



# EXMOOR

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## NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY  
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This matter is being dealt with by:  
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1 June 2022

### 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 Committee Room, Exmoor House, Dulverton on **Tuesday, 19 July 2022 at 9.45am**.

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](http://www.exmoor-nationalpark.gov.uk)).

Sarah Bryan  
Chief Executive

#### A G E N D A

1. **Election of Chairperson**
2. **Election of Deputy Chairperson**
3. **Apologies for Absence**
4. **Minutes:** (1) To approve as a correct record the Minutes of the meeting of the Standards Committee held on 9 November 2021 (Item 4).  
(2) To consider any Matters Arising from those Minutes.
5. **Standards Committee Annual Report 2021-2022:** To consider the joint report of the Head of Strategy and Performance and Solicitor and Monitoring Officer (Item 5)
6. **Annual Governance Review 2021-2022:** To consider the joint report of the Chief Finance Officer and Solicitor and Monitoring Officer (Item 6)
7. **Any Other Business of Urgency**

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.am on Tuesday, 9 November 2021 in the Committee Room at Exmoor House, Dulverton.

### PRESENT

Mr J Patrinos (Chairperson)  
Mr M Ellicott  
Mr S J Pugsley  
Mr N Thwaites

### In Attendance:

Mr G Bryant (Chief Finance Officer)  
Ms J Coles (Corporate Support Officer)  
Mrs C Reid (Head of Strategy and Performance)  
Mr M Riggulsford (Independent Person)  
Mr A Yendole (Solicitor and Monitoring Officer) – *by telephone*

An apology for absence was received from Mrs E Stacey.

### 6. MINUTES:

- i. **Confirmation:** The [Minutes](#) of the Standards Committee's meeting held on 6 July 2021 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising from those Minutes.

### 7. REVIEW OF MEMBER CODE OF CONDUCT

The Standards Committee considered the [joint report](#) of the Head of Strategy and Performance and Monitoring Officer

#### The Standards Committee's Consideration

The Committee considered the proposed changes to the Authority's Code of Conduct, in line with the Local Government Association Model Code of Conduct, and were happy to accept the majority of the recommendations. However, a number of concerns were raised in relation to Section 4 – Registration of Interests:-

- **Clause 4.9 (c)** - some Members felt uncomfortable about the proposed wording. However, it was noted that the clause did not require that a record be made of the name of the person or organisation whose significant gift or hospitality had been refused, and therefore it was considered that the proposed amendment was acceptable.
- Members were uncomfortable with the proposed change from a "disclosable pecuniary interest" to "any disclosable interest" in Clause 4.13 (a) and (c). It was considered this was too wide a definition and that this may result in Members feeling they had to leave the room in instances where they held a "personal" interest which was not considered to be significant.

A number of alternative scenarios were discussed, and consideration was given to whether introduction of a 3<sup>rd</sup> term “prejudicial personal interest” could be used to satisfy the concerns.

- It was therefore suggested that the Monitoring Officer should carry out a further review of the proposed wording in light of the comments made. As a consequence, the following final draft was agreed by the Monitoring Officer in consultation with the Standards Committee Chairperson prior to a paper going to the 7 December 2021 Authority Meeting:-
  - **Clause 4.8** – *“A **non-registerable** interest may arise where a decision might reasonably be regarded as affecting the well-being or financial position of a significant person to a greater extent than the majority of other council tax payers, rate payers and residents affected by the decision. A significant person means a close member of your family or any person with whom you have a close association. In this instance you must declare to the meeting the existence and nature of that interest and withdraw from the decision making process by stepping outside the meeting room.”*
  - **Clause 4.13** – *“Where you have any in any business of the Authority and you attend any meeting at which that business is to be considered, you must:*
    - (a) disclose to that meeting the existence and nature of that interest, but where your interest is sensitive you are not required to disclose the interest but merely the fact that there is a **disclosable interest** in the matter concerned;*
    - (b) disclose any interest in accordance with the Authority’s reasonable requirements, no later than the commencement of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you;*
    - (c) where you have **any disclosable pecuniary interest or a non-registerable personal interest as defined in paragraph 4.8 above**, withdraw from the room or chamber where a meeting considering the business is being held at the commencement of the consideration of that business in which you have that interest, or (if later) the time at which the interest becomes apparent to you;*
    - (d) not seek to influence improperly any decision about that business;*

In addition, two typographical corrections were also requested to be made:-

- Clause 4.7 (b) (ii) should read “any other body **exercising** functions of a public nature (e.g. County, District or Parish Council, Health, Police or Fire Authority or Quasi Autonomous Non-Governmental Body)”
- Clause 4.7 (b) (iv) should read “**any body** whose principle purposes include influence of public opinion or policy or which, in your view, might create a conflict of interest in carrying out your duties as a Member of Exmoor National Park Authority (e.g.) Political Party; Trade Union; Professional Association; Local Action Forum; Civic Society or Interest Group e.g. National Trust; RSPB; Greenpeace or membership of the Freemasons or similar body).”

