

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



Our Ref: A.1142/1544

Date: 25 February 2016



NOTICE OF MEETING

Meeting: **Audit Resources & Performance Committee**

Date: **Friday 4 March 2016**

Time: **10.00 am**

Venue: **The Board Room, Aldern House, Baslow Road, Bakewell**

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

1. **Apologies for Absence**
2. **Minutes of previous meeting held on 22 January 2016** *(Pages 1 - 4)* 5 mins
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
6. **External Audit - 2015/16 Audit Plan (A1362/RMM)** *(Pages 5 - 22)* 15 mins
Appendix 1
7. **Internal Audit Report Block 2, 2015/16 (A1362/7/PN)** *(Pages 23 - 60)* 20 mins
Appendix 1
Appendix 2
Appendix 3

Appendix 4

Appendix 5

8. Exempt Information S100(A) Local Government Act 1972

The Committee is asked to consider, in respect of the exempt item, whether the public should be excluded from the meeting to avoid the disclosure of Exempt Information.

Draft Motion:

That the public be excluded from the meeting during consideration of Agenda Item No. 9 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 7 "Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."

PART B

- 9. Internal Audit Report Block 2, 2015/16 (A1362/7/PN) (Pages 61 - 82)** 5 mins
Appendix 1

PART A

- 10. Local Government Ombudsman Complaint (C355/JRS) (Pages 83 - 88)** 20 mins
Appendix 1

- 11. Proposed Traffic Regulation Order at Derby Lane (A76227/SAS) (Pages 89 - 118)** 30 mins
Appendix 1

Appendix 2

Appendix 3

Appendix 4

Appendix 5

- 12. Castleton Visitor Centre Remodelling and Improvement Proposals (A.214 /SB) (Pages 119 - 160)** 45 mins
Appendix 1

Appendix 2

Appendix 3

Appendix 4

Appendix 5

- 13. Brosterfield Caravan and Camping Site, Foolow - Proposed Submission of Revised Planning Application (P4484/TRS) (Pages 161 - 166)** 15 mins

14. Exempt Information S100(A) Local Government Act 1972

The Committee is asked to consider, in respect of the exempt item, whether the public should be excluded from the meeting to avoid the disclosure of Exempt Information.

Draft Motion:

That the public be excluded from the meeting during consideration of Agenda Item No. 15 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)."

PART B

- 15. Brosterfield Caravan and Camping Site, Foolow - Proposed Submission of Revised Planning Application (P4484/TRS) (Pages 167 - 180)** 30 mins
Appendix 1

Duration of Meeting

In the event of not completing its business within 3 hours of the start of the meeting, in accordance with the Authority's Standing Orders, the Authority will decide whether or not to continue the meeting. If the Authority decides not to continue the meeting it will be adjourned and the remaining business considered at the next scheduled meeting.

If the Authority has not completed its business by 1.00pm and decides to continue the meeting the Chair will exercise discretion to adjourn the meeting at a suitable point for a 30 minute lunch break after which the committee will re-convene.

ACCESS TO INFORMATION - LOCAL GOVERNMENT ACT 1972 (as amended)

Agendas and reports

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting. These are also available on the website www.peakdistrict.gov.uk.

Background Papers

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected by appointment at the National Park Office, Bakewell. Contact Democratic Services on 01629 816200, ext 362/382. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Resources to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website www.peakdistrict.gov.uk or on request from Democratic Services 01629 816362, email address: democraticservices@peakdistrict.gov.uk, fax number: 01629 816310.

Written Representations

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12noon on the Wednesday preceding the Friday meeting.

Recording of Meetings

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and

report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites such as publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Democratic and Legal Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. The recordings will usually be retained only until the minutes of this meeting have been confirmed.

General Information for Members of the Public Attending Meetings

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus Services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at www.travelineeastmidlands.co.uk.

Please note that there is no catering provision for members of the public during meal breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

To: Members of Audit Resources & Performance Committee:

Chair: Cllr A McCloy
Vice Chair: Cllr C Furness

Mrs P Anderson	Mrs F Beatty
Cllr A R Favell	Cllr D Greenhalgh
Mr Z Hamid	Cllr Mrs G Heath
Ms S Leckie	Cllr S Marshall-Clarke
Cllr C McLaren	Cllr Mrs L C Roberts
Mrs E Sayer	Cllr Mrs N Turner
Cllr F J Walton	Cllr D Williams

Other invited Members: (May speak but not vote)

Mr P Ancell	Cllr D Chapman
Cllr D Birkinshaw	

Constituent Authorities
Secretary of State for the Environment
Natural England

Peak District National Park Authority
Tel: 01629 816200
 E-mail: customer.service@peakdistrict.gov.uk
 Web: www.peakdistrict.gov.uk
 Minicom: 01629 816319
 Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Audit Resources & Performance Committee**

Date: Friday 22 January 2016 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr A McCloy

Present: Cllr C Furness, Mrs P Anderson, Mrs F Beatty, Cllr A R Favell, Mr Z Hamid, Cllr Mrs G Heath, Ms S Leckie, Cllr S Marshall-Clarke, Cllr Mrs L C Roberts, Cllr F J Walton and Cllr D Williams

Apologies for absence: Cllr C McLaren and Cllr Mrs N Turner

72/16 MINUTES OF PREVIOUS MEETING 6 NOVEMBER 2015

The minutes of the last meeting of the Audit, Resources and Performance Committee held on 6 November 2015 were approved as a correct record.

73/16 MEMBERS DECLARATIONS OF INTEREST

There were no declarations of interest by Members.

The Chief Executive (CEO) announced the appointment of Simon Malcolm as the Authority's new Director of Commercial Development and Outreach.

A letter about the outcome of the Chancellor's Spending Review had been received from Rory Stewart OBE MP on 21 January. It confirmed that Defra funding over the next four years for National Parks and Areas of Outstanding Natural Beauty would be protected in real terms and reflected the value placed on work being done across a whole range of important issues. The Chief Executive read out extracts from the letter and said that she would be informing staff about the confirmed funding immediately after the meeting.

The Chair thanked the Chair of the Authority in particular for her many visits to London to meet ministers. She would continue to meet government ministers with the Chief Executive and the Chairs and CEOs of the other UK National Parks during the formulation and construction of a 25-year Environment Plan and a new Plan for the National Parks.

74/16 MOORS FOR THE FUTURE (MFF) OPERATIONAL PLAN 2016-2017 (SLD/CD)

Members viewed a short presentation given by the Programme Manager, who highlighted achievements in the year 2015/16. He reported on operational progression from the stabilisation of vulnerable moorland in the Dark Peak towards its restoration and management.

