

AGENDA ITEM No. 3

MINUTES

<u>Meeting:</u>	National Park Authority Meeting
<u>Date:</u>	2 December 2011 at 10.00am
<u>Venue:</u>	Aldern House Baslow Road Bakewell Derbyshire
<u>Chair:</u>	Clr A R Favell
<u>Present:</u>	Mr P Ancell, Miss P Beswick, Clr Mrs J Bragg, Clr C Burke, Clr D Chapman, Clr G Claff, Mr R Clarke, Mr C Furness, Clr P Harrison, Clr Mrs N Hawkins, Clr Mrs C G Heath, Prof J Herbert, Clr H Laws, Ms S Leckie, Clr A McCloy, Mr G Nickolds, Mr C Pennell, Mrs K M Potter, Mr B Rayner, Clr P Raynes, Mrs L C Roberts, Clr Mrs M Stockdale, Clr Mrs J A Twigg, Clr Mrs D Wilde.
Apologies for absence:	Clr Mrs B Beeley and Clr J Wharmby.

64/11 CHAIR'S ANNOUNCEMENTS

A one minute silence was held for Clr Mrs Janet Goodison and Clr Ron Priestley, Members of the Authority who had recently died.

The Chair welcomed new Parish Member appointee Clr Peter Harrison to the Authority.

The Chair announced that the Authority's volunteer Rangers had won a Derbyshire Excellence in the Community Award for their work with vulnerable groups, including people with disabilities or special needs, who take part in guided walks, cycle-rides or environmental learning activities across the national park. Andrea Pedley, Viv Marriott, Frank Milner and Frank Mason were the representatives present at the meeting to receive congratulations from Members. Clr Mrs J A Twigg stated that she had attended the official presentation at the Dome, Buxton and emphasised the congratulations.

The Chair then gave the following reports on his recent actions:

- Attended a meeting in London regarding the National Planning Policy Framework with ENPAA
- Attended an All Party Parliamentary Group meeting on Planning for National Parks in London
- Met the Planning Minister, Greg Clark MP, and invited him to visit the Authority
- Written to the Planning Minister, and the Chair of Planning Committee had sent in our detailed response, expressing the Authority's concerns. This letter had been copied to local MPs
- Invited Clive Betts MP, Chair of the All Party Parliamentary Group, to visit the Authority and had received confirmation that he would visit in January 2012

The Chair congratulated Members on their engagement in the community and stated that he had received a number of letters and emails from members of the public stating how grateful they were for Members involvement in a number of issues. However he had also

received reports that a few members of the public had been abusive and confrontational with Members and that this would not be tolerated. A round of applause was given to Prof John Herbert for his tireless work on engaging with the community.

65/11 MINUTES

The minutes of the meeting held on 7 October 2011 were approved as a correct record and signed by the Chair.

66/11 MATTERS ARISING

52/11 MATTERS ARISING – 38/11 GOVERNANCE REVIEW: RESPONSE TO OUTSTANDING PROPOSALS

The Chief Executive reported that the recruitment process for the remaining Secretary of State vacancy would be starting in January 2012 and would be widely advertised.

54/11 NATIONAL PARK MANAGEMENT PLAN (A.6121/RG)

The Chief Executive reported that the recruitment process for the independent Chair of the National Park Management Plan Advisory Group would be starting in January 2012 and would be widely advertised.

57/11 OUTCOME OF NATIONAL GOVERNANCE REVIEW AND NEXT STEPS (A.111/RMM)

The Chief Executive reported that the Chair had written to the Minister requesting a meeting with Members but the Minister had responded to say that he was only able to meet with the Chair and the Chief Executive and that this would take place on 20 December 2011. He also reported that the note on direct elections produced by Jason Spencer, Andrea McCaskie and Ruth Marchington had been well received by Defra and other national parks. Thanks were given to the officers for their hard work on this.

It was noted that a consultation document on the direct elections proposals would be received from Defra within the next few weeks. This would then be reported to the Authority meeting in February. It was also noted that there was commitment from Defra to fund the pilot direct elections but no long term commitment for future elections.

67/11 URGENT BUSINESS

The Chair reported that there was one item of urgent business to consider regarding an update on legal proceedings and that it was a Part B, exempt item that would be considered at the end of the agenda.

68/11 PUBLIC PARTICIPATION

It was noted that 11 members of the public had given notice to speak under the public participation at meetings scheme.

