

NATIONAL PARK AUTHORITY

10 August 2016

Present: Councillor M James (Chair)

Mr A Archer, Mr D Ellis, Councillor P Harries, Mrs G Hayward, Councillor L Jenkins, Councillor R Kilmister, Councillor RM Lewis, Councillor PJ Morgan, Councillor R Owens, Councillor D Rees, Mr AE Sangster, Councillor A Wilcox and Councillor M Williams.

Ms K Maddock-Jones who was taking part in the Authority's Mentoring scheme was also present.

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 11.20am)

1. Apologies

Apologies for absence were received from Councillor ML Evans, Ms C Gwyther, Councillor S Hudson and Mrs M Thomas,

2. Disclosures of Interest

Personal disclosures of interest were made by Mr A Archer regarding report 37/16 ISA260 Report to those charged with Governance (Minute 6) and Councillor D Rees regarding report 43/16 Porthgain Undergrounding Scheme (Minute 12). Both remained in the room and took part in the discussions on the respective reports.

A prejudicial disclosure of interest was received from Councillor L Jenkins regarding report 44/16 Public Path Creation Agreement, Solva (*Minute 13 refers*) during which she withdrew from the meeting.

3. Minutes

The minutes of the AGM and Ordinary meetings held on the 15 June 2016 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the AGM and Ordinary meetings held on 15 June 2016 be confirmed and signed.

4. Matters arising from the minutes:

There were no matters arising.

5. Reports of meetings of various of the Authority's Committees

The following reports of meetings of a number of the Authority's Committees were presented to Members for consideration/information:

- (i) Development Management Committees held on 8 June 2016 and 15 June 2016
- (ii) Chief Executive Performance Review Panel held on 25 May 2016



(iii) Operational Review Committee held on 29 June 2016

6. ISA260 Report to those Charged with Governance

The Finance Manager reported that it had not been possible for the Wales Audit Office to attend the meeting that day, however they had presented the report to the Audit and Corporate Services Review Committee on 27 July. He went on to explain that the ISA260 Report provided an opinion on whether the financial statements gave a true and fair view of the Authority's financial position at 31 March 2016 and its income and expenditure for the year then ended. In carrying out the audit, the Wales Audit Office adopted the concept of materiality, seeking to identify material misstatements that might result in a reader of the accounts being misled.

It was the Auditor General's intention to issue an unqualified audit report on the financial statements. There were no material misstatements identified in the financial statements that remained uncorrected, however there was one material and a number of non-material disclosure amendments that had been corrected. The material amendment related to a decrease in the value of property, plant and equipment due to an error in a valuation exercise as the valuer, Carmarthenshire County Council, had included finance costs when valuing assets that should not have been included. There had also been some presentational adjustments. There were no concerns regarding either the qualitative or quantitative aspects of reporting in the accounts and there were no further areas which needed to be reported to the Authority.

The Chair of the Audit and Corporate Services Review Committee thanked the Finance Manager and his team for the way the accounts had been prepared and for the good report received from the Wales Audit Office. He was also pleased with the reduced fee charged this year as it had been raised many times that less work was required to audit a National Park Authority when compared to a Local Authority.

Turning to the accounts, Members asked a number of questions which the Finance Manager answered, namely that the Authority had taken advantage of a 12 month deposit on a sum of money at a good interest rate which had led to an increase in investment income, the decline in sales at Oriel y Parc was due, at least in part, to higher merchandise sales associated with the Sir Peter Blake exhibition in 2014/15 and the increase in short term creditors was a result of stock being purchased for Easter which had fallen at the end of March 2016. The Chair asked the Finance Manager to convey Members' thanks to his team for all their work.

It was **RESOLVED** that:



- a) the ISA260 Report to those Charged with Governance be accepted;
and
- b) the Statement of Accounts 2015/16 be approved.

The Chair, Chief Executive and Chief Financial Officer then signed the documents.

[Councillor L Jenkins was not present for the vote on the following report]

7. Pathways and Invasive Species Projects Reserves

The report of the Finance Manager sought approval for the creation of earmarked reserves to cover the Authority's match funding for the Pathways and Stitch in Time projects. Funding would come from the General Reserve, the balance of which was £702,000 at the end of the last financial year.