Members were informed that the "Look Back" section of the MFF Operational Plan would in future form part of a separate Annual Report.

Risk management included a contract to improve the existing broadband connection at The Moorland Centre, subject to the results of a site survey.

Members thanked the Programme Team, Management Team and other officers.

The recommendation was moved and seconded.

RESOLVED:

That the Audit Resources and Performance Committee supports this 2016-17 Operational Plan and recommends it to the Moors for the Future Partnership's Strategic Management Group.

75/16 WOODLANDS DISPOSAL PROJECT (SMCK)

Members received an update on the six freehold disposals completed so far, noting that six are due to be sold in phase 2. Approval was sought from Members for a further 28 freehold disposals totalling 40 woodlands covering 32 hectares, which equated to 50% of the Authority's whole portfolio and 25% of the freehold woodlands area.

An additional recommendation at number 2 caused the original recommendations 2 and 3 to become 3 and 4. Recommendation 4 was amended by the deletion of the words "continue to".

The additional and amended recommendations were moved, seconded, voted upon and carried.

RESOLVED:

1. **To note the progress to date on woodland disposals.**
2. **Depending on the outcome of the further investigations explained in paragraph 9 of the report, Members approve the disposal of any or all of the 28 woodlands listed in the table also at paragraph 9.**
3. **To agree that the tolerance level on the final price for disposal is agreed by the Head of Finance and Director of Conservation and Planning in consultation with the Chair and Vice Chair of this Committee.**
4. **To delegate decisions on future disposals of woodlands with similar under values to the Head of Finance and Director of Conservation and Planning in consultation with the Chair and Vice Chair of this committee.**

76/16 GROWING AND DEVELOPING THE VISITOR ECONOMY SECTOR WITHIN DERBYSHIRE GRANT ACCEPTANCE (RG/LT)

This report sought Members' approval to accept the sum of £225K from the European Regional Development Fund to enable delivery of the Pedal Peak District Initiative, potentially beginning in February 2016.

Members acknowledged the complexity of working with many partners including the other UK National Parks and commended officers for securing funding to realise the wider vision for cycling.

A second recommendation was moved and seconded, to acknowledge the significant benefits to the health and economy of the wider Peak District.

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

RESOLVED:

1. **To approve receipt of £225K grant from ERDF funding via Derbyshire and Nottinghamshire Chamber of Commerce for the 'Growing and Developing the Visitor Economy Sector within Derbyshire' programme to enable the Authority to deliver the Pedal Peak District Initiative' strand, and to approve spending this funding as outlined in paragraph 4.2.**
2. **In approving Recommendation 1, Members acknowledged the work done in the wider Peak District that had resulted in significant benefits both to health and the economy.**

A break was taken between 11.20 am and 11.25 am.

77/16 2015/16 QUARTER 3 CORPORATE PERFORMANCE AND RISK MANAGEMENT (A9194/WA)

The traffic light system of visually categorising levels of performance was considered and the individual status of some areas discussed. It was noted that an extended consultation process had slightly delayed the North Lees Management Plan Review, resulting in an amber status for the priority actions identified in C2a.

Members congratulated officers on the success of the Stange Stickers scheme.

An update was given on the enforcement figures in C3 with 93 cases resolved year to date against a year end target of 120.

The Chair reported a successful Micro Scrutiny Panel Meeting on 8 January, the notes of which were to be circulated to all members.

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

RESOLVED:

1. **That the Quarter 3 Corporate Performance Return, given in Appendix 1, is reviewed and any remedial action agreed.**
2. **That the Corporate Risk Register, summary given in Appendix 2 be reviewed and status of risks accepted.**
3. **That the status of complaints and Freedom of Information Requests, given in Appendix 3, be noted.**

78/16 GIVING STRATEGY (MB)

The Assistant Director reported receipt of a further £1,500 since the publication of her report and stated that the Giving Strategy would be regularly reviewed with a first report

back to Members in March 2017. Members noted that the new Director of Commercial Development and Outreach would have a central role in driving the Strategy forward, to include liaison at a national level with key partners.

The CEO confirmed that the three-year (2016-2019) Giving Strategy was about giving and donations, not sponsorship, and added that the Authority would have four years in which to develop it, focusing upon its unique assets.

The recommendations of the report were moved but not seconded, therefore the motion fell. A new motion to refer the report to a full Authority Meeting whilst expressing support for it in principle was moved and debated. Members wished to give the new commercial director the opportunity to get the measure of the task but time constraints were acknowledged, as he would not be in post until 22 February and the earliest meeting of the Authority after that was 18 March. Delaying a decision beyond that would result in a delay of several weeks running into the summer season.

The new motion was seconded, voted upon and carried. Cllr C Furness voted against the motion.

RESOLVED:

- 1. To support in principle the report and the direction of the proposed Giving Strategy but REFER the Strategy to a meeting of the full Authority for consideration on a date to be agreed by the Chief Executive Officer and the Chair and Deputy Chair of the Authority.**
- 2. That a provision of an additional amount of £58k to be made in the February budget report making it clear it is subject to a further report on the Giving Strategy to the Authority meeting**

The meeting ended at 12.40 pm

6. EXTERNAL AUDIT - 2015/16 AUDIT PLAN (A1362/RMM)

Purpose of the report and key issues

1. This report asks Members to consider the 2015/16 External Audit Plan from our external auditors, KPMG. John Cornett, Director at KPMG will be at Committee to present the Plan and to answer any questions.

Key Issues:

- The external auditor presents the plan for auditing the financial statements and value for money arrangements at this time every year
- The plan for auditing the 2015/16 year is given at Appendix 1
- Achieving unqualified opinions from the external auditor is a corporate performance indicator

Recommendations

2. 1. That the 2015/16 External Audit Plan be considered and acknowledged

How does this contribute to our policies and legal obligations?

3. The work of the external auditors is a key part of our governance arrangements and helps us to monitor and improve performance against our corporate strategy cornerstone of 'developing our organisation so we have a planned and sustained approach to performance at all levels' (cornerstone: our organisation). Achieving unqualified opinions from the external auditor is a corporate performance indicator.

Background

4. The statutory responsibilities and powers of auditors appointed by Public Sector Audit Appointments Ltd (PSAA) are set out in the Local Audit and Accountability Act 2014 and the National Audit Office's Code of Audit Practice. Considering the external auditor's audit plan is part of the normal Audit, Resources and Performance Committee work programme.
5. The National Audit Office has issued new guidance for the Value for Money (VFM) audit which applies from the 2015/16 audit year. The guidance makes it clear that a full VFM approach is required for authorities that previously came within the 'smaller bodies' regime. Therefore there are some notable changes from the previous VFM audit regime which will now apply to the Authority including new criteria on which the auditor's VFM conclusion is based.

