

National Park Authority

29 March 2023

Present (In Person)

Councillor Mrs D Clements (Chair)

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

Present (Remotely)

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

[Llanion Park, Pembroke Dock and Remotely 10.30am –
11.55am; 12.10pm – 1.00pm]

1. **Apologies**

Apologies for absence were received from Councillor R Owens and Dr RM Plummer.

2. **Disclosures of Interest**

Dr M Havard and Councillor M Wiggins each declared a personal interest in Report 10/23 Renewal of the Memorandum of Understanding with the Pembrokeshire Coast National Park Trust.

3. **Minutes**

The minutes of the meeting held on the 8 February 2023 were presented for confirmation and signature.

It was clarified that the paragraph following minute 6(ii) referred to the minutes of the Youth Committee, and not the Development Management Committee referenced in minute 6(i).

It was **resolved** that the minutes of the meeting held on the 8 February 2023 be confirmed and signed subject to the above clarification.

4. **Action Log**

The contents of the Action Log were noted. The Chief Executive added that the Visit Pembrokeshire AGM had taken place the previous day when their accounts had been presented and he would now circulate these.

5. **Chair's Announcements**

Best wishes were conveyed to Councillor R Owens who was currently unwell. The Chair had been unable to speak to his wife, but had left a message to say that both officers and Members were thinking of him and



wished him all the best. It was noted that this would be the final meeting of the Administration and Democratic Services Manager who would be retiring at the end of the week. Thanks were given to St Davids City Council for their invitation to their St Davids Day Dinner, which the Chair had attended, along with Councillor M Wiggins. The Chair had attended the following meetings:

- WLGA Rural Forum and
- WLGA Elected Members session on climate change leadership;
- PCNPA workshop regarding housing use classes;
- the Authority's Staff Meeting when thanks were given to staff on behalf of the Members;
- Visit Pembrokeshire AGM;
- a meeting of Lamphey Community Council to discuss potential toilet closures and the PCC toilet strategy;

The Chair advised that she had responded to correspondence regarding both Car Park Season Tickets and toilet closures. Thanks were given to Mrs J James for attending the opening of the new tourist facilities at Pendine. Finally, she noted that the meeting of the Chairs and Chief Executives of Welsh National Park Authorities with the Minister for Climate Change that was to have taken place that morning had been delayed until 30 March.

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 1 February 2023 and 13 February 2023;
- (ii) Human Resources Committee held on 8 February 2023;
- (iii) Youth Committees held on 14 February and 28 February 2023;

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

7. Response to the Welsh Government Technical Advice Note (TAN) 15: Development, flooding and coastal erosion – further amendments

Members were reminded that Welsh Government had updated Technical Advice Note (TAN) 15 and published it in September 2021 in advance of it coming into effect in December that year. Accompanying the new TAN15 was an updated flood risk map – the Flood Map for Planning - which took climate change allowances into account. Upon publication of this document, it became evident that it would have a significant impact in some parts of Wales,



It was reported that to allow further consideration to be given to these matters and for local authorities to be given time to develop a greater understanding of the consequences of flooding and climate change within their areas, the coming into force of the new TAN15 and Flood Map for Planning had been postponed until 1st June 2023. In the meantime, local authorities were required to complete a Strategic Flood Consequence Assessment (SFCA) for their area, either individually or regionally. This Authority had joined with other neighbouring authorities and commissioned consultants to prepare the SFCA for the South-West Wales region. The Assessment did not highlight any issues for the National Park as none of the land allocations included in LDP2 were within flood risk areas and the policies in the Plan relating to flooding and coastal change remained relevant and implementable.

The Authority had responded positively to the updated TAN15 published for consultation in 2021 and had welcomed the changes proposed that would provide greater clarity in dealing with speculative planning applications in flood risk areas. Elsewhere in Wales it was clear however that there were major issues facing those local authorities with lowland estuarine areas which included areas where large-scale regeneration projects or proposals were planned. As a result of the ongoing discussions, the Welsh Government had now published further amendments to the consultation document, and these were summarised in the report. The Authority's response to the proposed additional changes were set out in an appendix and this included a comment seeking clarification on the use of Zone 3 areas for very small-scale developments.

Most Members were happy with the response and agreed that it was helpful to seek clarification. One Member asked about the response to question 5 which related to the impact of the revised TAN on the Welsh Language, and the officer advised that no greater impact was anticipated for Welsh Language Communities than for non Welsh Language Communities, hence a neutral impact had been identified. The Member asked that this response be clarified and offered to provide some wording.