69/11 DECLARATIONS OF INTEREST

The following Members declared an interest in an item on the agenda:

Item 9.1, Cllr A McCloy, prejudicial interest only in the aspects of the report relating to Transport as he is an employee of Bakewell & Eyam Community Transport. Members agreed that Cllr McCloy could stay and take part in the discussion of the report but that he would leave if Members wanted to discuss the transport aspects and would not take part in the vote on recommendation one of the report but could vote on recommendation two.

Item 9.3, All Members currently appointed by the Authority to an outside body have a personal interest: Miss P Beswick, Clr C Burke, Clr D Chapman, Clr G Claff, Mr R Clarke, Clr A R Favell, Mr C Furness, Prof J Herbert, Ms S Leckie, Mr G D Nickolds, Mr C Pennell, Clr G Purdy, Mr B Rayner, Clr P Raynes, Mrs L C Roberts, Clr Mrs M Stockdale, Clr Mrs J A Twigg, Clr Mrs J Wharmby.

Item 9.3, All Members currently appointed by the Authority as Member Representatives have a personal interest: Miss P Beswick, Clr Mrs J Bragg, Clr G Claff, Mr R Clarke, Prof J Herbert, Ms S Leckie, Clr A McCloy, Mr G Nickolds, Mr C Pennell, Mr B Rayner, Clr Mrs L Roberts.

OPERATIONS

70/11 1. REVIEW OF STRATEGY FOR THE MANAGEMENT OF RECREATIONAL MOTORISED VEHICLES IN THEIR USE OF UNSEALED HIGHWAYS AND OFF-ROAD (A7622/RC)

The Director of Operations introduced the report and gave details of the background to the report. He also referred to the excellent work of the Member Working Group and input by officers, the need for resources, the work of the principle Highways Authority and other highways authorities in the National Park and in relation to Strategy and the action plan.

The Director reported that the following correspondence had been received and summarised it for the Committee:

- Letter from Derbyshire County Council to the Chief Executive dated 24 November 2011
- Letter from Peak & Derbyshire Vehicle Users Group to the Chief Executive and an open letter to all Members, both dated 30 November 2011
- Letter from Friends of the Peak District
- Letter from Yorkshire Dales Green Lanes Alliance dated 15 November 2011
- Letter from Peak Horse Power
- Letter from Rocking the BOAT dated 24 November 2011
- Letter from The Ramblers' Association
- Letter from The Ramblers' Association, Derbyshire Dales Group
- Letter from The Ramblers' Association, Chesterfield and NE Derbyshire Group
- Letter from Peak District Green Lanes Alliance
- Letter from Greater Manchester Police
- Letters from 7 individuals

The Director then stated that he would like to make the following amendments to the report:

- the correct and full title of the Strategy is Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsurfaced Highways and Off Road
- confirm the second purpose of National Parks and the Duty as in writing various documents this has sometimes been paraphrased: Promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the Public Seek to foster the economic and social well being of local communities within the National Parks

- Appendix 2, the procedure for making a TRO, there are 8 grounds given. It is proposed that, consistent with Defra guidance, the word 'or' be inserted after each of the statements. This particular point was noted by 7 respondents
- Appendix 1, page 2, principle 1, proposed change for technical reasons to: 'In keeping with our commitment to delivering our statutory purposes and by taking the lead where necessary, our work in this area will address the adverse impacts of vehicular use of unsurfaced highways on the special qualities of the National Park. We aim to optimise opportunities for understanding and enjoyment of those special qualities'.
- Appendix 1, item 4 could be amended to: 'The National Park Authority will co-operate with Highways Authorities to establish the evidence for the legal status of unsurfaced routes. Where motorised vehicular rights are shown to exist and there are no overriding reasons for considering regulating them by Order, we will work with partners to ensure that such routes are signed, pro-actively managed and widely recognised by all interested parties. Where no vehicular rights exist, we will work with the Highways Authorities, police and user groups to ensure the routes are clearly signed and recognised'.
- Appendix 2 (a), box 11 'lights' should be replaced with 'signs'
- Appendix 2 (b), box 1, 'LHA' should read Local Highways Authority
- Appendix 2 (b), box 7, 'lights' should be replaced with 'signs'
- Appendix 2 (b), the box 'END reopen route' needs to be deleted
- Appendix 2 (c), box 1, 'LHA' should read Local Highways Authority
- Appendix 2 (c), box 3, 'NP' should read 'NPA'
- Appendix 2 (c), the 'no' on the arrow before box 6 should be deleted
- Have previously referred to 'route management plans' and now believe it would, from now on, be appropriate to consistently refer to these as 'action plans', including in the documents presented here
- The documents refer to CPRE and this should be amended to Friends of the Peak District.
- Propose a change to recommendation 1 to state: "That the revised Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsurfaced Highways and Off-Road, and revised Procedure for making Traffic Regulation Orders are approved and adopted by the Authority and that these be made available for further public consultation. In the event that new issues are raised during this consultation that have not previously been taken into consideration the Strategy and Procedure will be brought back to the 3 February 2012 meeting of the Authority. Responsibility for this process is delegated to the Director of Operations in consultation with the chair of the Authority and the chair of the member group that has been working on the Strategy".

