

AGENDA ITEM No. 3

MINUTES

<u>Meeting:</u>	National Park Authority Meeting
<u>Date:</u>	7 December 2012 at 10.00am
<u>Venue:</u>	Aldern House Baslow Road Bakewell Derbyshire
<u>Chair:</u>	Clr A Favell
<u>Present:</u>	Mr P Ancell, Mrs F Beatty, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr C Carr, Clr D Chapman, Mr R Clarke, Clr P Harrison, Clr Mrs N Hawkins, Mr R Helliwell, Clr H Laws, Ms S Leckie, Clr A McCloy, Mr G Nickolds, Mr C Pennell, Clr Mrs K M Potter, Clr G Purdy, Clr Mrs L C Roberts, Clr Mrs J A Twigg, Clr P Wood.
<u>Apologies for absence:</u>	Clr Mrs B Beeley, Clr G Claff, Clr C Furness, Clr Mrs H Gaddum, Clr Mrs C G Heath, Clr Mrs M Stockdale, Clr Mrs N Turner

77/12 CHAIR'S ANNOUNCEMENTS

The Chair reminded Members that they would be expected to use the microphones and that the new audio system would be in use at every main meeting.

78/12 MINUTES

The minutes of the meeting held on 5 October 2012 were approved as a correct record.

79/12 PUBLIC PARTICIPATION

The Chair stated that a number of people were present to make their representations under the Authority's Public Participation Scheme.

80/12 MEMBERS DECLARATIONS OF INTEREST

Item 7.1

Miss P Beswick, Clr P Brady, Clr A Favell, Mr R Helliwell, Clr A McCloy, Clr H Laws, Clr A McCloy, Mr C Pennell, Clr Mrs K Potter, Clr G Purdy, Clr Mrs L Roberts, and Clr Mrs J Twigg asked that it be recorded that they had received correspondence from the applicant and an objector on this matter.

Item 7.2

Miss P Beswick, Clr P Brady, Clr C Carr, Clr D Chapman, Clr Mrs N Hawkins, Mr R Helliwell, Clr H Laws, Clr A McCloy, Mr C Pennell, Clr Mrs K Potter, Clr G Purdy, Clr Mrs J Twigg and Clr P Wood asked that it be recorded that they had received correspondence from the applicant and an objector on this matter.

- Clr C Carr, personal as he knew the Applicant
- Mr R Helliwell, personal interest as he knew the Applicant and both he and the Applicant were members of the National Farmers' Union (NFU). His personal interest also arose through knowing Mr J Youatt and Dr A Tickle.
- Mr C Pennell, personal interest as a member of Friends of the Peak District who had commented on the application.
- Clr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE) of which Dr A Tickle was also a member. Clr Mrs Potter declared a personal interest as she knew Mr J Youatt from when he had been an Officer of the Authority.
- Clr Mrs J Twigg, personal interest as she knew Mr J Youatt. Clr Mrs Twigg declared a personal interest as a fellow councillor at Derbyshire County Council of Clr S Spencer.

Item 8.3

- Miss P Beswick, personal interest as a member of the National Trust
- Clr P Brady, personal interest as a member of the National Trust
- Clr D Chapman, prejudicial as he knew people who might be affected by the proposals and would withdraw from the meeting, taking no part in the debate or voting.
- Clr A Favell, prejudicial as he knew well people who might be affected by the proposals. He would withdraw from the meeting, taking no part in the debate or voting, once he had made his representation. Clr Favell also declared a personal interest in that he knew all of the speakers (apart from Mr C Woods) and had received correspondence on every item on the Agenda.
- Mr P Harrison, personal interest as he knew Mr A Critchlow when he had been the Vice Chair of the Authority. Mr Harrison also had a personal interest as a member of the National Trust.
- Mr R Helliwell, pecuniary interest as a tenant of the National Trust
- Clr H Laws, personal interest as a member of the National Trust
- Mr G Nickolds, prejudicial as a member of the National Trust Regional Advisory Board – he would leave the meeting and take no part in the debate or voting.
- Mr C Pennell, personal interest as a member of the National Trust and as its former Director in the East Midlands.
- Clr Mrs K Potter, personal interest as a member of CPRE and as she knew Clr A Favell who made a representation on the item under the Authority's Public Participation Scheme. Clr Mrs Potter also declared a personal interest because she knew Mr A Critchlow from when he had been Vice Chair of the Authority.
- Clr G Purdy, personal as a member of the National Trust
- Clr B Taylor, personal as a member of the National Trust

Item 9.2

- Clr P Brady, personal as a member of the Peak Park Parishes' Forum, which had commented on this item.
- Clr Mrs K Potter, personal as she had attended meetings of Winster parish council with Clr S Spencer
- Clr G Purdy, personal as a fellow Derbyshire County Councillor of Clr S Spencer.
- Clr Mrs J Twigg, personal as a fellow Derbyshire County Councillor of Clr S Spencer.