Proposals

6. The External Audit Plan for 2015/16 is given at Appendix 1. The plan is based on a risk based approach to audit planning and outlines the work proposed by the external auditor for the audit of financial statements and the value for money conclusion for 2015/16.
7. In accordance with the risk based approach the auditor has highlighted the following as significant audit risks (see page 4 and 9 of Appendix 1):
 - a) Risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error:
 - Reliability of fixed asset register

-
- b) Risks requiring specific attention and procedures to address the likelihood that proper arrangements are not in place to deliver value for money (VFM):
- At this stage the auditors risk assessment regarding the Authority's arrangements for securing value for money has not identified any VFM significant risks.
8. The planned outputs of the external auditor's work include:
- a) The annual governance (ISA 260) report to committee – September 2016
 - b) An opinion on the Authority's accounts - September 2016
 - c) A VFM conclusion – September 2016
 - d) An assurance statement on the Authority's WGA (Whole of Government Accounts) pack submission – date to be confirmed
 - e) The Annual Audit letter – October/November 2016

Are there any corporate implications members should be concerned about?

9. **Financial:** The planned fees for external audit of £13,259 are funded from the existing Finance Services budget. An additional £2,500 will need to be allocated to the budget to fund the enhanced VFM approach.
10. **Risk Management:**
The scrutiny and advice provided by external audit is part of our governance framework. The auditor's work is based on an assessment of audit risk as explained in Appendix 1.
11. **Sustainability:**
There are no issues to highlight.
12. **Background papers** (not previously published) – None

Appendices

Appendix 1: External Audit Plan 2015/16

Report Author, Job Title and Publication Date

Ruth Marchington, Director of Corporate Strategy and Development, 25 February 2016



External Audit Plan 2015/16

Audit, Resources & Performance Committee
4 March 2016
Item 6 Appendix 1

Peak District National Park Authority

February 2016

Financial Statement Audit



There are no significant changes to the Code of Practice on Local Authority Accounting in 2015/16, which provides stability in terms of the accounting standards the Authority need to comply with.

Materiality

Materiality for planning purposes has been based on last year's expenditure and set at £350,000.

We are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance and this has been set at £18,000.

Significant risks

Those risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error have been identified as:

- Reliability of fixed asset register

See pages 3 to 5 for more details.

Value for Money Arrangements work



The National Audit Office has issued new guidance for the VFM audit which applies from the 2015/16 audit year. The guidance makes clear that a full VFM approach is required for authorities that previously came within the "smaller bodies" regime. Therefore, there are some notable changes from the previous VFM audit regime:

- There is a new overall criterion on which the auditor's VFM conclusion is based; and
- This overall criterion is supported by three new sub-criteria.

Our risk assessment is ongoing and we will report VFM significant risks during our audit. At this stage our risk assessment regarding your arrangements to secure value for money has not identified any VFM significant risks.

See pages 6 to 9 for more details.

Logistics



Our team is:

- John Cornett – Director
- Katie Scott – Assistant Manager

More details are on **page 12**.

Our work will be completed in four phases from December to September and our key deliverables are this Audit Plan and a Report to those charged with Governance as outlined on **page 11**.

The indicative fee published by Public Sector Audit Appointments Ltd (PSAA) for the audit is £13,259 (£13,259 - 2014/2015). However, this does not include any fee to address the enhanced VFM approach and we estimate the fee for this work will be £2,500 subject to PSAA approval. see **page 10**.

Background and Statutory responsibilities

This document supplements our Audit Fee Letter 2015/16 presented to you in April 2015, which also sets out details of our appointment by Public Sector Audit Appointments Ltd (PSAA).

Our statutory responsibilities and powers are set out in the Local Audit and Accountability Act 2014 and the National Audit Office's Code of Audit Practice.

Our audit has two key objectives, requiring us to audit/review and report on your:

- *Financial statements (including the Annual Governance Statement):* Providing an opinion on your accounts; and
- *Use of resources:* Concluding on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the value for money conclusion).

The audit planning process and risk assessment is an on-going process and the assessment and fees in this plan will be kept under review and updated if necessary.

Acknowledgements

We would like to take this opportunity to thank officers and Members for their continuing help and co-operation throughout our audit work.

Financial Statements Audit

Our financial statements audit work follows a four stage audit process which is identified below. Appendix 1 provides more detail on the activities that this includes. This report concentrates on the Financial Statements Audit Planning stage of the Financial Statements Audit.



Value for Money Arrangements Work

Our Value for Money (VFM) Arrangements Work follows a five stage process which is identified below. Page 6 provides more detail on the activities that this includes. This report concentrates on explaining the VFM approach for the 2015/16 [and the findings of our VFM risk assessment].





Financial Statements Audit Planning

Our planning work takes place during December to February 2016. This involves the following key aspects:

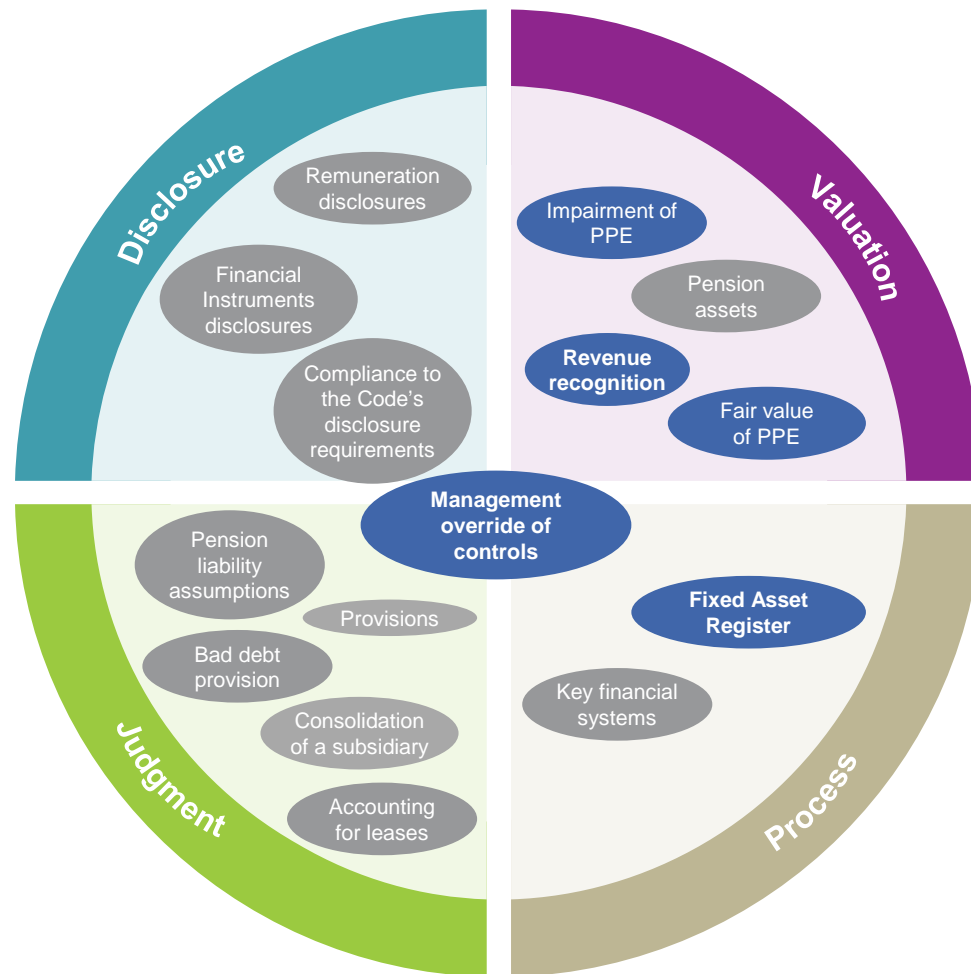
- Risk assessment;
- Determining our materiality level; and
- Issuing this audit plan to communicate our audit strategy.

