

National Park Authority

26 October 2022

Present (In Person)

Councillor Mrs D Clements (Chair)

Councillor Steve Alderman, Councillor Dr SL Hancock, Dr M Havard, Mrs S Hoss, Councillor M James, Councillor R Jordan, Mr GA Jones, Councillor PJ Morgan, Dr RM Plummer, Councillor Mrs V Thomas and Councillor Mrs M Wiggins.

Present (Remotely)

Dr R Heath-Davies, Mrs J James, Councillor R Owens, Councillor Mrs S Skyrme-Blackhall, Councillor A Wilcox and Councillor C Williams.

[Llanion Park, Pembroke Dock and Remotely 10.00am –
11.30am; 11.40am – 1.25pm]

1. **Apologies**

There were no apologies for absence.

2. **Disclosures of Interest**

Dr R Plummer made a general (personal) declaration in respect of her membership of the Natural Resources Wales Board and as a trustee of Plantlife. Councillor M James disclosed a personal interest in respect of report 33/22 Public Convenience Funding.

3. **Minutes**

The minutes of the meeting held on the 27 July 2022 were presented for confirmation and signature.

It was **resolved** that the minutes of the meeting held on the 27 July 2022 be confirmed and signed.

4. **Matters arising**

There were no matters arising.

Noted.

5. **Chair's Announcements**

The Chair noted that it had been a busy summer, and she had been pleased to attend the County Show, meeting Senedd Members and representatives from partner organisations. She had subsequently been delighted to present a cheque to the winner of a competition which had been run at the Show who had enjoyed a day out with her family at Castell Henllys. On a more sombre note, the Chair said it had been a



privilege to represent National Parks Wales at the funeral of HM Queen Elizabeth II. Other events attended included a wild woodland walk and tea part at Canaston Woods to celebrate the Authority's 70th Anniversary and the Visit Pembrokeshire Awards, at which a number of the Authority's sites and projects had been runners up.

Alongside other Members, the Chair had also attended the National Parks UK Conference in Exmoor when she had chaired the Chairs' Forum, which consisted of representatives of 15 NPAs from across the UK. A couple of the Members who had also attended the Conference were given the opportunity to reflect on their experiences and it was noted that audio recordings of the keynote addresses were available to anyone who was interested. Finally referring to the recent death of the Chief Executive's father, she extended the Authority's condolences and advised that she had sent a card on Members' behalf.

Noted.

6. Reports of meetings of various Authority 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 20 July 2022 and 7 September 2022;
- (ii) Operational Review Committee held on 29 June 2022;

It was noted that no response had been received from Lamphey Community Council in respect of the Playpark Notice of Motion, and the matter would be considered by the Committee at its forthcoming meeting with a subsequent report back to the Authority.

- (iii) Human Resources Committee held on 29 June 2022 and 27 July 2022;

Some Members expressed concern that there had been no update provided, particularly to those Members of the Authority who did not sit on the Human Resources (HR) Committee, in respect of the organisational restructure and the pay and grading review. This information was integral to understanding the effectiveness, costs and risks of the Authority, and a briefing paper was requested.

The Chief Executive replied that these matters had been delegated to the HR Committee which was scheduled to meet in the next few weeks, and noted that those papers would be available to all Members. However he also expressed his willingness to hold a further workshop if Members wanted one.



- (iv) Youth Committee held on 12 July 2022 and 11 October 2022;

The work of the Committee was commended, but it was requested that in future the surnames of the youth members be included in the minutes.

- (v) Audit and Corporate Services Review Committee held on 13 July 2022;
(vi) Director Recruitment Panel held on 27 July 2022 and 8 August 2022; and
(vii) Sustainable Development Fund Committee held on 5 October 2022

It was **resolved** that the minutes of the above-mentioned Committees be adopted/received.

7. Annual Report on Meeting Well-Being Objectives 2021/22

Members were reminded that the Well-being of Future Generations Act (Wales) 2015 placed a duty on the Authority to set out its Well-being Objectives and to demonstrate how these contributed to the Welsh Government's seven Well-being Goals. Under the legislation, each year bodies had to publish an annual report showing the progress they had made in meeting their objectives. They also had to demonstrate how they had applied the 5 ways of working under the sustainable development principle of Long Term, Prevention, Integration, Collaboration and Involvement.

