

# NATIONAL PARK AUTHORITY

6 May 2020

Present: Councillor P Harries (Chair)

Councillor P Baker, Councillor Mrs D Clements, Councillor K Doolin, Councillor M Evans, Dr M Havard, Mrs S Hoss, Mrs J James, Councillor M James, Mr G Jones, Councillor P Kidney, Councillor PJ Morgan, Dr R Plummer, Councillor A Wilcox, Councillor M Williams and Councillor S Yelland

[Councillor R Owens arrived during consideration of the Minutes of the meeting held on 5 February 2020 (Minute 4 refers)]

(Virtual Meeting: 10.00am – 11.55am)

## 1. Apologies

An apology for absence was received from Dr R Heath-Davies.

## 2. Welcome

The Chair welcomed everyone to this, the first Virtual Meeting of the National Park Authority.

## 3. Disclosures of Interest

Councillor M Evans disclosed an interest in the report seeking temporary changes to the Authority's Scheme of Delegation (*Minute 9 refers*), but remained in the meeting and played a full part in the discussions.

## 4. Minutes

The minutes of the meeting held on the 5 February 2020 were presented for confirmation and authorisation.

With regard to the Financial Standards Update 2020 and Contracting Standing Orders 2020 (Minutes 9 and 10), it was noted that a request had been made that when these were next updated, Members receive drafts of the documents for review prior to approval being sought.

It was **RESOLVED** that the minutes of the meeting held on the 5 February 2020 be confirmed and authorised subject to the above amendments.

## 5. Matters arising

### (a) Draft Budget Planning 20/21 (Minute 8)

An update was requested regarding the financial situation, both in respect of confirmation of the Levy and as a result of the Covid-19 situation. The Finance Manager replied that there had been discussions with Welsh Government regarding the Authority's financial forecasts as it was facing



a considerable reduction in Authority generated income as a result of the lockdown. He added that the Authority's reserves would help in the short term, however the situation would become more challenging the longer the restrictions were in place. With regard to the Levy, he was unsure whether confirmation had been received of the approved net funding from the Welsh Government, however the Authority had received no indication that there would be any reduction in the grant funding it received.

**NOTED.**

(b) Draft Corporate Plan 2020/21 (Minute 12)

One Member drew attention to the request at the previous meeting for targets in relation to planning to be more ambitious. He noted that in the current circumstances he believed that the planning team were under considerable pressure. The Director of Planning and Park Direction agreed that Planning Officers were currently unable to undertake site visits and to put up site notices, however the delays in determining applications had been communicated to applicants and agents who had, in general, been very understanding and had agreed extensions of time. The Chief Executive added that the Corporate Plan should have been considered by the Authority on 1 April, however that meeting had been postponed. The document was currently being revised in light of the current restrictions and would hopefully be brought to the June meeting of the Authority.

**NOTED.**

(c) Pembrokeshire County Council's Deposit Local Development Plan 2 and Supporting Documents (Minute 14)

It was asked whether there was an update regarding the Authority's own Local Development Plan 2. The Director of Planning and Park Direction replied that the draft report had been received from the Planning Inspector for fact checking. A response had been sent, and the Authority was now awaiting the final document. A copy would be circulated to Members once it had been received.

**NOTED.**

(d) Pembrokeshire Coast National Park Authority Volunteer Forum (Minute 15)

Councillor M James, who had been appointed as Authority representative on the Forum, advised that the first newsletter had been circulated to volunteers and he wished to commend the work that the Volunteering Development Officer had put into this.

**NOTED.**



(e) Request from Pembrokeshire County Council for Funding to support elements of the Pembrokeshire Destination (Minute 19)

One Member asked whether the letter referred to had been sent and whether any response had been received. The Chief Executive replied that a brief response thanking the Authority for its response had been received, however no discussions had taken place. He added that a meeting of the Destination Management Organisation Shadow Board had taken place, with a second meeting to take place that afternoon.

