

AGENDA ITEM No.

MINUTES

Meeting: National Park Authority Meeting

Date: 30 March 2012 at 10.00am

Venue: Aldern House Baslow Road Bakewell Derbyshire

Chair: Clr A Favell

Present: Mr P Ancell, Clr Mrs B Beeley, Miss P Beswick, Clr Mrs J Bragg, Clr D Chapman, Clr G Claff (from 12.10pm), Mr R Clarke, Clr 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 C Pennell, Clr Mrs K M Potter, Mr B Rayner, Clr Mrs L C Roberts, Clr Mrs M Stockdale.

Apologies for absence: Clr C Burke, Mr G Nickolds, Clr G Purdy, Clr P Raynes and Clr Mrs J A Twigg.

14/12 CHAIR'S ANNOUNCEMENTS

The Chair reported on the visit by HRH the Prince of Wales on 24 February at a reception at Haddon Hall for volunteers which included ten long serving Peak District National Park Authority volunteer Rangers.

15/12 MINUTES

The minutes of the meeting held on 3 February 2012 were approved as a correct record and signed by the Chair.

16/12 MATTERS ARISING

**MINUTE 3/12 MATTERS ARISING
MINUTE 57/11 OUTCOME OF NATIONAL GOVERNANCE REVIEW AND NEXT STEPS (A.111/RMM)**

The Director of Corporate Resources reported that the consultation document from Defra was now available and that she would be contacting Members during the following week with an electronic link to the document. The consultation document would then be considered at the Strategic Advisory Group meeting on 4 May and the Authority meeting on 25 May. The deadline for consultation responses was 31 May 2012. Constituent Authorities, Parish Councils and MPs would also be contacted and encouraged to respond to the document.

MINUTE 6/12 STRATEGY FOR THE MANAGEMENT OF RECREATIONAL MOTORISED VEHICLES IN THEIR USE OF UNSEALED HIGHWAYS AND OFF-ROAD (A7622/RC)

It was noted that the Audit, Resources and Performance Committee had approved the action plan on 23 March. It was also noted that a report back would be made in 6 months rather than 12 months as originally proposed.

MINUTE 7/12 NATIONAL PARK MANAGEMENT PLAN (A6121/RG)

The Chief Executive reported that Dianne Jeffrey had been appointed as the independent Chair of the National Park Management Plan (NPMP) Steering Group. He also reported that the launch of the NPMP would take place on 18 May as part of a walk at Hartington.

17/12 PUBLIC PARTICIPATION

The Chair reported that 9 people had given notice to speak under the public participation at meetings scheme.

18/12 MEMBERS' DECLARATIONS OF INTEREST

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

Item 8.1 Outline Application – Redevelopment of business park to create heritage centre with café/community facility, craft/work units, craft shop with associated retailing, tourist accommodation with underground parking and two tied worker occupation units, Rockmill Business Park, the Dale, Stoney Middleton (NP/DDD/0811/0774)

- Mrs K Potter, personal interest as she attended Stoney Middleton Parish Council meetings but left the room when planning issues were discussed.

Item 10.2 Appointment of a Member Representative to the Peak District Local Access Forum

- Cllr A McCloy, personal interest as he was an existing independent member of the Peak District Local Access Forum.

DEVELOPMENT PLANNING

19/12 1. OUTLINE PLANNING APPLICATION – REDEVELOPMENT OF BUSINESS PARK TO CREATE HERITAGE CENTRE WITH CAFÉ/COMMUNITY FACILITY, CRAFT/WORK UNITS, CRAFT SHOP WITH ASSOCIATED RETAILING, TOURIST ACCOMMODATION WITH UNDERGROUND PARKING AND TWO TIED WORKER OCCUPATION UNITS, ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0811/0774, P.3289, 07/09/2011, 422427 375647/KW)

The Planning officer stated that if Members were minded to approve the application it would need to be referred to the Secretary of State as a departure from policies.