In order to ensure that equality and biodiversity considerations were mainstreamed across the Authority, the annual report also acted as its annual equality report and formed one element of the reporting on how the Authority complied with the Section 6 Biodiversity and Resilience of Ecosystem duty under the Environment (Wales) Act 2016.

It was noted that the Authority had reviewed its Well-being Objectives and high-level priorities in 2021/22. This was therefore the final annual report reporting against the Authority's previous Well-being Objectives set out in the Corporate and Resources Plan 2021/22. As a result, progress against some activities planned for 2021/22 had been impacted by the newly identified priorities and future activities relating to organisational change. As it was the final year of reporting against PCNPA's previous Well-being Objectives, a Journey Checker Summary Highlights for period 2016-22 had been included at the start of reporting for each of the Well-being Objectives.

Members commended the officer on a well-presented document which proved interesting reading and showed how the Authority was delivering upon its objectives. A few minor suggestions for references that could be included in future were made, however they expressed their appreciation to all staff for their work and said that the document showed the depth and diversity of work that was undertaken. Reference was made to the



red and amber ratings against a number of the planning measures and one Member asked whether more needed to be done to improve waiting times for applicants and to keep them informed of progress. The Chief Executive replied that statistics for most Authorities had dipped as result of Covid restrictions and that planning was suffering from a difficult recruitment market across the country. However he acknowledged that this was a challenging area for the Authority and that action would continue to be taken to develop staff and improve processes.

Noting the length of the document, some Members questioned whether a shortened format or a more visual 'impact report' would allow greater engagement. The officer replied that the document was principally a means of reporting performance to Welsh Government and Audit Wales, and there were capacity issues in producing additional documents. However various options continued to be considered that were also accessible for those using assistive technology.

It was **resolved** that the Annual Report on Meeting Well-being Objectives 2021/22 be approved.

8. 2022 Annual Monitoring Report on the Pembrokeshire Coast National Park Local Development Plan 2

Members were reminded that the Annual Monitoring Report was a document which was produced by the Authority each October, looking back at the previous financial year, from 1 April to the 31 March. The Report assessed the extent to which Local Development Plan 2 strategy and policies were being achieved by measuring various indicators to assess the performance of the individual planning policies set out in the adopted Local Development Plan and providing a general portrait of the social, economic and environmental conditions in the National Park. The report presented was the first Annual Monitoring Report since the adoption of Local Development Plan 2 in September 2020 and covered the financial year April 2021 to end of March 2022.

In addition to some comments made prior to the meeting, Members asked whether greater context could be provided against those targets where decisions had been taken contrary to the officer recommendation, in order to reassure others of the lengthy deliberations that took place in these circumstances. The Head of Park Direction agreed to include links to the minutes of the meetings in such cases. Members also hoped that those areas where targets were not being met could be the subject of workshops to ensure those points of learning were taken on board. Officers also noted that an interactive version of the document had been produced and that this would be available via the Authority's website, and that an executive summary could also be created.



It was **resolved** that Annual Monitoring Report (and appendices) for the Pembrokeshire Coast National Park Local Development Plan 2 be approved for submission to the Welsh Government by the 31st October 2022.

9. Local Development Plan 2: Supplementary Planning Guidance (SPG) Consultations

Members were reminded that in September 2021, the Authority had agreed to publish a series of draft Supplementary Planning Guidance documents for public consultation; this had begun in early January 2022, and ended on 15 April 2022. It was noted that the guidance document on Cumulative Impact of Wind Turbines covered the whole of Pembrokeshire and had been prepared jointly with Pembrokeshire County Council. The rest covered the Pembrokeshire Coast National Park only.

A report summarising the results of the public consultation and identifying recommended changes to the Supplementary Planning Guidance was attached for Members' consideration. It was noted that the Loss of Hotels Guidance responses required more work to be undertaken on them and were not reported at this time. The responses (excluding Loss of Hotels) had resulted in thirty six individual representations being logged, and the full text of those was also provided, as were the proposed edited pages of the consultation documents.

Members thanked officers for the clear presentation and transparent way in which comments were reported.