Risk assessment

Professional standards require us to consider two standard risks for all organisations. We are not elaborating on these standard risks in this plan but consider them as a matter of course in our audit and will include any findings arising from our work in our ISA 260 Report.

- Management override of controls – Management is typically in a powerful position to perpetrate fraud owing to its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Our audit methodology incorporates the risk of management override as a default significant risk. In line with our methodology, we carry out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.
- Fraudulent revenue recognition – We do not consider this to be a significant risk for local authorities as there are limited incentives and opportunities to manipulate the way income is recognised. We therefore rebut this risk and do not incorporate specific work into our audit plan in this area over and above our standard fraud procedures.

The diagram opposite identifies, significant risks and other areas of audit focus, which we expand on overleaf. The diagram also identifies a range of other areas considered by our audit approach.



Keys: ● Significant risk ● Other area of audit focus ● Example other areas considered by our approach



Significant Audit Risks

Those risks requiring specific audit attention and procedures to address the likelihood of a material financial statement error.

Fixed Asset Register

- Our work in 14/15 identified that the fixed asset register was predominantly spreadsheet based and susceptible to error.
- PPE is the largest balance in the Authority's balance sheet and therefore there is a high risk of material misstatement.



Materiality

We are required to plan our audit to determine with reasonable confidence whether or not the financial statements are free from material misstatement. An omission or misstatement is regarded as material if it would reasonably influence the user of financial statements. This therefore involves an assessment of the qualitative and quantitative nature of omissions and misstatements.

Generally, we would not consider differences in opinion in respect of areas of judgement to represent 'misstatements' unless the application of that judgement results in a financial amount falling outside of a range which we consider to be acceptable.

Materiality for planning purposes has been set at £350,000 for the Authority's standalone accounts which equates to 1.5 percent of gross expenditure.

We design our procedures to detect errors in specific accounts at a lower level of precision.

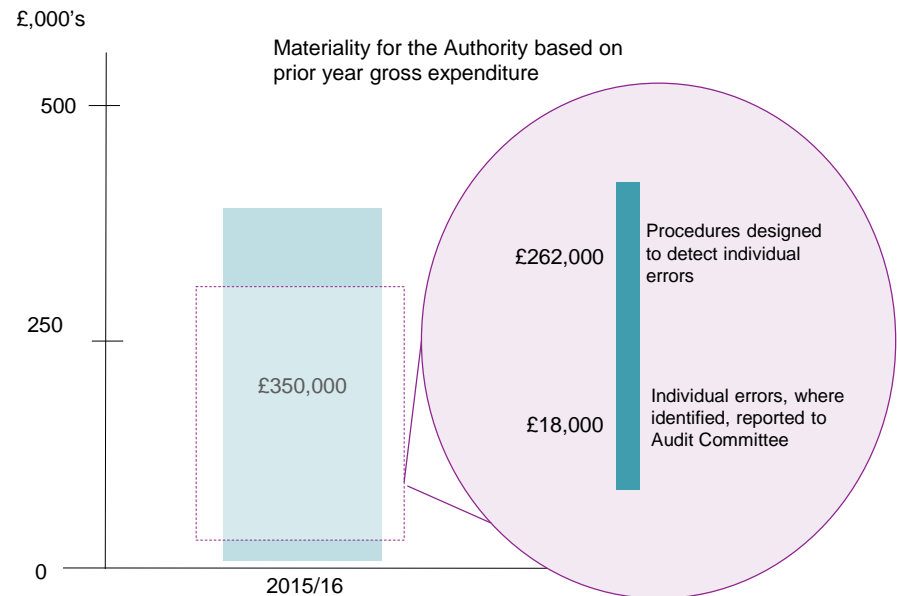
Reporting to the Audit Committee

Whilst our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole, we nevertheless report to the Audit Committee any unadjusted misstatements of lesser amounts to the extent that these are identified by our audit work.

Under ISA 260(UK&I) 'Communication with those charged with governance', we are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. ISA 260 (UK&I) defines 'clearly trivial' as matters that are clearly inconsequential, whether taken individually or in aggregate and whether judged by any quantitative or qualitative criteria.

In the context of the Authority, we propose that an individual difference could normally be considered to be clearly trivial if it is less than £18,000.

If management have corrected material misstatements identified during the course of the audit, we will consider whether those corrections should be communicated to the Audit Committee to assist it in fulfilling its governance responsibilities.

