Findings Report to the Authority in January 2021 with an unqualified opinion for the year ended 31 March 2020 and a conclusion that the Authority had adequate arrangements to secure economy, efficiency and effectiveness in the use of resources.
- (iii) The Finance and Performance Advisory Panel has been established, terms and reference have been agreed and greater budgetary scrutiny and oversight has been made possible. FAPAP has not been able to meet this year however.
- (iv) The Authority now has the capability for the audio and video recording of its meetings and they can be viewed over the internet. During the Covid-19 pandemic meetings have been held virtually in accordance with the Coronavirus Regulations.
- (v) This year there have been reviews of the Anti-Fraud and Corruption and Whistleblowing policies.

Gordon Bryant
Chief Finance Officer

Andrew Yendole
Solicitor & Monitoring Officer



ANNUAL GOVERNANCE STATEMENT

1. Scope of responsibility

- 1.1 Exmoor National Park Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2 In discharging this overall responsibility, the Authority is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.
- 1.3 Exmoor National Park Authority has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code can be obtained from the Chief Executive, Exmoor House, Dulverton, TA22 9HL. This statement explains how the Authority has complied with the code and also meets the requirements of regulations 4(3) of the Accounts and Audit (England) Regulations 2011 in relation to the publication of an annual governance statement.

2. The purpose of the governance framework

- 2.1 The governance framework comprises the systems and processes, and the culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and the leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.
- 2.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies and aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
- 2.3 A governance framework has been in place at Exmoor National Park Authority for the year ended 31 March 2021 and up to the date of approval of the Corporate Plan and statement of accounts.

3. The Governance Framework

- 3.1 The key elements of the governance framework include:

- A National Park Partnership Plan that contains a vision, priorities and a corporate strategy to meet National Park purposes;
- The production of a Medium Term Financial Plan taking account of the anticipated level of National Park Grant;
- The production of a Corporate Plan that includes data on performance and objectives both achieved and planned;
- Committee papers that are linked to National Park Partnership Plan or Corporate Plan objectives and in compliance with equality and human rights legislation;
- Standing orders and financial regulations to regulate the conduct of the Authority's affairs;
- A Scheme of Delegation which sets out the functions and workings of the Authority and the powers delegated to Committees and the Chief Executive;
- Formal codes of conduct which define the standards of personal behaviour of members and staff. The code for Members was initially adopted in 2012 along with the establishment of a Standards Committee comprising 5 Authority members and the appointment of an "Independent Person" under the provisions of the 2011 Localism Act. A further process was the provision of guidance on the registration of interests. This was reviewed and refined in August 2012 with recommendations to Authority for standards arrangements and for the provision of member training on the new standards regime;
- Responsibility for audit matters are retained by the Authority;
- A Solicitor and Monitoring Officer who has a statutory responsibility supported by the Chief Finance Officer and financial regulations to ensure the legality of transactions, activities and arrangements the Authority enters;
- Financial management arrangements of the Authority which conform with the governance requirements of the CIPFA Statement on the role of the Chief Financial Officer in Local Government (2010) ;
- A Complaints procedure and a whistle-blowing policy in place for members of the public, members, staff or contractors;
- An Anti Fraud, Corruption and Bribery Policy;
- An ICT Acceptable Use Policy;
- Risk Management Policy, Registers and Business Continuity and Disaster Recovery systems which are approved, in place and subject to annual regular review;
- Extensive arrangements for partnership working on a range of projects. Partnership working is crucial to the achievement of the priorities set out in the National Park Partnership Plan.
- A staff performance and development review process which identifies training and development needs;
- Training, briefing and induction programmes for members; and
- Wide consultation with interested parties and an Exmoor Consultative and Parish Forum meets to engage with the community and a Local Access Forum considers access and rights of way issues. Numerous diverse organisations are represented on these consultative mechanisms.

4. Review of Effectiveness

- 4.1 Exmoor National Park Authority has responsibility for conducting at least annually, a review of effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the Chief Executive and Heads of Section within the Authority who have responsibility for the development and maintenance of the governance environment, the annual report on internal audit, and by the Annual Governance Report of the external auditors.
- 4.2 The process that has been applied in maintaining and reviewing the effectiveness of the governance framework is:
- The adoption of an updated Code of Corporate Governance in March 2017 with an annual review by the National Park Authority carried out by the Authority's Solicitor and Monitoring Officer to ensure compliance with the Code and audited by the Chief Finance Officer;
 - Adoption of Standing Orders, the scheme of delegation and financial regulations which are periodically reviewed, updated and approved;
 - Reports to the Authority on performance management including sustainability and the corporate planning and performance framework;
 - Annual reports presented to the Authority in respect of internal audit which is a contracted service, and from the external auditor appointed by the Audit Commission;
 - Annual reports presented to the Authority on risk management, performance indicators and treasury management; and
 - An internal audit service is contracted from the Devon Audit Partnership and an annual work programme is agreed with the Chief Finance Officer with the internal auditors producing an annual report covering their activities for presentation to the Authority.

5. Significant governance issues

- 5.1 In general the governance and internal control systems within the Authority are working effectively and have been reviewed by the Solicitor and Monitoring Officer and the Chief Finance Officer and are independently validated by the internal and external auditors. As a consequence of certain Internal Audit findings, the Authority has undertaken a review of Safeguarding policies and practices. These changes will be discussed with Internal Audit in May 2021.
- 5.2 During 2021/22 the Authority will be:
- Continuing the communication and implementation of the 2018-23 National Park Partnership Plan;
 - Producing guidance on the recently adopted Local Plan;
 - Working with Defra to deliver the eight points of the National Parks Plan;
 - Monitoring new legislation and changes in policy to ensure that account is taken of the impact on National Parks and National Park communities;
 - Responding to the Government on the Landscape Review;
 - Continuing to operate within limited resources while increasing revenue from alternative sources;

- Continuing to develop customer service standards and culture; and
- Monitoring the performance of the Corporate Plan.
- Abide by the working arrangements determined by law and recommended guidance in the context of the current pandemic.
- Implement the updated Safeguarding policies and procedures.
- Potentially establish a method of allocating new funding streams.
- Manage the ongoing impact of cv19.
- Implement the transition back to in person but distanced meetings, and staff gradually returning to Exmoor House.
- Continue to engage and communicate flexibly while making best use of technology.

5.3 We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our annual review.

Signed
 Mrs S Bryan, Chief Executive R Milton, Chairperson

Date