

# NATIONAL PARK AUTHORITY

29<sup>th</sup> September 2010

Present: Mr R Howells (Chair)  
Mrs G Hayward, Mrs F Lanc, Messrs JS Allen-Mirehouse, JA Brinsden, RR Evans, HM George, RN Hancock, SL Hancock, M James, RM Lewis, PJ Morgan and EA Sangster.

(NPA Offices, Llanion Park, Pembroke Dock: 11.00am – 12.40pm)

## 1. Apologies

Apologies for absence were received from Ms C Gwyther, Messrs D Ellis, ML Evans, WL Raymond and M Williams (who was representing the Authority at the Europarc Conference).

## 2. Chairman's Announcements

The Chairman reported that since the last meeting of the Authority he had been particularly busy, attending, with the Vice-Chairman, the Royal Welsh Show, when he had spoken at an event to mark the 40<sup>th</sup> Anniversary of the Coast Path, and County Show when a reception had similarly been held attended by a number of Members in addition to many of the landowners along the coastline, together with one to mark the signing of a formal document with regard to a right of access over parts of the Burrows in Freshwater East. The stands at both events were visited by the Minister for Environment, Sustainability and Housing, whom he had also met with in Cardiff to discuss the future of National Parks. The Chairman had also visited the Senedd to attend the launch of the Welsh Friends of National Parks manifesto, as well as attending the UK ANPA Conference and meetings of the ANPA and WANPA Executives. An event, with the local school, to launch extended interpretation around the shoreline in Newport had taken place earlier in the month at which the Chairman had been accompanied by Cllr RR Evans and Mrs G Hayward and the Chairman had with the Chief Executive, also attended a business meeting with LNG management. Finally, along with the deputy Chairman and the Chair and Vice-Chair of Development Management Committee he had met David Wilson of the Audit Commission. He also drew attention to the visit of the Minister for Environment, Sustainability and Housing to the Authority on 16<sup>th</sup> August when he had been delighted to hear it described as an exemplar among planning Authorities.

**NOTED.**

## 3. Minutes

The minutes of the meetings held on the 23<sup>rd</sup> June 2010 (AGM and Ordinary Meetings), 14<sup>th</sup> July 2010 and 16<sup>th</sup> August 2010 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meetings held on the 23<sup>rd</sup> June 2010 (AGM and Ordinary Meetings), 14<sup>th</sup> July 2010 and 16<sup>th</sup> August 2010 be confirmed and signed.



**4. Development Management Committee – reports of Meetings**

It was **RESOLVED** that the report of the meetings of the Development Management Committee held on 16<sup>th</sup> June 2010, 23<sup>rd</sup> June 2010, 14<sup>th</sup> July 2010 and 16<sup>th</sup> August 2010 be received.

**5. Performance Review Committee – reports of Meetings**

The reports of the meetings of the Performance Review Committee held on 23<sup>rd</sup> June 2010 and 28<sup>th</sup> July 2010 were presented to Members for consideration.

It was **RESOLVED** that the reports of the meetings of the Performance Review Committee held on 23<sup>rd</sup> June 2010 and 28<sup>th</sup> July 2010 be adopted.

**6. Personnel Committee – report of Meeting**

The report of the meeting of the Personnel Committee held on 23<sup>rd</sup> June was presented to Members for consideration.

It was **RESOLVED** that the report of the meeting of the Personnel Committee held on 23<sup>rd</sup> June 2010 be adopted.

**7. Oriel y Parc Committee – report of Meeting**

The report of the meeting of the Oriel y Parc Committee held on 14<sup>th</sup> July 2010 was presented to Members for consideration.

It was noted that Mrs Lucinda Williams, the Education and Events Officer had recently left Oriel y Parc for another post and Members wanted to thank her for her efforts and wished her well in the future.

It was **RESOLVED** that the report of the meeting of the Oriel y Parc Committee held on 14<sup>th</sup> July 2010 be adopted.

**8. LDP/NPMP Core Group – report of Meeting**

The report of the meeting of the LDP/NPMP Core Group held on 8<sup>th</sup> September 2010 was presented to Members for consideration.

It was **RESOLVED** that the report of the meeting of the LDP/NPMP Core Group held on 8<sup>th</sup> September 2010 be adopted.