In response to other points raised, the officer agreed that communication of the policy was important and explained that the Authority was working with other partners to do this. She also noted that the Authority's adopted Local Development Plan (LDP) contained policies to address the need to relocate development from vulnerable areas and that these would be revisited when the LDP was next updated.



It was **resolved** that the draft response to Welsh Government's consultation on further amendments to Technical Advice Note 15: Flooding and Coastal Erosion as set out in Appendix A to the report be approved subject to clarification of the response to question 5, the effect of the revised TAN on the Welsh Language.

8. The implications of recent Welsh Government Legislative and Planning Policy Changes in relation to Second Homes and Short-term Lets

It was reported that in response to the impact of second homes and short-term lets on housing markets in Wales, the Welsh Government had recently introduced legislative and Welsh Government planning policy changes. These were summarised in the report, and the implications of these changes for considering planning applications under the Local Development Plan (2) and options relating to Article 4 Directions were identified.

The changes included amended processes for the creation of Article 4 Directions, and these gave Local Planning Authorities the ability, where they had evidence, to disapply permitted development rights within a specific area by an Article 4 Direction made by a Local Planning Authority on the basis of robust local evidence. Where imposed this would allow the Planning Authority to consider whether planning permission was required to change from one use class to another and to control the number of additional second homes and short-term lets in an area.

Some information had recently been made available on Council Tax and Non-Domestic Rates by Pembrokeshire County Council which provided more site-specific evidence on the prevalence of second homes and short term lets in the Plan area's Centres. Officers considered that additional analysis of data and further research would be required if the Authority wished to explore establishing an Article 4 Direction.

It was noted that in the shorter term, until such time as any decision on whether to make an Article 4 direction was made, individual applications were coming forward where issues relating to the new use classes C5 and C6 might arise. In these situations, occupancy conditions could be imposed on a case by case basis as set out in the report.

Members thanked the officer for the report, and for the helpful seminar on this subject which had recently taken place, noting that this was a sensitive and complex matter. In particular, the baseline for consideration of house price increases was considered to be critical. It was asked, however, that the approach more fully acknowledged the adverse effect of second homes and holiday lets on the Welsh Language in certain communities, and that the reference to imposition of planning conditions



via 'normal development management procedures' included consideration of wider Welsh Government Welsh Language policies, statements and Acts in determining sensitivity.

It was **resolved** that:

- a) the contents of the report be noted
- b) Further exploration of data and evidence that might inform the establishment of an Article 4 Direction be undertaken including research into potential impacts on house prices and the Welsh Language.
- c) The imposition of planning conditions was considered on applications for planning permission on a case by case basis via normal development management procedures.

9. Pembrokeshire Coast National Park Authority Youth Committee

The Chair welcomed the Youth Inclusion and Engagement Officer and Michele Chung, who was part of the Pembrokeshire Coast Next Generation, which included both Youth Rangers and the Youth Committee, to the meeting. Michele introduced the Pembrokeshire Youth Manifesto which she explained was based on the Europarc Youth Manifesto agreed a few years ago, but tailored to include issues more relevant to Pembrokeshire. The Manifesto – which was in Welsh and English – reflected National Park purposes and the Authority's priorities, and covered four main areas: Youth Empowerment, Living, Learning and Working, together with a call to action; it was a living document, which would be updated in future to reflect the views of young people going forward. The Manifesto would be used, together with the mural boards and Next Generation Video, to engage young people to get involved with the National Park but also hoped to influence decision makers by helping them to understand the issues facing young people and identifying what actions they needed to take to support them. The officer added that she had taken the mural boards out seven times and they had generated over 200 pieces of artwork from schools in the County.

The Chair thanked the officer and Michele for an inspiring presentation which provided great hope for the future and added that it was up to Members to take account of the Youth Manifesto in its decisions going forward. Noting that getting the message out was key, other Members suggested that an approach could be made to Pembrokeshire County Council who had held a number of outreach events with young people recently, that it could be highlighted at Oriel y Parc, or that a presentation could be made to a future Welsh Members Seminar. They asked to receive a link to the video that had been shown.

Noted.