## 6. Chair's Announcements

The Chair reported that he had attended a number of events since the last meeting of the Authority and before the lockdown began. These included:

- A reception at Highgrove to celebrate the 30<sup>th</sup> Anniversary of Plantlife.
- A meeting with the Deputy Minister, alongside Chairs and CEOs of the Welsh National Park Authorities in Cardiff and also welcomed her to Oriel y Parc for a visit.
- The Local Hero Awards dinner at Wolfscastle.
- The Pembrokeshire Tourism Summit.
- A meeting of the Coast Path Working Group.
- Events that were part of the Wales in London Week.
- The Dale Marine Symposium
- Participating in the Youth Committee Residential Weekend

As a Trustee of the Pembrokeshire Coast National Park Trust he had also attended a launch at South Hook LNG and a Board Meeting by Video Conference.

The Chair went on to thank the staff of the Authority for rising to the challenges of the Covid-19 outbreak, and for continuing to safely manage the National Park. He particularly thanked the Chief Executive for his support and commended his efforts in keeping everyone informed. He also wished to thank Members for their support. Finally he noted that today would have been day 6 of his Coast Path Walk, and suggested that maybe this would take place next year.

## 7. Reports of meetings of various of the Authority's Committees

The following reports of meetings of a number of the Authority's Committees were presented to Members for consideration/information:

- (i) Development Management Committees held on 29 January and 10 February 2020.
- (ii) Sustainable Development Fund Committee held on 22 January 2020.
- (iii) Audit and Corporate Services Review Committee held on 12 February 2020.



- (iv) Standards Committee Appointments Panels held on 28 January and 11 February 2020.

It was noted that as the Development Management Committee minutes had not yet been agreed by that Committee, they would be considered again at a future meeting of the Authority.

It was **RESOLVED** that, subject to the above, the minutes of the remaining Committees/Panel be adopted/received.

## **8. Virtual Meetings via ‘Lifesize’**

It was reported that due to the current COVID-19 pandemic, Welsh Ministers, following the passing of legislation by the UK Government, had introduced The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020. The Regulations provided the framework within which the Pembrokeshire Coast National Park Authority could convene virtual meetings of the Authority and its Committees using video and/or telephone conferencing software.

The Authority, along with the other 14 UK National Park Authorities, had invested in a video conferencing software package called ‘Lifesize’, and a number of meetings had been successfully convened via this platform since the COVID-19 lockdown. Using this package, it was possible both to livestream meetings so that they could be viewed by members of the public via a link on the Authority’s website, and for public speaking to take place at Committees such as Development Management with the ability to apply appropriate safeguards to ensure the proper management of the meeting.

The Administration and Democratic Services Manager concluded that in order to be able to continue to undertake democratic decisions, it would be necessary to convene virtual meetings via the Lifesize system until the Authority was able to return to holding “face to face” meetings. However Members needed to decide whether they wished to continue to allow public participation at Development Management Committee and whether they wished to allow members of the public to be able to observe any meetings held while the current situation continued.

Members believed that it was appropriate for meetings to be livestreamed and also for members of the public to continue to be able to present to the Development Management Committee, provided controls could be put in place to prevent deliberate disruption of the meeting. The IT Manager advised that where there were public speakers, a Moderator would be present who would have the ability to mute participants and to remove them from the meeting should that become necessary.



One Member suggested that if meetings were to be livestreamed, Members might benefit from some training, and officers replied that they would look into the practicalities of arranging this. It was also suggested that the second recommendation be amended to allow public participation at Development Management and Sustainable Development Fund Committees.

The recommendations, including the above amendment, were moved and seconded.

It was **RESOLVED** that, while the current advice to ensure social distancing and avoid “face to face” meetings continued:

- a) The decision of the Chief Executive, in consultation with the Chairman, to convene virtual meetings of the Authority and its Committees via Lifesize, in accordance with The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 be endorsed;
- b) The practice of allowing public participation at Development Management and Sustainable Development Fund Committees continue, and
- c) Virtual meetings of the Authority and its Committees would be live streamed.

#### **9. To make temporary changes in light of the impact of Covid 19 to the Authority’s Scheme of Delegation**

The Director of Planning and Park Direction reported that in order to enable continuity of the planning service during this Covid -19 period, the following amendments were proposed, for a temporary period of 3 months, to the scheme of delegation:-

- i) Delegation to the Chief Executive/Director of Planning and Park Direction for applications submitted by the Authority or by a Member of the Authority or an employee of the Authority;
- ii) With agreement from the Chair and Vice Chair of the Development Management Committee, delegation to the Chief Executive/Director of Planning and Park Direction for applications with a recommendation contrary to the view of the city/town/community council;
- iii) With agreement from the Chair and Vice Chair of the Development Management Committee, delegation to the Chief Executive/Director of Planning and Park Direction for major applications which had not received any objections from third parties.