**9. ISA260 Report to those Charged with Governance**

The Chairman welcomed Mr John Dwight and Mr Jason Garcia from the Wales Audit Office to the meeting. Mr Dwight then proceeded to present the above mentioned report which had been circulated prior to the meeting. He reported that there were no matters for the Authority to consider and it was his intention to issue an unqualified Auditor's Report on the accounting statements and related notes once he had received the Final Letter of Representation, an example of which was appended to the report. In considering the headings of the detailed report, he noted that the audit planning risks had been addressed satisfactorily and the Authority's accounting statements were free from material misstatement although the quality of the draft statements could be slightly improved, and he would be discussing with finance staff as to how this could be



achieved. He concluded by thanking the Chief Financial Officer and his staff for their work.

The Chairman thanked Mr Dwight for his presentation and for the work the audit team had carried out, saying that he viewed them as a critical friend. He thanked the Finance Team and noted that he felt comforted when such a positive report was received. The Chairman then signed the accounts.

It was **RESOLVED** that the ISA260 Report from the Wales Audit Office be accepted.

#### **10. Proposed Review of the Planning Enforcement Function**

The Director of Conservation and Planning explained that since her appointment she had been working with the Head of Development Management and HR section to identify changes to the enforcement team which would improve its performance. Her report set out the current structure of the enforcement service, together with its workload and the short term measures that had been put in place to address some of the issues that had been identified. It went on to identify areas where further work was required to ensure the team worked effectively, with clearer results and improved staff motivation and the action that was proposed. These included membership of a professional body or association, training, improved processes, further integration with the Development Management team and target setting. It was considered that monitoring of these changes was needed before a review of the function was undertaken.

Members supported the proposed action and were pleased to see that progress was being made. They hoped that a further report would be received in the not too distant future.

It was **RESOLVED** that the proposed actions and timescales outlined in the report be endorsed.

#### **11. Improvement Plan Part 2 - 2010**

The Head of Business Management reported that under the Wales Programme for Improvement, local authorities were required to prepare an annual Improvement Plan, which was published in two parts. The second, due by 31<sup>st</sup> October, set out a summary of the Authority's performance for the year 2009/10, and this document had been circulated to Members.

It was **RESOLVED** that the Improvement Plan Part 2 2010 be approved.

#### **12. Corporate Events**

The report contained details of various events to which invitations had been received. Members were therefore invited to determine and authorise the level of attendance.

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



- a) Standards Conference Wales, to be held on 14<sup>th</sup> October 2010 at Cardiff City Hall – the Monitoring officer, Mrs G Hayward, Councillors Mike James and Simon Hancock, and Mr R Barrett-Evans to attend.
- b) Dŵr Cymru Welsh Water presentation on their Asset Management Plan 15<sup>th</sup> October 2010, County Hall, Haverfordwest – as the County Council Appointed Members were already invited by the County Council, the Authority's Welsh Assembly Government Appointed Members were also authorised to attend
- c) Welsh Members' Seminar hosted by Snowdonia NPA at Plas Tan y Bwlch on 25<sup>th</sup> and 26<sup>th</sup> November 2010 – all Members who wished to attend were asked to let officers know by the end of the week.
- d) Member Support and Development Conference 2010, 26<sup>th</sup> November at Llandrindod Wells – Councillor SL Hancock to attend.
- e) Voluntary Wardens AGM, 27<sup>th</sup> November 2010 – those Members who wished to attend. Further information on the event would be available in due course.
- f) National Tourism Awards, for one of which Oriell y Parc had been nominated, 21<sup>st</sup> October 2010 at the Vale Resort – Councillor SL Hancock to attend.

*[Councillor SL Hancock was not present when the following item was considered]*

### **13. Welsh Language Scheme Annual Monitoring Report**

Members were reminded that the Authority had adopted a Welsh Language Scheme which set out how the Authority would give effect to the principle that, in the conduct of public business in Wales, it would treat English and Welsh languages on a basis of equality.

The Authority was required to prepare a Monitoring Report on its performance against this scheme, and to submit this to the Welsh Language Board. The Monitoring Report, which had been circulated to Members, contained tables providing information on how the Authority was performing with regard to the targets/actions set out in the scheme. The report concluded that the Authority would continue to promote the Welsh language in all that it did and to encourage existing staff to learn Welsh.

It was **RESOLVED** that the report be endorsed as the Authority's submission to the Welsh Language Board.

### **14. Pembrokeshire Coast National Park Local Development Plan - Adoption**

Members were reminded that on 1<sup>st</sup> September the Authority had received the Inspector's binding Report into the Local Development Plan (LDP) which found it to be sound subject to a number of changes being made, and these were reported to the LDP/NPMP Core Group on 8<sup>th</sup> September 2010 (*a report of this*



*meeting having already been considered Minute 8 refers*). A draft copy of the adopted Plan, incorporating the Inspector's recommended changes, had previously been circulated to Members, and the report of the Planning Officer (Development Plans) sought approval to adopt this LDP.

