

# NATIONAL PARK AUTHORITY

2<sup>nd</sup> April 2014

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

[Ms C Gwyther arrived during consideration of report 17/14, Internal Audit 2013/14 (*Minute 10 refers*)]

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 11.40am)

## 1. Apologies

An apology for absence was received from Mr D Ellis.

## 2. Disclosures of Interest

Mr AE Sangster disclosed an interest in Item 28/14 Members' Salaries (*Minute 21 refers*) but remained in the meeting while it was discussed.

## 3. Minutes

The minutes of the meeting held on the 5<sup>th</sup> February 2014 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on 5<sup>th</sup> February 2014 be confirmed and signed.

## 4. Development Management Committee – Report of Meeting

It was **RESOLVED** that the report of the meetings of the Development Management Committees held on 13<sup>th</sup> January 2014, 22<sup>nd</sup> January 2014, 19<sup>th</sup> February 2014 and 10<sup>th</sup> March 2014 be received.

## 5. Sustainable Development Fund Committee – Report of Meeting

It was **RESOLVED** that the report of the meeting of the Sustainable Development Fund Committee held on 29<sup>th</sup> January 2014 be adopted.

## 6. Audit and Corporate Services Review Committee – Report of Meeting

It was **RESOLVED** that the report of the meeting of the Audit and Corporate Services Review Committee held on 12<sup>th</sup> February 2014 be adopted.

## 7. 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 19<sup>th</sup> February 2014 be adopted.

## 8. Scrutiny Committee – Report of Meeting

It was **RESOLVED** that the report of the meeting of the Scrutiny Committee held on 21<sup>st</sup> February 2014 be adopted.



**9. Composition of the Chief Executive Performance Review Panel for 2014**

It was **RESOLVED** that the Panel for 2014 comprise of Councillor M James, Mr AE Sangster and Councillor M Williams.

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

**10 Internal Audit 2013/14**

It was reported that as part of the Authority's Corporate Governance Programme, an audit of all services was carried out on a five year rolling programme by Pembrokeshire County Council's Internal Audit Service. No significant failings had been identified in the latest internal audit programme, with the assurance rating given as substantial, although a number of minor improvements had been suggested.

During 2013/14 the Audit had concentrated on a review of the previous year's Agreed Action Plan, Creditor Computer Assisted Audit Techniques, Conservation Area Grants, IT Risk, Employee Costs and the National Trail, and the Finance Manager highlighted for Members the areas of weakness and risk that had been reported. In considering these, some Members noted that a number of the Auditors' recommendations had been rejected, and questioned officers about these. The Finance Manager replied that for 2013/14 the format of the report had changed. In prior years the report had excluded rejected items whereas this year they were included. Further, in a few cases there were misunderstandings of the Authority's systems by the Auditors. In one specific instance the purchase of a costly system was being recommended when such purchases could not be justified and the Authority's current procedures were considered to be adequate. It was also noted that the report had been discussed in some detail by the Audit and Corporate Services Review Committee at its recent meeting.

**NOTED.**

**11. Improvement Plan 2014/15 – Part 1**

Members were reminded that the Improvement Plan presented the main activities planned for 2014/15 and summarised progress for the year 2013/14 with the latest available figures. A draft of the Improvement Plan had been considered by the meeting of the National Park Authority in February when Members' comments on the Plan were sought. A few minor changes had been made to the document since then, and some measures and statistics remained to be updated for the year end. The document would be translated and published as soon as practical, in accordance with the requirements of the Local Government Measure.

It was **RESOLVED** that the Improvement Plan 2014/15 Part 1 be approved.

**12. Origins at Castell Henllys**

The report of the Head of Discovery set out progress on the project being undertaken at Castell Henllys and it was reported that work had now commenced on site. In addition to the Authority's contributions, the project had been awarded funding from the European Union together with TMF funding



from the Welsh Government. The project remained on programme, however there was currently no financial contingency; officers therefore recommended that it would be expedient to transfer £50,000 of surplus funds from the Carew Castle earmarked reserve to a specific earmarked reserve for the Origins Project.

Members were concerned that the work would now be taking place at Castell Henllys over the peak season for tourists. The Officer agreed that it was unfortunate but the site would remain open wherever possible and disruption for members of the public would be kept to a minimum. The schools programme would continue as planned.