It was noted that the proposed change to recommendation 1 was to give people the chance to comment on the Strategy as some correspondents had asked for this. In doing so it would not delay current actions.

The following spoke under the public participation at meetings scheme:

- Mr N Bennett, Peak and Derbyshire Vehicle Users Group
- Mr D Sparks, The National Association of Land Rover Clubs
- Mr D Giles, The Peak Rights of Way Initiative
- Mr R Sugden, motorcycle trail rider and occasional green lane driver
- Mr J Knight, Director, The Trail Riders Fellowship
- Mr R Hickin, Project Manager, The Treadlightly Trust
- Mr C Woods, Rocking the BOAT
- Ms P Stubbs, Peak Horsepower and Derbyshire Branch of the Horse Association
- Mr B Kelly, Ramblers' Association and Peak District Green Lanes Alliance
- Mr H Folkard, Peak District Local Access Forum
- Mr G Wolfe, Friends of the Peak District

11.55am The meeting adjourned for a short break and reconvened at 12.05pm.

In response to Members' queries the Director of Operations stated that decisions on Traffic Regulation Orders would be made on evidence by officers unless Members wished the Member Working Group to continue. The Local Access Forum would be consulted and the issue would be referred to Members whenever necessary.

The Access and Rights of Way Manager stated that instead of 'unsurfaced' the word 'unsealed' should be used. Therefore the correct title of the Strategy was confirmed as 'Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-Road' and the amended recommendation 1 was agreed.

It was noted that if the recommendations were approved the public consultation period would commence the following week and a report would be made to the Authority meeting on 3 February.

The recommendations were moved for approval. The Deputy Chair requested that thanks and appreciation to the Working Group be recorded.

The Director of Operations stated that the Action Plan would be reported at least annually to the Audit, Resources and Performance Committee (starting in March 2012) and that briefings with the Chair of the Committee and the Member Representative for Recreation would be held on a regular basis.

The motion for approval of the recommendations was seconded, voted on and carried.

RESOLVED:

1. **That the revised Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-Road, and the revised Procedure for making Traffic Regulation Orders are approved and adopted by the Authority and that these be made available for further public consultation. In the event that the new issues are raised during this consultation that have not previously been taken into consideration the Strategy and Procedure will be brought back to the 3 February 2012 meeting of the Authority. Responsibility for this process is delegated to the Director of Operations in consultation with the Chair of the Authority and the Chair of the Member Group that has been working on the Strategy.**
2. **That the documents are reviewed as required and annual action plan updates given to the Audit Resources and Performance Committee, starting in March 2012.**

The meeting adjourned for lunch at 12.55pm and reconvened at 1.25pm.

Chair: Clr A R Favell

Present: Mr P Ancell, Miss P Beswick, Clr Mrs J Bragg, Clr C Burke, Clr D Chapman, Clr G Claff, Mr R Clarke, Mr C Furness, Clr P Harrison, Clr Mrs N Hawkins, Clr Mrs C G Heath, Ms S Leckie, Clr A McCloy, Mr G Nickolds, Mr C Pennell, Mrs K M Potter, Mr B Rayner, Clr P Raynes, Mrs L C Roberts, Clr Mrs M Stockdale.

CORPORATE RESOURCES

71/11 1. PROPOSALS TO ADDRESS EXPECTED 2012/13 BUDGET DEFICIT AND TO ALLOCATE ONE OFF ADDITIONAL RESOURCES (A137/RMM)

Members were reminded that Clr A McCloy had declared a prejudicial interest in the aspects of the report which related to Transport.

The Chief Executive stated that the letter from Defra will confirm the budget figure as anticipated. He reported that he had held briefing meetings with staff and that the Chair of the Authority had also attended these meetings.

The Director of Corporate Resources amended paragraph 13.b of the report. The figure for the one off additional resource allocations in Appendix 3 should be £442k and the additional £19k would be found at the 2011/12 year end review of expenditure.