She clarified that in respect of points ii) and iii) above, a report on each application would be sent to, and discussed with, the Chair and Vice Chair which took account of any comments received. Should either the Chair or Vice Chair consider that the application should be not be determined under the extended scheme of delegation, the application would be brought to the next Development Management Committee for consideration.



It was noted that the above mentioned amendments were sought to enable the current backlog of applications to be cleared and allow the planning service to continue. It would also reduce the number of applications being considered by the Committee, and therefore the duration of Committee meetings.

One Member had sought clarification regarding the terms 'Officer' and 'employee' of the Authority and the Director responded that in practice the reference in the existing Scheme of Delegation had always applied to all employees irrespective of their grade and this would be amended in the next full review of the Scheme of Delegation.

The Chair of the Development Management Committee was happy with amendments to the Scheme of Delegation before Members and hoped that this would enable decisions to be taken on a number of straightforward applications which were currently awaiting a decision. The recommendation was proposed and seconded.

Other Members, however wanted to receive details of applications that were proposed for delegation as they were concerned that there was insufficient oversight. A protocol which amended the recommendation had been sent to officers and the Chair of the Authority prior to the meeting and this was read out, however some Members found this to be confusing as they did not have a copy before them.

A simplified Amendment was proposed and seconded under which the reports prepared in respect of items (ii) and (iii) be circulated to all Members, with any responses to be returned within 72 hours of receipt. These responses would then be considered by the Chair and Vice Chair of the Committee. This amendment was then put to the vote and was carried, becoming the Substantive Motion. A vote then took place on the Substantive Motion, and this was also carried.

It was **RESOLVED** that the following amendments were agreed, for a temporary period of 3 months, to the scheme of delegation:-

- i) Delegation to the Chief Executive/Director of Planning and Park Direction for applications submitted by the Authority or by a Member of the Authority or an employee of the Authority;
- ii) With agreement from the Chair and Vice Chair of the Development Management Committee, delegation to the Chief Executive/Director of Planning and Park Direction for applications with a recommendation contrary to the view of the city/town/community council;
- iii) With agreement from the Chair and Vice Chair of the Development Management Committee, delegation to the Chief Executive/Director of Planning and Park Direction for major applications which have not received any objections from third parties.



- (iv) The Delegation Reports prepared in respect of items (ii) and (iii) above to be circulated to all Members and any comments to be returned to officers within 72 hours of receipt. These comments then to be supplied to the Chair and Vice Chair of the Development Management Committee prior to making their decision.

*[Councillor ML Evans tendered his apologies and left the meeting at this juncture.]*

#### **10. Endorsement of Contract Standing Order 16 in regard insurance cover commencing 1<sup>st</sup> April 2020**

It was reported that in April 2015 the Authority, in collaboration with Brecon Beacons National Park Authority and Snowdonia National Park Authority, had entered into a 5 year long term agreement to provide cover for its entire insurance requirement. The cover which had been negotiated on behalf of the Authority by Marsh UK (the Authority's brokers) was provided by Zurich Insurance and Ecclesiastical Insurance.

At the end of the long term agreement the Authority would ordinarily have gone out for a competitive and comprehensive market assessment. However, based on the advice of Marsh UK that premiums in the current market could be significantly higher, all three Welsh National Parks had decided to extend the long term agreement for insurance policies for 1 year with the option to extend by a further 12 months thereafter.

The Finance Manager went on to explain that the guidelines concerning the suspension of normal procurement regulation lay in the Authority's standing order on major contracts. One of the exceptions permitting suspension stated "contracts ... have already been the subject of market testing by professional consultants with a contractual obligation to the Authority to undertake such testing and to report back with recommendations". The standing order also stated the 'authority to approve the use of Standing Order 16 rests with the Chief Executive (National Park Officer) and Chief Financial Officer only, with the justification for the decision being recorded and retained on the project file. Further 'all approvals under these Standing Orders (16) shall be reported to the next NPA meeting for members' endorsement'.