The Planning officer then reported that condition 4 of the recommendation had been amended, in agreement with the applicant, to state 'Retail sales in the heritage centre to be ancillary and sales in the craft shop limited to goods produced on the site'. He also corrected the report on page 4, paragraph 25 by deleting the words 'and impact on residential amenities' from the end of the last sentence.

The following persons spoke under the public participation at meetings scheme:

- Stephen Hardwick, Peak Park Watch
- Cllr Cate Hunt, Derbyshire Dales District Council Ward Member for Stoney Middleton
- Beth Ely, local resident and supporter
- Richard Silson, Chartered Town Planner and supporter
- Rita Cox, Landlady of Eyre Arms, Calver, and Moon Inn, Stoney Middleton, supporter
- Lynne Hawksworth, SMILE, supporter
- Jennifer Bettney, Stoney Middleton Parish Council
- Cllr Longden, Derbyshire County Council member for Stoney Middleton, supporter
- Colin Hall, Applicant

In response to issues raised by the speakers and by Members' questions the Planning officer stated that advice had been given regarding affordable housing and that officers were willing to work with the Parish Council and Derbyshire Dales District Council Housing if there was still a need for further affordable housing. He also stated that the amended condition 4 had been agreed with the applicant; that the S.106 agreement would include the provision of community use and that condition 3 could be amended to state that the café opening hours were 7.00am to 10.00pm.

Members felt that if the issue of whether or not the site was within the village was considered first it would make the policy issues clearer. Therefore a motion stating 'can the proposal be considered to be within the village confines?' was moved and seconded. The motion was then voted on and carried.

The Planning officer stated that external appearance could not be debated as this aspect was a 'reserved matter' and that a decision on the mill style option had already been made by the Planning Committee.

Although some Members had concerns about precedent and the size and scale of the development the recommendation for approval subject to a S106 agreement and the conditions as amended was moved, seconded, voted on and carried.

RESOLVED:

That the Authority be recommended to APPROVE the application as an exception to policy, subject to prior entry into a S106 agreement regarding community benefits, Highway works and control of occupancy of the managers dwellings and subject to the following conditions:

- 1. Agree mill style option with fourth floor in roof space with maximum height of 15.3m**
- 2. Maximum building footprint to be 40m x 16m**
- 3. Cafe opening hours to be 7.00am to 10.00pm**
- 4. Retail sales in the heritage centre to be ancillary and sales in the craft shop limited to goods produced on the site**
- 5. Craft work B1 use only**
- 6. Heritage Centre and Café available for D2 community use**

7. **28 day occupancy restriction on holiday units**
8. **Environment Agency conditions**
9. **Development in accordance with flood risk assessment and mitigation**
10. **Adopt ecological survey and mitigation measures**
11. **Highways conditions**
12. **Ground contamination recommendations**

The meeting adjourned at 12.05pm for a short comfort break and reconvened at 12.10pm. Cllr G Claff joined the meeting.

20/12 2. PROPOSED CHANGES TO STANDING ORDERS PART 7 (A.111/AJC)

Members considered the report on proposed changes to Part 7 Section 7.F-1 and 7.E-10 of Standing Orders, the delegation of powers to officers, in relation to certain planning enforcement matters. It was noted that for the most part these changes related to additional powers brought in by the Localism Act 2011.

The Director of Development Planning amended paragraph 3 of the report by deleting the word 'draft' from the reference to Corporate Objective 11 for 2012-2015.

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

RESOLVED:

That Sections 7.F-1 and 7.E-10 of Standing Orders Part 7 Delegation of Powers to Officers be amended as set out in the Appendix to this report.

HEAD OF LAW AND MONITORING OFFICER

21/12 THE LOCALISM ACT 2011 – THE AMENDED STANDARDS REGIME (AGM)

Mrs Joan Carr, an independent member and Chair of the current Standards Committee, was present at the meeting.

Stephen Hardwick of Peak Park Watch spoke under the public participation at meetings scheme and was advised by the Chair to put representations which did not relate to the subject matter of the report in writing to the Authority.

