

EXPLANATORY MEMORANDUM TO
THE NATIONAL PARK AUTHORITIES (ENGLAND) (AMENDMENT) ORDER 2014

2014 No. 571

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The purpose of the instrument is to amend the membership of the National Park authorities (“NPAs”) for Dartmoor, Exmoor, Lake District, Northumberland and North York Moors National Parks. The revised structures are set out in the Schedule to the Order and where changes are made to the number of appointments that a particular local authority is to make to one of the NPAs, these are specified in article 2(2). These amendments implement outcomes from the 2010 review of National Park governance.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 The coalition Programme for Government included a commitment to review the governance arrangements of National Parks in order to increase local accountability. That commitment was honoured by a consultation held in 2010-11. The intention to amend the composition of Dartmoor, Lake District and Exmoor NPAs was announced in a Written Ministerial Statement on 13 September 2011. The changes applying to Northumberland and North York Moors NPAs were put forward to a later timetable.

5. Territorial Extent and Application

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- **What is being done and why**

7.1 Amending the structure of these 5 NPAs will implement one of the outcomes of the 2010 review of governance of National Parks. The aims of the review were to:

- a. look for ways in which the governance of the NPAs could be made more effective;
- b. look for ways in which the NPAs could be more responsive to the concerns of their local communities; and
- c. consider the extent to which different arrangements are appropriate for different NPAs.

7.2 One of the key questions asked by the review was whether the membership of NPAs, both the size and composition, should be changed. National Park authority members fall into three categories:

- members appointed by constituent local authorities (of whom they must be a member);
- parish members nominated by the parish councils and parish meetings, but appointed by the Secretary of State; and
- other, “national”, members appointed by the Secretary of State.

7.3 In some cases smaller boards or changes in the numbers in each category of member could potentially improve the efficiency of the decision making processes, improve local accountability, and would reflect reduced budgets. Following local consultations, Dartmoor, Exmoor, Lake District, Northumberland and North York Moors National Park Authorities submitted proposed changes in their membership to the Secretary of State.

7.4 For the five NPAs with changes included in the Order, the overall number of members, the number of members within each of the three categories, and the number of members to be appointed by each local authority are specified in the National Park Authorities (England) Order 1996. This present Order will reduce the overall number of members in four of the five NPAs; reduce the number of Secretary of State “national” members in all five; reduce the number of local authority members in three; and increase the number of parish members in two of the NPAs. The table in the 1996 Order, for which a revised version is substituted, also provides for the membership of Peak District and Yorkshire Dales NPAs, both of which will remain unchanged.

- **Consolidation**

7.5 There are currently no proposals to consolidate previous amendments to NPA membership, to do so would entail re-making the whole of the 1996 Order.

8. Consultation outcome

8.1 Proposals for change were put forward by the NPAs after local consultations carried out as part of the 2010 review of National Park governance. Ministers agreed in principle to the proposals, subject to the outcomes of consultation with principal local

authorities with an area wholly or partly within the boundary of the relevant Park, as required by paragraph 2(3) of Schedule 7 to the Environment Act 1995. These authorities were consulted from 12 September - 10 October 2013. A four week consultation was considered adequate as the proposals had arisen from previous local consultations on this issue.

8.2 Of the 18 local authorities consulted, 10 replied. Seven of these agreed with the proposals for the NPA to which they appointed members. Two objected to the proposed reduction in the number of members they appointed, although they agreed with the proposal to reduce numbers on the authority overall. One set out proposals for a different allocation of seats to that proposed, including introduction of additional authorities, a proposal which is not possible within the current legislation.

8.3 Following consideration of the outcomes, Ministers decided to implement the changes as consulted upon.

9. Guidance

9.1 The affected National Park authorities and local authorities have been informed that the Secretary of State will introduce the membership changes. No further guidance is necessary.

10. Impact

10.1 The impact on business, charities or voluntary bodies is none.

10.2 The impact on the public sector is minimal. There will be an impact on some local authorities with land in one of the affected National Parks where the number of members they appoint to a NPA is reduced. The NPAs themselves will have reduced member numbers and / or a different mix of members but this is not expected to have an impact on their delivery of the National Park purposes.

10.3 An Impact Assessment has not been prepared for this instrument because no impact on the private or voluntary sector is foreseen.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The success criteria will vary for each NPA according to the reasons for putting forward its particular proposals. It will be for the NPA to monitor the outcomes and review as appropriate. No timetable has been set.

13. Contact

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