Details of concerns raised by a member of the public, who had watched video recordings of Authority meetings, were shared with the Committee. These concerns related to the perceived use of mobile phones during Authority meetings. It was noted that the ability to use laptops, tablets and mobile phones could be a useful tool to look up additional information during a meeting. The Committee considered that if such tools were used for the right purposes, their use was perfectly acceptable. It was further noted that the Independent Person regularly reviewed recordings of meeting and would talk to Members either individually or collectively if they saw a need for further training in relation to conduct.

**RESOLVED:** To agree the proposed amendments to the Code of Conduct, subject to the changes identified, and delegated to the Monitoring Officer and Chairperson of the Standards Committee to agree the final draft prior to it being presented to the full Authority for adoption.

The meeting closed for recess at 11.00 am and reconvened at 11.08 am.

## 8. DISPENSATION TO AUTHORITY MEMBERS

The Standards Committee considered the [report](#) of the Monitoring Officer

### The Committee's Consideration

The meeting noted that it would be impossible to foresee all scenarios in which dispensations might need to be used. It would therefore be necessary for Authority Members to undergo training and for the Authority's Solicitor to provide advice prior to or during a meeting, depending upon the circumstances of the particular matter to be determined.

**RESOLVED:** To grant the following dispensation for four years to all Authority Members:

- (1) Who are elected members or co-opted members of another public authority, or whose spouse or partner are elected or co-opted members of another public authority, and who have a Disclosable Pecuniary Interest in a matter only by virtue of the fact that s/he or his/her spouse or partner is in receipt of an allowance from that other authority:
  - (i) where the issue is a matter of dispute between the National Park Authority and the other authority, and the matter would affect the financial position of that other authority, the Authority Member may speak on the matter provided s/he immediately withdraws from the meeting room; and
  - (ii) in relation to other matters affecting that other authority, the Authority Member may speak and vote.

## 9. STANDING ORDERS FOR THE REGULATION OF CONTRACTS

The Standards Committee considered the [report](#) of the Chief Finance Officer

**RESOLVED:** To agree that the proposed amendments to Standing Orders for the Regulation of Contracts should be presented to the full Authority for adoption.

**10. COMPLAINTS RECEIVED – APRIL TO SEPTEMBER 2021**

The Standards Committee considered the [joint report](#) of the Head of Strategy & Performance and Business Support Officer

<p><b>RESOLVED:</b> To note the overview report of general complaints and compliments received by the Authority.</p>
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**11. IDENTIFICATION OF RELEVANT MEMBER TRAINING REQUIREMENTS**

**The Committee's Consideration**

Members had recently received Equality and Diversity training however disappointing feedback had been received as the trainer focused on Councils rather than relating the training to the work of National Park Authorities.

It was suggested that it would be helpful to receive training on the revised Code of Conduct as soon as possible after it was adopted by the Authority.

- 12. ANY OTHER BUSINESS OF URGENCY:** The meeting was advised that Carl Hedger would be taking over the role of Monitoring Officer for the Authority for the foreseeable future, however Andrew Yendole would continue to provide advice on the revised Code of Conduct until it was adopted.

(The meeting closed at 11.29 am)

Chairman

## EXMOOR NATIONAL PARK AUTHORITY

### STANDARDS COMMITTEE

19 July 2022

### STANDARDS COMMITTEE ANNUAL REPORT 2021-2022

#### 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 2021-2022.

**RECOMMENDATIONS:** The Committee is recommended to:

- (1) Note the contents of the Annual Report for 2021-2022
- (2) Discuss any Member training needs for 2022-2023

**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 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.

**Climate Change Implications:** None identified

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## 1. Introduction

- 1.1 This report provides an overview of the functions of the Standards Committee during 2021-2022. The Standards Committee met in April and November 2021.

