

NATIONAL PARK AUTHORITY

29 March 2017

Present: Councillor M James (Chair)

Mr A Archer, Councillor ML Evans, Councillor P Harries, Mrs G Hayward, Councillor S Hudson, Councillor L Jenkins, Councillor RM Lewis, Councillor PJ Morgan, Councillor R Owens, Mr AE Sangster, Councillor A Wilcox and Councillor M Williams.

[Councillor R Kilmister had apologised that he would be late and arrived during consideration of report 03/17 Grant Approvals in accordance with Section 78 of the Financial Standards]

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 12.35pm)

1. Apologies

Apologies for absence were received from Ms C Gwyther and Councillor D Rees.

2. Disclosures of Interest

Mr A Archer disclosed a personal but not prejudicial interest in Report 11/17 Annual Governance Statement and remained in the meeting while it was discussed; Councillor RM Lewis disclosed a prejudicial interest in Report 12/17 St Davids City of Culture and Mr A Sangster a prejudicial interest in Report 14/17 St Brides Scouts Lease both Members withdrew from the meeting while the respective items were discussed.

3. Minutes

The minutes of the meeting held on the 1 February 2017 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on 1 February 2017 be confirmed and signed.

4. Matters arising from the minutes:

Draft Budget Planning 2017/18 (Minute 8)

The Chief Executive advised that due to a Welsh Government underspend in the Rural Development Plan budget, approximately £700,000 of additional funding had been received towards the Pathways (Your Park successor project) and Stitch in Time projects; to upgrade the car park ticket machines to allow cashless payment; for work to promote the Year of the Sea and the Wales Coast Path; and to hold activities regarding implementation of the future landscapes work on behalf of all designated landscapes in Wales. The money would appear in the Authority's accounts as allocated reserves for the various projects.



Members were pleased that additional money had been received which would support these important projects.

NOTED

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 Committee held on 14 December 2016
- (ii) Audit and Corporate Services Review Committee held on 15 February 2017
- (iii) Sustainable Development Fund Committee held on 25 January 2017

6. Pembrokeshire Nature Partnership Terms of Reference

The Chair welcomed Ant Rogers, the Biodiversity Implementation Officer with the Pembrokeshire Biodiversity Partnership to the meeting. The officer explained that the National Park Authority had been part of the Steering Group for the Partnership since its inception some 19 years previously and provided a contribution of cash and officer time towards its work. The Partnership's key role was to work with stakeholders to reduce duplication between partners, as well as providing an interface between government and local aspiration. It worked at all scales across the County and the officer presented some examples to illustrate this.

It was reported that the governance structures for the delivery of conservation action in Wales were currently under review and to aid consistency with the national plan, local partnerships would be refreshed and rebranded as 'Nature Partnerships', broadening their remit and aligning with national priorities. This refresh and rebrand of the Pembrokeshire Biodiversity Partnership (PBP) as Pembrokeshire Nature Partnership was part of this wider process and positioned the Partnership within the new framework without losing the networks and close working relationships that PBP had built up.

The terms of reference for the new partnership were appended to the report, and Members were therefore provided with an opportunity to review its membership and scrutiny arrangements which it was hoped would ensure participation from as broad a stakeholder base as possible.

Members asked which organisations were represented on the Steering Group and were advised that this consisted of Pembrokeshire County Council, Pembrokeshire Coast National Park Authority, Natural Resources Wales, the Wildlife Trust of South and West Wales and the West Wales Biodiversity Information Centre. The Chairman thanked the Biodiversity Implementation Officer for his presentation which, he said, Members had found most informative. The Chief Executive suggested



that an annual report on the work of the Partnership be presented to the Operational Review Committee, and this was agreed.

It was **RESOLVED** that the Terms of Reference for the Pembrokeshire Nature Partnership be adopted.

7. **Corporate Plan 2017/18**

It was reported that under the Local Government Measure, the National Park Authority was required to publish its Improvement Plan as soon as practical for the new financial year. The Well-being of Future Generations legislation required public bodies to publish a plan showing how it would deliver towards the well-being goals and how it had applied the Sustainable Development principle in its work. Therefore, in order to reduce the need for duplication the Corporate Plan was intended to fulfil the requirements of both pieces of legislation by developing the Authority's well-being objectives which could also be considered the improvement objectives.

