

# NATIONAL PARK AUTHORITY

11<sup>th</sup> December 2013

Present: Councillor M James (Chair)  
Mr A Archer, Mr D Ellis, Councillor P Harries, Mrs G Hayward,  
Councillors S Hudson, O James, Mrs L Jenkins, B Kilmister, Mrs A  
Lee, RM Lewis and PJ Morgan, Mrs M Thomas and Councillor M  
Williams.

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 12.00pm)

## 1. Apologies

Apologies for absence were received from Ms C Gwyther, Councillors R Owens and DWM Rees and Mr AE Sangster,

## 2. Chairman's Announcements

The Chairman began by wishing a speedy recovery to Mr Ted Sangster and Mr John Parsons following their recent hospital stays. He went on to outline the duties he had undertaken as Chairman since the last meeting. He reported he had attended the launch of the Valuing Wales' National Parks report, commissioned from ARUP, this had highlighted the economic contribution made by National Parks and had generated significant media attention. The Chairman had also met with the Minister to discuss the challenging budget situation and attended, with other Members, the National Parks Wales Seminar in Snowdonia. He had attended the UK Park Societies' Conference hosted by the Friends of the Pembrokeshire Coast National Park in Tenby and wished to congratulate them on their organisation of this well attended event. He had also attended the launch of the Tŷ Solar project which aimed to provide sustainable, affordable housing. Finally the Chairman wished to congratulate Councillor Peter Morgan on receiving the Lifetime Achievement Award at the Sports Pembrokeshire 2013 Awards and Marie Edwards, Communications and Marketing Manager, who won the Best Female Marketer Consumer Award at the UK Women in Marketing Awards recently.

## 3. Disclosures of Interest

A disclosure of interest was received from Councillor Lyn Jenkins with regard to Report 73/13 Management of Solva and Saundersfoot Car Parks. However this was a personal interest and she therefore remained in the meeting and took part in the debate on this item.

## 4. Minutes

The minutes of the meeting held on the 23<sup>rd</sup> October 2013 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 23<sup>rd</sup> October 2013 be confirmed and signed.



**5. Development Management Committee – Report of Meeting**

It was **RESOLVED** that the report of the meetings of the Development Management Committees held on 16<sup>th</sup> October 2013 and 11<sup>th</sup> November 2013 be received.

**6. Conservation and Planning Review Committee – Report of meeting**

It was **RESOLVED** that the report of the meeting of the Conservation and Planning Review Committee held on the 16<sup>th</sup> October 2013 be adopted.

**7. 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 13<sup>th</sup> November 2013 be adopted.

**8. Draft Environment (Wales) Bill Consultation – White Paper**

It was reported that Welsh Government was consulting on proposals for an Environment Bill: Towards the Sustainable Management of Wales' Natural Resources which it was intended would allow management of Wales' natural resources in an integrated way and in support of the Programme for Government in Wales.

Included in the proposals was an area-based approach to natural resource management and the main themes and proposals of the White Paper were set out in the report. One of officers' concerns about the draft Bill was the lack of recognition for the role of protected areas.

The closing date for the consultation was 15<sup>th</sup> January 2014 and Members were invited to contribute comments to a response which would be submitted on behalf of the three National Park Authorities in Wales by the National Parks Wales Policy Officer. Members were asked to forward their comments to the Administration and Democratic Services Manager so that they could be collated with those of officers.

It was **RESOLVED** that the Chief Executive (National Park Officer), in consultation with the chair and Deputy Chair of the Authority, be authorised to agree the National Parks Wales response to the Draft Environment (Wales) Bill White Paper.

**9. Atlantic Array Offshore Windfarm**

Members were informed that the above mentioned proposal was no longer being pursued, with the developer, RWE Npower Renewables Limited citing a combination of technical challenges and economic conditions for the decision to withdraw the proposals.

Some Members welcomed the decision to withdraw due to the impact that would have been likely on both land and seascapes, although others kept a more open mind with respect to any such major schemes which might be pursued in the future due to the benefits that might be felt by the County.

**NOTED.**



## 10. National Park Management Plan

The Conservation Policy Officer reminded Members that at the meeting of the National Park Authority on 23<sup>rd</sup> October, it was agreed that a technical update, consisting of basic factual changes, be carried out to the National Park Management Plan (2009-2013), in order to extend the Plan's life until the end of 2014, subject to Natural Resources Wales' (NRW) Advice. NRW had advised that it had no objection to this approach, as long as there were no changes to management policy.