It was reported that the Pathways Project aimed to enable increased and sustained use of the outdoors, and in particular the National Park, amongst disadvantaged communities in Pembrokeshire, providing a range of benefits and improved outcomes for those involved, with a particular focus on health and wellbeing. The Authority was proposing to contribute £34,500, £11,500 per annum from January 2017 for three years to fund employment of the Project Coordinator for an additional two days a week to focus on developing the volunteering and engagement work of the Authority.

Members were also reminded that a preliminary application had been made to the Heritage Lottery Fund (HLF) for a 5 year Stitch in Time project. The project would provide a continuation of the work carried out under the successful Sustainable Development Fund project in the Gwaun Valley and provide an opportunity to expand this work into the Nevern catchment. Working from source to sea, the project would work in partnership with volunteers, landowners, community members and statutory bodies to implement a coordinated catchment approach to map, control and eradicate invasive non-native species Japanese knotweed, Rhododendron and Himalayan Balsam in the Gwaun Valley and upper sub-catchments of the Nevern Valley. The HLF application was a two stage process, with a decision on the Stage 1 application expected by the end of September. If successful, the 5 year project would start in May 2018.

Members welcomed both projects, noting that the Operational Review Committee had recently received an excellent presentation on the Stitch in Time project which they had considered to be very worthwhile.



It was **RESOLVED** that the creation of two match funding earmarked reserves for the Pathway Project (£34,500) and the Stitch in Time Project (£25,000) be approved.

8. Local Development Plan: Candidate Sites

Members were reminded that as part of the Local Development Plan (LDP) revision, anyone wishing to have a site considered for inclusion in the Plan had to submit it as part of the candidate sites process. Approval was sought for three documents – the Candidate Sites Methodology which set out how the Authority would assess the sites, the Candidate Sites submission form and the guidance notes to assist applicants in completing the form. All of these documents had previously been circulated to Members and discussed at a Workshop earlier in the year. They had also been subject to a consultation exercise with Town and Community Councils, Natural Resources Wales, Dŵr Cymru and relevant key stakeholders. Comments received as a result of the consultation exercise, together with officers' proposed responses, were appended to the report; these did not fundamentally change the drafts previously circulated, but added clarity and further guidance to those making submissions.

It was reported that the invitation for Candidate Sites to be submitted would be made as soon as practicable following approval of the documents and run until the end of November 2016. The documentation would be published on the Authority's website and letters sent to everyone on the Local Development Plan mailing list to advise of their availability. A public notice would also be placed in the press.

Referring to the Candidate Site Assessment (Appendix D), some Members were concerned that sites would continue to be assessed against their specific proximity to public transport when this was an area of policy that Members wished to review. The officer agreed to remove the reference to 'within 1km' in the question relating to proximity of sites to public transport in the assessment. With regard to Appendix E, one Member was concerned that all undeveloped existing LDP allocations would be re-assessed, particularly as there was little likelihood of some of them being taken forward. The officer replied that given that there was a need for housing, the sites would be re-assessed as circumstances might have changed or no alternative sites might come forward. The list of submitted sites would be published in April/May, although Town and Community Councils would be made aware of sites in their area prior to publication. Another Member noted that development had commenced on at least one site on the list and the officer agreed to remove it prior to publication.

Members acknowledged that the submission of candidate sites was an important process and were pleased that the criteria for assessment were



open, but rigorous enough to encourage the submission of sites that were deliverable while deterring proposals that were more frivolous and speculative in nature. They agreed that publicity was key so that people had the opportunity to put their views across. The Chair thanked the team for all their work to date.

It was **RESOLVED** that:

- a) the Officers Responses to the representations received on the Candidate Sites Submission Form, Guidance Notes and Methodology be approved;
- b) the Methodology, Candidate Sites Submission Form and Guidance Notes appended to the report be approved subject to the amendments agreed at the meeting.

9. Changes to the Scheme of Delegation - Planning

The Director of Planning sought two changes to the current scheme of delegation with regard to planning matters: Firstly, due to recent changes in personnel, work patterns and job titles it was requested that delegation to 'sign off' decisions, etc be granted to the Chief Executive (National Park Officer), the Director who had responsibility for Planning, the Team Leader: Development Management and the Head of Park Direction. This increase from three to four officers would enable an efficient flow of work and reduce any potential bottleneck of planning application sign off.