## **2. Annual Review of Standing Orders**

- 2.1 A thorough review was carried out during 2020 by a working group of Members, and revised Standing Orders were adopted by the Authority on 3 November 2020. During 2021, only limited amendments were proposed to the Standing Orders for the Regulation of Contracts. These related to the financial threshold for tenders, as it was perceived that the lower threshold of £10,000 above which formal tenders were required, was putting off local suppliers due to the disproportionate tendering process required compared to the size of the contracts. The proposal to raise the threshold to £20,000 was recommended by the Standards Committee and duly approved by the Authority in December 2021.

## **3. Annual Review of Member Conduct and Code of Conduct**

- 3.1 The meeting in April 2021 considered proposed amendments to the Member Code of Conduct in line with the Local Government Association Model Councillor Code of Conduct. [Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#). The majority of the recommended amendments were accepted, but a number of concerns were raised in relation to Section 4 – Registration of Interests which led to revised wording being proposed. These changes were approved at the Authority meeting in December 2021, and a revised Code of Conduct was issued and placed on the ENPA website.
- 3.2 During 2021-2022 there have been no formal complaints against Members and no action required of the Monitoring Officer or Standards Committee.

## **4. Dispensation to Authority Members**

- 4.1 On 9 November 2021, the Standards Committee considered and approved a proposal from the Solicitor and Monitoring Officer relating to the granting of exemptions for Members who are members of another authority where a Disclosable Pecuniary Interest would only arise by virtue of the fact that s/he or his/her spouse or partner is in receipt of an allowance from the other authority. The reasons for the exemptions were to protect Members from inadvertent breaches of the requirements related to Disclosable Pecuniary Interests, due to omissions and ambiguities in the legislation and to ensure that the National Park Authority can conduct its business effectively. Without the grant of dispensation, the ability of Members to make representation on local issues would be significantly impaired. The text of this dispensation can be accessed [here](#).

## **5. Review of the Annual Governance Statement**

- 5.1 This is covered separately under Item 5 of the agenda.

## **6. Identification of Relevant Member Training Requirements**

- 6.1 Three formal Member training sessions were held, with Code of Conduct training delivered by the Monitoring Officer in October 2021, as well as equality and diversity training delivered by external trainers. External trainers also delivered climate change training in February 2022. Several informal Member briefing sessions were also provided on a number of topics including: the Rural Enterprise Exmoor vision, the Protected Landscapes review, dark skies lighting guidance and renewable energy and historic buildings.
- 6.2 Virtual inductions and training were provided for new Members by ENPA staff, the Monitoring Officer and Legal advisor.

6.3 Member study tours have not taken place during 2021-22 due to Covid restrictions, however it may be possible to organise these again during 2022-23, depending on the prevalence of covid locally.

6.4 Members may wish to comment on training requirements for 2022-23.

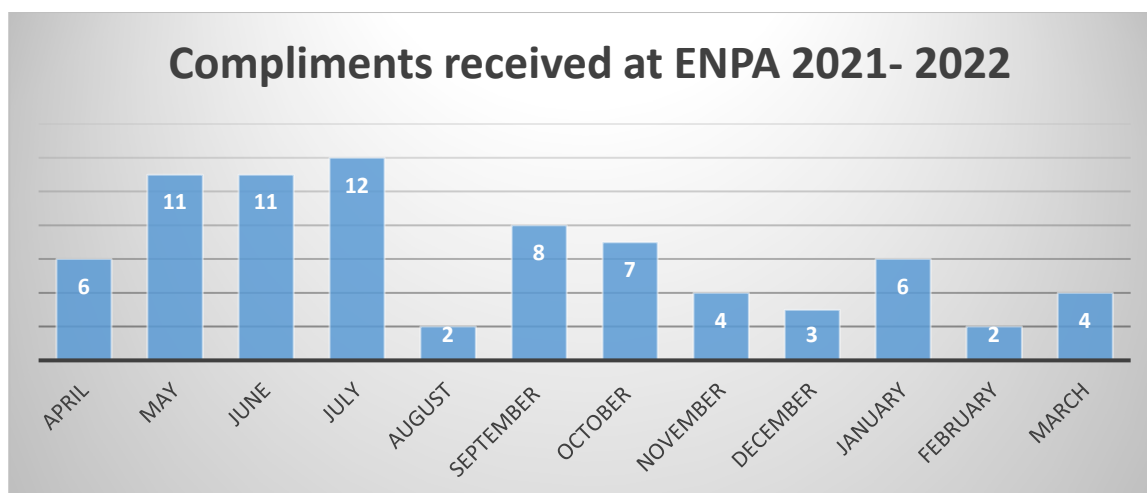
## 7. Overview of ENPA Complaints and Compliments

7.1 An overview of ENPA complaints and compliments for the first six months of 2021-22 was presented to the Standards Committee at the November 2021 meeting and is available on the website [ar-sc-09.11.21-Item-6.pdf \(exmoor-nationalpark.gov.uk\)](#).

