NATIONAL PARK AUTHORITY

6th February 2013

Present: Councillor JA Brinsden (Chair)

Mr A Archer, Mr D Ellis, Councillor P Harries, Mrs G Hayward, Councillors M James, Mrs L Jenkins B Kilmister, Mrs A Lee, PJ Morgan, R Owens and DWM Rees, Mr EA Sangster, Mrs M Thomas

and Councillors AW Wilcox and M Williams

[Ms C Gwyther arrived during consideration of item 12, Draft Single Integrated Plan 2013 - 2018]

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 1.30pm)

1. Apologies

An apology for absence was received from Councillor RM Lewis.

2. Disclosures of Interest

Mr EA Sangster disclosed an interest in Report 08/13, Management of Saundersfoot Car Park (Minute 16 refers) and took no part in the discussion or voting thereon.

3. Chairman's Announcements

The Chairman reported that the meeting with the Minister, John Griffiths AM, that was due to have been held in January was postponed due to the weather. A revised date would be arranged. He had attended a meeting of the ANPA Executive which had taken place by Video Conference and this had therefore cut down on time and cost.

The draft of a Policy Statement for National Parks was expected to be published for consultation over the coming weeks and Members were advised that it might be necessary to call an extraordinary meeting of the Authority to discuss this.

Finally Members were reminded that the service in St Davids Cathedral organised by the Friends of the National Park to celebrate the work of the Authority would take place on Sunday 17th February, and that all Members were welcome to attend.

NOTED.

3. Minutes

The minutes of the meeting held on the 12th December 2012 were presented for confirmation and signature.



It was **RESOLVED** that the minutes of the meeting held on the 12th December 2012 be confirmed and signed.

- 4. Development Management Committee Report of Meetings
 It was RESOLVED that the reports of the meetings of the Development
 Management Committee held on the 21st November 2012 and 19th
 December 2012 be received.
- 5. Recreation and Tourism Review Committee Report of Meeting It was RESOLVED that the report of the meeting of the Recreation and Tourism Review Committee held on the 21st November 2012 be adopted.
- 6. Scrutiny Committee Report of Meeting
 It was RESOLVED that the report of the meeting of the Scrutiny
 Committee held on the 28th November 2012 be adopted.
- 7. Sustainable Development Fund Committee Report of Meeting It was RESOLVED that the report of the meeting of the Sustainable Development Fund Committee held on the 16th January 2013 be adopted.
- 8. Sustainable Development Fund Committee Substitution
 It was RESOLVED that the substitution of Mrs M Thomas by Ms C
 Gwyther at the meeting of the Sustainable Development Fund Committee held on 16th January 2013 be confirmed.
- 9. Draft Budget Planning 2013/14 2015/16

The report of the Chief Executive and Chief Financial Officer set out the draft Revenue and Capital budgets for 2013/14 and implications on reserves, the draft 2013/14 levy on Pembrokeshire County Council, Prudential Indicators for the capital programme and an Investment Strategy & Treasury Management Policy Statement for 2013/14.

The Welsh Government's draft budget published in October 2012 had confirmed that the 2013/14 NPA grant would remain at the same level as 2012/13. However, the Sustainable Development Fund grant had been reduced and as a result of this, and allowing for the impact of the Levy, the Authority's revenue funding for 2013/14 was down by £19k on 2012/13. It was reported at the meeting that confirmation of the National Park Grant had now been received and the Levy on Pembrokeshire County Council would therefore be £1.1m.

The Chief Financial Officer reported that the Authority was well positioned to cope with any changes introduced in the next Comprehensive Spending Review period. Reserves were fairly strong, though expected to reduce over the three year planning cycle and a conservative approach had been adopted with regard to long term commitments.



He went on to say that the draft budgets had been prepared in accordance with the Annual Budget Strategy previously discussed by Members at the workshop in December, and in calculating the net cost of continuing existing services, account had been taken of a number of factors, including 0% increase in core NPA Grant and Levy, pay award increase, electricity and other increases together with a maintained pensions contribution rate. The report went on to outline the revenue budgets for the current year and the baseline budgets for 2013/14 – 2015/16 which showed a net surplus in 2013/14 of £6k and deficits in 2014/15 and 2015/16.