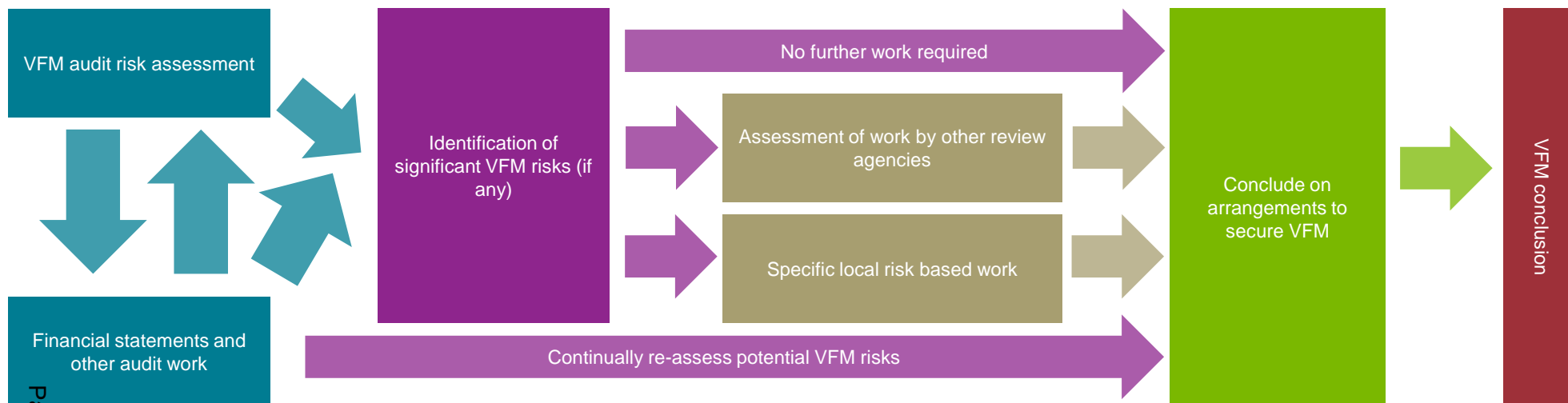
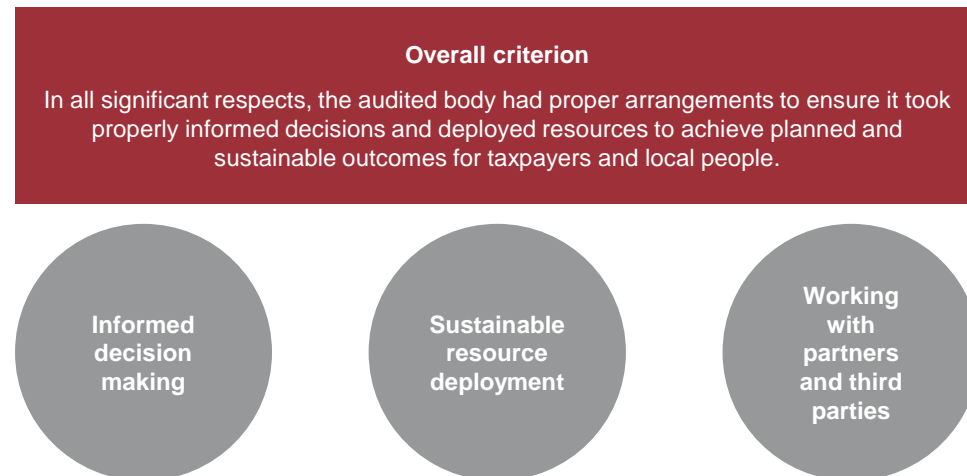


Background to approach to VFM work

The Local Audit and Accountability Act 2014 requires auditors of local government bodies to be satisfied that the authority 'has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources'.

This is supported by the Code of Audit Practice, published by the NAO in April 2015, which requires auditors to 'take into account their knowledge of the relevant local sector as a whole, and the audited body specifically, to identify any risks that, in the auditor's judgement, have the potential to cause the auditor to reach an inappropriate conclusion on the audited body's arrangements.'

The VFM approach is fundamentally unchanged from that adopted in 2014/2015 and the process is shown in the diagram below. However, the previous two specified reporting criteria (financial resilience and economy, efficiency and effectiveness) have been replaced with a single criteria supported by three sub-criteria. These sub-criteria provide a focus to our VFM work at the Authority. The diagram to the right shows the details of this criteria.





VFM audit stage	Audit approach
VFM audit risk assessment	<p>We consider the relevance and significance of the potential business risks faced by all local authorities, and other risks that apply specifically to the Authority. These are the significant operational and financial risks in achieving statutory functions and objectives, which are relevant to auditors' responsibilities under the <i>Code of Audit Practice</i>.</p> <p>In doing so we consider:</p> <ul style="list-style-type: none"> ■ The Authority's own assessment of the risks it faces, and its arrangements to manage and address its risks; ■ Information from the Public Sector Auditor Appointments Limited VFM profile tool; ■ Evidence gained from previous audit work, including the response to that work; and ■ The work of other inspectorates and review agencies.
Linkages with financial statements and other audit work	<p>There is a degree of overlap between the work we do as part of the VFM audit and our financial statements audit. For example, our financial statements audit includes an assessment and testing of the Authority's organisational control environment, including the Authority's financial management and governance arrangements, many aspects of which are relevant to our VFM audit responsibilities.</p> <p>We have always sought to avoid duplication of audit effort by integrating our financial statements and VFM work, and this will continue. We will therefore draw upon relevant aspects of our financial statements audit work to inform the VFM audit.</p>
Identification of significant risks	<p>The Code identifies a matter as significant '<i>if, in the auditor's professional view, it is reasonable to conclude that the matter would be of interest to the audited body or the wider public. Significance has both qualitative and quantitative aspects.</i>'</p> <p>If we identify significant VFM risks, then we will highlight the risk to the Authority and consider the most appropriate audit response in each case, including:</p> <ul style="list-style-type: none"> ■ Considering the results of work by the Authority, inspectorates and other review agencies; and ■ Carrying out local risk-based work to form a view on the adequacy of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources.



VFM audit stage	Audit approach
<p>Assessment of work by other review agencies</p> <p>and</p> <p>Delivery of local risk based work</p>	<p>Depending on the nature of the significant VFM risk identified, we may be able to draw on the work of other inspectorates, review agencies and other relevant bodies to provide us with the necessary evidence to reach our conclusion on the risk.</p> <p>If such evidence is not available, we will instead need to consider what additional work we will be required to undertake to satisfy ourselves that we have reasonable evidence to support the conclusion that we will draw. Such work may include:</p> <ul style="list-style-type: none"> ■ Meeting with senior managers across the Authority; ■ Review of minutes and internal reports; ■ Examination of financial models for reasonableness, using our own experience and benchmarking data from within and without the sector.
<p>Concluding on VFM arrangements</p>	<p>At the conclusion of the VFM audit we will consider the results of the work undertaken and assess the assurance obtained against each of the VFM themes regarding the adequacy of the Authority's arrangements for securing economy, efficiency and effectiveness in the use of resources.</p> <p>If any issues are identified that may be significant to this assessment, and in particular if there are issues that indicate we may need to consider qualifying our VFM conclusion, we will discuss these with management as soon as possible. Such issues will also be considered more widely as part of KPMG's quality control processes, to help ensure the consistency of auditors' decisions.</p>
<p>Reporting</p>	<p>We have completed our initial VFM risk assessment and have not identified any significant VFM risks. We will update our assessment throughout the year should any issues present themselves and report against these in our ISA260.</p> <p>We will report on the results of the VFM audit through our ISA 260 Report. This will summarise any specific matters arising, and the basis for our overall conclusion.</p> <p>The key output from the work will be the VFM conclusion (i.e. our opinion on the Authority's arrangements for securing VFM), which forms part of our audit report.</p>



Significant VFM Risks

Those risks requiring specific audit attention and procedures to address the likelihood that proper arrangements are not in place to deliver value for money.