Item 11.1

- Miss P Beswick, personal as a member of English Heritage

DEVELOPMENT PLANNING

Before consideration by the meeting of Items 7.1 and 7.2, the Chair read paragraph 1.48(1) from Part 1, Section D, of the Authority's Standing Orders to clarify why the applications had been referred to the Authority.

81/12 1.FULL APPLICATION – SEPARATION OF FORMER COACH HOUSE FROM MAIN HOUSE TO RECREATE TWO SEPARATE DWELLINGS, FERNHILL, HOLLOW MEADOWS (NP/S/0612/0653, P3081, 03/07/2012, 427003 387189/KW)

The Officer introduced the item stating that the building was not considered by Officers to have "valued vernacular merit" and reiterating the reasons for refusal as given in the original report.

The Applicant Mrs Duttine made her representation under the terms of the Authority's Public Participation Scheme then answered questions from Members.

The Officer advised that the following words had been incorporated into the Planning Committee recommendation in error and should be deleted:

"a Section 106 Agreement tying the accommodation to the farmhouse and owned land and"

Following debate, the motion to approve the recommendation made by Planning Committee was moved and seconded.

This was then carried in the vote.

RESOLVED:

That the Authority approve the recommendation of Planning Committee to APPROVE the application as an exception to policy, subject to the following conditions:

- 1. The development to commence within 3 years from the date of this permission.**
- 2. The development to be carried out in accordance with amended plans.**
- 3. Withdrawal of Permitted Development Rights for the separated dwellings.**

82/12 2. FULL APPLICATION: ERECTION OF TWO WIND TURBINES ON LAND ADJACENT TO HILL TOP FARM, PARWICH (NP/DDD/0412/0434 P.3391 418946/355455 27/9/2012/CF)

The Chair informed the meeting that the Applicant had requested permission to show a short extract from a video recording of the Planning Committee of Friday 13 January 2012. The Chair had duly considered the request and exercised his discretion to allow a summary of it to be read out by the Director of Planning. The Chair affirmed the accuracy of the summary but said this sort of request would not normally be granted.

The Director of Planning introduced the report, referring Members to the extracts from Policy CC2 of the Core Strategy (on page 4) and explained the basis for the original Officer recommendation.

The following made representations under the Authority's Public Participation Scheme:

- Mr J Youatt, Supporter
- Mr A Tickle, Friends of the Peak District, Supporter
- Mr R Gosling, Applicant

The Director of Planning summarised what was said at the January 2012 Planning Committee in relation to this application. The planning officer had responded to a question raised by a Member at that meeting on whether an application for a greater number of smaller turbines would be considered by the Authority. The planning officer had advised that an application for two, three or possibly four turbines might be brought to Planning Committee with a recommendation of approval but that on the application before Members at that time it was not acceptable. There had been no reference to any specific height for the turbines. The Director of Planning advised that this advice by the planning officer was correct in principle but that there had been no commitment to accept an application for two turbines.

He added that the key issue for Members was the landscape impact and not the erection of turbines per se.

He also made reference to the Glyndebourne turbine application in the South Downs which had been called in by the Secretary of State. The Planning Inspector had recommended approval. At that time, the South Downs was not a National Park and the ruling had therefore only minimal relevance to the current application at Hill Top Farm.

In response to Members' questions, the Director of Planning confirmed that the decision to bring the application to the Authority meeting was his decision and that no Members had been involved. Officers of the Policy Team had been consulted prior to the making of the decision to refer the application to Authority. The Director of Planning also confirmed that the advice that he gave at the Planning Committee on 12 October had been given after Members had voted to approve the application.

The Chair reiterated paragraph 1.48 (1) and (2) of part 1, section D, of the Authority's Standing Orders.

Following debate, the Chair summarised the issues on which Members would be voting. Members would have to decide whether the Planning Committee recommendation could be allowed as a justifiable exception to policy. Members had considered the landscape impact, National Park purposes, Core Strategy policies and Development Management Policies, the height of the turbines, the applicant's business interests and the Sandford Principle (to which, officers advised, the Planning Committee recommendation was contrary).

The recommendation that the application should be approved as a justifiable exception to policy was moved and seconded. Members considered that any landscape harm arising from the erection of the two turbines would be offset and outweighed by the social and economic benefits of granting planning permission of the two turbines.