The report set out the Capital Programme for the forthcoming year which amounted to £1,191,900 and which would be funded from the Welsh Government capital allocation (confirmed as remaining at the same level as 2012/13), other grant funding and Authority Earmarked Reserves, General Reserves and Capital Receipts.

The report then went on to show the predicted impact for the 2013/14 to 2015/16 budgets on the Financial Reserves of the Authority. These were all forecast to fall by the end of 2015/16. The financial outlook therefore suggested that the Authority would continue to require stringent financial management. It was anticipated that the indicative financial constraints would be managed by the continuation of the drive to gain improved efficiencies and cost savings, reviewing opportunities to develop local income and drawing down other sources of grant aid.

It was **RESOLVED** that:

- the draft budget 2013/14 be approved.
- the forward planning budgets for 2014/15 and 2015/16 be noted and endorsed.
- the actions proposed to improve available funds be approved.

(a) Levy on Pembrokeshire County Council

The Chief Finance Officer reminded Members that Section 71 of the Environment Act 1995, sub-section 3, determined the way in which the levy which was to be raised on Pembrokeshire County Council, should be issued. The following statement complied with this requirement.



Levy on Pembrokeshire County Council



The Authority must authorise the making of a levy of £1,180,144 from Pembrokeshire County Council, in accordance with Section 71 of the Environment Act 1995 and the National Park Authorities (Levies)(Wales)(Regulations) 1995 SI 1995 No.3019 as amended by the National Park Authorities (Levies)(Wales)(Amendment) Regulations 1996:

 the sum required to meet expenditure for the Authority which will fall to be charged for that year in the Revenue account is

Levy requirement			£1,180,144
	available in the year	£Nil	£5,471,292
•	other sums not covered above which are likely to be		
•	Income credited to the Revenue Account	£1,930,859	
•	Section 72, Grant (NPG)	£3,540,433	
Sub-total LESS			£6,651,436
•	the sum required to provide the Authority with other requirements for covering any deficit brought forward from the previous financial year		£Nil
•	the sum required to secure the availability to the authority of adequate working balances on its Revenue Account		£Nil
•	making such provision as is appropriate for meeting contingencies, the expenditure on which would fall to be charged in the Revenue Account		£Nil
	that year in the Revenue account	is	£6,651,436

Members were advised that the official levy requirement had to be notified to Pembrokeshire County Council by 15th February.

It was recommended that the National Park Authority continue with the current arrangement of 12 equal monthly instalments receivable on or before the 12th of each calendar month, such payments to be received by bank transfer.

It was **RESOLVED** that Members authorise a levy of £1,180,144 from Pembrokeshire County Council for the year 2013/14.

(b) Prudential Code Indicators

The Local Authorities (Capital Finance & Accounting) (Wales) Regulations 2003 required the National Park Authority to have regard to the Chartered Institute of Public Finance & Accountancy's (CIPFA) Prudential Code in



setting annual budgets. The Prudential Code required the Authority to consider Prudential Indicators encompassing estimated and actual expenditure and financing, and limits on both.

These indicators were intended to support and record local decision making, and were not designed to be comparative indicators across local authorities. However, as the Authority was now debt free and there were no proposals at this time to undertake further borrowing, due to the capital expenditure plans being financed either by revenue funds, external grant aid or capital receipts, then many of the indicators were not relevant. The report therefore set out only those indicators that were relevant at the current time, and Members were asked to adopt the Prudential Indicators as presented.

The Chief Financial Officer also presented an Investment Strategy for 2013/14 in compliance with statutory guidance and in support of the prudential borrowing system. The Strategy also supported CIPFA's "Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes".

It was **RESOLVED** that Members

- a) Adopt the Prudential Indicators as presented.
- b) Approve the Investment Strategy & Treasury Management Policy Statement for 2013/14.

The Chairman thanked the Chief Financial Officer and members of the Finance Team for the prudent way in which they were managing the finances of the Authority.

10. Corporate Strategy 2013/14

Members were reminded that at the December meeting of the Authority the draft Corporate Strategy had been presented for comment, with the advice that the document would be brought to the February meeting for approval.