It was **RESOLVED** that the virement of funds to the project be endorsed.

### **13. Review of Pembrokeshire Coast National Park Management Plan**

Members were reminded that a Delivery Agreement setting out the process for reviewing the National Park Management Plan (2009-13) was agreed at the meeting of the Authority in September 2012. The timetable was however delayed in order to reflect a new Welsh Government Policy Statement for Protected Landscapes in Wales as well as anticipated guidance from Natural Resources Wales on management planning for National Parks in Wales and the report of the Williams Commission. To accommodate the delay, Members had agreed that a technical update of the Management Plan (2009-13) should be carried out to extend the Plan's life until the end of 2014.

A new delivery agreement had now been prepared for production of a Management Plan for the period 2015-19 and this was attached to the report for Members' approval. This set out the key stages for review of the Management Plan and outlined the ways in which people could get involved. The report also confirmed membership of a Core Group, consisting of the Chairs and Vice Chairs of the National Park Authority, Development Management and Review Committees, plus the Authority's Leadership Team. This would act as a sounding board and discussion forum for key documents and proposals prior to consideration/approval by the National Park Authority. The Group would also be open to any other officer or Member of the Authority or external stakeholder as the need arose.

The Chief Executive added that the Authority would be linking the consultation process on the National Park Management plan with that on the future priorities of the Authority that was needed as a result of the funding cuts being experienced. Focusing on the longer term objectives of the Management Plan would help to inform the shorter term decisions with regard to funding.

It was **RESOLVED** that the revised Delivery Agreement for the Pembrokeshire Coast National Park Management Plan be agreed.

### **14. Health and Wellbeing and the National Park Authority**

The Health and Tourism Policy Officer explained that the environment of the National Park, rich in natural and historic heritage, was a unique health and wellbeing resource for both residents and visitors alike. It provided a setting for



activities, both active and tranquil, to take place, as well as offering a quality environment with clean air, water and land. Both of these delivered health protection benefits and the National Park could be considered a health asset.

The Authority therefore had a part to play in addressing poor health and associated wellbeing issues such as poverty and social exclusion. The report set out a position statement as well as three priority actions for health and wellbeing which reflected the aims of the National Park Management Plan. This work was supported by a Background Paper which was available to Members.

Members commented that the report was both useful and interesting and asked if the Authority was sufficiently well connected to other agencies to allow it to contribute effectively to health and wellbeing, particularly through the work of the Local Service Board (LSB). The Health and Tourism Policy Officer replied that for many years the Rangers had been working in this area and since her post had been created greater inroads had been made; she currently sat as an observer on the health and wellbeing group of the LSB. Members asked that a letter be sent to the LSB asking for the Authority to be represented as full Members on the health and wellbeing sub-group.

It was **RESOLVED** that:

- a) the draft Health Position Statement and Priority Actions for the Authority set out in the report be approved.
- b) the Statement and Priority Actions listed be used to inform the current review of the National Park Management Plan and associated Action Plans and the current review of the Authority's Social Inclusion and Child Poverty Action Plan.

#### **15. Proposed Amendments to the Draft Heritage Bill**

It was reported that amendments were proposed to the draft Heritage Bill which would amend the Ancient Monuments and Archaeological Areas Act 1979 in order to make it more robust and effective in protecting scheduled sites and monuments. Unlawful damage to scheduled ancient monuments in Wales had increased, however there had been only one successful prosecution under the Act in the last 25 years. At present those who damage or carry out unauthorised works to scheduled ancient monuments, or use metal detecting equipment on them often argue that they did not know that the ancient monument was scheduled. It was therefore proposed to amend the the criminal offences and defences sections of the Act to place a greater responsibility on those persons to take reasonable steps to check whether a scheduled ancient monument would be affected by their actions.

It was **RESOLVED** that:

- a) the proposal to amend the criminal offences and defences in sections 2, 28 and 42 of the Ancient Monuments and Archaeological Areas Act 1979 be agreed; and
- b) the Culture and Heritage Manager be authorised to respond to the consultation accordingly.