It was **resolved** that:

- a) the Officers' responses to the consultation responses received be agreed as set out in Appendix A and Appendix B of the report.

- b) Supplementary Planning Guidance on the topics set out below be adopted, subject to the amendments set out in Appendix C to the report
 - Cumulative Impact of Wind Turbines - Guidance prepared jointly with Pembrokeshire County Council
 - Coal - Land Instability
 - Regionally Important Geodiversity Sites
 - Safeguarding Minerals Zones
 - Angle Conservation Area
 - Caerfarchell Conservation Area
 - Caldey Conservation Area
 - Little Haven Conservation Area
 - Manorbier Conservation Area
 - Newport Conservation Area



Portclew Conservation Area
Porthgain Conservation Area
Saundersfoot Conservation Area
Solva Conservation Area
St Davids Conservation Area
Tenby Conservation Area
Trefin Conservation Area

- c) Delegated authority be provided to the Head of Park Direction to make further minor edits to include taking account of Pembrokeshire County Council's consideration of the representations on the Cumulative Impact of Wind Turbines Supplementary Planning Guidance. Any proposed changes by Pembrokeshire County Council which were substantive in nature would be reported back to the National Park Authority for further consideration.

10. Pembrokeshire Coast National Park Local Development Plan 2 – Supplementary Planning Guidance

It was reported that two items of draft Supplementary Planning Guidance (SPG) had been produced. The first, in respect of Seascapes, was an update of existing guidance, and it was noted that it was intended to publish this jointly with Pembrokeshire County Council. The second SPG document related to Trees and Woodland and this described how new tree and woodland planting should take account of the special qualities and distinctive features of the receiving landscape – with a focus on 'the right tree in the right place'.

Members were asked to approve the two supplementary planning guidance documents for consultation. It was noted that the existing Seascapes SPG had been formally rolled over from Local Development Plan 1 as an interim measure and this would continue to be used while the consultation took place.

It was noted that some comments had been made by a Member prior to the meeting and officers were happy to make those suggested edits, which were not substantive, prior to publishing the documents for consultation.

Members highlighted the importance of SPG for users of the planning system and noted that much of it was very detailed, with technical terminology. It was therefore suggested that a paragraph summarising what the guidance meant in practice could be included at the beginning of each document and that this be included in the final version prior to its adoption. Officers agreed that this was a good suggestion that they would look to develop.



It was **resolved** that:

- a) Supplementary Planning Guidance on Seascapes and Tree and Woodland Guidance as set out in Appendices A and B to the report, and on the Authority's website be approved for consultation.
- b) Delegated authority be provided to the Head of Park Direction to make further minor edits to include taking account of Pembrokeshire County Council's consideration of the Draft Supplementary Planning Guidance on Seascapes. Any proposed changes by Pembrokeshire County Council which were substantive in nature would be reported back to the National Park Authority for further consideration.

[The meeting was adjourned between 11.30am and 11.40am]

[Councillor C Williams tendered his apologies and left the meeting during the following debate.]

11. Public Convenience Funding

Members were reminded that a request from Pembrokeshire County Council (PCC) that the Authority provide a contribution to the management of public conveniences near National Park Authority run car parks through increasing car parking charges, ring fencing the additional income and transferring that income to Pembrokeshire County Council had been discussed by the National Park Authority on 15 June 2022. It had been resolved at that meeting that " the Authority open preliminary talks with PCC at officer level or as an Officer / Member working group and use those as an opportunity to negotiate on issues to the benefit of the Authority including the provision of 'changing places' toilets which provided improved facilities for disabled users."

It was noted that a letter had been sent to PCC's Chief Executive on 4th July. The matter had been discussed at a meeting between the Chief Executives of the two Authorities on 26th September and a response to the letter was received on 28th September. It was noted that in this letter, the request from PCC had increased to £205,582 with the inclusion of 5 additional toilets which were within non-charging car parks managed by the Authority. A summary of PCC's responses to the Authority's requests was summarised within the report, and copies of the letters were also provided.

The report went on to set out a number of considerations for Members to take into account, and they were asked to indicate whether they would agree, in principle, to the County Council's request.