The number of strategic outcomes in the 2013/14 Strategy had been reduced to four, following comments from the Wales Audit Office, so that a more strategic approach to the actions and measures included could be taken. The document would provide the basis of the Authority's Improvement Plan which would be presented to the April meeting of the Authority.

Members made a number of comments, emphasising the need for the Authority to take greater steps to support the local economy through, for example, stronger links with the business community and to prevent the loss of existing vernacular, not just listed, buildings. Officers were happy



to take on board the suggestions to do more, but cautioned that the Authority had limited power or influence over many of these issues.

It was **RESOLVED** that the Corporate Strategy 2013/14 be approved.

11. Pembrokeshire Destination Management Plan 2013-2018

It was reported the Destination Pembrokeshire Partnership, which comprised Pembrokeshire County Council, Pembrokeshire Coast National Park Authority, Pembrokeshire Tourism, South West Wales Tourism Partnership and others, had recently published the Pembrokeshire Destination Management Plan 2013-2018. It was intended that the document, which had undergone formal consultation with 37 organisations, would steer the development of tourism related activities and marketing across the county.

Each of the key partners were seeking to adopt the Plan formally, and the document was attached for Members' consideration. By adopting the Plan, the Authority would be highlighting the importance of the National Park to the visitor economy as well as the contribution it made to the economic well-being of the County.

It was **RESOLVED** that the 2013-2018 Pembrokeshire Destination Management Plan be adopted as the key document to guide the Authority's tourism related services and activities over the next five years.

[Ms C Gwyther arrived during consideration of the following item.]

12. Draft Single Integrated Plan 2013-2018

The report of the Head of Park Direction explained that it was the view of Welsh Government that a single integrated plan should replace at least four of the existing statutory plans and strategies (the Community Strategy, the Children and Young People's Plan, the Health, Social Care and Well-being Strategy and the Community Safety Partnership Plan) thereby reducing complexity and duplication, and freeing up resources. The Pembrokeshire Single Integrated Plan had therefore been published by the Pembrokeshire Local Service Board (LSB) for consultation and the Authority's proposed response was appended to the report. The main points raised were summarised as seeking clarification on the role of the plan and the role of partner organisations, to advise that the Authority could contribute positively to many of the actions contained within the Plan and to hope that the LSB would play a key role in facilitating partnership working under the Plan.

A number of Members expressed concern at the operation of the LSB and disappointment that the Authority was not represented on it. The Chairman replied that he had written a letter regarding the latter point to the Leader of Pembrokeshire County Council last December, but that the



response had stated that it was felt that the Authority could contribute most through the Environment Sub-partnership upon which it was represented by the Director of Park Direction and Planning, and that other LSB's were looking at the Pembrokeshire model as a way to reduce their size. Members were not satisfied with this response and asked that the support of the other Welsh NPA's should be sought in this matter and a letter written to the Ministers for Social Justice and Local Government, Carl Sargeant and Environment and Sustainable Development, John Griffiths, expressing the view that National Park Authorities should be represented on their respective LSB's and asking for his intervention. They also asked that this view be reflected in the response to the Single Integrated Plan.

The Chief Executive agreed to find out what documentation relating to the operation of the LSB was in the public domain and to circulate this to Members.

It was **RESOLVED** that;

- a) a letter be written to the Minister for Social Justice and Local Government expressing the view that National Park Authority's should be represented on their respective Local Service Boards.
- b) the report, and its Appendix A, be approved as the Authority's response to the Pembrokeshire Single Integrated Plan 2013 2018 Consultation Document subject to inclusion of the above reservations.

13. Welsh Government Consultation – Non Material Amendments to Planning Permissions

The Head of Development Management reported that Welsh Government had issued a consultation in respect of the proposed introduction of a statutory procedure for approving non-material amendment to existing planning permissions. The report set out the arrangements currently in operation and the proposed changes.

Whilst officers welcomed the introduction of a legal basis for making non-material amendments to existing planning permissions, they were concerned that the proposals lacked any definition of a non-material amendment, suggested a vague and imprecise list of documents to accompany any application and lacked any requirement for third party notification. It was feared that these issues would lead to confusion and lack of transparency with a consequent lack of trust in the system. The report suggested that a better solution would be to extend the existing arrangements for material amendments, set out in Section 73 of the Town and Country Planning Act 1990, to non-material amendments – thereby requiring any amendment to be agreed under Section 73. A full response to the consultation was appended to the report.