The proposed updates to the Plan were appended to the report and would be circulated for comment to statutory consultees (Pembrokeshire County Council, Natural Resources Wales and the Secretary of State) together with Welsh Government officials and Cadw. The updates would also be circulated for information alongside publication of the Annual Monitoring Report of the Local Development Plan.

One Member asked whether a review of the National Park Management Plan would take place, given the likely timescale for the production of area based plans by NRW, as proposed in the draft Environment (Wales) Bill Consultation (*Minute 8 refers*). Officers replied that a review was the likely way forward, however this would be the subject of a further report to the Authority in due course as the situation became clearer.

It was **RESOLVED** that the Management Plan updates contained in Annex 1 to the report be endorsed as the basis for consultation with the bodies identified, subject to any comments they might wish to make on these updates.

## 11. Supplementary Planning Guidance Documents: Cumulative Impact of Wind Turbines on Landscape and Visual Amenity (new guidance), Seascapes (new guidance) and Sustainable Design (update)

Members were reminded that approval had been given by the National Park Authority at its meeting on 26<sup>th</sup> June 2013 for the above documents to be published for public consultation, and details of this exercise were set out in the report. Appended to the report were the 172 responses that had been received, the majority related to the cumulative impact of wind turbines guidance, together with officer responses to them. It was reported that only minor changes were recommended to the Supplementary Planning Guidance (SPG) documents as a result of the consultation exercise, with those amendments also being appended to the report. Members were therefore asked to agree the officer responses and approve the SPG documents for development management purposes. In addition delegated powers were sought to update existing references and the glossary of the Cumulative Impact of Wind turbines Guidance to coincide with a number of good practice guidance documents which had recently, or would soon be, published.

Members were pleased with the number of comments that had been made and the broad spectrum of interest within the community. However one Member was concerned that the Authority was not really listening to what those who had responded were saying, being concerned about one particular officer response which stated that whether individual turbines were meeting their maximum



potential energy contribution was not relevant in the planning context. Officers reassured Members that they considered each of the comments at great length and assessed whether they had merit in planning terms. With respect to the particular comment, the Head of Park Direction explained that the role of the planning authority was to consider the impact of wind turbines in the locality and whether or not a particular turbine was achieving a specified energy output was not a planning matter. Other Members agreed that economic viability should be a planning consideration when looking at such applications, however officers explained that Planning Policy Wales had established the principle of renewable energy, authorities were therefore trying to find the best place in which to locate wind turbines irrespective of economic viability.

It was **RESOLVED** that:

- a) the Officer Responses set out in Appendix 1, 2 and 3 be agreed as the National Park Authority response to this consultation.
- b) the Cumulative Impact of Wind Turbines on Landscape Visual Amenity Supplementary Planning Guidance; the Seascapes Guidance and the Sustainable Design Guidance be approved as Supplementary Planning Guidance to the Pembrokeshire Coast National Park Local Development Plan and adopted for development management purposes.
- c) delegated powers be given to the Head of Park Direction to further amend the Cumulative Impact of Wind Turbines on Landscape and Visual Amenity guidance in line with good practice guidance documents as set out in the report prior to publication.

## **12. Consultation Response to the First Review of the Regional Technical Statement (RTS) for Aggregates**

It was reported that the first review of the Regional Technical Statement for Aggregates had been published for consultation until 23<sup>rd</sup> December 2013. Delegated powers were sought for the Development Management Committee to agree the National Park Authority response to the consultation at its meeting on 18<sup>th</sup> December 2013.

It was **RESOLVED** that agreement of the National Park Authority response to the current consultation on the Regional Technical Statement for Aggregates for South Wales be delegated to the Development Management Committee at its meeting on 18<sup>th</sup> December 2013.

*[Councillor A Lee tendered her apologies and left the meeting during consideration of the following item]*

## **13. Request from the RNLI to extend their existing Fundraising Activities on National Park Beaches**

It was reported that the Authority was responsible for a substantial length of the coastline throughout Pembrokeshire via a range of freehold and leasehold arrangements; in most cases the Authority controlled either the beach-head and/or the foreshore area. As a result most organised beach activities that took place within Pembrokeshire required a licence or other formal permission from the National Park Authority.



Members were reminded that in the past the Authority had restricted commercial and charity fundraising activities on beaches. However, in 2008, the Authority granted the Royal National Lifeboat Institution (RNLI) the opportunity to raise funds to support the local lifesaving services for a limited period and on a trial basis.