At the meeting, the Authority's Section 151 Officer (Responsible Financial Officer) began by giving an overview of the Authority's financial ability to



respond to the request, and advised that the Authority was expecting a flat line budget from Welsh Government, which would result in a deficit in 2023/24, however if the National Park Grant was reduced by 5% or 10%, the deficit could be over a million pounds for 22/23/24. The Authority would not know how much funding it would receive until December when Welsh Government published its budget. He advised that there were challenging times ahead and urged caution in taking a decision which would have significant financial consequences. He also noted that if a decision was taken to accede to the request, it was likely that the legal basis for doing so would be subject to scrutiny.

Members were clear that they did not want any toilets to close, recognising their importance for local people and visitors alike, alongside the reputational damage to the National Park of a lack of available toilet facilities and the impact on the County's blue flag beaches. However they expressed a number of concerns: that the Authority's financial position was such that the costs would have to be passed on to the public in a time of economic difficulty; that provision of toilet facilities was outside the Authority's remit; that the Authority did not have the skills to manage such facilities and therefore an arms length agreement would leave it with no control over the spending of the money or management of the facilities; that the principle of ringfencing money to give to third parties could be expected in other areas; that some of the buildings themselves were not in a good state and could prove to be a liability. They were also disappointed with the tone of PCC's letter, as it didn't seem to offer a spirit of partnership working, particularly as the sum requested had increased since the request had first been made. It was therefore proposed and seconded that, with regret, the request be rejected.

Nevertheless, Members remained concerned at the prospect of the closure of facilities and suggested that there could be other ways of providing toilets in the future, particularly if they offered additional facilities such as showers or secure storage lockers. They also did not reject outright the possibility that the Authority could make a financial contribution towards provision of facilities which, it was noted, had been the original suggestion. To this end it was suggested that a small working group comprising Members and officers from the two organisations be formed to discuss the situation and try to find a solution. It was further suggested that Visit Pembrokeshire could also be invited. The proposer and seconder of the original motion indicated that they were happy to amend their motion to include this suggestion and it was put to the vote.

It was **resolved** the Authority reject PCC's request that it increase its car parking charges, and ring fence the amount raised to fund public conveniences managed by Pembrokeshire County Council, but that the Chair and Chief Executive meet with the Leader and Chief Executive at



Pembrokeshire County Council and Chair and Chief Executive of Visit Pembrokeshire to explore other options, and to report back to a future meeting of the Authority.

12. Code of Corporate Governance

It was reported that the Code of Corporate Governance comprehensively described the Authority's commitment to, and understanding of, corporate governance and outlined the arrangements that it had put in place to ensure ongoing effective implementation and monitoring of that process. The Code was linked to the Authority's Annual Governance Statement, which was a statutory document which explained the processes and procedures in place to enable the Authority to carry out its functions effectively. The Annual Governance Statement was produced annually following a review of the Authority's governance arrangements, and included an action plan to address any significant governance issues identified.

The Code before Members had been updated to strengthen references to the Well-being of Future Generations (Wales) Act 2015 and to reflect the principles within the Chartered Institute of Public Finance and Accountancy (CIPFA) and Society of Local Authority Chief Executive (SOLACE) Framework "Delivering Good Governance in Local Government". Additional amendments had been applied to update the Code of Governance to reflect changes relating to internal organisational and Authority governance arrangements.

It was **resolved** that the Code of Corporate Governance be approved.

13. Independent Remuneration Panel for Wales Draft Annual Report 2023/24

Members were reminded that the remit of the Independent Remuneration Panel for Wales (IRPW) was to prescribe the salaries and allowances payable to Members by local authorities, including National Park Authorities, in Wales. Its draft Annual Report for 2023/24 had been published, and the main recommendations relevant to this Authority were summarised in the officer's report, the principal determination being an uplift of 1.76% to the basic salary for 2023/24. It was noted that the format of the IRPW report had changed from that of previous years, focusing on the changes that had been determined by the panel, and it also included a number of consultation questions on which the Panel welcomed comments. The changes would be implemented on 1st April 2023.

Members' opinion was sought on whether to submit a response to the IRPW draft Annual Report, and if so, the content of such a response.