The Monitoring Officer reported that in the second sentence of the second paragraph on page 1 of the report the reference to '8 specific issues' should state '7 specific issues'.

The recommendation as printed in the report was moved.

In response to Members' queries the Monitoring Officer stated that arrangements referred to in paragraph 21 of the report and the proposed new Code of Conduct would be drafted and considered by way of a further report to a meeting of the full Authority.

The motion was seconded with the addition of an extra condition thanking the Chair of the Standards Committee and all the independent members for their work. This was then voted on and carried.

RESOLVED:

1. That the Authority be recommended to discharge its functions in relation to the new standards regime through the Audit, Resources and Performance Committee;
2. That the Monitoring Officer prepares and presents to Authority for adoption a draft Code of Conduct. That draft Code should –
 - i. equate to Paragraphs 3 to 7 of the current Code of Conduct applied to Member conduct in the capacity of an elected, appointed or co-opted member of the Authority or its Committees and Sub-Committees; and
 - ii. require registration and disclosure of interests which would today constitute personal and/or prejudicial interests, but only require withdrawal as required by the Act in relation to Disclosable Pecuniary Interests.
3. That, when the Disclosable Pecuniary Interests Regulations are published, the Monitoring Officer, after consultation with the Chair of Audit, Resources and Performance Committee and the Chair of the Authority, add to that draft Code provisions which are considered to be appropriate for the registration and disclosure of interests other than DPs.
4. That the Monitoring Officer prepares and submits to Authority for approval “arrangements” as set out in paragraphs 21(a), 21(b), 21(c), 21(d) and 21(e) of the report.
5. That the Monitoring Officer, in consultation with the Chair of Audit, Resources and Performance Committee and the Chair of Authority, and with the advice of the Democratic Services Manager, be authorised to set the initial allowances and expenses for the Independent Persons (to be no more than previously agreed for the Chair and Independent Members of the Standards Committee) and this function subsequently be delegated to the Audit, Resources and Performance Committee
6. That the Monitoring Officer advertises a vacancy of the appointment of 1 Independent Person and 1 reserve Independent Person
7. That a Panel comprising the Chair of the Audit Resources and Performance Committee, the Monitoring Officer and the Democratic Services Manager be set up to short-list and interview candidates, and to make a recommendation to Authority for appointment.
8. That the Monitoring Officer prepare and maintain a new register of Members interests to comply with the requirements of the Act and of the Authority’s Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;
9. That the Monitoring Officer ensures that all Members are informed of their duty to register interests.

10. The Monitoring Officer recommends to Full Authority a Standing Order which equates to the current Code of Conduct requirement that a Member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he is permitted to remain as a result of the grant of a dispensation.
11. That the Authority delegates the power to grant dispensations –
 - a. on the ground set out in paragraph 45(i) of the report to the Monitoring Officer with an appeal to Audit, Resources and Performance Committee, and
 - b. on grounds set out in paragraphs 45(ii), 45(iii) and 45(iv) of the report to the Audit, Resources and Performance Committee, after consultation with the Independent Person.
12. That the Authority record its thanks to the Chair and current Independent Members of the Standards Committee for their work and contributions to date.

CORPORATE RESOURCES

22/12 1. PRUDENTIAL CODE FOR CAPITAL FINANCE AND TREASURY MANAGEMENT POLICY (A.1327/PN)

Members considered a report requesting approval of borrowing limits, prudential indicators and Minimum Revenue Provision, together with the Treasury Management Policy Statement.

The recommendation as printed in the report was moved, seconded, voted on and carried.

RESOLVED:

1. That the Authority adopts the Prudential Indicators and borrowing limits as described in the report, together with the policy on Minimum Revenue Provision in paragraphs 27-28 of the report.
2. That the Authority approves the Treasury Management Policy Statement in Appendix 1 of the report.
3. That the foreign exchange rate risk outlined in paragraph 26 of the report is noted and any action to mitigate this risk be delegated to the Chief Finance Officer, in consultation with Resource Management Team and Budget Monitoring Group Members, subject to the constraints identified in paragraph 26 of this report and in paragraph 3 (d) of the Treasury Management Strategy.