Our risk assessment is ongoing and we will report VFM significant risks during our audit. At this stage our risk assessment regarding your arrangements to secure value for money has not identified any VFM significant risks.

Whole of government accounts (WGA)

We are required to review your WGA consolidation and undertake the work specified under the approach that is agreed with HM Treasury and the National Audit Office. Deadlines for production of the pack and the specified approach for 2015/16 have not yet been confirmed.

Elector challenge

The Local Audit and Accountability Act 2014 gives electors certain rights. These are:

- The right to inspect the accounts;
- The right to ask the auditor questions about the accounts; and
- The right to object to the accounts.

As a result of these rights, in particular the right to object to the accounts, we may need to undertake additional work to form our decision on the elector's objection. The additional work could range from a small piece of work where we interview an officer and review evidence to form our decision, to a more detailed piece of work, where we have to interview a range of officers, review significant amounts of evidence and seek legal representations on the issues raised.

The costs incurred in responding to specific questions or objections raised by electors is not part of the fee. This work will be charged in accordance with the PSAA's fee scales.

Our audit team

Our audit team will be led by John Cornett – Director who is looking forward to providing a fresh perspective to the audit and team. Appendix 2 provides more details on specific roles and contact details of the team.

Reporting and communication

Reporting is a key part of the audit process, not only in communicating the audit findings for the year, but also in ensuring the audit team are accountable to you in addressing the issues identified as part of the audit strategy. Throughout the year we will communicate with you through meetings with the finance team and the Governance and Resources Committee. Our communication outputs are included in Appendix 1.

Independence and Objectivity

Auditors are also required to be independent and objective. Appendix 3 provides more details of our confirmation of independence and objectivity.

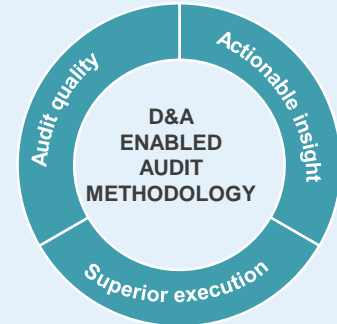
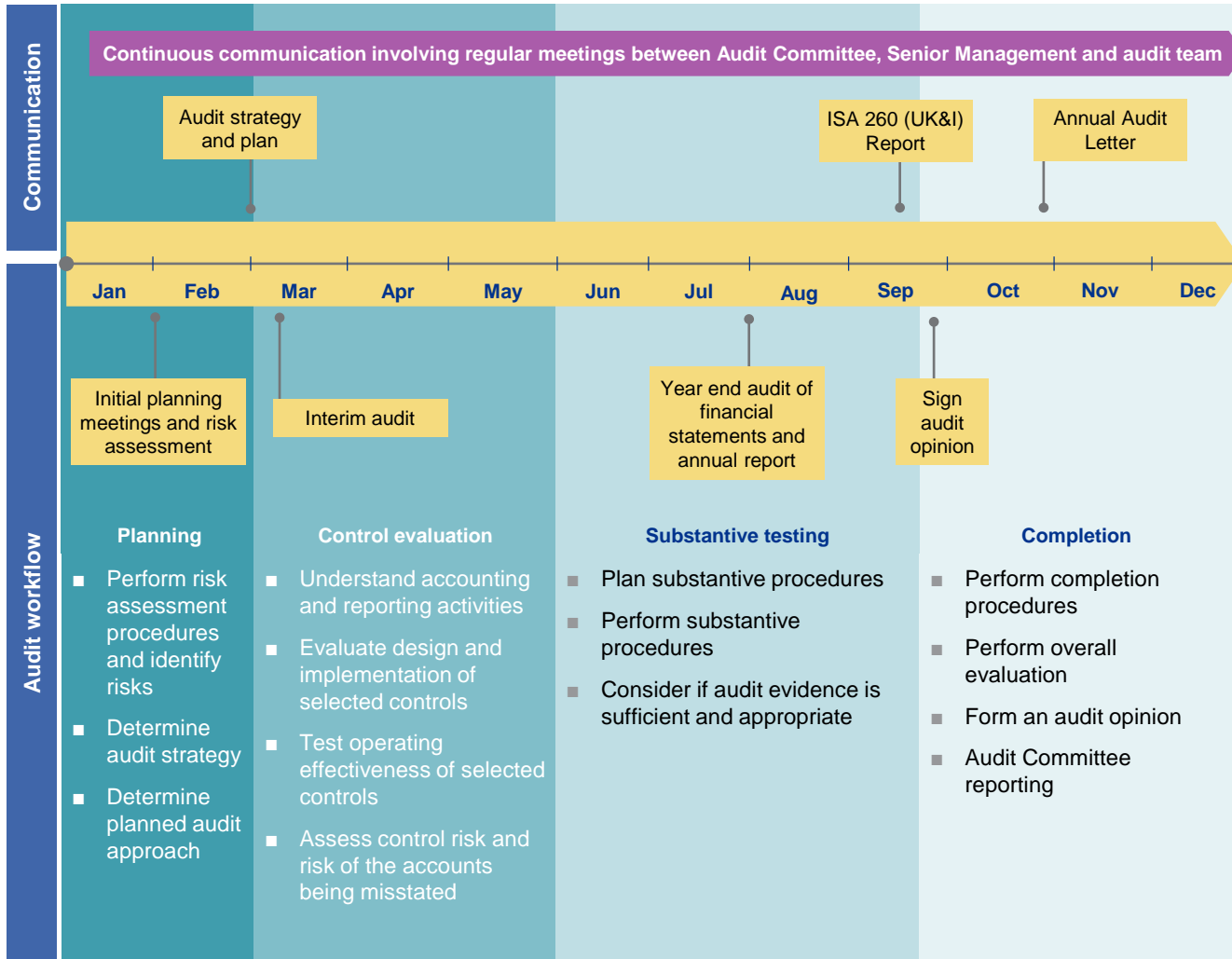
Audit fee

Our Audit Fee Letter 2015/2016 presented to you in April 2015 first set out our fees for the 2015/2016 audit. This letter also sets out our assumptions. We have not considered it necessary to make any changes to the agreed fees at this stage.