Members were reminded that the draft Corporate Plan had been presented to the Authority in November 2016 and had been issued for consultation during February. No external comments had been received, however minor amendments had been made following comments and feedback from staff.

Members thanked officers for the plan, considering it to be well put together and easy to read.

It was **RESOLVED** that the Corporate Plan 2017/18 be approved.

[Mr A Archer disclosed a personal but not prejudicial interest in the following item and remained in the meeting while it was discussed.]

8. **Annual Governance Statement 2016/17**

It was reported that the Annual Governance Statement provided the vehicle for demonstrating the Authority's success in delivering continuous improvement in performance, identified control systems and processes and highlighted significant governance issues to be addressed.

The preparation of the draft statement involved consideration of information from a number of sources as set out in the report. The Statement had been reviewed by Members of the Audit & Corporate Services Review Committee in February 2017, and as a result some additional governance issues had been identified in section VI of the document, together with the actions to be taken.

It was **RESOLVED** that the Annual Governance Statement 2016/17 be approved.

[Councillor RM Lewis disclosed a prejudicial interest in the following item and withdrew from the meeting while it was discussed.]



9. St Davids City of Culture 2021

It was reported that the UK City of Culture programme had been born from the success of Liverpool as the European Capital of Culture in 2008. It was a UK Government scheme with Derry-Londonderry being the first, and Hull the current UK City of Culture 2017.

The aim of the programme was to encourage the use of culture and creativity as a catalyst for economic and social regeneration, to promote the development of new partnerships and to encourage ambition, innovation and inspiration in cultural and creative activity. It was intended to make a step change in the regeneration of an area and to create a lasting legacy. It was also an opportunity to showcase local culture to the world as the award brought with it significant media coverage on the national and international stage.

Following discussions, an initial partnership group, of which the National Park Authority was part, had met on 20th February 2017 to decide the scope of the proposed bid and to help shape ideas in order to meet the registration deadline of 28th February. The bid was being led by St Davids City Council and Pembrokeshire County Council (PCC), and therefore Mike Cavanagh, Head of Cultural Services at Pembrokeshire County Council had been invited to the meeting to answer Members' questions.

Mr Cavanagh explained that although the project was bigger and more ambitious than anything in the County ever before, winning would bring an enormous opportunity to the whole county and beyond, both through the economic impact of people who would visit to access the project, but also through return visits in years to come. He went on to outline some of the ideas that would be contained within the bid from within the fields of for example music, art and sport, but also explained that much work was being done to consider the infrastructure that would be required for the programme to be successful.

A Stage 1 bid for the programme had to be submitted by April 28 2017, and if shortlisted, a full and final bid would need to be submitted by 29th September 2017. A final decision would be made by the UK Government in December 2017, allowing the winning Partnership a three year planning timescale.

In submitting a Stage 1 bid, each candidate city had to show a 'real' commitment and, as a result, PCC's Cabinet had agreed £5.0m capital guarantee to support the City of Culture 2021 Stage 1 application together with £0.8m revenue contribution (from Reserves) over a four year period. The report therefore also outlined a proposal for a staged package of in-kind and cash support from the National Park Authority as follows:



- Stage 1 = £15K (£5K in-kind and £10K cash)
- Stage II = £35K (£10K in-kind and £25K cash)
- Stage III = £510K (£260K in-kind and £250K cash)

With each level dependent on the successful progression of the bid through each of application stages.

While Members were generally supportive of the bid, some expressed concern regarding infrastructure, including road capacity, parking and visitor accommodation, as well as the likely need for semi-permanent buildings on sites such as St Davids Airfield to house some of the proposed events. The Officer agreed that there would be a need for temporary structures which it was intended would be in place for the whole year and would be of really good quality. However smaller and medium sized venues such as churches and chapels would be used across the whole of the peninsula. There would also be a lot of outdoor events, taking advantage of the landscape as the area's unique selling point. He acknowledged that coping with large numbers of people was one of the biggest challenges and this was being looked at carefully. Intelligent programming would be used so that a major event would not be arranged in the middle of the summer in St Davids itself – it was at this point that the wider hinterland would be used. There would also be park and ride facilities. However he added that if the question of infrastructure could not be satisfactorily answered, the bid would ultimately not be successful.