7.2 For the second half of 2021-22 one complaint was received and no complaints were referred to the Ombudsman.

Stage 1. Planning. Lack of response to emails and inconsistencies in requests for ecological surveys	March 2022	Complaint not upheld. Admin processes had been followed correctly, and complainant informed that applications are treated on an individual basis.
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7.3 A total of 76 compliments were received during 2021-22. These cover all sections of ENPA, though most relate to planning, and recreation and access.



## 8. Review of National Standards Arrangements and Good Practice

### Government’s Response to the “Local Government Ethical Standards: Report”

8.1 In January 2019, the Committee on Standards in Public Life published its report on [Local Government Ethical Standards](#) (the “Report”).

8.2 The Government has recently responded to the Report (March 2022). A copy of the Government’s Response can be accessed here: [Local government ethical standards: government response to the Committee on Standards in Public Life report - GOV.UK \(www.gov.uk\)](#) (the “Response”).



- 8.3 A number of the recommendations outlined in the Report would involve legislative changes which would be a matter for Government to implement. The Government's Response however, is that in its view many of the recommendations would not require a legislative response but can be more appropriately dealt with by local authorities, as best practice.
- 8.4 The Committee on Standards in Public Life has expressed disappointment that many of its recommendations have not been accepted, given evidence they cited to support their call to strengthen arrangements to promote high ethical standards, whilst respecting the benefits of a localised approach.

Committee on Standards in Public Life – Leading in Practice Review

- 8.5 The Committee on Standards in Public Life is undertaking a review of leadership across the public sector, as well as the private and third sectors. The review focuses on case studies regarding how ethical standards are upheld within organisations and examples of best practice. The Committee on Standards in Public Life anticipates publishing a report on its review in early 2023.

**Clare Reid**  
**Head of Strategy and Performance**

**Carl Hedger**  
**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.

## EXMOOR NATIONAL PARK AUTHORITY

### STANDARDS COMMITTEE

19 July 2022

### ANNUAL GOVERNANCE REVIEW 2021/22

#### 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) Note the results of the Governance self-assessment in section 9.
- (3) Approve the Annual Governance Statement as set out in the attached Appendix for inclusion with the Annual Accounts for 2021/22.

**Authority priorities:** Manage corporate finances and diversify income streams; Develop and maintain effective and efficient services; Work with communities, businesses and partners to deliver the National Park Partnership Plan and statutory purposes; Manage the Authority's Estate and operations to support delivery of National Park purposes

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

Accounts and Audit Regulations 2015, Sections 3 (Responsibility for Internal Control), 4 (Accounting Records and Control Systems) 5 (Internal Audit), and 6 (Review of Internal Control System).

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.

**Climate change response:** A well governed Authority is more likely to take full account of the environmental impact of decision making.

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## 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. The first section of this report summarises the Authority’s compliance with these principles during 2021/22.
- 1.5 It was during 2021/22 that the Authority returned to in-person meetings and staff continued the process of returning to their permanent work base. The challenge for the Authority is how to regain the benefits of in person meetings while retaining the advantages of remote work and engagement.

## **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. The Standards Committee considered proposed amendments to the Member Code of Conduct in line with the Local Government Association Model Councillor Code of Conduct in November 2021 and the Authority adopted the updated Code of Conduct in December 2021. The Standards Committee also granted dispensations to Members who are members of another authority in order to protect them from inadvertent breaches of the requirements related to Disclosable Pecuniary Interests, due to omissions and ambiguities in the legislation and to ensure that the National Park Authority can conduct its business effectively.
- (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.
- (iii) The Standards Committee have begun the process of undertaking an annual self-assessment of the audit and governance process.

## 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 2021/22 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 was prepared and circulated to partners. This was discussed at a meeting of Partnership Plan Group chairs in March 2022.
- (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 2021/22 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) During the summer of 2021 the Rural Enterprise Exmoor vision was completed following extensive business and community engagement. The vision was adopted by Members in August prior to a formal launch and networking session in early November. The vision is now being used to feed into our work across the Authority and with partners in relation to our duty to foster social and economic well-being whilst delivering National Park purposes.