The planned audit fee for 2015/16 is £13,259, which is consistent with last year (before extra work relating to the Fixed Asset Register of £1,000 was charged.) This fee excludes the additional work required in 2015/16 to support the VFM conclusion and we anticipate the fee for this work will be approximately £2,500.

Our audit fee includes our work on the VFM conclusion and our audit of the Authority's financial statements.

Appendix 1: Key elements of our financial statements audit approach



Driving more value from the audit through data and analytics

Technology is embedded throughout our audit approach to deliver a high quality audit opinion. Use of Data and Analytics (D&A) to analyse large populations of transactions in order to identify key areas for our audit focus is just one element. We strive to deliver new quality insight into your operations that enhances our and your preparedness and improves your collective 'business intelligence.' Data and Analytics allows us to:

- Obtain greater understanding of your processes, to automatically extract control configurations and to obtain higher levels assurance.
- Focus manual procedures on key areas of risk and on transactional exceptions.
- Identify data patterns and the root cause of issues to increase forward-looking insight.

We anticipate using data and analytics in our work around key areas such as accounts payable and journals. We also expect to provide insights from our analysis of these tranches of data in our reporting to add further value from our audit.



Your audit team has been drawn from our specialist public sector assurance department and we have refreshed our audit team for the audit this year.



John Cornett

Director

07854 479507

john.cornett@kpmg.co.uk

Name	John Cornett
Position	Partner/Director
	<p>'My role is to lead our team and ensure the delivery of a high quality, valued added external audit opinion.</p> <p>I will be the main point of contact for the Governance and Resources Committee and Chief Executive.'</p>



Katie Scott

Assistant Manager

07468 365923

katie.scott@kpmg.co.uk

Name	Katie Scott
Position	Assistant Manager
	<p>'I will be responsible for the on-site delivery of our work and will supervise the work of our audit assistants.'</p>

Appendix 3: Independence and objectivity requirements

Independence and objectivity

Professional standards require auditors to communicate to those charged with governance, at least annually, all relationships that may bear on the firm's independence and the objectivity of the audit engagement partner and audit staff. The standards also place requirements on auditors in relation to integrity, objectivity and independence.

The standards define 'those charged with governance' as 'those persons entrusted with the supervision, control and direction of an entity'. In your case this is the Governance and Resources Committee.

KPMG LLP is committed to being and being seen to be independent. APB Ethical Standard 1 Integrity, Objectivity and Independence requires us to communicate to you in writing all significant facts and matters, including those related to the provision of non-audit services and the safeguards put in place, in our professional judgement, may reasonably be thought to bear on KPMG LLP's independence and the objectivity of the Engagement Lead and the audit team.

Further to this auditors are required by the National Audit Office's Code of Audit Practice to:

- Carry out their work with integrity, independence and objectivity;
- Be transparent and report publicly as required;
- Be professional and proportional in conducting work;
- Be mindful of the activities of inspectorates to prevent duplication;
- Take a constructive and positive approach to their work;
- Comply with data statutory and other relevant requirements relating to the security, transfer, holding, disclosure and disposal of information.

PSAA's Terms of Appointment includes several references to arrangements designed to support and reinforce the requirements relating to independence, which auditors must comply with. These are as follows:

- Auditors and senior members of their staff who are directly involved in the management, supervision or delivery of PSAA audit work should not take part in political activity.

- No member or employee of the firm should accept or hold an appointment as a member of an audited body whose auditor is, or is proposed to be, from the same firm. In addition, no member or employee of the firm should accept or hold such appointments at related bodies, such as those linked to the audited body through a strategic partnership.
- Audit staff are expected not to accept appointments as Governors at certain types of schools within the local authority.
- Auditors and their staff should not be employed in any capacity (whether paid or unpaid) by an audited body or other organisation providing services to an audited body whilst being employed by the firm.
- Auditors appointed by the PSAA should not accept engagements which involve commenting on the performance of other PSAA auditors on PSAA work without first consulting PSAA.
- Auditors are expected to comply with the Terms of Appointment policy for the Engagement Lead to be changed on a periodic basis.
- Audit suppliers are required to obtain the PSAA's written approval prior to changing any Engagement Lead in respect of each audited body.
- Certain other staff changes or appointments require positive action to be taken by Firms as set out in the Terms of Appointment.

Confirmation statement

We confirm that as of February 2016 in our professional judgement, KPMG LLP is independent within the meaning of regulatory and professional requirements and the objectivity of the Engagement Lead and audit team is not impaired.



© 2016 KPMG LLP, a UK limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved.

The KPMG name, logo and “cutting through complexity” are registered trademarks or trademarks of KPMG International.

Produced by Create Graphics/Document number: CRT053550A

This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment's website (www.psaa.co.uk).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact John Cornett, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to Andrew.Sayers@kpmg.co.uk. After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing generalenquiries@psaa.co.uk by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

This page is intentionally left blank

7. INTERNAL AUDIT REPORT BLOCK 2, 2015/16 (A1362/7/PN)

Purpose of the report and key issues

1. This report presents to Members the internal auditors' recommendations for the second block of the 2015/16 audit and the agreed actions for consideration. The Internal Auditors will be available at the meeting to answer any questions relating to the audit report or process as usual.

Key issues include:

- The auditors give an opinion based on five grades of assurance (High / Substantial / Reasonable / Limited / No) Of the four areas audited Risk Management, Budget Management and Grants (Outwards) have been given a High level of assurance; Complaints a Substantial level.
- The priority of agreed actions is determined based on a scale of 1 – 3, with 1 representing a fundamental system weakness which needs urgent attention, 2 a significant weakness which needs attention, and 3 no significant weakness but merits attention. Managers have responded to 2 Priority 3 actions.
- The auditors have also followed up previous audits and issued two follow up reports for Information Governance and IT System Controls. The auditors have revised their opinions in these areas to High assurance and managers have responded to 4 Priority 3 actions.
- The IT System Controls follow up report contains security information about the Authority's IT system Controls and is therefore reported in a separate Part B report.

2. Recommendations

1. **That the internal audit reports for the four areas covered under Block 2 for 2015/16 be received (in Appendices 1 – 4) and also for the follow up report (Appendix 5); and the agreed actions considered.**

How does this contribute to our policies and legal obligations?

3. As identified in the Annual Governance Statement, the Internal Audit process is regarded as an important part of the overall internal controls operated by the Authority and recommendations are addressed by the Authority's managers in the management response to the audit report.