Another Member felt that those cities that had greater social challenges stood a better chance of winning, noting that St Davids was already a cultural city. The officer agreed that the St Davids bid was not typical, but had something different to offer as well as having different challenges. He believed there was a lot of rural poverty and deprivation in the area which this programme could help to tackle and he also believed there would be benefits to the area whether St Davids won or lost the bid. The Chief Executive agreed, adding that Oriel y Parc had benefitted from increased visitor number and therefore income as a result of the Constable and Peter Blake exhibitions in recent years.

The roles of the Welsh culture and the sea within the bid were also questioned. Officers replied that both of these were included in the bid, although care had to be taken to make the Welsh language elements accessible to the majority of participants who would not be Welsh speaking. There was also wider support for a major cultural event on St Davids Day and there was a possibility this could be designated as a public holiday as a legacy.

Turning to the recommendation, the Chief Executive asked that the first part was modified to remove the second part of the sentence regarding secondment of staff, and this was moved and seconded.

It was **RESOLVED** that:

a) The Authority's role as a key partner in the St Davids City of Culture 2021 bid be endorsed; and
b) a key package of in-kind and cash support be agreed as follows, with each level of support being dependent on the successful progression of the bid through each of the subsequent application stages:

- Stage 1 = £15K (£5K in-kind and £10K cash)
- Stage II = £35K (£10K in-kind and £25K cash)
- Stage III = £510K (£260K in-kind and £250K cash)

10. Grant Approvals in accordance with Section 78 of the Financial Standards (Revised 2012)

Members were reminded that, in accordance with Section 78 of the Authority's Financial Standards, authorisation was required where there was a payment of 'Total value Grant and Sponsorships under any one agreement of £10,000'. In the 2017/18 financial year there were two payments which fell into this category: payment of £18,580 to Pembrokeshire Coastal Forum to help integrate and manage coastal activity and a payment of circa £72,400 to Pembrokeshire County Council as a contribution towards the Pembrokeshire Greenways Partnership. Details of the work undertaken by these organisations were set out in the report. Members asked further details regarding the Pembrokeshire Greenways work and the Chief Executive agreed to ask the relevant officer to provide answers to their questions.

It was **RESOLVED** that payment of £18,580 to Pembrokeshire Coastal Forum to help integrate and manage coastal activity and a payment of circa £72,400 to Pembrokeshire County Council as a contribution towards the Pembrokeshire Greenways Partnership be agreed.

[Mr A Sangster disclosed a prejudicial interest in the following item and withdrew from the meeting it was discussed.]

11. St Brides Scouts Lease Renewal Update

Members were reminded that the Scouts had been in occupation of the site at St Brides since 1982 and had been holding over in possession paying an historic rent of £200 pa since the contractual term of their lease expired in 2002. The matter of the renewal of the lease and the terms of such a renewal had been considered at a meeting of the Authority in March 2016 when it had been resolved to grant the Scouts a lease renewal to extend their occupation for a period of 25 years subject to agreeing an acceptable level of rent and to serve a notice under Section



25 of the Landlord & Tenant Act 1954 to bring the existing historic tenancy to an end and make provision for the Court to set both an interim rent and market rent in the event that the Scouts and this Authority were unable to reach a negotiated agreement on the issue of rent.

That resolution had partly been informed by a joint valuation report which had been commissioned by the Scouts and this Authority and prepared by the District Valuer, whose opinion of the prevailing market rent for the proposed lease terms was in the order of £8,250 pa. It was noted that the site and its appeal had never been market tested.

The Section 25 notice had since been served on the Scouts, giving notice that their existing historic lease would end on 1 May 2017. Negotiations had continued, but the Authority had not yet commenced a formal application to the Court to settle the outstanding matter of rent. However those rent negotiations had effectively stalled as the Authority's offer of a stepped rent rising to £5,000 pa by year 5, was not met by the Scouts best and final counter offer of a stepped rental rising to a guaranteed rent of £1,500 pa with a top slice mechanism based on the proceeds of any operational surplus they may declare up to a maximum of £5,000 pa by year 6.

Some Members had reservations over the rental value put on the site and it was felt that the Authority should be trying to help the Scouts, an organisation which worked with children and young people from a variety of backgrounds. It was therefore proposed and seconded that the Scouts proposal to pay a stepped rental which by year 6 would be £1,500 pa plus 100% of operating surplus to a maximum rental of £5,000 pa be accepted.

