

# Dartmoor National Park Authority



## Guidance Notes for Appointment of Parish Members

**Dartmoor National Park** was designated on 30 October 1951 and covers an area of 954 square kilometres (368 square miles) the largest area of open countryside in the South of England. Almost half of the National Park is moorland and 37% per cent of the National Park is common land. Over 34,000 people live in the National Park and there are 2m visitors per year.

**Dartmoor National Park Authority** came into being as a special purpose local authority on 1 April 1997, set up under the Environment Act 1995. The Authority exists to secure for the public good the conservation, enhancement, enjoyment and understanding of the special qualities of Dartmoor, its landscape, wildlife and cultural heritage. It also looks to support Dartmoor's businesses and communities and economic growth. The National Park Authority is the Local Planning Authority for Dartmoor.

Dartmoor National Park Authority has **19 Members**:

- Five are appointed by Devon County Council;
- Five are appointed by the District/Borough Councils (Teignbridge, West Devon and South Hams);
- Five are appointed by the Secretary of State for Environment, Food & Rural Affairs (Defra) to represent the national interest; and
- Four are nominated by the Parish Councils on Dartmoor and approved by the Secretary of State.

All Members represent the whole of the National Park.

### Parish Members

The involvement of Parish Members is to ensure that the National Park Authority fully take account of the needs of the local communities and to improve links with local people. The Government has said that the Parish Members should not just be spokespeople for the local issues, but ambassadors for wider concerns.

Parish Members must be **Parish Councillors** or (where there is no Parish Council) **Chairpersons of Parish Meetings**, from parishes which are wholly or partly in the National Park. Parish Members cannot be Members of, or employed by, any Council with part of its area within the National Park. Nor can they be employees of a Parish Council or Meeting or of anyone who would themselves be disqualified under the rules. They must not be employed in a politically restricted post.

### Electoral Constituencies

In 2022 there is a requirement to appoint **ONE** Parish Member to Dartmoor National Park Authority, from the West Devon/Mid Devon area.

This Parish Member will be appointed by the Secretary of State (Defra) from names put forward by Devon Association of Local Councils (DALC) following a ballot held among the parishes with land on Dartmoor.

### **Responsibilities**

Parish Members will be expected to attend and participate in meetings of the National Park Authority and, as appropriate, its committees and to prepare for these by reading papers, reports and background information. They will also need to keep abreast of developments both locally and nationally. This is likely to involve commitments, both daytime and evenings (with occasional weekends) on 25 or more days per year (mainly on Fridays). An attendance allowance and travelling and subsistence expenses will be paid in accordance with Local Government rates.

Members will be bound by the Members Code of Conduct as well as by legislation relating to holders of public office. Financial or personal interests in contracts and business relating to the Authority have to be declared in writing and also declared in meetings when relevant. Participation and voting on such matters is restricted.

A Member who fails to attend any meeting for six consecutive months, unless approved, will cease to be a Member. Employers are required to allow reasonable time off from work for Members of the National Park Authority.

### **Nominations and Voting**

The nomination process will be run in the period February – April 2022. Candidates for nomination as Parish Members are sought from parishes within the National Park, or groupings of such parishes.

- Nominations should be made only by a Parish Council or Meeting
- Not more than one representative from a particular parish council may serve on the National Park Authority as a parish council nomination.
- Candidates for nominations must be proposed using the official form.

Completed forms are to be returned to DALC (address at head of form), by no later than 5pm on **Thursday 7 April 2022**.

Assuming there are more nominations than places:

- Copies of the first two pages of each completed form will then be sent (around 8 April) to all Parishes in the electoral Area containing the nominee's Parish, with a ballot paper
- Voting is by ballot paper returned to the Devon Association of Local Councils (as Independent Returning Officer) by 2pm on **Wednesday 20 April 2022**.
- Each Parish or Parish grouping will have ONE vote. **All votes must be cast.**

The nominees with the largest number of votes will be recommended to the Secretary of State for appointment as Parish Council representative.

In the event of a draw for a place, a coin will be tossed to decide the issue.

### **Appointment**

Those appointed by the Secretary of State will serve on the National Park Authority until the end of the term of office in 2023. If a Member ceases to be a Parish Councillor or Chairperson of a Parish Meeting before then, it may be necessary to conduct a further ballot in the electoral constituency concerned. However, if the vacancy occurs soon after the main ballot, a person who was a runner up may be recommended for appointment.

The Chairperson of a Parish Meeting shall, if re-elected as Chairperson, continue to serve as Parish Member for the four-year term of office.

Candidates may also find it helpful to refer to the candidates' guide for Parish Council elections to remind themselves of the rules of Parish Council office.

### **Eligibility for appointment:**

#### **Environment Act 1995 Schedule 7 paragraph 3**

- 3 (2) *A person shall not be appointed as a parish member of an English National Park authority unless he is—*
- (a) a member of the parish council for a parish the whole or any part of which is comprised in the relevant Park; or*
  - (b) the chair of the parish meeting of a parish—*
    - (i) which does not have a separate parish council; and*
    - (ii) the whole or any part of which is comprised in the relevant Park.*

### **Disqualification from appointment:**

#### **Environment Act 1995 Schedule 7 paragraph 7**

##### *Disqualification of Members*

- 7 (1) *A person is disqualified for becoming or remaining a member of a National Park authority if he holds any paid office or employment appointments to which are or may be made or confirmed by—*
- (a) the authority itself or any council by whom a local authority member of the authority is appointed;*
  - (b) any committee or sub-committee of the authority or of any such council;*
  - (c) any joint committee on which the authority or any such council is represented;*
  - (d) as respects a National Park authority for a National Park in England—*

- (i) any parish council for, or parish meeting of, a parish the whole or any part of which is comprised in the relevant Park;*
  - (ii) any committee or sub-committee of any such parish council or any committee of any such parish meeting; or*
  - (iii) any joint committee on which any such parish council or parish meeting is represented; or*
- (e) any person himself holding an office or employment which disqualifies him for becoming a member of the authority.*
- (2) A person is also disqualified for becoming or remaining a member of a National Park authority if he holds any employment in a company which, in accordance with Part V of the Local Government and Housing Act 1989 other than section 73, is under the control of that authority.*
- (3) Section 92 of the 1972 Act (proceedings for disqualification) shall have effect in relation to a person who acts or claims to be entitled to act as a member of a National Park authority as it applies in relation to a person who acts or claims to be entitled to act as a member of a local authority, but as if—*
  - (a) references in that section to a local government elector for the area concerned were references to a local government elector for any principal area the whole or any part of which is comprised in the relevant Park; and*
  - (b) in subsection (6)(b) of that section (failure to deliver declaration of acceptance of office), the words from “of failure” to “or by reason” were omitted.*
- (4) Sections 1 to 3 of the Local Government and Housing Act 1989 (disqualification of persons holding politically restricted posts) shall have effect as if a National Park authority were a local authority for the purposes of Part I of that Act.*
- (5) In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (other disqualifying offices), in the entry inserted by section 1(2) of that Act of 1989 (politically restricted post), after “that Part” there shall be inserted “or a National Park authority”.*

### **Further Information**

If you are considering standing for nomination and would like to have the opportunity to discuss the role, please contact:

Dr Kevin Bishop, Chief Executive (Dartmoor National Park Officer) – 01626 831004,  
OR  
Neil White, Monitoring Officer – 01626 831078, [nwhite@dartmoor.gov.uk](mailto:nwhite@dartmoor.gov.uk)