**16. Welsh Government Consultation Document: The Use of Planning Conditions for Development Management**

It was reported that Welsh Government considered that the current advice on the imposition of conditions set out in Circular 35/95 was in need of updating. Accordingly a consultation document had been issued to replace this circular which would provide contemporary guidance with regard to the effective implementation of planning conditions, as well as provide an updated list of model conditions to promote best practice in the use of conditions in Wales.

It was intended that the Authority would submit a response to the consultation, and a joint response would also be prepared on behalf of the three Welsh National Park Authorities. However authority was sought to delegate further consideration of this matter to the Development Management Committee.

It was **RESOLVED** that consideration of and response to the Welsh Government consultation document The Use of Planning Conditions for Development Management be delegated to the Development Management Committee.

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

**17. South Hook LNG Proposed Combined Heat and Power Plant, Herbrandston**

The Head of Development Management updated Members on the progress of the Inquiry into this proposal which would end on 23<sup>rd</sup> April. She explained that the second round of issue specific hearings had been held, however the examining authority had not wanted to discuss the housing issues raised by the Authority which was disappointing.

There had been some discussion with this Authority and Pembrokeshire County Council on a community benefit scheme, however the Head of Development Management was not able to discuss this with Members as there was a confidentiality clause. Negotiations were ongoing, however the officer had explained to the applicants that she was not able to progress the proposal with the confidentiality clause in place. She would report back to Members on this issue in due course.

**NOTED.**

**18. Pilot Scheme to Investigate the Provision of a 6 weekly cycle of Development Management Committee Meetings**

The report of the Head of Development Management proposed the introduction of a 6-weekly Development Management Committee cycle to replace the current monthly cycle. This was proposed for the calendar period 2014/15 as a pilot scheme with a review at the end of this period.

The statistics had shown that moving to a 6 weekly cycle was unlikely to change the 8 week performance of Committee decisions and it was anticipated that such a change would lead to a saving in staff time in the Development



Management section estimated as up to 40 man-days throughout a year, as 8 rather than 12 meetings would be held. There would also be a saving, both time and financial, in the legal representation at these meetings, together with a timesaving for other officers' attendance. It was hoped that the time saved would be used to improve the performance of the section in terms of Welsh Government targets and customer satisfaction, particularly the pre-application service, the monitoring of developments post decision and the introduction of a duty officer scheme.

Members supported the trial, but were keen to ensure that the public were not disadvantaged by the introduction of a longer cycle, for example if an application was deferred. Officers replied that they did not think that would be the case and hoped that they would actually benefit due to the anticipated time savings. It was reported that Brecon Beacons NPA operated a 6-week cycle of meetings and officers were not aware that there had been any adverse impact on the public and it had not impacted on their performance.

It was **RESOLVED** that for the calendar period 2014/15 the Development Management Committee would meet on a 6 weekly cycle as a pilot scheme and that this would be reviewed and reported back to the Authority at the end of this period.

#### **19. Calendar of Meetings 2014/15**

The report before Members presented two calendars of meetings – one following the traditional monthly Development Management Committee Cycle and a second showing a six-weekly cycle as referred to in the report considered earlier on the agenda [*Minutes 18 refers*]. Having agreed to adopt the six-weekly cycle of meetings, this was presented to Members for their agreement.

The Administration and Democratic Services Manager drew to Members' attention that the current Calendar of Meetings showed a meeting of the Conservation and Planning Review Committee on the 18<sup>th</sup> June 2014. However as it had been agreed to disband both the Conservation and Planning and Recreation and Tourism Review Committees and instead to replace them with an Operational Review Committee, it was not now intended to hold this meeting. The first meeting of the Operational Review Committee would take place on 9<sup>th</sup> July.

It was **RESOLVED** that the Calendar of Meetings of meetings for 2014/15 showing a six-weekly cycle of Development Management Committees be approved.

#### **20. Corporate Events**

The report of the Administration and Democratic Services Manager set out the events which Members of the Authority had been invited to attend and sought authorisation and expressions of interest for their attendance.

