

**AGENDA ITEM NO 3**

**MINUTES**

Meeting: **National Park Authority Meeting**

Date: 26 March 2010

Venue: Aldern House Baslow Road Bakewell Derbyshire

Chair: Mr N Bajaria

Present: Mrs A Ashe, Clr T Bagshaw, Miss P Beswick, Clr Mrs J Bevan, Mr C Carr, Dr R Clarke, Ms P Coleman, Clr Mrs H M Gaddum, Clr Mrs C G Heath, Prof J Herbert, Clr C McLaren, Mr G Nickolds, Mr C Pennell, Mrs K Potter, Mr R Priestley Mrs L C Roberts, Clr Mrs J A Twigg, Clr Mrs D Ward, Clr Mrs D Wilde.

Apologies for absence: Mr C J Bowell, Clr Mrs T Critchlow, Clr A Favell, Ms S Leckie, Clr A Marchington, Clr C J Pearson, Clr G Purdy.

**10/10 CHAIR'S ANNOUNCEMENTS**

The Chair reported that Paul Ancell and Ben Rayner had been appointed to the Authority by the Secretary of State. He thanked retiring Members Harry Bowell and Anne Ashe for their valuable contribution to the work of the Authority. Anne Ashe said that she had enjoyed her time on the Authority where Members had a common endeavour for the sake of the National Park working with professional and enthusiastic staff.

It was noted that Pauline Beswick had been re-appointed for a further term and the Chair for a further year.

The staff were congratulated for their work in achieving the Investor in People accreditation. Best wishes were offered to employees Roy Stringer (Human Resources and Performance Officer) and Robert Dallison (Cycle Services Manager) who had both retired from the Authority.

He passed on the appreciations of Defra and the South Downs National Park Steering Committee for the contribution made by Ruth Marchington, Director of Corporate Resources towards the establishment of the new National Park Authority.

**11/10 MINUTES**

The minutes of the meetings held on 5 February 2010 were approved as a correct record and signed by the Chair.

**12/10 MATTERS ARISING**

**1/10 CONSTITUENT COUNCILS DAY**

The meeting with the Constituent councils was very successful with good attendance from the councils and Authority Members.

**3/10 9.1 DEFRA CONSULTATION ON NATIONAL PARKS CIRCULAR  
(A.11/JBD)**

The Chief Executive reported that the Defra Circular had now been published.

**5/10 7.1 BUDGET 2010/11 (A.137/PN)**

It was reported that £39,000 had been received from the government for new burdens placed on the Authority by the Habitats and Climate Change Regulations. This would be allocated in line with decisions on budgets Members had already made.

CHIEF EXECUTIVE

**13/10 7.1 NATIONAL PARK MANAGEMENT PLAN REVIEW (A.6121/RG)**

This report outlined an approach for reviewing the National Park Management Plan and sought approval to undertake the review.

**RESOLVED:**

**That the National Park Management Plan be reviewed according to the approach, timescales and reporting mechanisms set out in the Proposals Section of this report, specifically:**

- **Agreeing the outline project plan and key milestones (paragraph 9 and appendix 1)**
- **Noting the project risks and opportunities (paragraphs 10 and 11)**
- **Agreeing to the proposed project governance arrangements (paragraphs 12 and 15)**
- **Endorsing the proposed stakeholder (including Member) engagement proposals (paragraphs 16-20).**

**14/10 7.2 PEAK DISTRICT NATIONAL PARK AUTHORITY COMMUNICATIONS  
STRATEGY 2010-2013 (A.61801/JF)**

The meeting considered a Communications Strategy which aims to assist with the delivery of all outcomes in the National Park Management Plan and to provide an overall direction and vision for communications involving the Authority. The Strategy covers the period to 2013 and is intended to cover both internal and external communications issues.

Members suggested some changes to the text of the Strategy which will be considered for inclusion in the final document.

**RESOLVED:**

- 1. That the Peak District National Park Authority Communications Strategy set out in Appendix 1 of the report be approved.**
- 2. That the Chief Executive, in consultation with the Chair of the Authority, be delegated authority to make any changes arising from Members' comments.**

**15/10 7.3 PEAK HOUSING MARKET AREA INVESTMENT PLAN (A.6101/JBD)**

Professor Herbert declared a personal interest in this item as a member of the High Peak and Derbyshire Dales Local Strategic Partnership.

This report provided an update on the development and agreement of a 4 year investment plan shared between local authorities in the Peak Sub Area (all of High Peak, all of the Derbyshire Dales and all of the National Park within those two areas) and the Home and Communities Agency. It is the basis of Government funding for all affordable housing whose completion is dependent on such grants. Whilst the National Park Authority is a partner in this Plan, there are no specific commitments falling on the Authority. The implementation of the plan is largely the responsibility of the two District Council partners.