The Plan considered by the Inspector incorporated the Proposed Focussed Changes agreed by the Authority in December 2009, and in his report he made 13 recommendations to change it, and these were outlined for the Members and summarised in the report before them. The Inspector had confirmed that these changes did not materially alter the substance of the overall plan and its policies or undermine the sustainability appraisal and participatory processes already undertaken.

Once adopted, the Plan became operative immediately, and therefore all applications determined after today would be determined under the policies of the Local Development Plan. Publication of the adopted plan, Adoption Statement, Sustainability Appraisal (incorporating Strategic Environmental Appraisal), Habitat Regulations Appraisal and Consultation Report would now take place and those who had participated in Plan preparation would be notified.

Officers were currently drafting new, and updating existing, Supplementary Planning Guidance (SPG). Until this was in place, Members were asked to formally carry over the following SPG from the Joint Unitary Development Plan as an interim measure: Affordable Housing; Low Impact Development making a positive contribution; Sustainable Design; Planning Obligations; Loss of Hotels and Guesthouses; Landscape Character Assessment Study, June 2009; Conservation Area Statements; Validation of Planning Applications.

With regard to the Validation of Planning Applications SPG, this provided a comprehensive set of requirements to be submitted under the JUDP; however additional information was required under the LDP. Members were therefore requested to endorse the inclusion of the topic areas set out in the report to be included within this SPG as an interim until the updated SPG on this matter could be adopted. The Planning Officer wished to amend the fifth recommendation set out in the report to refer to topic, rather than policy areas and to make it clear that it was the eventual adoption of the Validation SPG under the Local Development Plan that was being referred to.

Finally, the Planning Officer explained that work was ongoing to produce a 'wraparound' Guide to Planning in Pembrokeshire, which would set out the context for planning in the County both at national and regional level. The Guide would set out the relationship between the separate planning authorities, as well as describing their current development plans and supplementary guidance.

Members noted that they had received letters from a group with regard to the adoption of the Plan, and the Chairman replied that he would be responding on behalf of the Authority. They also expressed some concern that applications already in the system would have to be determined in accordance with the LDP,



when the applications had been submitted when the JUDP was in force. Officers acknowledged that the transition would be difficult for both officers and the public, however the Act and Guidance were clear that the JUDP carried no weight once the LDP had been adopted. The Solicitor, however, pointed out that he believed there was a degree of scope with regard to 'other material considerations' and that the approach had to be proportionate and fair.

The Chairman thanked the Development Plans team for their hard work, and asked that this also be conveyed to Martina Dunne who was on maternity leave. He noted that the Authority was the first in Wales to adopt its Local Development Plan.

It was **RESOLVED** that:

- a) the Pembrokeshire Coast National Park Local Development Plan, as amended in accordance with the Inspector's Binding Report, be adopted.
- b) Publication of the Plan together with the Adoption Statement and final Sustainability Appraisal / Strategic Environmental Assessment/Habitats Regulations Appraisal and Consultation Report be authorised, in accord with the Regulations and guidance.
- c) The Authority's Planning Officer (Development Plans) be authorised to ensure compliance with the relevant regulations and guidance for Plan adoption.
- d) The supplementary planning guidance listed above be carried over and approved as interim supplementary planning guidance under the Pembrokeshire Coast National Park Local Development Plan.
- e) The topic areas listed in the report be endorsed as forming part of the validation process as an interim measure prior to the Validation SPG's formal adoption under the Local Development Plan.
- f) The operative date of the Pembrokeshire Coast National Park Local Development Plan be approved as the 29<sup>th</sup> September 2010. All applications received after that date and any application received by the National Park Authority before that date (including those not validated because of problems with the Design & Access Statement or any other reason) and not yet determined, will be determined using the policies of the Local Development Plan, unless material considerations indicate otherwise.
- g) The minor changes to the Local Development Plan as a result of national planning policy updates, plan stage and other updates and typographical errors be authorised.
- h) The Authority's Planning Officer (Development Plans), in consultation with officers of Pembrokeshire County Council, be authorised to write and publish the 'wraparound' document described in the report.



**15. Pembrokeshire Coast National Park Local Development Plan – Supplementary Planning Guidance on Affordable Housing (Consultation Draft)**

It was reported that the policy on affordable housing contained in the Local Development Plan (LDP) adopted by Members that day (*Minute 14 refers*) included a requirement for a commuted payment on single dwelling proposals to contribute towards delivering affordable housing. The Planning Inspector, in his Report into the LDP recommended that supplementary planning guidance be prepared setting out how much the commuted sum would be, and a draft of this SPG was therefore before Members as a document for public consultation.

