

Minister for Green Skills, Circular Economy and Biodiversity

Cairngorms and Loch Lomond & Trossachs National Park Authorities – board composition and future recruitment

1. Purpose

- I. To provide background on the current composition of the Cairngorms (CNPA) and the Loch Lomond National Park (LLTNPA) boards, the upcoming changes to the board profiles; and,
- II. To set out options for the handling of Ministerial appointments.

Priority

2. Routine – however, it would be useful for you to note the CNPA board position and the convener's memo to you (Annex A) before your visit to CNPA on 13-14th April

Background

3. National Park Authority (NPA) Boards contain three membership categories:
 - I. Local Authority (LA) nominated members: following LA elections, LAs nominate board members, representing different wards, to Ministers for appointment. Ministers have some scope, when inviting nominations, to influence these nominations by setting a steer on skills, gender and diversity balance, and good governance practice (including around length of service).
 - II. Ministerial appointments: these are individuals selected by Ministers through the public appointments' process.
 - III. Directly elected members: these are directly elected by park residents. NPAs can endeavour to steer on skills; gender and diversity balance, and good governance principles but they have no control over who stands or who is elected.
4. During the next calendar year, a number of factors are coalescing which will result in significant change to both NPA Boards. You have some opportunities to influence the degree and direction of change.

Cairngorms National Park Authority

5. The CNPA board comprises 19 members: 7 are Local Authority nominated, 7 are Ministerial appointments and 5 are directly elected. Gender balance: 10 are women & 9 are men. Three members will have served for 20 years by the end of their current appointment term (1 LA nominated member and 2 directly elected ones).
 - I. *LA nominated members* – LA elections in May this year could, depending on the results and subsequent nominations, lead to a change in these 7 members. (Although 2 of these have served multiple terms on the board).
 - II. *Ministerial appointments* – 5 of the 7 CNPA ministerial appointments reach the end of their first term (of 4 years) in October. Ministerial appointees, in line with the Ethical Standards

Commission Code of Practice, can serve a maximum of 8 years. This can be extended in exceptional circumstances.

- III. *Directly elected members* - elections for these members take place every 4 years. The next election is due in March 2023 (3 of this cohort have served multiple terms on the board).

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Your options for the CNPA board

7. The current composition of the board and the skills’ matrix, is set out in Annex B (p. 1-2). A timeline illustrating the board churn and when appointments end – either first or second appointment term for the Ministerial appointments – is set out in Annex C.

8. You could choose to:

- re-appoint all of the 4 Ministerial appointees willing to continue, for a further 4 years
- re-appoint them, staggering the terms so that they don’t all end simultaneously
- re-appoint some or none.

9. Regardless, of whether you choose to re-appoint or not, at least one public appointment round will be necessary this year: 1 member is stepping down in October and another reaches the maximum 8 year term in January, 2023.

10. It may be possible, to defer a decision on re-appointments until the new LA nominees are provided (August) and the list of potential appointees from the public appointment round is available (October), enabling an holistic look at the skills & diversity offering. However, this would need to be very tightly managed to ensure a fully functioning board: new LA nominees need to be appointed in October, and Ministerial appointees either appointed or re-appointed in November. [Annex C – sets out the timeline]

The Convener’s views

11. The Convener’s view is that it would be prudent to minimise the turnover of Ministerial appointments in the next 12 months to support the wider resilience and stability of the Board (given the potential turnover in LA and Directly elected members). He suggests this can be achieved by re-appointing the 4 eligible and willing Ministerial appointees for staggered periods. We will need to consider this from both the skills mix and diversity lenses, and performance assessment. The convener may well express his opinion on the desirability and duration of re-appointments when he discusses the board with you during your visit to CNPA. In his memo on board membership (Annex A), the convener outlined proposals for extending his own board membership, enabling him to continue as convener beyond his current board membership term which ends in September 2022. However, these proposals are redundant for now.

Loch Lomond and Trossachs National Park

12. The composition of the board, the skills' matrix, and the convener's appraisal of the Ministerial appointees, is set out in Annex B (pp. 3-6). As above, the timeline illustrating the board churn and when appointments end – either first or second appointment term – is set out in Annex C.

13. LLTNPA board has 17 members: 6 LA nominated, 6, Ministerial appointments, and, 5 locally elected. The board's gender balance is a challenge – with only 4 female members. Three of these are Ministerial appointments. Two of the directly elected members will have served for 12 years by July 2022.

- I. The 6 LA nominated members may all change, depending on the outcome of the LA election and subsequent nominations, when their current appointments end in September this year.
- II. Of the 6 Ministerial appointees, 5 could be re-appointed as they have only served for 4 out of a possible 8 years. The LLTNPA convener is the 6th member and he completes 8 years on the board in January, 2023.
- III. the 5 elected member appointments will end this Summer unless they re-stand and are re-elected.

Your options for the LLTNPA board

14. You could choose to:

- re-appoint the 5 Ministerial appointees reaching the end of their first term, for a further period of 4 years
- re-appoint them, staggering the terms so that they don't all end simultaneously
- re-appoint some, or none

15. Regardless, of whether you choose to make re-appointments, or not, at least one public appointment round will be necessary this year as the convener reaches his maximum 8 year term in January, 2023.

The Convener's views

16. The convener is recommending the re-appointment of all 5 of the Ministerial appointees for a full 4 years. He bases this on:

- their effective performance; strong skills' mix; gender balance, and
- the leadership role they can play in organisational strategic development – particularly in developing and overseeing a new NPPP (two of them are co-chairing the process for the NPPP development).

17. Although he acknowledges the merit in staggering the length of re-appointment terms for future board resilience, on balance the convener feels that retaining the current blend of skills for the next 4 years is the optimum approach for supporting the strategic outcomes of LLTNPA

Issue to consider

18. There are different approaches and options for managing the NPAs' board churn over the next 12 months. Within this, the ending of Ministerial appointees' terms presents some risks but also some opportunities for ensuring the right skills mix and board diversity. The key questions for you to consider are:

- I. Whether you wish to re-appoint all members who are approaching the end of their first terms on the boards.
- II. The terms of any such re-appointments
- III. How you would like the public appointment round managed: whether you prefer a joint appointment round for the parks (this has been the approach in the past) or separate ones.

Recommendations

19. I recommend you note:

- I. the challenges facing the CNPA & LLTNPA boards over the next year
- II. the summary and copy of the CNPA convener's memo to you in advance of your visit this week
- III. your options for the Ministerial re/appointments

20. I further recommend that you convene a meeting with officials to discuss the way forward after the Easter recess.

April 2021

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Minister for Green Skills, Circular Economy and Biodiversity Cabinet Secretary for Net Zero, Energy and Transport Minister for Environment & Land Reform	X		 X X		
Director, Environment & Forestry REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED REDACTED					