**RESOLVED:**

- 1. That the Peak Housing Market Area Investment Plan be supported.**
- 2. That the governance arrangements for the Partnership which oversees this plan be agreed as at paragraph 7 of the report.**

**16/10 7.4 NATIONAL PARK AUTHORITY PERFORMANCE ASSESSMENT 2010 (A.61834/WA)**

This report requested approval for the participation of staff and members in the National Park Authority Performance Assessment 2010. Members were advised that the assessment week had been agreed for the week of 11 October.

**RESOLVED:**

- 1. That the participation of Peak District National Park Authority in the National Park Authority Performance Assessment (NPAPA) during 2010 be welcomed.**
- 2. That the involvement of staff and members as outlined in the report be approved.**
- 3. That future reports, including the Authority's self-assessment, peer review and other matters relating to NPAPA be brought to the Audit and Performance Committee in line with the timetable outlined in the report.**
- 4. That the nomination of the Chair or their nominee to be involved in a National Park Authority Performance Assessment review of another Authority at a time yet to be determined be approved.**

**CORPORATE RESOURCES**

**17/10 8.1 PROPOSED SCRUTINY PROJECT BRIEF AND SCRUTINY TEAM (A.11412 /RMM)**

The meeting considered a proposed brief for a scrutiny project and appointment of Members to a scrutiny team.

- 1. That the proposed project brief and focus for a scrutiny project on an aspect of 'understanding of the National Park' as given in Appendix 1 of the report be approved.**

2. That a Scrutiny Team of 4 Members be approved.
3. That Prof J Herbert and Mrs L Roberts be appointed to the Scrutiny Team with authority delegated to the Chair of the Authority to appoint two other Members after all Members including newly appointed Members have been approached.
4. That attendance at meetings be an approved duty for the purpose of claiming travel and subsistence allowances.

**18/10 PROPOSED GOVERNANCE REVIEW: BRIEF AND MEMBER TASK TEAM (A11/RMM)**

This report requested approval for a brief for the proposed governance review and the appointment of a task team to work with staff in progressing this work. In addition to the members proposed in the report it was agreed that membership of the task team should include the Member Representative for Learning and Development.

1. That the brief for the Member Task Team on the governance review at Appendix 1 of the report be agreed.
2. That the following Members be appointed to the Task Team:  
Authority Chair  
Planning Committee Chair  
Services Committee Chair  
Audit & Performance Committee Chair  
Member Representative for Learning & Development  
2 Councillors: Cllr Mrs J Bevan & Cllr G Purdy  
1 Parish Member: Mrs S Roberts  
1 Secretary of State Member: Dr R Clarke
3. That attendance at meetings be an approved duty for the purpose of claiming travel and subsistence allowances.

**19/10 8.3 MEMBERS' ALLOWANCES SCHEME –TRAVEL & SUBSISTENCE CHANGES (A.117/2/EWJ)**

This report proposed changes to the amount paid to Members for travel and subsistence for carrying out approved duties under the Members' Allowances Scheme. The need for changes has arisen out of recent changes to the travel and subsistence rates paid to employees. An amendment to the report was made to include the recommendation from Services Committee on 27 November 2009 to the Authority to harmonise the Members' Allowances Scheme with the Officers' Scheme.

**RESOLVED**

**That the rates for travel and subsistence paid under the Peak District National Park Authority Members' Allowances Scheme, as set out in Appendix 1 of the report, be effective from 1 April 2010.**

**20/10 8.4 APPOINTMENTS TO FILL MEMBER REPRESENTATIVE VACANCIES (A.111/RC)**

The meeting considered appointments to fill the vacancies that have arisen in the Member Representative roles following recent changes to the membership of the Authority.

**RESOLVED**

1. That Mr P Ancell be appointed as the Member Representative for Climate Change and Natural Resources until the Authority meeting in October 2010.
2. That the Chair of the Authority be delegated authority to appoint a Member as the Member Representative for Biodiversity until the Authority meeting in October 2010.
3. That attendance at meetings be an approved duty for the purpose of the payment of travelling and subsistence allowances.

**21/10 8.5 APPOINTMENTS TO FILL VACANCIES ON OUTSIDE BODIES (A.1155/RC)**

This report requested the appointment of Members to fill the vacancies that have arisen on outside bodies following recent changes to the membership of the Authority.

**RESOLVED**

1. That the Member Representative for Biodiversity appointed under Minute 20/10 be appointed to the Peak District Biodiversity Action Plan Partnership.
2. That Prof J Herbert be appointed as the Chair of the Sustainable Development Fund Panel.
3. That Mr C Pennell be appointed as the Deputy Chair of the Moors for the Future Partnership.
4. That attendance at meetings be an approved duty for the purpose of the payment of travelling and subsistence allowances.