Members agreed that a procedure was needed and one Members suggested a number of points which he hoped would strengthen the officer's response – by making reference to the need for a definition of non material amendments in question 1; to refer in question 3 to the fact that cumulative changes could result in a fundamentally different development to that approved; and in question 5, reference should again be made to the need for neighbour notification. He also expressed some concern that 28 days was not long to determine an application, particularly if neighbour notification took place. It was suggested that support for the Authority's suggested way forward could be sought from the Welsh Local Government Association (WLGA).

The Head of Development Management thanked the Member for his thoughts and agreed to include the points in the final response. She also noted that both the WLGA and Planning Officers Society for Wales would be making similar comments on the consultation.

It was **RESOLVED** that the response to the consultation document Non-Material Amendments to Planning Permissions set out in Appendix A to the report be endorsed, subject to the strengthening suggested by Members.

14. Welsh Government Consultation on Proposals for a Sustainable Development Bill White Paper – A Sustainable Wales – Better choices for a Better Future

It was reported that in 2012, the Welsh Government (WG) had consulted on proposals for a Sustainable Development Bill and the results of this consultation had informed the recently published White Paper. The WG intended to legislate to embed Sustainable Development as the central organising principle of public services in Wales, and the White Paper set out the proposed way in which legislation would deliver this. The main proposals, together with the Authority's proposed response, were set out in and appended to, the report.

Members agreed with the recommendations made in the report but wished to emphasise the need for a clear definition of sustainable development. Concern was also expressed at the setting up of yet another public body, with its associated cost.

It was **RESOLVED** that the response to the consultation Sustainable Development Bill White Paper be endorsed, subject to inclusion of the above comments.

15. Validation of Planning Applications

In response to a request from Members at a recent Development Management Committee, the Head of Development Management's report set out the reasons why a number of applications were not being



validated by officers. The report explained that the validation of planning applications was a decision undertaken by the Local Planning Authority as to whether a submitted application contained all legally required information to enable the Authority to start its determination of that application. These were National Validation Requirements which were set out in legislation, and an explanation of the requirements was appended to the report.

Also appended to the report was a table of applications that had not been able to be validated over the period September to November 2012, together with the reasons for the invalidity. While the reasons were wide ranging, officers had grouped them into four broad categories: insufficient description of the development proposed; incomplete/missing forms, plans and information required depending on the site constraints and answers on the application forms; discrepancies between the scales and detail on plans; and inadequate Design and Access Statements that did not conform with the Welsh Government Technical Advice Note 12 – Design.

Members thanked the Head of Development Management for providing a useful outline of the criteria and analysis of the reasons for invalidity. The officer clarified that if an application was judged to be invalid, a letter was written to the applicant/agent setting out what was needed in order to validate the application and asking that this be provided within four weeks. Members then made a number of suggestions to improve the standard of applications. Officers responded that the requirements for submission of planning applications were now much more onerous than they had been in the past and targeting the right people with that information was difficult due to the absence of professional agents in the area and the diversity of different people who submit applications. They would look into providing a simple checklist of do's and don'ts on the Authority's website and would also look into the possibility of running a training session for agents on validation requirements. The newsletter to agents was also used for updating regular agents.

Members asked about the situation across Wales, and if any benchmarking information was available. The Head of Development Management replied that she was aware that validation was a problem across the whole of the country but did not believe that any figures were available. She agreed to raise the issue with the Welsh Local Government Association, Planning Officers Society for Wales and Royal Town Planning Institute to see if benchmark figures could be obtained.

It was **RESOLVED** that the report be noted, and that the actions raised at the meeting be taken forward.



[Mr EA Sangster disclosed an interest in the Saundersfoot element of the following report and took no part in the discussion or voting thereon]

16. Management of Saundersfoot and Solva Car Parks

Members were reminded that the day to day management of the Regency Car Park in Saundersfoot had been taken over by the staff of Saundersfoot Harbour Commissioners as a trial during the 2012 season. Following only a few minor initial teething problems, the arrangement had proved to be even more successful than anticipated, with income up over 10% compared to 2011.