The period of consultation for the draft SPG, which in addition to suggesting a method for setting a commuted payment, outlined all the information a developer would need to consider and provide in relation to affordable housing when submitting a planning application, would run for 3 months, ending in January 2011. It was therefore anticipated that a final version of the SPG would be considered for approval by the meeting of the National Park Authority to be held on 2<sup>nd</sup> February 2011.

It was noted that the current SPG, adopted in 2006, would continue to be used until replaced by a finally adopted version. However the LDP policy on affordable housing superseded the existing policy on affordable housing set out in the Affordable Housing Delivery Statement approved by the Authority in October 2009.

Members began with some discussion on affordable housing, with one Member having considerable reservations about the policy, believing that developers would, as a result of it, not release any land until better times. Particular attention was also drawn to the problems of allocation faced in Pembrokeshire as Registered Social Landlords (RSL's) had a duty to house those in most need in preference to someone with a local connection. However the officer pointed out that in a recent assessment of the waiting very few households allocated social rented housing in the last year had no local connection i.e. they had not previously lived in the area and had no relatives in Pembrokeshire. It was also explained that it was easier to control occupancy where a community land trust or private management company rather than a RSL was involved, as legal agreements limiting occupancy to local people and at an affordable price could be put in place. However RSLs were increasingly operating first letting policies which gave preference to local people when the properties were initially let, but were open to others from the waiting list on subsequent lets.

Turning to the Supplementary Planning Guidance, it was clarified that the Commuted Payment was not required where an affordable property was being self-built or for an essential rural dwelling – these would be covered by an occupancy condition. The commuted sum could be used to help purchase land for affordable housing or to buy houses for renovation. A question was also asked about the definition of a local person given in the SPG and the officer replied that for the sake of consistency, the Housing Authority's definition had been adopted. It was suggested that a Members' workshop might be helpful,



where some of these issues could be discussed more thoroughly and Members were in full agreement.

It was **RESOLVED** that the draft Supplementary Planning Guidance on Affordable Housing be approved for public consultation, and that a workshop for Members be organised prior to the end of the consultation period.

*[Councillor JS Allen-Mirehouse tendered his apologies and left the meeting prior to consideration of the next item.]*

## **16. Draft Recreation Management Plan**

The Director of Recreation, Marketing and Communications began by highlighting that access opportunities were one of the County's greatest assets, illustrated by the 'Welsh Outdoor Recreation Survey' produced by CCW and Forestry Commission Wales in 2009 which showed that levels of activity (walking, cycling, water sports) were higher in Pembrokeshire than in most other parts of Wales; this in turn provided enormous social and economic benefits. However it also meant that priorities and restrictions had to be agreed so that the aspirations of future visitors could be met.

The draft Recreation Management Plan therefore pulled together a range of challenges and was intended to both provide support for the National Park Management Plan and the Local Development Plan, and to help coordinate the activities of the many different agencies involved in the management and promotion of the Pembrokeshire Coast. It was reported that the Plan covered the land of the Park together with the use of the adjacent inshore waters (even though they were outside the Park boundary) as much of the activity on inshore water had an impact on the special qualities of the Park.

It was noted that production of the Plan would be externally funded, including funding from CCW and Visit Wales as part of the Coastal Tourism Strategy. Both the consultation draft and final document would be available in Welsh and English and distribution would mostly be by electronic means.

Following translation, the Plan would be subject to a period of consultation with members of the Local Access Forum, the Outdoor Charter and Marine Code Groups, Pembrokeshire Tourism and others drawn from the Local Development Plan and National Park Management Plan mailing lists. It was hoped that a revised draft would be brought back to the Authority early in 2011 for final agreement, with a view to it being formally adopted and published before the end of the financial year.

Members agreed that this was a good example of Pembrokeshire working together and suggested that a Members' Workshop would be a good opportunity to learn more about the Plan before it was adopted.

It was **RESOLVED** that the Draft Recreation Management Plan be approved for public consultation.





## 17. Membership of Sustainable Development Fund (SDF) Assessment Panel and Amendment of Policy

Members were reminded that the Sustainable Development Fund was a Welsh Assembly Government initiative to develop innovative sustainable projects that tested new ways of achieving a more sustainable living for current and future generations. The Authority was responsible for administering the scheme within its area, according to the operational guidelines stipulated by the Welsh Assembly Government.