Members considered the report to (a) agree proposals to allow progress to be made towards addressing the expected budget deficit in 2012/13 in the context of the 4 year financial planning period (2011/12 – 2014/15) and (b) approve one off additional resource allocation to priority areas.

The recommendations were moved and seconded. Recommendation one was voted on and carried. Clr A McCloy did not take part in the voting on recommendation one due to his prejudicial interest. Recommendation two was then voted on and carried.

RESOLVED:

- 1. That the proposals in Appendix 2 of the report to address the anticipated cut to our National Park Grant settlement in 2012/13 be approved for implementation from 1 April 2012 or later in 2012 if a longer implementation period is required.**
- 2. That the proposals in Appendix 3 of the report for allocation of one off additional resources to priority areas be approved with the subsequent implementation including staff establishment changes being delegated to Resource Management Team and managers in accordance with Standing Orders.**

72/11 2. CORPORATE OBJECTIVES 2012-15 (A197/WA)

The Director of Corporate Resources reported that comment had been received on the report from Andy Tickle of Friends of the Peak District and this was welcomed. The comments were summarised for the Committee and it was proposed to delete the current version of 4a so that it could be reviewed with a corresponding amendment to recommendation 2.

Members considered the report on the new corporate objectives as the focus for the activity of the Authority over the 3 years 2012 – 2015. It was noted that more specific targets would be within the Business Plan for next year. A note was made of specific changes agreed to be made to: 5a (neighbourhood plans to be included); 6b ('reasonable steps to ensure' rather than 'ensure'); 8a ('unsealed' to replace 'unsurfaced'); 12 (to include social/sociably).

1.55pm Mrs K Potter left the meeting.

The recommendation as amended was moved, seconded, voted on and carried.

RESOLVED:

1. That the new corporate objectives be approved, representing the Authority's contribution to the National Park Management Plan.
2. That the measures of success against each corporate objective (labelled as 'we will know we have been successful when') are approved, with finalisation of missing data at 1c and 12b and revisions to 4a delegated to the Director of Corporate Resources in consultation with the Chair and Vice Chair of Audit, Resources and Performance Committee and with the Chair and Vice Chair of Planning Committee for 4a.
3. That the approval of the indicators to monitor our achievement of the objectives be delegated to the Director of Corporate Resources in consultation with the Chair and Vice Chair of Audit, Resources and Performance Committee.

73/11 3. REVIEW OF MEMBER REPRESENTATIVE ROLES AND MEMBERS' INVOLVEMENT ON OUTSIDE BODIES (A1155/A111/ RMM)

Two amendments to titles of outside bodies were noted:

- Staffordshire Destination Management Partnership was now Staffordshire Destination Management Partnership Strategic Committee
- Derbyshire LAA Culture Board was renamed Culture Derbyshire

The Chief Executive stated that a report on Transport would be made to the Authority meeting in March 2012 and there would be a report on commercialisation principles in the new year and these would include Member involvement.

The recommendations were moved, seconded, voted on and carried.

RESOLVED:

1. That the preferred option of appointing 9 Member Representative roles to support the updated National Park Management Plan as described in paragraph 14 of the report be agreed to be implemented by 1 April 2012.
2. That the conclusions drawn on the review of members' involvement on outside bodies in paragraph 15 of the report be agreed with further consideration being given to whether there is the need for a future member appointment to Groundwork Trust.

DEVELOPMENT PLANNING

74/11 1. PROPOSED CHANGES TO STANDING ORDERS PART 7 (A.111/JJL)

Members considered the report on changes to the delegation of powers to officers, in response to concerns raised by Parish Councils and the public.

In response to Members' queries the Director of Development Planning stated that Parish Councils had not been consulted on the proposed changes, however the report had been publically available and no comments had been received other than already reported. He also stated that the changes were in accordance with the wording of the Parish Accord, which had been recently launched with Peak Park Parishes Forum following consultation with Parishes.

The recommendation was moved, seconded, voted on and carried.

RESOLVED:

That Section 7-E-8 of Standing Orders Part 7 Delegation of Powers to Officers be amended as set out in the Appendix to the report in order to clarify the provisions attached to the determination of applications for planning and other consents.

75/11 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972 EXCLUSION OF THE PRESS AND THE PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item Nos. 6 and 7 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, (including the Authority holding that information)" and Paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

PART B

SUMMARY

The Committee determined the following item and full details are contained in the exempt minutes.

76/11 Update on Legal Proceedings

The meeting concluded at 3.30pm.