[The meeting was adjourned between 11.55am and 12.10pm]



10. Presentation about the Pembrokeshire Coast National Park Trust

For the benefit of newer Members, the Chief Executive explained that as part of the development of its fundraising infrastructure, the Authority had agreed to set up a charitable Trust just over 5 years ago. The Trust was a registered charity, and operated in partnership with, but independent from, the Authority which could nominate up to a third of the Trustees; current representatives were Dr M Havard and Councillor M Wiggins. Staff undertook a wide variety of fundraising activity, however some sources of funding were only open to charities, and in this respect the Trust played a key role and he expressed his gratitude to the Trustees for their work.

The Authority's External Funding Manager, who was also the Charity Director, then gave a presentation outlining how the Trust operated and gave a breakdown of its income and expenditure and highlighted some of the projects it had funded. She concluded by outlining some of its plans for the future, which included increasing public engagement, improving its corporate relations, major donor and stewardship programmes and increasing its legacy income, and asked for Members' help in promoting support for the Trust.

Thanking her for the presentation, Members asked a number of questions, including a question regarding the criteria for developing corporate relationships. The officer explained that she undertook due diligence and the decision was made by Trustees. One of the Trustees added that the Trust had a fundraising policy and was aware of issues around ethical fundraising. The small number of staff working for the Trust was also highlighted and officers replied that the Trust was a long term investment, and the aim was to have the income to justify employment of additional staff.

Noted.

11. Renewal of the Memorandum of Understanding with the Pembrokeshire Coast National Park Trust

Members were reminded that at the meeting of the Authority held in February 2018 Members had agreed to set up a local Charitable Trust, and a Memorandum of Understanding (MOU) between the Pembrokeshire Coast National Park Authority and the Pembrokeshire Coast National Park Trust was agreed at the Authority meeting in May 2018. That MOU was now due to expire and therefore it was proposed to renew the MOU for a further 5 years, from April 2023 to March 2028. A copy of the revised MOU was appended to the report.

The Chief Executive explained that the model had worked well, however some changes had been made to MOU to reflect the fact that a second



member of staff was now employed as part of the Authority's fundraising team and there was provision for some flexibility across the team. In response to a concern about the partnership arrangements that the Trust could enter into, he also reassured Members that ultimately the Authority had the ability to refuse offers of funding from the Trust if it was unhappy.

It was **resolved** that a new Memorandum of Understanding with the Pembrokeshire Coast National Park Trust be approved for the period April 2023 to March 2028.

12. Members' Task and Finish Group to consider Toilet Funding

Members were reminded that over the past 18 months there had been a number of requests from Pembrokeshire County Council for funding to support the maintenance of a network of toilets around the county. To date the Authority had not agreed to these requests. A further letter had recently been received informing the Authority that a number of toilets in the National Park area would close next year, unless support was received from the National Park Authority or other organisations.

In response it was proposed to set up a Members' Task and Finish Group to consider the matter, with a view to reporting its findings to a meeting of the Authority by September 2023 at the latest. Draft Terms of Reference were appended to the report, and the Group would be facilitated by The Director of Placemaking, Decarbonisation and Engagement.

It was resolved that:

- a) a Members' Task and Finish Group be set up to develop a response to the request by Pembrokeshire County Council to support the retention of a network of toilets in the National Park area reporting back to the Authority by September 2023 at the latest;
- b) the Terms of Reference included at Annex B be agreed; and
- c) Membership of the Group comprise Councillor D Clements, Dr M Havard, Councillor M James, Mr G Jones, Councillor R Jordan and Councillor C Williams.

13. Co-option of the Chair on to the South-West Wales Corporate Joint Committee and Members on Scrutiny and Sub-Groups

Members were reminded that the Local Government and Elections (Wales) Act 2021 had created the framework for a consistent mechanism for regional collaboration between local government, namely Corporate Joint Committees (CJCs). CJCs exercised functions relating to strategic development planning and regional transport planning and could undertake activities to promote the economic wellbeing of their areas. The South West Wales CJC comprised Carmarthenshire County Council, the City and County of Swansea, Pembrokeshire County Council and Neath Port Talbot County Borough ("the Constituent Councils"). In



respect of Strategic Planning functions, both Pembrokeshire National Park Authority and Brecon Beacons National Park Authority were members.

Over the past 18 months the Chair, Vice Chair and officers had held regular discussions with the Local Authority Members of the CJC regarding how the Authority engaged with the CJC and on which scrutiny and sub-committees the Authority was represented. From previous discussions with Members a case had been made that the Authority was a full member of the CJC, able to vote on issues such as governance, finance as well as planning and be represented on the relevant Sub Committees. However, this view was not accepted by members of the CJC.