Whilst expressing support for the Scouts, other Members pointed out that the Authority had a responsibility for good financial management as well as fairness to others to whom it leased land and buildings. There was concern that the Authority was setting a precedent of disposing of assets as less than favourable financial terms and Members had to be clear why such a concession was being made. It was also suggested that there needed to be a greater degree of compromise and it was proposed that there be a stepped rent which, by year 7 would be £5,000 pa, together with a review clause at that time. This was not seconded and was withdrawn.

Concerns were also expressed regarding the Authority receiving the operating surplus in years 3 to 6 as set out in the Scouts offer, as this was felt to be too vague. An amendment was proposed and seconded that the rent be set at £1,000 in year 1 increasing by £1,000 each year and therefore reaching £5,000 in year 5. Consideration could also be given to



offering a break option. A vote was then taken on this, the substantive motion, which was won.

The Chief Executive asked what the response of the Authority should be if the Scouts did not accept these terms, accepting that they were still entitled, under the process initiated via the service of the Section 25 notice, to seek the Courts determination on the subject of market rent. The fall-back position set out in the report, that the Authority to take the necessary action for the site to be surrendered back to the Authority with full vacant possession, was proposed and seconded. This vote was won.

It was **RESOLVED** that

- a) an offer be made to the Scouts of a rent of £1,000 in year 1 increasing by £1,000 each year and therefore reaching £5,000 in year 5;
- b) should the Scouts not accept this offer, the Authority take the necessary action for the site be surrendered back to the Authority with full vacant possession.

12. Draft Welsh Language Strategy 2017-2022

Members were reminded that on 30 September 2015, the Welsh Language Commissioner had issued the Authority with a Compliance Notice in accordance with Section 44 of the Welsh Language (Wales) Measure 2011. This required production and publication of a 5-year strategy that set out how the Authority proposed to promote the Welsh language to facilitate its use more widely in the area.

A draft Strategy was attached for Members' consideration, and they were asked that this be approved for consultation with relevant bodies/organisations and the wider public.

It was **RESOLVED** that the draft Welsh Language Strategy 2017 – 2022 be agreed for consultation purposes.

13. Review and Revision of Sustainable Development Fund Reference Documentation

The Sustainable Development Fund (SDF) Administrator reported that a review of SDF reference documentation had recently taken place and the revisions to update the SDF Policy, Committee Terms of Reference and Grant conditions were set out in the report. These included reference to the Well-being of Future Generations (Wales) Act 2015, updated wording regarding Advisory Member representation; procedures for assessing and processing applications and inclusion of a new grant condition to allow the Authority to monitor project progress after the end of project funding in order to ascertain project achievements.

It was **RESOLVED** that the revised SDF Policy, Committee Terms of Reference and Grant Condition documents be approved.



14. Member Remuneration 2017/18

It was reported that the Annual Report of the Independent Remuneration Panel for Wales had been published in February 2017. Relevant extracts from this were appended to the officer's report, and the main changes to Members' remuneration for the financial year 2017/18 were summarised as: an increase in the Basic Salary for 'ordinary Members' from £3,600 to £3,625 per annum; an increase in the Senior Salary payable to the Chair of the Authority from £12,300 to £12,325 per annum; there had been no increase in the Senior Salary payable to the Deputy Chair of the Authority and (up to two) Chairs of other Committees, but these postholders would receive the uplift in the basic salary paid to 'ordinary Members'; the Panel had determined to include a provision for National Park Authorities to apply for specific or additional Senior Salaries that did not fall within the current remuneration framework; and specific arrangements had been introduced to cater for long term sickness (more than 4 but no more than 26 weeks) of Senior Salary holders. The new salary framework would come into effect on 01 April 2017.

No changes had been made to the fees payable to Independent Members of the Standards Committee, nor to the level of travel and subsistence rates. Neither had there been a change to the level of reimbursement of costs of care to Members, although the way in which these particular costs were to be published had been changed – Authorities could either detail the amount reimbursed per named Member or publish the total amount reimbursed during the year, but not attributed to any named Member.

