

NATIONAL PARK AUTHORITY

28 March 2018

Present: Mrs G Hayward (Chair)

Mr A Archer, Councillor P Baker, Councillor Mrs D Clements , Councillor P Harries, Dr R Heath-Davies, Mrs J James, Councillor M James, Councillor P Kidney, Councillor PJ Morgan, Councillor R Owens, Mr AE Sangster, Councillor A Wilcox, Councillor M Williams and Councillor S Yelland

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 11.55am)

1. Apologies

Apologies for absence were received from Councillor K Doolin, Councillor M Evans and Dr RM Plummer.

2. Disclosures

Mr A Archer disclosed a personal but not prejudicial interest in report 07/18 – Annual Governance Statement 2017/18. Councillor P Harries disclosed a prejudicial interest in report 10/18 – Update on the disposal of the Authority's premises at Long Street in Newport, but advised that he had been granted a dispensation by the Standards Committee to speak and vote on the matter.

3. Minutes

The minutes of the meeting held on the 7 February 2018 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on 7 February 2018 be confirmed and signed.

4. Matters arising

(a) Appointment of a Monitoring Officer (Minute 4(b))

The Chief Executive advised that the Personnel Committee would meet later that day to consider the matter further.

NOTED.

(b) Fundraising (Minute 12)

The Chief Executive reported that at the recent meeting of National Parks UK there had been a narrow vote in favour of supporting the creation of a Charitable Trust.

NOTED.



5. Chair's Announcements

The Chair went on to advise that she had attended various events and engagements on behalf of the Authority in recent weeks, including meetings of the National Parks UK and National Parks Wales Executives, meetings with local political representatives, and the launch of the excellent new exhibition at Oriel y Parc, arranged in partnership with National Museums Wales and the Tate Gallery, which she encouraged all Members to visit.

6. 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 31 January 2018;
- (ii) Sustainable Development Fund Committee held on 24 January 2018;

It was reported that the recruitment process for the replacement SDF Officer had now commenced.

- (iii) Audit and Corporate Services Review Committee held on 14 February 2018;
- (iv) Operational Review Committee held on 7 March 2018.

NOTED.

7. The Deposit Local Development Plan (Replacement), Draft Sustainability Appraisal, Draft Equalities Impact Assessment, Draft Habitats Regulations Assessment, Initial Consultations Report

The Local Development Plan (LDP) set out the long term vision for the Pembrokeshire Coast National Park and the objectives and land use policies needed to deliver that vision. Work to review the LDP had commenced in 2015 and the report before Members sought approval of the above mentioned documents for consultation purposes, summaries of which were appended to the report, the full documents having been considered by Members at workshops which had taken place in the preceding months.

The report explained that consultation on the Deposit LDP (Replacement) would take place during April and May 2018. Further workshops would be organised for Members to report back on the outcomes of the consultation exercise.

The report also sought delegated powers for the Head of Park Direction to discuss areas of agreement and disagreement with those submitting representations proposed to the Deposit Plan, however she reassured Members that they would be asked to approve any 'Statement of



Common Ground' for formal submission where the proposals differed from those set out in the Deposit LDP. She also asked for delegated authority to correct some formatting problems which had occurred when the document had been converted into PDF format.

Members commended officers on the large amount of work that had gone into production of the documents and were pleased with the amount of engagement with local communities that had taken place to date as outlined in the Initial Consultation Report. The officer added that as people and organisations had been encouraged to submit their comments at earlier stages of plan preparation, it was not intended to undertake a 'road-show' of meetings during the forthcoming consultation period. However officers were happy to meet with anyone or to attend meetings with Community Councils on request.

Thanks were given to officers for the changes that had been made to Policy 14 and the Welsh Language as a result of comments made at Workshops, however a request was made that a sentence be added to the Equalities Impact Assessment to reflect the fact that the Welsh Language would always be considered in decisions.

Another Member asked about the status of the Plan going forward once it was approved for consultation. The Solicitor replied that while it did have some status as a material consideration in planning decisions, sections could still be amended by the Inspector even if they had attracted little comment during the consultation.