**22/10 8.6 PRUDENTIAL CODE FOR CAPITAL FINANCE AND TREASURY MANAGEMENT POLICY (A1327/PN)**

The meeting was requested to approve the borrowing limits and prudential indicators set out in the report, together with the Treasury Management Policy Statement contained in the Appendix 1 to the report. The paragraphs numbers referred to in recommendations 1 & 3 were amended to correspond with the report.

1. That the Prudential Indicators and borrowing limits as described in the report, together with the policy on Minimum Revenue Provision in paragraphs 5.27 and 5.28 be adopted
2. That the Treasury Management Policy Statement in Appendix 1 to the report be approved.
3. That the changes arising from revisions to the Prudential Code and Treasury Management Code of Practice outlined in paragraph 5.24, be noted and the amendments to Standing Orders Part 3 Financial Regulations Section K, and a revision to the remit of the Audit & Performance Committee within Standing Orders Part 4, as a result, be approved.

**23/10 10. EXCLUSION OF THE 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, Paragraph 3 “Information relating to the financial or business affairs of any particular person” and Paragraph 5 “Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings”.**

**PART B**

**24/10 11. EXEMPT MINUTES**

**The exempt minutes of the meetings held on 5 February 2010 were approved as a correct record and signed by the Chair.**

The meeting adjourned at 12.30pm and reconvened at 1.30pm

**PART A**

Chair: Mr N Bajaria

Present: Mrs A Ashe, Clr T Bagshaw, Miss P Beswick, Clr Mrs J Bevan, Dr R Clarke, Ms P Coleman, Clr Mrs H M Gaddum, Prof J Herbert, Mr G Nickolds, Mr C Pennell, Mrs K Potter, Mr R Priestley, Clr Mrs J A Twigg, Clr Mrs D Ward.

**STRATEGY & DEVELOPMENT**

**25/10 9.1 FULL APPLICATION – CHANGE OF USE OF GARDEN CENTRE TO MIXED USE AS A GARDEN CENTRE, RETAIL AND CAFÉ, RIVERSIDE HERB CENTRE, CASTLETON ROAD, HATHERSAGE (NP/DDD/1209/1091, P.8858, 14/12/2009421286 382047/JK)**

The following Members declared personal interests in this item:

Ms P Beswick as she received a delivery of milk from a business at the site.

Clr Mrs J Bevan and Clr Mrs J Twigg as they both knew the speakers Mr Dickson and Mr Scott.

Mrs K Potter as she knew Mr Dickson.

The officer's report was corrected as follows:

Page 3 para 13 – delete “near 400%” in the last sentence.

Page 3 para 16 – change “refusal” to “approval”.

This planning application had been referred to the Authority meeting following consideration by the Planning Committee on the 12 February 2010. The application was referred in accordance with Standing Orders on the basis that despite the limitations proposed by the Planning Committee the development proposal would still not be in accordance with policies in the development plan and the Committee were minded to grant the application. The main issue to be considered was therefore whether or not there are material considerations which justify an exception to normal policies. The detailed aspects of the application had effectively been considered by the Planning Committee.

Officers had recommended the Planning Committee to approve the application with conditions that would have prevented the sale of all non-horticultural products. This would retain the use of the premises solely as a horticultural nursery but with the applicants requested increase in retail sales area.

The Planning Committee accepted in principle the café and shop use subject to strict controls over scale to ensure it remains ancillary to the primary horticultural business. The Planning Committee considered the mix of uses on the site provided a facility that was well supported by local people as well as providing local employment and was not a threat to the economic viability of nearby settlements. The Committee considered this controlled mix of uses would prevent the site changing to a 'fully fledged' garden centre which is a use that is only allowed inside designated settlements.

If the meeting wished to grant permission it was not considered that the proposal was of sufficient significance to warrant referral of the application to the Secretary of State as a departure.

The following made representations to the meeting under the Public Participation Scheme:

Mr R Dickson - supporter

Mr J Scott – Agent

#### **RESOLVED**

**That the application be APPROVED as an exception to policy and subject to the following conditions:**

1. Café and shop uses limited to areas shown on plan JS01A, external retail sale of horticultural produce shall be restricted to the existing paved area measuring no more than 175 square metres, as shown on a plan appended to this decision notice.
2. Café floor area restricted to a maximum of 24 covers.
3. Hours of opening of café restricted to between 10.00 am to 6.00pm.
4. Highway conditions, designation and retention of 25 parking spaces and associated manoeuvring areas.
5. Letter to applicants regarding removal of unauthorised illuminated sign.

The meeting closed at 2pm.