The Authority was entitled to pay a Senior Salary for up to four posts (Chair and Deputy Chair of the Authority, together with two Committee Chairs). Three were currently remunerated: the posts of Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee. The Senior Salary at present being paid to the posts of Deputy Chair and Chair of Committee was the same (Level 2), although the Panel had concluded that the Authority could decide at which of two levels these posts could be remunerated.

Members were therefore asked to determine which posts be eligible to receive a Senior Salary for 2017/18; what level of remuneration should be payable to the posts of Deputy Chair of the Authority and Committee Chair(s); how the Authority would publish details of any reimbursement of costs of care; and the maximum number of days in any one year for which Independent Members of the Standards Committee could be paid.

Members were happy with the posts that were currently eligible to receive a Senior Salary and the level of salary paid to those post holders. However they noted that the Authority had previously formed Scrutiny



Committees and that the Chairs of those Committees had undertaken additional work; they asked whether it would be possible to remunerate those Members in future. Officers replied that as only three posts were currently remunerated, an additional post such as the Chair of the Scrutiny Committee could be remunerated for the duration of the work undertaken, and that a decision could be taken on this at the appropriate time.

It was **RESOLVED** that:

- a) The Independent Remuneration Panel for Wales Annual Report for 2017/18 be noted;
- b) The posts of Chair and Deputy Chair of the Authority, together with the Chair of the Development Management Committee be remunerated with a Senior Salary;
- c) The level 2 Senior Salary be payable to the Deputy Chair of the Authority and the Chair of the Development Management Committee;
- d) The maximum number of days for which Independent Standards Committee Members may be paid in any one year remain at 4 days per annum, and
- e) Details of any reimbursement of costs of care to Members be published as a total amount, not attributed to any named Member.

15. Calendar of Meetings 2017/18

Members were reminded that the current calendar of meetings came to an end in June following the Annual General Meeting and therefore a new calendar for the forthcoming year was presented.

It was **RESOLVED** that the calendar of meetings for 2017/18 be approved.

16. Chief Executive's Performance Review Panel

Members were reminded that on 31 March 2010 the Authority established the Chief Executive's Performance Review Panel with a view to setting and reviewing the targets and objectives for the Chief Executive for the year ahead. The Panel comprised three Members, selected annually from senior positions within the Authority (Chair and Deputy Chair of the Authority, Audit and Corporate Services Review Committee, Personnel Committee and Development Management Committee) in turn until a 2:1 ratio of County Council to Welsh Government membership was achieved.

Currently the Panel was confirmed at a meeting of the Authority at the start of each calendar year and the same three Members sat on the Panel throughout the year, whether still in their respective positions or not, in order to provide consistency over the setting and reviewing of objectives for that year.



In an effort to simplify the process, it was proposed to delegate confirmation of the Panel membership to the Administration and Democratic Services Manager, in consultation with the Chairman of the Authority and that the Panel be established once all the Chairs and Deputy Chairs of the Authority and relevant Committees had been elected in any one year.

It was **RESOLVED** that:

- a) Membership of the Panel comprised three Members as currently;
- b) The Panel was established once all the Chairs and Deputy Chairs of the Authority and relevant Committees had been elected in any one year; and
- c) Confirmation of the Panel membership be delegated to the Administration and Democratic Services Manager, in consultation with the Chairman of the Authority.

17. 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.

18. Disposal of the Authority's Land Holding known as National Park Caravan Site, Sageston

Members were reminded that this land holding was an 8 acre brownfield site on the southern edge of Sageston which the Authority held freehold with full vacant possession. It was surplus to the Authority's operational requirements and outline planning permission had been granted on 30 June 2016 for a development of between 90 and 100 dwellings. At a meeting of the Authority in August 2013 it had been resolved that upon the granting of outline planning permission, officers should commence a marketing exercise of the site and revert back to Members with an update including recommendations for the disposal of the site prior to the expiry of that outline planning permission.

A report on the initial marketing exercise had now been received and this was made available to Members.

It was **RESOLVED** that the ongoing actions of officers to include the offer of a 3 month exclusivity period to Pembrokeshire Housing Association in pursuit of a best practice partnership approach to the delivery of affordable housing on land currently within public ownership be endorsed.



19. Retirement of Head of Delivery

It was reported that the Authority's Head of Delivery, Mr Charles Mathieson was retiring that day after 27 years of service to the Authority. The Chairman expressed Members' appreciation of his contribution to the work of the Authority.

NOTED.