It was **RESOLVED** that:

- a) The Initial Consultation Report on the Local Development Plan Preferred Strategy by approved;
- b) The Pembrokeshire Coast National Park Local Development Plan (Replacement) be approved for placing on Deposit for receipt of representations;
- c) The Sustainability Appraisal of the Deposit Plan be approved;
- d) The Equalities Impact Assessment of the Deposit Plan be approved;
- e) The Habitats Regulations Assessment for the Deposit Plan be approved;
- f) Delegated powers be given to the Head of Park Direction to correct any formatting or typographical errors in the Deposit Plan and to discuss areas of agreement and disagreement with those submitting representations proposed to the Deposit Plan.
- g) The Head of Park Direction be authorised to submit the indicative timetable for the remaining stages of the Local Development Plan as set out in the Delivery Agreement to the Welsh Government.



8. Annual Governance Statement 2017/18

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.

Members' comments were welcomed on the statement before them, a draft having already been reviewed by the Audit and Corporate Services Review Committee at its meeting in February 2018.

One Member suggested that reference should be made to the Sustainable Development Fund Committee in the list of Committees forming part of the Governance framework, as it awarded grants to applicants to the fund. A few minor formatting and typographical errors were also noted.

It was **RESOLVED** that the Annual Governance Statement 2017/18 be approved.

9. Corporate and Resources Plan 2018/19

Members were reminded 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. In order to reduce the need for duplication, this 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.

The draft Corporate Plan had been presented to Members at the previous meeting of the Authority for comment, and had been issued for consultation during February. No external comments had been received, however amendments had been made following comments and feedback from staff and Members. The draft had also been amended to take into account changes to the Pembrokeshire Well-being Plan.

The Performance and Compliance Co-ordinator pointed out that three diagrams in the Plan had not printed properly, however these were unchanged from those in the previous version of the Plan.

Members made a number of suggestions, including making reference to the contribution of the Sustainable Development Fund to Well-being Objective 1; including a percentage of the number of days lost to sickness absence in addition to the actual figure per employee to aid comparison; and the inclusion of a target under Objective 5 regarding engagement



with communities following the introduction of new ways of delivering visitor services. The Performance and Compliance Co-ordinator stated that these suggestions could be incorporated into the Ffynnon performance framework for the plan.

It was **RESOLVED** that the Corporate plan 2018/19 be approved.

10. Pembrokeshire Public Services Board's Well-Being Plan

It was reported that the Public Service Board was required by law to produce a Well-being Plan which set out how it would improve the economic, social, environmental and cultural well-being of Pembrokeshire. The Plan was informed by the Pembrokeshire Well-being Assessment and was subject to public consultation. Pembrokeshire Coast National Park Authority is a member of the Public Services Board. Members of the Public Services Board were seeking approval for the Plan through their governance structures in order for the Plan to be in place by May 2018 by which time it had to be published.

It was **RESOLVED** that the Well-being Plan for Pembrokeshire be approved.

11. Update on the Disposal of the Authority's Premises at Long Street in Newport

Members were reminded that at their meeting on 29 November 2017, it was resolved to dispose of the Authority's premises at Long Street in Newport by offering it for sale on the open market with full vacant possession with the caveat that, prior to doing so, the Authority should invite and give consideration to any viable Community Asset Transfer (CAT) based proposals which it received.

It was reported that following a marketing exercise inviting expressions of interest within the principle of CAT, two applications had been submitted on or before the closing date. One was submitted by a private individual seeking business premises for a new commercial venture, the other by Newport Town Council seeking occupation of the building to relocate the town's library, provide visitor information services and consolidate the activities of the town Council in to this single premises.

It was recommended that officers be authorised to progress detailed discussions with Newport Town Council to the exclusion of all others in pursuit of a possible CAT of its premises at Long Street in Newport. It was suggested that discussions progress on a leasehold bases and that an update on those discussions should form the subject of a further paper for consideration by Members.



Members were happy to support discussions with Newport Town Council on the basis of their Expression of Interest, however some Members asked whether there was any way of making use of the Long Street building during the coming season, rather than it remaining empty. Officers advised that this would not be possible for a variety of reasons and feared that a poor offer would undermine the longer term plan and weaken the Town Council's position. Another Member noted that the situation could progress more rapidly than anticipated and hoped that the Town Council would be able to make available more information regarding their plans for the building.

However, some Members remained concerned about the ongoing tourism support that would be given to Newport and surrounding area following the closure of the centre and felt that it was important to ensure that information regarding the alternative services being provided was made available to the Community. Noting Members' comments regarding communication, Officers replied that implementation had begun, however it was some time before the start of the season proper and arrangements were still being put in place.

It was **RESOLVED** that Officers be authorised to progress detailed discussions with Newport Town Council to the exclusion of all others in pursuit of a possible Community Asset Transfer of its premises at Long Street in Newport. Discussions would progress on a leasehold basis and an update on those discussions would be the subject of a further paper for consideration by Members within the next 6 months.