## 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 2021/22 was issued to the Authority at the March 2021 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 2021.
- (ii) We have been informed that the Annual Statement of Accounts for 2020/21 will receive an unqualified opinion by the Auditor, Grant Thornton LLP. The audit occurred 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 Exmoor Mires Projects with Southwest Water, the Exmoor Non Native Invasive Species programme with the Environment Agency and the "Get Involved" Volunteers programme, White Rocks Cottage was also transferred to the Simonsbath Trust in the past year. Generation Green funding allowed the Authority to engage with young people that are passionate about the environment. 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) Since declaring a climate emergency in 2019/20 we have been implementing actions identified to achieve carbon neutral status for ENPA by 2030. This includes securing funding from the Public Sector Decarbonisation scheme to make energy saving improvements to our Pinkery Outdoor Education Centre, replace the old oil boiler with a biomass boiler, and install additional renewable energy capacity. The measures will be implemented in 2022/23 and will save an estimated 30 tonnes of carbon a year. We have also installed secondary glazing at Exmoor House, saving an estimated 17 tonnes of carbon a year. Further actions are being scoped for 2022/23 to decarbonise our buildings which contribute around 70% of ENPA's carbon footprint. Measures are also being taken to start transitioning the ENPA fleet to electric vehicles, with the Pinkery minibus being replaced with an electric vehicle. EV charge points are being installed at ENPA premises. Following an internal climate change audit we strengthened our procedures for monitoring and reporting on the climate action plan including the addition of a trajectory to deliver the 2030 carbon neutral target.
- (v) Along with other National Park Authorities we have commissioned consultants to carry out a carbon footprint of the National Park, which will provide a consistent methodology and allow for comparison / benchmarking across National Parks. Work is ongoing with our partners to support delivery throughout the National Park including securing funding from Somerset West and Taunton to support woodland creation on Exmoor, complementing the

woodland planting that has already taken place on ENPA land at Bye Hill. The Mires Partnership continues to work on peatland restoration on Exmoor. The new Farming in Protected Landscapes scheme was launched in July 2021 and provides funding to support delivery of National Park Management Plan priorities, including nature recovery and climate action. We continue to feed into the Somerset and Devon climate change partnerships.

- (vi) The task of developing a balanced medium-term financial plan is ongoing. The Authority has successfully managed the financial impact of the pandemic and now has greater certainty over the next three years of funding.
- (vii) 2021/22 was also the year when the Farming in Protected Landscapes Programme commenced. This has provided new opportunities of working with farmers and land managers while investing in a range of schemes primarily around nature, ecology and agricultural developments.

## **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 [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 2021/22 and it is important that the Panel begin meeting again soon.

## **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 2021/22 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 April 2021 and we have been told that an unqualified audit report will be issued. The external auditors also undertook a new and enhanced Value For Money appraisal at this time also.
- (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.
- The completion of 28 Statutory returns and quarterly returns to Defra.

## 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 May 2022 and a Value for Money report did not identify any weaknesses in arrangements.
- (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 and we have recently managed the transition to hybrid committee meetings.
- (v) This year there have been reviews of the Anti-Fraud and Corruption Whistleblowing and the Equality, Diversity and Inclusion policies.

## 9. Audit Committee Self-Assessment

- 9.1 In May 2022 the External Auditors recommended that an annual self-assessment of the Audit Committee be undertaken. The purpose of an audit committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.
- 9.2 Exmoor National Park Authority does not have an Audit Committee, but it is the Authority that is the body charged with governance and it is the Standards Committee that undertakes the annual review of governance. In discussion with the External Auditors, they did not raise any objection to the annual self-assessment falling to the Standards Committee.
- 9.3 Included within the Chartered Institute of Public Finance and Accountancy's practical guidance on Audit Committees is a self-assessment of good practice. This is shown in the table below. It is suggested that where an audit committee has a high degree of performance against the good practice principles, then it is an indicator that the committee is soundly based and has in place a knowledgeable membership.
- 9.4 In the absence of an Audit Committee, the Standards Committee will endeavour to complete the self-assessment with the governance structure in operation at ENPA.