The recommendation that the application should be approved as a justifiable exception to policy was moved and seconded. During the course of the vote a member challenged the appropriateness of another member's vote and a recount of the vote was taken. As equal votes were cast for and against the motion the Chair used his casting vote and declared it carried.

RESOLVED:

That the Authority APPROVE the application as an exception to policy subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans subject to the following conditions or modifications.**
- 3. The level of noise emissions from the wind turbine when measured at dwellings that lawfully exist at the date of this permission shall not exceed either 40dB or 5 dB above prevailing background noise levels whichever is the greater. In the event of complaint then measurements to ensure compliance should be conducted in line with ETSU-R-97. These measurements should be undertaken by the operator and the results submitted to the Planning Authority upon request.**
- 4. The blades and hub of the turbines hereby permitted shall be matt finished in Dark Grey and shall be permanently so maintained.**
- 5. No external lighting shall be installed on the turbine hereby permitted.**
- 6. All cables associated with the development hereby permitted shall be placed underground.**
- 7. 25 years after erection of the turbines the whole structures, including foundations, shall be dismantled and removed from the site and the site restored.**
- 8. The carrying out of an archaeological survey of the site prior to the commencement of works and the taking into account of the findings in considering the location of the turbine masts.**
- 9. The submission of a schedule of traffic movements and the implementation of a traffic management plan during construction.**

CHIEF EXECUTIVE

The Chair announced that Item 8.2 would be taken before Item 8.1 as Dianne Jeffery, Chair of the National Park Management Plan Advisory Group, was present to introduce herself to Members and to comment on the report. The Chair welcomed Ms Jeffery to the meeting.

83/12 2. NATIONAL PARK MANAGEMENT PLAN – REPORT FROM ADVISORY GROUP (A6121/RG)

Ms Jeffery made a short presentation and answered questions from Members.

The recommendation required slight amendment to take into account a change in numbering that had occurred during formatting of the report.

The amended recommendation was moved, seconded and carried in the vote.

RESOLVED:

That Members:

- 1. Welcome and receive the first set of conclusions and recommendations of the NPMP Advisory Group set out in paragraphs 9-12 of the report.**
- 2. Agree to delegate responsibility to the Chief Executive to oversee the amendments to the on-line NPMP (as set out in paragraphs 9-12), in line with the recommendations of the Advisory Group and in full consultation with the Chair of the NPMP Advisory Group.**

84/12 1. MOVING FORWARD IN A TIME OF CHANGE (A1977/JBD)

The Chief Executive thanked Members for their comments and sought their approval of the key themes of the forthcoming Operations Review, which he had integrated into the strategic plan. The four key themes in paragraph 8 of the report had already been discussed in Member workshops.

The recommendation was moved.

Members thanked the Chief Executive for taking their comments on board. A query was raised about the Corporate Resources review. The Chief Executive confirmed this would start in the New Year.

The motion was seconded, voted upon and carried.

RESOLVED:

- 1. That 'Moving Forward at a Time of Change' as set out in Appendix 1 of the report be approved as the Authority's strategic plan for the budget-planning periods 2013-15 and 2016-7 in parallel with the current and likely next spending review periods**
- 2. That the 4 key themes in paragraph 8 of this report, extracted from 'Moving Forward in a Time of Change', be agreed as the basis of further detailed design and consultation on the senior staff structure for all operations work in the Authority and that a report be brought to the 1 February 2013 Authority on this.**

85/12 3. THE NATIONAL TRUST'S HIGH PEAK MOORS VISION AND PLAN 2013 - 2038 (A.9656/JC)

As both the Chair and Deputy Chair had declared an interest, Members were required to nominate a Chair for this one item.

Clr Mrs L Roberts was proposed, seconded and voted in and took the chair.

Mr G Nickolds and Mr R Helliwell left the room and took no part in the voting.

The following made representations under the Authority's Public Participation Scheme:

- Clr A Favell, High Peak Borough Councillor
- Mr A Critchlow, National Farmers Union
- Mr A Tickle, Friends of the Peak District
- Mr J Stewart, National Trust

Clr A Favell left the room immediately after making his representation and took no part in the debate or voting.

The Officer introduced the item and reported that she had received letters from two residents of the High Peak:

- One on the recreation elements of the proposals
- One urging the Authority to endorse the plan, particularly for its landscape scale approach and the creation of clough woodland as a contribution to the government request to increase woodland cover by an average of 15% across the country.

She proposed that the report recommendation should be amended to reflect the fact that a temporary chair had been appointed for consideration of this item.

The recommendation as amended was moved, seconded and carried in the vote.