The agreement with the Harbour Commissioners included equally sharing the surplus above the agreed baseline of £60,000, and negotiations were now underway to revise the baseline figure base on the income trends over recent years. Saundersfoot Harbour Commissions had indicated that they were willing to continue the arrangement, subject to agreeing a revised baseline and confirming cash collection and banking arrangements.

a) It was RESOLVED that the above arrangements for Saundersfoot Harbour Commissioners' day to day management of the Regency Car Park, Saundersfoot be approved.

It was also reported that discussions had been held with Solva Community Council with regard to their taking over day to day management of Solva car park, and a formal proposal had been received, the main points of which were outlined in the report. This included the income of the car park being shared 50/50 after deducting VAT. Based on the 2012 car park income figure, this would result in a reduction of income to the Authority of about £8,000, however there would be non-cash savings in staff involvement. The report also noted that the proposal provided the Authority with an opportunity for closer engagement and demonstration of joint working with the Community Council.

Having clarified a number of points, Members supported the proposal and it was proposed and seconded that the first of the three options – to accept the proposal subject to finalising the details – be adopted. While taking on board the loss of income, they considered that the quantitative benefits were of sufficient weight and related to the priorities and improvement outcomes 3 and 4 of the Corporate Strategy, to foster the social and economic well being of local communities.

b) It was RESOLVED that the proposal of Solva Community Council for management of Solva Car Park for the 2013 season be accepted, subject to officers finalising the details.



17. Risk Register

Members were reminded that at the previous meeting of the Authority a process had been approved which involved all Members of the Authority more directly in the risk management process by allocating a small number of risks to each Member who would then be responsible for monitoring those risks. This would take effect from April 2013. The report before the Authority that day clarified the expectation on individual Members by setting out their risk management role. A number of Members sought clarification, and they were informed that the process did not increase their personal risk and there was no change to their responsibility.

One Member pointed out that the description seemed to refer twice to the role of monitoring, It was therefore suggested that the bullet point 'Monitor the performance of mitigation actions and controls' be amended to read 'Be aware of the performance of mitigation actions and controls'.

It was **RESOLVED** that the Members' responsibilities in managing risks be approved subject to the above amendment.

18. Update – PCNPA Management of Car Parks

At the National Park Authority meeting held on 26th September 2012, Members gave approval for officers to undertake detailed discussions with Pembrokeshire County Council (PCC) and other local agencies in order to explore opportunities for cost savings and/or improved services in relation to the management of the 48 car parks presently managed by the Authority. The Director of Delivery and Discovery explained that the work undertaken to date had been prioritised accordingly:

- Phase 1 to review and update (if necessary) the legal powers of the Authority in relation to car park management
- Phase 2 to seek opportunities for more 'joined up' management arrangements with local agencies
- Phase 3 to make any practical changes necessary (e.g. update relevant policies, adapt car park signage, approve management agreements, etc) and implement

It was anticipated that the whole process, detailed above, could take approximately 2 years to implement.

The first element of this process was therefore to review and update the scope of the Authority's legal enforcement powers for the car park sites it presently manages, and the report provided Members with an update on progress regarding discussions with PCC to date. This involved the preparation of an amended Off Street Parking Order, and an outline of the proposed changes to the order was set out in the report.



Some Members were concerned about the proposed changes to extend the charging season, however the Chief Executive added that amending the Order in this way would allow the Authority to charge, rather than requiring it to do so. Concerns were also expressed about a potential need for increased signage and the Director reassured Members that a review of signage would take place but that any further proposed changes would come before the Authority before a decision was taken.

It was reported at the meeting that the proposals would be discussed with representatives of the Town and Community Councils within the National Park at the forthcoming Community Council Seminar and a further report would be brought to the Authority with regard to enforcement of the Order in due course.

NOTED.

19. Proposed Undergrounding of Existing Overhead Utility Supplies at Caerfarchell

The Estates Officer reported that as a result of extensive lobbying by this Authority and others, Western Power Distribution had allocated £1m within their current 5 year business plan commencing 1st April 2010 to underground those sections of their existing overhead electrical supply network which were considered the most damaging to the special qualities of four protected landscapes – the Gower and Wye Valley AONBs and the Brecon Beacons and Pembrokeshire Coast National Parks. The Authority had already successfully delivered four landscape improvement schemes under this initiative at Strumble Head, West Angle, Martins Haven and St Nons. The report before Members described an opportunity to underground the existing network of Western Power and BT poles, stays and overhead lines at Caerfarchell, near St Davids.