Applications were assessed by an independent SDF Assessment Panel, currently made up of twelve representatives from the public, business/private and voluntary/community sectors, together with six Members of the Authority. The Panel made recommendations on the applications to the Chief Executive and also monitored and reviewed progress.

It was reported that many Panel members had held their positions since it had first been set up in 2003, and while the Authority was extremely grateful for the commitment shown by the majority of Panel members, there had inevitably been resignations, and it was considered that it was an opportune time to review and refresh Panel membership.

The report set out three options for consideration: –

- (i) removal of the requirement for an independent Assessment Panel altogether;
- (ii) refresh membership of the Assessment Panel; and
- (iii) refresh and reduce membership of the Assessment Panel to 13 and to amend its Terms of Reference accordingly.

It was recommended that the third of these options be approved in order to maintain transparency and impartiality as well as benefitting from a cross section of expertise, knowledge and experience within a slightly more focussed group. Vacant positions would need to be advertised and it was anticipated that training would be provided to all Panel members.

The report also explained that the current SDF Policy (agreed in 2000) committed the Authority to provide a proportion (up to £1000) of the main Assembly Grant to support a small grant scheme with relaxed criteria. The Little Green Grant, the new small grant scheme, was administered by Pembrokeshire Association of Voluntary Services (PAVS) and allowed applications of up to £1500 towards a project, to take into account increased costs. It was therefore requested that the wording of the SDF Policy be amended to allow the value of the grant to be determined by the SDF Panel.

Members praised the National Assembly for maintaining SDF funding over a number of years, and also noted the importance of continuing to provide a small grant scheme.

It was **RESOLVED** that:

- a) Option (iii) be approved and the Panel membership and SDF Assessment Panel Terms of the Reference be revised accordingly.



- b) The SDF Policy wording be amended to the following:  
“Provide a proportion of the main Assembly Grant to support a small grant scheme, to deliver the fundamental principles of SDF, with proportionate criteria and up to a maximum grant value set at the time of the application to the SDF panel.”

**18. Disposal of Land Comprising part of the National Park Owned Car Park at Nolton Haven**

Officers had approached the owners of a residential dwelling adjacent to the above mentioned land who claimed the use and enjoyment of the subject land ancillary to their ownership of their property going back as far as 1963 and had supplied a statutory declaration supporting those claims. Officers were of the opinion that the land in question met the criteria of the Authority’s Encroachment Policy which authorised the legal transfer of National Park owned land to adjoining property owners in specified circumstances, and had reached agreement to transfer the Freehold title of the land for a nominal consideration of £1 to include restrictions as set out in the report, and that the purchaser would meet the Authority’s legal costs in documenting the matter.

It was **RESOLVED** that officers be authorised to proceed with the legal transfer of the subject land shown edged and hatched blue on the plan presented to the Authority in accordance with the Authority’s adopted Encroachment Policy.

**19. Update on Café at Poppit Sands**

The Chairman asked the Estates Officer to update Members on the position of the above mentioned matter, a report on which had been presented to the meeting of the Authority in June. The Estates Officer reminded Members that maintenance of the Authority owned café on the site had become ever more financially onerous, and Members had therefore authorised it to be marketed on fully commercial repairing and insuring terms effective from 1/11/11. The café had been on the market since July and had attracted significant interest. The site would continue to be marketed until the end of October and the applications would then be assessed and shortlisted. It was hoped that a tenant would be in place to allow the café to be operational at the beginning of the 2012 season.

**NOTED.**

**20. BT Kiosks in the National Park**

Members were reminded that following a report to the Authority in December 2009, Members were keen in principle to support an initiative to acquire four red telephone kiosks from BT. Officers were authorised to further investigate the potential, and they reported back in June 2010 on issues including land ownership, planning consent and listed building status, and at that meeting it was agreed to adopt three kiosks.

However further research had found that Highway licences to retain the kiosks on verges would cost £75 each and planning consent for their retention £330 each, in addition to ongoing maintenance. In the light of impending financial cutbacks, officers had reviewed the situation and it was now recommended that none of the kiosks be adopted.



It was **RESOLVED** that the Authority adopt no telephone kiosks with the liabilities remaining with BT and the eight listed kiosks in the national Park be retained through the regulatory planning system.

**21. Item of business that the Chairman decided should be considered as a matter of urgency**

Mrs F Lanc asked, in the current economic climate, whether it had been an effective use of money for the Audit Office to come to the meeting that day to give their presentation. The Chief Executive replied that he believed the Audit Officers were required to present their report in person, and while the Authority had not been specifically charged for the visit, it was no doubt reflected in the fee charged. However he questioned whether it may be possible for them to present the report by video conference in future.