The second change requested that applications for non-material amendments submitted by the Authority, or where the land was owned by a Member or his/her immediate family or an officer of the Authority. be delegated to the above officers. The Director clarified that the principle or main application would have been determined by Committee already – and that the discharge of conditions on such applications was already delegated. The dealing with non-material amendments merely added to this delegation of minor matters to officers.

The Chair of the Development Management Committee advised that the officer had discussed these potential changes with him and the Deputy Chair and they were happy to support them.

It was **RESOLVED** that the scheme of delegation for planning be amended with regards to authorised signatories and non-material amendments as set out in the report.

10. Planning – Customer Survey Results

The Director of Planning presented the results of the second planning customer survey which had been compiled by the DataUnit for Wales and financed by the Planning Officers Society for Wales to enable a comparative analysis to be undertaken across all 25 local planning authorities in Wales. The survey demonstrated that the Pembrokeshire



Coast NPA planning department consistently scored well in comparison with the Welsh average, and interestingly had the highest percentage response rate.

Members were pleased with the results, but queried the issue of 'consistent advice from officers'. The officer replied that officers had become much more cautious at offering informal advice over the phone, with all responses to pre-applications now being made in writing making consistency easier to monitor. It was also hoped that the anticipated new document management system when installed would allow responses to be made more quickly and in an even more consistent manner.

NOTED.

11. Extension to the term of appointment for Sustainable Development Fund Committee Advisory Members

The report of the Sustainable Development Fund (SDF) Administrator sought Members' agreement for a twelve month extension to the term of appointment for current Advisory Members of the SDF Committee, who were appointed in August 2012 for a period of four years. An extension was requested to allow a comprehensive review of the SDF Policy and Guidance to take place before selecting new, or reappointing, the Advisory Members, to a period of appointment to be determined by the Authority following the review.

It was **RESOLVED** that the request to extend the current four year term of appointment of Advisory members of the SDF Committee for a further 12 months, pending review of the SDF Policy, be approved.

12. Porthgain Undergrounding Scheme

Members were reminded that since 2010 the Authority had successfully delivered seven landscape improvement schemes under Western Power Distribution's fund 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 in its area.

Porthgain had been identified as a built landscape of very high quality with excellent accessibility. It was accordingly advanced as the Authority's preferred eighth scheme, offering the opportunity to remove a large pole mounted electricity substation with its associated overhead electrical network over a distance of some 90m. The negative visual impact of this substation and its associated overhead wires and back stays had been identified as having a significant detrimental visual impact on the villagescape. The scheme had been endorsed by the Western Power Undergrounding Initiatives Panel, and officers considered that the proposed scheme represented an outstanding opportunity to achieve



permanent visual benefits within one of the National Park's most iconic locations via the use of 100% external funding.

Members were pleased to support the scheme, although they noted other areas in the National Park which could benefit from similar schemes. The officer replied that work to progress schemes at other locations was ongoing but some were more complex, for example due to land ownership considerations.

It was **RESOLVED** that the opinion of officers as set out in the report and selection criteria paper be endorsed and ongoing work towards securing the delivery of an undergrounding scheme at Porthgain as soon as reasonably possible be authorised.

13. Public Path Creation Agreement, Solva

The Access and Rights of Way Manager reported that under the Environment Act 1995, the Authority could enter into Public Path Creation Agreements with landowners in order to create new public rights of way. Under such an Agreement a freehold owner could dedicate a public right of way, maintainable at public expense, where the local highway authority or National Park Authority considered it to be of benefit to the public. The power to make Creation Agreements was delegated to officers in February 2000.

In this case, there was a clear public benefit in the creation of a public footpath at Solva. The footpath was considered to be a desirable addition to the adjoining public rights of way network and highways, improving pedestrian access between Lower Solva and Middle Mill by avoiding the need to walk along the road for a significant distance and also providing an enjoyable extension to the local path network, opening up extensive views of the surrounding countryside and coast.