Following a 5 year trial period, the RNLI had again contacted the Authority seeking permission to extend their existing beach activities to include fundraising teams of two staff based on a beach entry point at Whitesands, Poppit and Newport beaches between 30<sup>th</sup> May and 7<sup>th</sup> September. Officers supported this request subject to a number of caveats and these were set out in the report.

One Member noted that prior to the RNLI taking on its lifeguarding role, the task was undertaken by the Surf Life Saving Association. However they were supportive of the proposal as long as the organisation did not use their exclusive use of Pembrokeshire's beaches to sell goods to the public, in turn, competing with local businesses. A question was also asked about whether the volunteers undertaking the fundraising had been CRB checked and although officers thought this was likely, it was agreed that this be included in the caveats for continuation of their fundraising activities.

It was **RESOLVED** that consent be granted for the RNLI's fundraising activities to continue for a further 5 years (to December 2018) subject to the following conditions:

- i) That fundraising activities undertaken by the RNLI are limited to 28 days on any single site.
- ii) That all promotional and safety literature provided by the RNLI is bilingual
- iii) That the RNLI staff involved in fundraising carry PCNPA promotional literature and receive training by the Authority's Discovery Team as part of their formal induction, in order to promote safe use of the National Park.
- iv) That all RNLI staff and volunteers involved in fundraising are CRB checked in –line with PCC's safeguarding policies.

#### **14. Regularisation of Encroachments over National Park Authority owned land at Poppit Sands**

The report set out the position with regard to the Authority's landholding at Poppit Sands. It included the entire footprint of a small single storey beach house known as Y Nyth and much of the curtilage of a neighbouring beach house called Y Bwthyn, a vehicular access track that connected both properties to the adopted highway and the footprint of a sea defence structure which protected the two houses from coastal erosion.

Officers were of the opinion that applications for adverse possession could be successfully made by the present occupiers of both properties, and therefore in accordance with the Authority's Encroachment Policy, recommended transfer of paper title of the land referred to in the report to the occupiers of Y Nyth and Y Bwthyn respectively at a nominal price of £1 including the granting of appropriate rights and responsibilities to provide for their continuing use of the vehicular accessway and maintenance of the sea defence structure. Negotiations had also included the owners accepting restrictive covenants over



the land to be transferred, demarking the new boundaries by way of a Land Registry compliant GIS survey and giving undertakings to meet the Authority's reasonably incurred surveying and legal costs in documenting the transfers.

It was **RESOLVED** that in accordance with the Adopted Encroachment Policy, officers be authorised to proceed with the transfer of the land referred to in the report to the occupiers of Y Nyth and Y Bwthyn respectively along with the granting of the ancillary rights outlined in the report.

#### **15. Management Arrangements for Solva and Saundersfoot Car Parks**

The report of the Business and Performance Manager set out the current position with regard to arrangements for management of Solva and Saundersfoot Car Parks by partner organisations, and options for their management in 2014.

With regard to the future considerations set out in the report, officers explained that the management of car parks was included in potential joint working arrangements with Pembrokeshire County Council (PCC), with the possibility of developing a more consistent pricing policy across the County. It was important that the arrangements agreed for 2014 did not prevent the option to involve PCC if appropriate in future arrangements and it was intended to include the Authority's current partners in any such discussions. Any decision on future joint working would, however, come before the Authority. One Member cautioned that confirmation of the Authority's off-street parking order and any subsequent enforcement would not necessarily generate revenue for the Authority - he believed that Civil Parking Enforcement cost most authorities more money than it generated.

With regard to the car park at Solva, one Member explained that there had been a great improvement in relations between the Community and the Authority and was very keen that the existing arrangements continued. She believed that costs would reduce in the coming year as many of the initial expenses had now been met. Others commented that the car park attendant employed by the Community was an ambassador for both the village and the county as a whole.

It was **RESOLVED** that arrangements for managing Solva and Saundersfoot Car Parks continue with the existing partners for the next year (ie 2014) as set out in the report.

#### **16. Review of Performance Review Committees**

Members were reminded that in June 2011, the Authority changed its Committee structure by replacing one Performance Review Committee with three Review Committees: Audit and Corporate Services, Recreation and Tourism, and Conservation and Planning, each composed of 6 Members. On agreeing the new structure, Members resolved to review its effectiveness in due course. As the majority of the current Membership had served over 12 months of these Review Committees, it was felt that it was now an appropriate time to carry out such a review, with a view to implementing any changes by June 2014.



Members of the Audit and Corporate Services Review Committee had discussed this issue at their recent meeting, while Members of the other two Committees had been invited to submit any comments by early next year. It was proposed to bring recommendations to the next meeting of the Authority in February 2014 and Members were invited to provide an opinion on the work undertaken by the three Review Committees and to suggest any changes.