Officers were of the opinion that the proposed scheme represented an outstanding opportunity to achieve permanent visual benefits within one the National Parks most iconic locations via the use of 100% external funding.

It was **RESOLVED** that officers opinion with regard to the benefits of the scheme as set out in the report and the appended selection criteria be endorsed and the ongoing work towards delivery of an undergrounding scheme at Caerfarchell as soon as reasonably possible be authorised.

20. Response to the Consultation by the Wales Audit Office on Proposed Local Government Audit and Inspection Fees for 2013-2014

It was reported that the Wales Audit Office had issued the abovementioned consultation in December 2012 with a closing date of 18th January 2013. The report set out the implications of the proposals for the



National Park, together with the Authority's response, which, due to the timescale, had already been submitted.

NOTED.

21. The Wales Charter for Member Support and Development

Members were reminded that the Wales Charter for Member Support and Development had been launched by the Welsh Local Government Association (WLGA) in 2005 to guide, and consequently recognise, those local authorities wishing to provide high standards of support for their Members. Criteria had been developed specifically for the National Park and Fire and Rescue Authorities and the Authority was awarded the first level of the Charter in November 2010.

The introduction of the Local Government (Wales) Measure 2011 placed increased legislative requirements on all local authorities in Wales in relation to corporate governance and member support and development, and as a result the WLGA had revised the criteria for the two levels of the Charter. The criteria for National Park Authorities had also been revised and Members' agreement for this document, entitled 'Criteria and Assessment Process 2012 for National Park Authorities' was sought.

The Authority's Charter status was due for renewal this year (2013). It could either make a resubmission for the Advanced Level, or could request a review of the current (renamed 'Charter' level). It was recommended that the Authority reviewed its current Charter level.

Members were disappointed that officers did not feel the Authority was in a position to apply for the Advanced level, but the Administration and Democratic Services Manager explained that the Advanced Charter required the Authority to have embedded particularly the process of Member Personal Development Reviews (PDRs). Due to the large number of new Members who had joined the Authority the previous year, and who had therefore not undertaken a PDR, it was felt that there was insufficient evidence available to fulfil the requirements of the Advanced Level. She added that information regarding PDRs would be circulated to Members in the near future. The Chief Executive added that progress could be made to achieve the Advanced Charter before the three years had elapsed and Members asked the Administration and Democratic Services Manager to bring a further report with an action plan of what was required to achieve the Advanced Level.

It was **RESOLVED** that:

 a) Officers be authorised to submit an application to the Welsh Local Government Association for reassessment of the first level of the Wales Charter for Member Support and Development; and



- b) the Welsh Local Government Association's document entitled Criteria and Assessment Process 2012 for National Park Authorities be agreed.
- 22. To consider whether the public should be excluded from the meeting during the consideration of the following items due to the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972. It was RESOLVED that the public should be excluded from the meeting during the consideration of the following items due to the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

23. Oriel y Parc Café Licence

Members were reminded that the café at Oriel y Parc had originally been run by the Authority but due to operating losses, this had closed at the end of 2010. The café had subsequently been run on a franchise arrangement and the current agreement came to an end in March 2013. Discussions regarding renewal of the licence had taken place with the current operator and Members were asked to agree arrangements as set out in the report.

Members believed that a café was an important element of the operation at Oriel y Parc, and were reassured that the proposed arrangements were acceptable to the licensee..

It was **RESOLVED** that the licence be renewed on the basis outlined in the report.

24. Project Windrush

It was reported that Pembrokeshire Tourism were currently developing a project that would enhance the county's digital tourism 'offering' through an innovative and ambitious scheme promoting the Pembrokeshire Coast Path. Members were provided with an outline of the project, although a full business plan was awaited, and the report therefore sought their support in principle for the Authority's commitment to it.

It was **RESOLVED** that the Authority's involvement in Project Windrush be supported in principle, subject to information provided in the Business Plan, and the final decision on whether to commit the associated funding be delegated to the Chief Executive.

