

Explanatory Memorandum to the National Parks Authorities Wales (Amendment) Order 2007

This Explanatory Memorandum has been prepared by the Department for Environment, Sustainability and Housing and is laid before the National Assembly for Wales in accordance with Standing Order 24.1.

Description

1. This Order provides for the increase in the number of members on the Pembrokeshire Coast National Park Authority from 15 to 18.

Matters of special interest to the Subordinate Legislation Committee

2. None.

Legislative Background

3. Section 63 of and Schedule 7 to, the Environment Act 1995 (as amended) provides that a National Park Authority shall consist of a specified number of members. In Wales, members are appointed by local authorities and Welsh Ministers. Schedule 7 to the 1995 Act provides that the number of local authority members must exceed the number of other members. Schedule 2 to the National Park Authorities (Wales) Order 1995 specifies the actual number of members in each National Park Authority in Wales. This Order is subject to the negative resolution procedure.

Purpose and intended effect of the legislation

4. The increase in the number of members of the Pembrokeshire Coast National Park Authority should ensure that the Park Authority is able to secure a quorum at meetings on a consistent basis.

Implementation

5. It is intended that the order will come into effect on 31st December

2007.

Consultation

6. As part of a consultation exercise undertaken by the Welsh Assembly Government in February 2006 into possible improvements to the process for appointing members to the Welsh National Park Authorities, views were invited as to whether or not the size of all three National Park Authorities should be reconsidered. We specifically sought views on the size of the Pembrokeshire Coast National Park Authority as, with only 15 members, problems were occurring for them in securing a quorum at meetings. The other 2 National Park Authorities have 18 (Snowdonia National Park Authority) and 24 (Brecon Beacons National Park Authority) members respectively.

Following an analysis of the views received on this particular issue, the Welsh Assembly Government proposed that;

The size of the Brecon Beacons National Park Authority and Snowdonia National Park Authority should remain the same; and

That there should be an increase in the number of members on the Pembrokeshire Coast National Park Authority from 15 to 18, subject to the outcome of further consultation with key local interests, including Pembrokeshire County Council, to ensure that the proposed change enjoyed local support.

The outcome of the consultation undertaken in May of this year, indicated overall support for the proposal, including from Pembrokeshire County Council which, it is intended, would supply two of the additional three new members – the other would be appointed by Welsh Assembly Government Ministers

Pembrokeshire County Council has indicated that it has no objection in principle to the proposed increase. Two of the additional three members will be appointed by the constituent local authority, Pembrokeshire County Council, with the third additional member appointed by Welsh Ministers. This would maintain the current two-thirds and one-third split of members (i.e. two-thirds County Councillors and one-third Welsh Assembly Government appointees).

Regulatory Impact Assessment

An RIA has not been prepared as it was not deemed necessary. The Order has no impact on the statutory duties (sections 77 -79 GOWA 06) or statutory partners (sections 73-75 GOWA 06) of the Welsh Ministers.