It was **RESOLVED** that the use contract standing order 16 in regard insurance cover commencing 1st April 2020 be endorsed and the long term agreement for insurance policies be extended for 1 year with the option to extend by a further 12 months thereafter.

#### **11. Independent Members of the Standards Committee**

Members were reminded that that at the meeting of the National Park Authority held on the 11<sup>th</sup> December 2019, it had been resolved to increase the number of Independent Members on the Authority's



Standards Committee to four. As a result of that decision – and the fact that the previous Chair’s term of office had come to an end – two vacancies had been advertised in the local press, in accordance with Regulation 13 of the Standards Committees (Wales) Regulations 2001.

Sixteen applications had been received in total and, following a rigorous shortlisting exercise, the Standards Committee Appointments Panel had agreed to invite six candidates for interview. These were undertaken over two days: 28th January and the 11th February 2020, the minutes of which were to be found elsewhere on the agenda for the meeting that day.

The Panel had recommended that Ms Wendy Taylor and Mr Phillip Davies be appointed as Independent Members of the Standards Committee. The report stated that this should be with effect from the 2<sup>nd</sup> April 2020, however the Administration and Democratic Services Manager and Deputy Monitoring Officer advised that this should in fact be from the date of today’s meeting – 6<sup>th</sup> May 2020. The appointments were for a period of 5 years.

One of the Members asked that, in circumstances where a panel or Committee had been delegated authority to interview for a position, a brief biography of those recommended for the position be provided. The Monitoring Officer advised that, with regard to the appointment before the Authority, he would ask the new Standards Committee Members to provide a short biography and this would be circulated to all Members.

It was **RESOLVED** that Ms Wendy Taylor and Mr Phillip Davies be appointed as Independent Members of the Standards Committee for a period of five years with effect from the 6<sup>th</sup> May 2020 and in accordance with the terms and conditions appended to the report.

## **12. Member Remuneration 2020/21**

Members were reminded that the remit of the Independent Remuneration Panel for Wales was to prescribe the salaries and allowances payable to Members by local authorities, including National Park Authorities, in Wales. Its final Annual Report for 2020/21 had now been published, and the main recommendations relevant to this Authority were set out; the new salary framework had come into effect on 1<sup>st</sup> April 2020.

It was noted that the Independent Remuneration Panel for Wales had prescribed the levels of Basic and Senior Salaries referred to in the report; the Authority could not vary these levels. However, Members were requested to determine which posts would be eligible to receive a Senior Salary for 2020/21. The Authority was entitled to pay a Senior Salary for up to four posts (Chair and Deputy Chair of the Authority, together with two Committee Chairs). Three were currently remunerated; the posts of





Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee.

It was **RESOLVED** that the report be noted and that the current arrangements remain, whereby the posts of Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee be remunerated.

[Mr G Jones was not present for the duration of the following item.]

### 13. Personal Development Reviews

Members were reminded that the recently reviewed Member Development Strategy set out a Personal Development Review (PDR) process, and this had been adopted at the meeting of the Authority in July 2019. PDRs were described as an opportunity for Members to discuss any development/support requirements they would like to receive in order to help them in their role as Member of the Authority.

Guidance, for both Members conducting Reviews and those being interviewed, had been agreed by the Member Support and Development Committee on 6 November 2019, subject to minor amendments that had now been incorporated. Training in how to get the most out of the process had also been provided to a number of Members, as both facilitators and as those who would be receiving Reviews.

The Administration and Democratic Services Manager reported that the draft documentation had been circulated to Members earlier in the year in the hope that PDRs would have been undertaken by now and the experience could have been used to suggest improvements to the guidance, however only two PDRs had been undertaken to date. Consequently the deadline for completing Reviews had been extended until the end of May and all Members were urged to participate in the process. Despite the fact that Members could not physically meet, Reviews could be undertaken by telephone or by using the Lifesize video conference facility.

One Member felt it would be better if Members were allocated a 'reviewer' rather than being able to choose, however the Chair of the Member Support and Development Committee explained that this point had been debated at length by the Committee and it had been agreed that it would be better to let people choose who undertook the Review. She commended the guidance before the Authority and encouraged all Members to undertake their Personal Development Reviews.

It was **RESOLVED** that the Personal Development Review guidance be adopted.