In order to resolve the issue, at their meeting on 7th December 2022 the South West Wales CJC had agreed to:

- Co-opt the Chair of the Authority (or their representative) onto the South West Wales CJC. They were already full members in relation to Strategic Planning but this would enable them to participate in any discussion on non-planning issues. However, they would not be able to vote on non-planning issues.
- Co-opt a member onto the Scrutiny Committee. The co-opted member would not be able to vote.
- Co-opt a member onto the following sub-groups:
 - Regional Transport Planning
 - Regional Economic Development
 - Regional Energy Strategy

The Co-opted members would not have voting rights.

It was noted that the Authority would be a full member, with voting rights, of the Strategic Development Planning Sub Committee and had previously nominated the Vice Chair to sit on this group. However, the Authority would not be represented on the Governance and Audit Committee.

Officers considered that this provided a pragmatic option that would enable the Authority to engage fully with the work of the CJC, although this would be without voting rights in the majority of areas.

It was **resolved** that:

- a) the Chair (or their Deputy) be co-opted onto the South West Wales CJC;
- b) Councillor S Hancock be Co-opted onto the South West Wales CJC Scrutiny Committee;
- c) Councillor M James be co-opted onto the Regional Transport Planning sub-group;



- d) Councillor R Jordan be co-opted onto the Regional Economic Development sub-group;
- e) Councillor S Alderman be co-opted onto the Regional Energy Strategy sub-group.

14 Member Remuneration 2023/24

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 2023/24 had now been published, and the main recommendations relevant to this Authority were set out; the new salary framework would come into effect on 1st April 2023.

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 2023/24, the previous restriction of four Senior Salaries that could be paid having been removed. Three posts were currently remunerated; the posts of Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee.

It was proposed and seconded that those posts to be remunerated with a Senior Salary remain as at present.

It was **resolved** that:

- a) The Independent Remuneration Panel for Wales Annual Report for 2023/24 be noted.
- b) The posts of Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee be remunerated with a Senior Salary.

15. Corporate Events

The report set out those events to which Members of the Authority had been invited during the forthcoming year and Members were asked to agree attendance at these.

As not all Members were present that day, details of the events would be circulated to all Members to give all those who were interested the opportunity to respond, and attendance would be on a first come, first served basis.

It was **resolved** that Members be authorised to attend the events as follows:



- (a) Welsh Members' Seminar hosted by Brecon Beacons National Park Authority on 24 – 25 May 2023 (All Members)
- (b) Wales Planning Conference: Planning for Health and Well-being – 22 June 2023 in Cardiff (Chair/Deputy Chair DM Committee)
- (c) WLGA Annual Conference, date and venue to be confirmed (Up to 2 Members)
- (d) Europarc Conference at Leeuwarden, The Netherlands from 3 – 6 October 2023. The Focus would be a “Tribute to our Landscape: Where Nature and People Meet in Harmony” (Up to 2 Members)
- (e) Members' National Induction Course in November at The Sill: National Landscape Discovery Centre, Northumberland (usually new Members, or those who have not yet had the opportunity to attend an Induction Course)

16. Calendar of Meetings 2023/2024

Members were reminded that the current calendar of meetings came to an end in June 2023 following the Annual General Meeting and therefore a calendar for the forthcoming year was presented. It was noted that in response to a request, an attempt had been made to hold Development Management Site Inspections on a Wednesday, however it had not been possible, with any consistency, to fit these in.

The Chair of the Member Support and Development Committee noted that a number of Workshops were identified, and reminded Members of the importance of completing their Personal Development Reviews as this would allow officers to better plan Members' training throughout the year.

It was **resolved** that the calendar of meetings for 2023/24 be approved.

17. Urgent Item: WCVA Local Places for Nature Grant

The Chief Executive reported that the Authority was in receipt of a grant of just under £200,000 and wanted to use the money to purchase three remote controlled mower flails. These were fairly specialised pieces of equipment, and as it was very near the end of the financial year, authority was sought to vary Financial Standards in respect of their procurement should that prove necessary.

It was **resolved** that that a variation to financial standards be approved in relation to the purchase of remote controlled mower flails.

18. Thanks

The Chair reported that Mrs Janet Evans was retiring from the post of Administration and Democratic Services Manager and Deputy Monitoring Officer at the end of the month, and today was her last meeting. She



wanted to thank her both personally, and on behalf of all past and present Members of the Authority, for her support and guidance and to wish her a wonderful retirement. A presentation of a painting and some flowers was made.