23/12 2. APPOINTMENT OF A MEMBER REPRESENTATIVE TO THE PEAK DISTRICT LOCAL ACCESS FORUM (A.1155/RC)

Members considered a report requesting appointment of an Authority representative to the Peak District Local Access Forum (LAF) to fill the vacancy left by the departure of the current appointee, Mr Ben Rayner, from the Authority.

Clr A McCloy was nominated and appointed to the vacancy. Clr McCloy will relinquish his independent appointment to the LAF.

The Chair reported that this was the last Authority meeting that Mr Ben Rayner would be attending. He thanked him for all his work for the Authority and wished him well in his new job.

RESOLVED:

1. That Clr A McCloy be appointed to the Peak District Local Access Forum.
2. That attendance at meetings be an approved duty for the payment of travelling and subsistence allowances.

24/12 3. APPOINTMENT TO MEMBER REPRESENTATIVE ROLES (A.111/JS)

The report requesting Members to make appointments to the revised Member Representative roles which were agreed following the approval of the updated National Park Management Plan (NPMP) was considered and agreed. Appointments were made to the 9 NPMP Member Representative Roles. It was also agreed to appoint an Asset Management representative.

The Chair thanked Clr Mrs Bragg and Prof Herbert for all their work undertaken as Traffic, Travel and Accessibility and Mineral Extraction representatives respectively.

RESOLVED:

1. To end the appointments made to the existing 12 Member representative roles as set out in appendix 1 on 31 March 2012.
2. To appoint the following individual Members to the 9 Member Representative Roles until the 2012 Authority AGM to be held on 6 July:

Landscape	Mr C Pennell
Cultural Heritage	Miss P Beswick
Biodiversity	Mr G Nickolds
Climate Change	Clr A McCloy
People and Communities	Mrs L Roberts
Recreation	Mr G Nickolds
Promoting Understanding	Ms S Leckie
Tourism	Mr R Clarke
Economy	Clr G Claff
Asset Management	Mr R Clarke

3. To agree the revised Member Representative Roles as approved duties for the payment of travel and subsistence allowances

CHIEF EXECUTIVE

25/12 1. MANAGEMENT REVIEW (JBD)

The Chief Executive introduced and explained the background of the report on the review of the Management of the Authority in line with the medium term financial plans and the *Future Size and Shape of the Authority*. It was noted that the panel referred to in paragraph 17 in the proposed new wording for the Managing Change Policy would be a 3 person panel.

The recommendation as printed in the report was moved.

In response to Members' queries the Chief Executive stated that an external representative would be invited to be part of the review of the Operations directorate and that Chairs would be kept up to date throughout the review. A report on the Operations review would be made to the Authority in December.

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

RESOLVED:

1. **Agree to the principles to be applied to the Management Review set out in paragraph 7 of the report.**
2. **Agree to the overall timetable for the work set out in paragraphs 8-15 of the report.**
3. **Agree the terms of reference for the review of Operations as set out in paragraph 12 of the report and that the Chair of the Audit, Resources and Performance Committee be appointed as a member of the review group.**
4. **Agree the revised wording of the Managing Change Policy guidance notes in paragraph 17 of the report so giving any staff reporting to the Chief Executive comparable safeguards to those of any other staff.**

The meeting adjourned for lunch at 1.20pm and reconvened at 1.40pm.

Chair: Clr A Favell

Present: Mr P Ancell, Clr Mrs B Beeley, Miss P Beswick, Clr Mrs J Bragg, Clr D Chapman, Clr G Claff, Mr R Clarke, Clr C Furness, Clr P Harrison, Prof J Herbert, Clr H Laws, Ms S Leckie, Clr A McCloy, Mr C Pennell, Mr B Rayner.

26/12 EXCLUSION OF PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item No. 13 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".

SUMMARY

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

27/12 Consideration of Options on Planning Case (P.4484/RJB)

The meeting ended at 3.10pm.