12. Delegation of Authority to Officers to make Public Path Creation Orders and Public Path Extinguishment Orders

It was reported that the power to make Public Path Creation Orders & Public Path Extinguishment Orders was provided by Section 26 & Section 118 respectively of the Highways Act 1980. These specific powers were later conferred on the National Park Authority by the Environment Act 1995. These powers were little used by local authorities as other powers such as Public Path Diversion Orders and Public Path Creation Agreements were the main procedures by which new public rights of way are created or existing routes diverted. Generally, Creation Agreements and Diversion Orders were made with the cooperation of interested parties, notably the owners and occupiers of the land affected. Consequently the power to make Creation Agreements and Diversion Orders had already been delegated to officers. Since 1996 the National Park Authority had made 24 Creation Agreements and 68 Diversion Orders.

Creation Orders were used when an owner of land could not be identified or when an agreement could not be reached with the landowner with



regard to the creation of a footpath. Stringent legal tests on the need for a public right of way and its benefit to the public were required to be met by the local authority in order for what was a lengthy procedure to be successful. Delegating authority to officers would speed up the procedure to make Public Path Creation Orders under Section 26 of the Highways Act 1980; Public Path Extinguishment Orders under Section 118 of the Highways Act 1980 and allow them to exercise powers of entry to land in connection with the making of an Order under Section 293 of the Highways Act 1980.

Members were supportive of the request but asked that details of the Orders made be reported to the Operational Review Committee, which officers were happy to do.

It was **RESOLVED** that delegated authority be given to the Chief Executive to authorise individual members of staff to make Public Path Creation Orders under Section 26 of the Highways Act 1980; Public Path Extinguishment Orders under Section 118 of the Highways Act 1980 and exercise powers of entry to land under Section 293 of the Highways Act 1980.

13. Statement by the Minister for Environment: Designated Landscapes

It was reported that on 13 March 2018 Hannah Blythyn, AM, the Minister for Environment, presented an oral statement on Designated Landscapes in the Senedd. A copy of the statement was appended to the report. Members' feedback was sought, so that this could inform the discussion of the Chairs and Chief Executives of the Welsh National Park Authorities when they met with the Minister on 18 April.

The Statement noted that Designated Landscapes had been in a state of review since a draft policy statement had been consulted on in 2013. Officers hoped that the policy statement which the Minister intended to publish in the coming months, bringing this process to a close, would also be the subject of consultation. It was also felt that a positive outcome of the Future Landscapes Wales work was the closer working links developed with Areas of Outstanding Beauty which the Minister hoped would be developed further.

Members welcomed the general direction of the statement, particularly that the existing purposes of National Parks would be retained and not weakened, however they made the point that the reductions in funding being experienced by Authorities year on year would undoubtedly lead to their position being weakened. They also considered that the failure to incorporate the economic Duty as a third purpose was a missed opportunity given the support expressed for this proposal by the business community through various fora, including at the Joint Scrutiny Review by



Pembrokeshire Coast and Snowdonia National Park Authorities on the impact of the policies and work of the National Park Authorities on their economic activity.

Other points which could be raised with the Minister were the ways in which she anticipated that the administrative burden on Authorities would be reduced and also what was meant by the ways in which withdrawal from the European Union would change the way in which 'the findings of past reviews' would be interpreted.

NOTED.

14. Carew Castle Café

Members were reminded that in September 2017, approval had been given for regeneration of the Walled Garden and construction of a café at Carew Castle. The scheme included a café, landscaping, planting, adventure play area, undercover tented structure, new schools store and entrance, development of a 'Night Garden' for Dark Sky Discovery and new interpretation.

Funding of the entire project at c£231,125 was approved, however a Visit Wales TAIS grant of £123,212 for the Walled Garden Project was subsequently awarded and this reduced the Authority's contribution to the project to £113,565 which included £84,175 for construction of the café.

Since that time, the original brief for the project had been reviewed and considered to be too conservative, not taking account of any future proofing for the expanding business at Carew Castle. It was therefore felt that now was the time to upgrade the original specification of the café structure, allowing it to cater for more visitors and operate for a larger part of the year.