It was noted at the meeting that Members should give consideration to the number of senior salaries that should be paid – currently the Chair, Deputy Chair and Chair of DM Committee were paid a senior salary. Any comments were also welcomed on the consultation questions, and it was assumed that, as on previous occasions, Members wished to be involved in any engagement events organised by IRPW in future.

Members welcomed the shorter format of the report and inclusion of the questionnaire. They felt the pay award to be generous in the current financial circumstances and were happy that payment of three senior salaries be maintained. However the question was again raised regarding progress on tax exemption for travel expenses for Welsh Government appointed Members.

It was **resolved** that a response be submitted as outlined above.

14. Welsh Language Strategy Working Group

It was reported that in accordance with Section 44 of the Welsh Language (Wales) Measure 2011, the Authority had been issued with a Compliance Notice setting out a number of Welsh Language Standards with which it had to comply. One of these, Standard 145, required it to publish a 5-year strategy setting out how it proposed to promote the Welsh language and to facilitate its use more widely. The strategy had to be reviewed every 5 years.

The Authority had adopted the current Welsh Language Strategy in November 2017, and therefore it now had to produce a new Strategy to take it forward over the next 5 years. To this end, it was recommended that a Member Officer Working Group be established to review the Authority's performance against its current Welsh Language Strategy 2017 – 2022, and to draft a second Strategy.

In response to Members' questions, the officer advised that she did not believe it would be a large time commitment, with the meetings taking place on Teams over the next 3-4 months. She did not want to restrict the number of Members able to participate and the Chair suggested that anyone who was interested should send their names to the Administration and Democratic Services Manager as soon as possible.

It was **resolved** that a Member/Officer Working Group be established to review Authority's performance against its current Welsh Language Strategy 2017 – 2022, and to draft a second Strategy for promoting and facilitating the use of the Welsh language within the National Park over the next 5 years.



15. Standards Committee – Re-Appointment of Independent Member

It was reported that Mr John Daniels had been appointed as an independent member of the Standards Committee on 13th December 2017 for a period of 5 years and therefore his appointment would cease on 13th December 2022. Accordingly, approval was sought for his re-appointment as an Independent Member of the Authority's Standards Committee for a further period of 4 years until 13th December 2026. Such a re-appointment would be in accordance with the Standards Committees (Wales) (Amendment) Regulations 2006 which provided for the re-appointment of an Independent Member for one further consecutive term of four years without the need to advertise a vacancy.

The Monitoring Officer explained that he had spoken to Mr Daniels, and he was happy to serve for a further term.

It was **resolved** that Mr John Daniels be re-appointed as an Independent Member of the Standards Committee for a period of four years until the 13th December 2026.

[Councillor S Hancock was not present during consideration of the following item].

16. Sustainable Development Fund Committee Terms of Reference

It was reported that the Authority had recently been awarded funding from Welsh Government's Sustainable Landscapes Sustainable Places Fund to deliver a pilot Greening Agriculture project. The project would work with farms within the National Park to trial different approaches to decarbonisation through offsetting and reduction measures.

Applications would be received and appraised by project officers, however in order to ensure good governance and transparency of decision making, it was recommended that the SDF Committee ratify the decision-making process and that this be added to the SDF Committee's terms of reference. Revised Terms of Reference were appended to the report.

It was **resolved** that the changes to the Sustainable Development Fund Committee's Terms of Reference to include making decisions in relation to the Greening Agriculture pilot scheme be endorsed with immediate effect.

17. Exclusion of the Public

It was **resolved** that the public be excluded from the meeting as exempt information, as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act, would be disclosed.



18. St Brides Scout Cottages & Walled Garden

The Authority's Estates Officer provided an overview of the situation with regards to the Scouts' lease of the St Brides cottages and walled garden and of their request for an early surrender of that lease. In response, the report set out three options for Members' consideration. If early surrender of the lease was agreed, it was noted that a further report regarding the future of the site would be presented to a future meeting of the Authority.

It was **resolved** that the Authority accept the Scouts' request for surrender of their lease, in accordance with Option 3 as set out in the report.

19. Review of Recreational Management at Newport Sands

The historical recreational management of land at Newport Sands was outlined for Members, together with the contemporary challenges experienced at the site.

It was **resolved** that the course of action outlined in the report be agreed, and that a further report on the matter be presented to the Authority in due course.