It was **RESOLVED** that:

- a) Mrs G Hayward and Councillor M James be authorised to attend the Wales Planning Conference 2014 in Cardiff;



- b) Councillors R Owens and M James be authorised to attend the WLGA Annual Conference in Llandudno;
- c) Any new or existing Members who had not previously attended be authorised to attend the Members' National Induction Course in Brecon;
- d) Councillors M James, Mrs L Jenkins and P Harries, and Mr AE Sangster be authorised to attend the John Muir Conference and UK Association of National Parks Workshop in Perth, Scotland;
- e) That the Authority be represented at the Europarc Conference in Killarney, Ireland by a maximum of four delegates (including officers), and
- f) All Members be authorised to attend the National Parks Wales Annual Members' Seminar, which would this year be hosted by Brecon Beacons NPA.

## 21. Members' Salaries

It was reported that the Independent Remuneration Panel for Wales had published its Annual Report in February 2014 in respect of the salaries payable to Members. The main changes for the financial year 2014/15 were:

- an increase in basic salary for an 'ordinary Member' from £3550 to £3600 per annum;
- an increase in the Senior Salary payable to the Chair of the Authority from £8875 to £12300 per annum;
- that the Senior Salary payable to the Deputy Chair of the Authority and Chair(s) of other committees be paid at either Level 1 (£7300) or Level 2 (£6000) per annum to 'reflect the appropriate responsibility'. As in previous years, up to four posts could be paid a Senior Salary;
- Travel and subsistence rates to remain unchanged, although the Panel had decided to remove the particular rate for overnight stays in Cardiff, and
- The Authority was also required to determine the maximum number of days for which Independent Standards Committee Members could be paid in any one year (currently 4 days per annum), however the fees remained unchanged.

The new salary framework would come into effect on the date of the Annual General Meeting.

The report set out the options for remuneration in respect of the number and level of Senior Salaries to be paid by the Authority. Members proposed that the situation should remain as at present, with the Chair, Deputy Chair of the Authority and Chair of Development Management (DM) Committee being paid a Senior Salary, with the salaries for the Deputy Chair and Chair of DM Committee being paid at level 2. They also proposed that the number of days for which Independent Standards Committee Members could be paid should remain at 4 days.

It was **RESOLVED** that:

- a) The Annual Report of the Independent Remuneration Panel for Wales 2014/15 and the resultant increases in the Members' Basic and Senior Salaries be noted.



- b) Senior Salaries should be paid to the Chair and Deputy Chair of the Authority together with the Chair of the Development Management Committee.
- c) Senior Salaries should be paid to the Deputy Chair of the Authority and Chair of Development Management Committee at Level 2.
- d) The maximum number of days for which Independent Standards Committee Members could be paid should remain at 4 days per annum.

## 22. Provision of Legal Services

The Chief Executive reminded Members that since the Authority's Solicitor had retired some 18 months previously, legal services had been provided through a combined approach, with planning advice being provided by Geldards, governance issues by Brecon Beacons NPA and other legal advice covered by the legal services framework. This had initially been for 1 year, with the contracts having been extended. It was now time to review the contracts and it was proposed to go out to tender. The Tender was written in such a way that the three areas of work could be carried out by one organisation or three as at present and it was hoped that the service would be in place by 1<sup>st</sup> August.

It was **RESOLVED** that the tender for the provision of legal services to the Authority could be advertised.

## 23. Chairman's Report

The Chairman reported that since the previous meeting he had attended a number of meetings and events on behalf of the Authority, including meetings with Welsh Government Ministers. The Minister for Culture and Sport, John Griffiths had confirmed his intention to undertake a governance review, however recognising that there were other issues to be resolved, he was unable to give a timetable, while discussions were ongoing with Carl Sargeant, Minister for Housing and Regeneration, at both Member and officer levels, regarding the pilot project on planning to be undertaken jointly with Pembrokeshire County Council. The Chairman had also been privileged to attend the Radio Pembrokeshire Local Hero Awards evening which had been very humbling and inspiring.

As of 1<sup>st</sup> April, the Authority had taken over the leadership of National Parks Wales as part of its two years rotation. This would involve Chairmanship of National Parks Wales and Vice Chairmanship of the Association of National Park Authorities.

The Chairman went on to say that the 60<sup>th</sup> Anniversary posters continued to win awards, this time at the Marketing Design Awards. Thanks to funding from Welsh Government to promote tourism following the recent storms, the posters would reappear in stations on the train line to London next week. Finally, Members were invited to take a copy of Coast to Coast which was now available for 2014.