RESOLVED:

- 1. That Members approve the draft response (shown at Appendix 1 of the report) to the National Trust's High Peak Moors Vision and Plan 2013-2038**
- 2. That any changes to the draft response are agreed by the Chief Executive in consultation with the chair of the meeting for that item and the member representative for Natural Beauty.**

The meeting adjourned for lunch at 1.55pm.

Chair: Clr A Favell

Present: Mr P Ancell, Mrs F Beatty, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr C Carr, Clr D Chapman, Mr R Clarke, Clr P Harrison, Clr Mrs N Hawkins, Mr R Helliwell, Clr H Laws, Ms S Leckie, Clr A McCloy, Mr G Nickolds, Mr C Pennell, Clr Mrs K M Potter, Clr G Purdy, Clr Mrs L C Roberts, Clr Mrs J A Twigg, Clr P Wood.

86/12 9.2. REVIEW OF ARRANGEMENTS FOR MEETINGS INVOLVING MEMBERS – PUBLIC PARTICIPATION SCHEME (A.111/JS)

The following made representations under the Authority's Public Participation Scheme:

- Patricia Stubbs, Green Lanes Alliance
- Simon Spencer, Deputy Leader, Derbyshire County Council and County Councillor for Dovedale Division
- Christopher Woods, member of the public
- Susan Dunk, Peak Horsepower

After discussion Members decided to go through the proposals set out in paragraph 11 of the report individually and confirm each one for which there was clear support. There was some concern that the resolutions agreed still did not address situations where larger numbers of speakers could impact on the efficiency of the decision making process. It was suggested that the Chairs and Vice Chairs of Committees should meet to identify ways to address this and following the usual internal consultation arrangements bring back proposals to a future meeting of the Authority.

RESOLVED:

1. **To amend the public participation scheme as follows, with effect from Audit Resources and Performance Committee on 25 January 2013:**
 - **Part B items and items for information will not be subject to the public participation scheme**
 - **Employees not to use public participation scheme to raise issues relating to their employment. UNISON/Staff Committee to be able to use scheme for Part A items only.**
 - **No facilities for presentations, additional photographs or 3D models.**
 - **Requires participants to use the microphone to amplify their voice.**
 - **By applying to make representations individuals are giving consent to contributions being recorded, published and retained in accordance with the Authority's policy.**
 - **No written statements to be introduced or circulated at the meeting.**

Mrs F Beatty, Clr D Birkinshaw, Clr P Brady, Clr C Carr, Clr Mrs N Hawkins, Clr H Laws Clr Mrs K M Potter, Clr Mrs L C Roberts, Clr Mrs J A Twigg and Clr P Wood left the meeting following consideration of this item.

87/12 9.1. PROPOSALS TO ADDRESS EXPECTED 2013/14 BUDGET DEFICIT AND TO ALLOCATE ONE OFF ADDITIONAL RESOURCES (A.137/RMM)

It was noted that in the Chancellors Autumn Statement it had been suggested that there may be a further 1% reduction in the settlement but this had not been confirmed.

RESOLVED:

1. **That the proposals to address the anticipated cut to our National Park Grant settlement in 2013/14 as set out in Appendix 1 of the report be approved for implementation from 1 April 2013.**
2. **That the proposals for allocation of one off additional resources to priority areas as set out in Appendix 2 of the report be approved with the subsequent implementation including staff establishment changes being delegated to Resource Management Team and managers in accordance with Standing Orders to be effective as soon as possible**

88/12 9.3. MEMBER LEARNING AND DEVELOPMENT (A.111/RC)

Members were supportive of the proposals in the report but suggested that a further essential session should be arranged to address how Members work together.

RESOLVED:

1. **That the proposed Member learning and development events programme for January to December 2013 as set out in Appendix 1 of the report be agreed subject to adding an additional essential externally facilitated session to address how Authority Members work together.**

2. That Member learning and development activities continue to be recorded in terms of hours and include personal learning and development by Members outside of events organised by the Authority, with the target of 20 hours per Member in every 12 months.

89/12 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item No. 11 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraphs 3 "Information relating to the financial or business affairs of any particular person (including the authority holding that information)", 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings" and 6 "Information that reveals that the Authority proposes to make an order or direction under any enactment".

LAND USE POLICY

90/12 11.1. PROPOSED COMPULSORY PURCHASE, BEARDA FARM, SWYTHAMLEY (P2582/JAS)

RESOLVED:

To approve the serving of a Compulsory Purchase Order in respect of Bearda Farm and land, to be signed by the Director of Land Use Policy

Meeting ended 4.05pm.