The legislation also made provision for the payment of compensation to a landowner in return for the dedication of a public right of way. The landowner in this case was a Member of the National Park Authority, Councillor Lyn Jenkins, and therefore Members' approval for payment of compensation was sought. The Authority had, in the past, requested guidance from the Valuation Office specifically in respect of the rates of compensation for the creation of public paths to ensure fairness and consistency. A single payment only was made, as full and final compensation for the dedication of a public right of way, on completion of the Agreement. The cost of the creation of this public footpath at Solva, including the compensation payment of £2,000, was funded by the Rights of Way Improvement Plan funding programme.

It was **RESOLVED** that the payment of £2,000 compensation to the landowner be approved.



14. Member Skills Audit

Members were reminded that in their report on corporate governance earlier in the year, the Authority's Internal Auditors had recommended that it would be beneficial for the Authority to undertake a Member skills audit, identifying desirable skills and experience of Members and assessing the actual skills and experience of Members to identify any 'skills gaps' which may be used to influence the future appointment of Members. Over the next 18 months, the Authority was expected to have a number of new Welsh Government appointed Members and it was therefore considered to be an opportune time to undertake such an audit to identify any potential skills gaps that could be filled during the forthcoming appointment process.

Members were invited to provide any comments on the draft audit appended to the report as soon as possible; in order to advise Welsh Government of the skills desired prior to the next round of Member appointments, the Chief Executive suggested that the skills audit should be completed by the end of September. The final forms would be circulated electronically for Members to complete before the end of August.

It was **RESOLVED** that a skills audit of the current membership of the Authority be undertaken.

15. Standards Committee Membership

Members were reminded that at the Annual General Meeting held on 15th June 2016, the membership of the Standards Committee was confirmed as Councillor R Kilmister, Councillor R Owens, Mrs G Hayward, Mr R Barrett-Evans, Mrs V Tomlinson and Mrs J Wainwright. However as Mrs Hayward had been elected Deputy Chair of the Authority she was no longer eligible to serve on the Standards Committee. Therefore it was necessary to appoint another Welsh Government Member in her place.

It was **RESOLVED** that Mr A Archer be appointed to the Standards Committee in place of Mrs G Hayward.

16. Committee Membership

At the Annual General Meeting held on 15th June 2016, it had been reported that consideration of the membership of the Investigating and Disciplinary Committee, Grievance Committee and Appeals Committee would be confirmed once the Chairs and Deputy Chairs of the Authority and other relevant Committees had been appointed. The necessary appointments had now taken place, and it was therefore recommended that the composition of the above mentioned Committees be as follows:



Investigating and Disciplinary Committee

Councillor M James, Chair, National Park Authority

Mr A Archer, Deputy Chair, Audit and Corporate Services Review Committee

Ms C Gwyther

Councillor Mrs Lyn Jenkins

Councillor A Wilcox

Grievance Committee

Councillor M Williams, Chair, Audit and Corporate Services Review Committee

Councillor R Owens, Deputy Chair, Development Management Committee

Councillor PJ Morgan

Mr AE Sangster

Mrs M Thomas

Appeals Committee

Mrs G Hayward, Deputy Chair, National Park Authority

Councillor RM Lewis, Chair, Development Management Committee

Mr D Ellis

Councillor P Harries

Councillor D Rees

It was **RESOLVED** that membership of the Investigating and Disciplinary Committee, Grievance Committee and Appeals Committee be confirmed as set out above.

17. Update on Plans for the National Park Site at Cilrhedyn

Members were reminded that at the National Park Authority meeting in February 2016 it had been agreed to continue to work with a partnership of Coed Cymru and Tir Coed to find a new way to use the Cilrhedyn centre and to reduce the costs of operation for the Authority. This proposal had been supported by an initial business plan. The partnership had made progress in developing plans and in obtaining grants to support the development of their work, particularly in respect of funding to allow the appointment of a Pembrokeshire-based Coed Cymru Officer, and had supplied a brief interim report which was appended to the report for Members' consideration.

Members were pleased that progress was still being made with the project, but given that costs were still being incurred by the Authority to run Cilrhedyn, they hoped that a more substantial proposal would be provided to the November meeting of the Authority.