The original proposal had been for a modest, externally seated seasonal café structure enclosed only on three sides. The improvements and alterations to the design were intended to make the relatively small usable floor area as efficient as possible, with a good working environment for staff, as well as the ability to cater for the local market out of traditionally busy periods. The biggest improvements to the design included the addition of windows to create a warm, dry internal space and consolidation of the small kitchen and store room into one larger kitchen space. It was noted that planning approval for all amendments had been granted. Details of the changes, together with costings were provided.

It was intended that construction would take place during the spring and early summer 2018, ready for opening prior to the school summer holidays. With this in mind, tenders had been sought based on the



revised proposals; all of those received were higher than the estimated costs set out in the report, however they were within 10% of the overall budget. The additional funding sought was therefore £49,600 plus up to 10%.

Members asked a number of questions regarding the change of plans, increased costs and the later than expected opening date, however most welcomed the modifications, believing the development of the café to be a wonderful opportunity and a good addition to the current offer to visitors. It was confirmed that the additional funding could be met from the capital receipts reserve and would not impact on the agreed budget for the coming year.

Some Members, however, questioned whether operation of a café fell within the purposes of the National Park, believing that public money should not be used to support a business that was in competition with other local businesses. Nevertheless they acknowledged that work on this particular project was well advanced and should continue.

One Member asked whether the toilet proposed as part of the revised development would be accessible to disabled visitors, and was disappointed to learn that due to space constraints, that was not currently the case. Officers advised that a disabled toilet was located next to the visitor centre. However in order to discuss the matter further, officers agreed to meet with the Member on site to inform discussions going forward.

It was **RESOLVED** that additional funding of £49,600 plus up to 10% of the overall budget be approved for the café at Carew Castle.

15. Wales Clean Seas Partnership

It was reported that in 2017 the Welsh Government had brought together a diverse range of stakeholders to develop the first Marine Litter Action Plan (MLAP) for Wales, this being a particular area of developing work. Organisations and stakeholders involved in the MLAP had come together in 2018 to form a 'Clean Seas Wales Partnership' with the aim of encouraging all sectors in Wales to take action on marine litter issues. The name and identity would be aligned with the global UN Clean Seas campaign.

To support the work, it was proposed that the Authority sign the Clean Seas pledge with a focus on choosing products with no or less plastic packaging and avoiding products with microbeads. In addition the Authority would join the Clean Seas Partnership and seek to provide support, where appropriate and possible, to groups seeking to minimise the negative impact of plastic on our coastline.



Members welcomed the initiative and agreed that as a coastal National Park it was imperative that the Authority took this action.

It was **RESOLVED** that the Authority sign the Clean Seas Pledge and joined the Clean Seas Partnership.

16. Calendar of Meetings 2018/19

Members were reminded that the current calendar of meetings came to an end in June 2018, following the Annual General Meeting. A calendar for the forthcoming year was therefore presented for approval.

It was **RESOLVED** that the calendar of meetings for 2018/19 be approved.

17. Corporate Events

The report set out those events to which Members of the Authority had been invited this year and Members were asked to agree attendance at these. As a number of Members were not present that day, details of the events would be circulated to all Members to give all those who were interested the opportunity to respond.

It was **RESOLVED** that Members be authorised to attend the events as follows:

- a) One Member to attend the Wales Planning Conference on Thursday 7 June 2018
- b) One or two Members to attend the Europarc Conference, 18-21 September 2018 in the Cairngorms National Park, Scotland.
- c) All Members to attend the National Parks Wales Annual Members' Seminar which will take place on 6th and 7th November 2018 at St Brides Hotel, Saundersfoot
- d) New Members of the Authority to attend the Members' National Induction Courses hosted by the New Forest between 11th – 13th Sept 2018 and Brecon Beacons National Park Authority between 12th – 14th March 2019 ;
- e) One or two Members to attend the WLGA Annual Conference on 28 June in Llandudno

18. Member Remuneration 2017/18

It was reported that the Annual Report of the Independent Remuneration Panel for Wales had been published in February 2018. Relevant extracts from this were appended to the officer's report, and the main changes to



Members' remuneration for the financial year 2018/19 were summarised as: an increase in the Basic Salary for 'ordinary Members' from £3,625 to £3,675 per annum; there had been no increase in the Senior Salary payable to the Chair and 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 new salary framework would come into effect on 01 April 2018.

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.

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 2018/19; what level of remuneration should be payable to the posts of Deputy Chair of the Authority and Committee Chair(s); and also 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.

It was **RESOLVED** that:

- a) The Independent Remuneration Panel for Wales Annual Report for 2018/19 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; and
- 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.