<b>Good practice questions</b>	<b>Yes</b>	<b>Partly</b>	<b>No</b>
<b>Audit committee purpose and governance</b>			
1. Does the authority have a dedicated audit committee?			x
2. Does the audit committee report directly to full council? (applicable to local government only)		na	
3. Do the terms of reference clearly set out the purpose of the committee in accordance with CIPFA's Position Statement?		na	
4. Is the role and purpose of the audit committee understood and accepted across the authority?		na	
5. Does the audit committee provide support to the authority in meeting the requirements of good governance?		na	
6. Are the arrangements to hold the committee to account for its performance operating satisfactorily?		na	
<i>Self-Assessment Commentary:</i> <i>It is the Authority that is the body charged with governance. The Authority fully understands its responsibility with regards to Governance.</i>			
<b>Functions of the committee</b>			
7. Do the committee's terms of reference explicitly address all the core areas identified in CIPFA's Position Statement?	x		
• good governance	x		
• assurance framework, including partnerships and collaboration arrangements			
• internal audit	x		
• external audit	x		
• financial reporting	x		
• risk management	x		
• value for money or best value	x		
• counter fraud and corruption	x		
• supporting the ethical framework	x		
8. Is an annual evaluation undertaken to assess whether the committee is fulfilling its terms of reference and that adequate consideration has been given to all core areas?	x		
9. Has the audit committee considered the wider areas identified in CIPFA's Position Statement and whether it would be appropriate for the committee to undertake them?		See below	
10. Where coverage of core areas has been found to be limited, are plans in place to address this?		na	
11. Has the committee maintained its advisory role by not taking on any decision-making powers that are not in line with its core purpose?		na	
<i>Self-Assessment Commentary:</i> <i>The Authority is guided and governed by the Constitution, Scheme of Delegation and Standing Orders. These documents cover the areas identified above.</i>			
<i>Potential wider areas concern of concern identified by CIPFA include Treasury Management, providing oversight of annual reports or considering risk or governance at the request of other committees. These wider areas of concern also go to the Authority.</i>			
<b>Membership and support</b>			
12. Has an effective audit committee structure and composition of the committee been selected?	X		
This should include:			
• separation from the executive	X		
• an appropriate mix of knowledge and skills among the membership	X		
• a size of committee that is not unwieldy	X		

<ul style="list-style-type: none"> <li>consideration has been given to the inclusion of at least one independent member (where it is not already a mandatory requirement)</li> </ul>	X		
13. Have independent members appointed to the committee been recruited in an open and transparent way and approved by the full council or the PCC and chief constable as appropriate for the organisation?	x		
14. Does the chair of the committee have appropriate knowledge and skills?	x		
15. Are arrangements in place to support the committee with briefings and training?	x		
16. Has the membership of the committee been assessed against the core knowledge and skills framework and found to be satisfactory?			x
17. Does the committee have good working relations with key people and organisations, including external audit, internal audit and the CFO?	x		
18. Is adequate secretariat and administrative support to the committee provided?	x		
<p><i>Self-Assessment Commentary:</i>  <i>Members of the Authority and the Standards Committee are appointed from a range of elected public bodies or have been appointed from a DEFRA led competitive process. Members have a range of skills and professional backgrounds.</i></p>			
<b>Effectiveness of the committee</b>			
19. Has the committee obtained feedback on its performance from those interacting with the committee or relying on its work?	x		
20. Are meetings effective with a good level of discussion and engagement from all the members?	x		
21. Does the committee engage with a wide range of leaders and managers, including discussion of audit findings, risks and action plans with the responsible officers?	x		
22. Does the committee make recommendations for the improvement of governance, risk and control and are these acted on?	x		
23. Has the committee evaluated whether and how it is adding value to the organisation?	x		
24. Does the committee have an action plan to improve any areas of weakness?		na	
25. Does the committee publish an annual report to account for its performance and explain its work?	x		
<p><i>Self-Assessment Commentary:</i>  <i>The Authority and the Standards Committee receive reports from internal and external audit throughout the year, and from ENPA staff on Risk Management. There is a very healthy debate and engagement with these.</i></p> <p><i>The overall governance structure is regularly debated to ensure that it is operating most effectively.</i></p>			

**Gordon Bryant**  
**Chief Finance Officer**

**Carl Hedger**  
**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 regulation 6 of the Accounts and Audit Regulations 2015 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. The annual review of the effectiveness of the governance framework is undertaken by the Standards Committee and the Authority approve this Annual Governance Statement. The Standards Committee now also undertake an annual self-assessment of effectiveness.
- 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 were confirmed with Internal Audit during 2021/22.
- 5.2 During 2022/23 the Authority will be:
- Continuing the communication and implementation of the 2018-23 National Park Partnership Plan;
  - Concluding the five year policy check of the Local Plan and progressing work arising from the review;