Some Members felt that the existing Committees worked well, whilst others felt that there should be changes to their Terms of Reference to make them more forward looking. However all agreed that there was value in having a Committee(s) which looked at the performance of the Authority.

It was **RESOLVED** that Members provide an opinion to the Chief Executive on the work undertaken by the three Review Committees and suggest any changes and that options for the future structure of the Committees be reported to the next meeting of the Authority.

#### **17. Members' Travel Policy**

It was reported that a Members' Travel Policy had been drafted in order to provide clarity and consistency to both Members and officers when dealing with Members' travel claims in the future, and this was appended to the report.

Members agreed that standardisation was good; however they hoped that the policy would retain an element of discretion.

It was **RESOLVED** that the Members' Travel Policy be adopted.

#### **18. Independent Remuneration Panel for Wales Consultation on Remuneration for Members of National Park Authorities in Wales**

Members were reminded that at the meeting of the Authority held on 23<sup>rd</sup> October 2013, they had had no comment to make on the Independent Remuneration Panel for Wales' draft Annual Report for 2014/15, which set out their proposals for Member remuneration for the forthcoming financial year. The Administration and Democratic Services Manager explained that, during the Panel's consultation visits to the three Park Authorities prior to their drafting their report, the Brecon Beacons National Park Authority had asked the Panel to consider alternative remuneration arrangements to take into account poor attendance by some Members. As a result the three Welsh National Park Authorities, together with their constituent local authorities, had been consulted on a range of options provided by the Brecon Beacons NPA and these were appended to the report.

The Chief Executive reported at the meeting that he believed this was largely an historic issue at Brecon Beacons and that attendance across the three Authorities was good. He also clarified that he understood that this was a public consultation exercise in relation to the remuneration of Members of the three Authorities.

It was **RESOLVED** that the Independent Remuneration Panel for Wales be advised that the Authority's response to their consultation was that no change



should be made to the current arrangements for remuneration of Members of National Park Authorities in Wales.

#### **19. Local Resolution Protocol**

It was reported that, in the most recent revision of the Public Services Ombudsman for Wales' Guidance on the Code of Conduct for Members of Local Authorities, there was an expectation that local authorities throughout Wales would implement a Local Resolution Protocol to deal with low level complaints which were made by a Member against a fellow Member. A draft protocol, based on one produced by the Ombudsman, was appended to the report. Members of the Standards Committee had had sight of the draft and had supported it.

It was **RESOLVED** that the Local Resolution Protocol appended to the report before Members be adopted.

#### **20. Active Travel (Wales) Act 2013**

Members were informed that the Active Travel Act had received Royal Assent on 4<sup>th</sup> November 2013 and would come into force in mid-2014. The report outlined the main provisions of the Act which promoted walking and cycling as a means of travel, rather than for recreational purposes.

National Park Authorities were not defined as local authorities for the purposes of the Act and accordingly there would be no requirement for the Authority to adopt the new duties. There was, however, an opportunity for the Authority to work closely with its host and neighbouring local authorities in implementation of the new duties. Indeed the Authority could provide valuable assistance in the preparation of the new maps that would be required by identifying suitable existing routes for active travel and potential improvements for inclusion in the integrated maps. The Act also had the potential to improve 'town' to 'Park' links.

Members were pleased with the opportunity for greater joint working and the other benefits that the Act would bring.

**NOTED.**

#### **21. The Welsh Memorial in Flanders Campaign**

The Chief Executive reported that at the recent meeting of National Parks Wales, Snowdonia NPA had circulated a letter regarding a project for the erection of a Welsh Memorial in Flanders to commemorate those persons of Welsh descent who served in the Great War 1914-18. The letter, which was circulated to Members, was from the North Wales Committee of what was an all Wales campaign. It was understood that Snowdonia NPA would be making a contribution of between £500 and £1000, however Brecon Beacons NPA would not be contributing. Members' views were sought as to whether this Authority should make a contribution to the campaign.

Some Members expressed the opinion that although it was a worthy cause, they did not believe that public money should be used to raise a memorial,





particularly in the current financial climate. Another added that all those who had fallen were already commemorated on existing memorials.

It was suggested that awareness of the campaign could be raised among those on the Authority's mailing list, for example Community Councils, or that collecting boxes could be positioned at the Authority's sites and centres for public donations.

It was **RESOLVED** that no money be donated by the Authority to the Welsh Memorial in Flanders Campaign.