Background

4. The Accounts and Audit Regulations 2011 require that the Authority maintains an adequate and effective system of internal audit of its accounting records and its system of internal control in accordance with proper practices in relation to internal control. The contract for the internal audit service is let to Veritau Ltd. The Internal Audit Plan for 2015/16 was approved by this committee in July 2015.

Proposals

5. Managers have carefully considered the internal auditors' recommendations and the agreed actions are set out in the audit reports in Appendices 1 - 4 for members' consideration.

Are there any corporate implications members should be concerned about?

Financial:

6. There are resource implications of implementing recommendations and this is why prioritisation of action is important as this has to be managed within existing budgets and staffing levels, taking account of the level of risk agreed by management. The cost of the Internal Audit Service Level Agreement is found from within the overall Finance budget.

Risk Management:

7. The Internal Audit process is regarded as an important part of the overall internal controls operated by the Authority.

Sustainability:

8. There are no implications to identify.
9. **Background papers** (not previously published) – None

Appendices:

Appendix 1: Risk Management
Appendix 2: Budget Management
Appendix 3: Complaints
Appendix 4: Grants (Outwards)
Appendix 5: Information Governance

Report Author, Job Title and Publication Date

Philip Naylor, Head of Finance, 25 February 2016



Risk Management

Peak District National Park Authority

Internal Audit Report 2015/16

Business Unit: Policy and Partnership
Responsible Officer: Assistant Director – Policy and Partnership
Service Manager: Senior Performance Officer
Date Issued: 01 February 2016
Status: Final
Reference: 69110/002

	P1	P2	P3
Actions	0	0	1
Overall Audit Opinion	High Assurance		

Introduction

The Authority's risk management policy supports one of the core principles in the Authority's Code of Corporate Governance of 'Taking informed and transparent decisions which are subject to effective scrutiny and managing risk'.

The risk management policy states that the Authority will use risk management to achieve its objectives through pro-actively managing its exposure to risk.

It will seek to recognise risk and mitigate the adverse consequences but recognises that, in pursuit of its vision and objectives, it may choose to accept an increased degree of risk in certain circumstances.

It will do so, subject always to ensuring that the potential benefits and risks are fully understood before developments are authorised, and that sensible measures to mitigate risk are established.

Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system will ensure that:

- significant risks are identified and addressed
- actions are carried out in a timely manner, ensuring risks are mitigated
- the requirements of the risk management policy are followed

Key Findings

The risk management arrangements within the Authority were found to be very good. For the service risk registers, risks are added or removed as appropriate, and improvement actions to address risks are monitored with their Director through the Quarterly Performance Outturn Meeting. This allows any emerging significant risks to be escalated to the Corporate Risk Register during the year. The corporate risk register is reviewed at SMT and the Audit, Resources and Performance meetings. Emerging risks are reviewed and added as required, whilst current risks are assessed to determine whether the level of risk has been managed down sufficiently to remove the risk from the register.

All risks on the corporate and service risk registers have a date for action. They also include a quarterly update column where progress against the action is recorded.

Where a target date is not met the date is changed on the risk register but the change can be seen from the quarterly monitoring.

From review of both the corporate and service risk registers, all risks are allocated to an officer who is identified by initials - it may be useful to use job titles instead, as this makes it easier for new staff to identify responsibilities when someone leaves.

One area of weakness relates to scoring of risks - currently the guidance allows risks with the same numerical score to be categorised differently, depending on whether the impact or likelihood has a higher score.

Overall Conclusions

It was found that the arrangements for managing risk were very good. An effective control environment appears to be in operation. Our overall opinion of the controls within the system at the time of the audit was that they provided **High Assurance**.

1 Weighting of Risk Scores

Issue/Control Weakness

Risks with the same score are categorised differently

Risk

Risks are not mitigated appropriately

Findings

There is a methodology for scoring risks, which uses a 3x3 grid to plot risks. There is guidance on what constitutes low, medium and high likelihood and impact and risks are given a score by multiplying impact by likelihood in order to create a score between 1 and 9, However risks are also given a colour coded category, (green, amber and red) and risks with the same number score may have a different risk category (i.e. one risk scores 3 and is green but another scores 3 but is amber dependent on whether the impact or likelihood is the higher score).

It is agreed that high impact/low likelihood should normally be higher priority than low impact/high likelihood, so therefore it is confusing for them to have the same score. The previous audit recommended consideration of changing to a 5x5 grid which would give more scope for scoring, however this was discussed at SMT and a decision was made to retain the 3x3 grid.

In order to clarify the priority of risks, consideration could be given to either scoring each risk according to its priority (i.e. the lowest priority risk scores 1, the highest scores 9 etc.) or purely using the colours and not having a score at all in order to remove confusion.

Agreed Action 1.1

The Senior Performance Officer will take a paper to Strategic Management Team (in April) proposing that the scores are removed from the risk scoring grid. Over recent years, the risk management process has, anyway, moved away from the use of the number scoring in favour of RAG rated High/ Medium/ Low. The paper will also provide the pros and cons of the continued use of the 3x3 grid versus moving to a 5x5 grid, for consideration.

The risk policy will be updated as necessary and taken to ARP for approval (September).

Priority

3

Responsible Officer

Senior Performance Officer

Timescale

30 September 2016

Audit Opinions and Priorities for Actions

Audit Opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.

Our overall audit opinion is based on 5 grades of opinion, as set out below.

Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.



Budget Management

Peak District National Park Authority

Internal Audit Report 2015/16

Responsible Officer: Director of Corporate Services
Service Manager: Head of Finance
Date Issued: 19th February 2016
Status: Final
Reference: 69125/001

	P1	P2	P3
Actions	0	0	0
Overall Audit Opinion	High Assurance		

Introduction

The Budget Management system is one of the key internal control systems operated by the Authority. Effective budget preparation and monitoring will enable the Authority to be assured the financial position is being robustly and properly managed and is linked to the Authority's objectives. Good budget management also assists in identifying errors or unusual transactions.

Effective budget management is particularly important in light of budgetary pressures in the current financial climate and the Authority's reliance on the Defra grant for funding.

Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system will ensure that:

- Budget preparation procedures are in place and working effectively.
- Budget monitoring, review and reporting procedures are in place and working effectively.
- Variances and unusual amount are investigated.

Key Findings

It was found that the Authority's arrangements in relation to budget management are working well. The budget is linked to organisational priorities and expected financial pressures, and a variety of financial information is available to allow for effective monitoring of financial performance and identification of issues.

Overall Conclusions

It was found that the arrangements for managing risk were very good. An effective control environment appears to be in operation. Our overall opinion of the controls within the system at the time of the audit was that they provided **High Assurance**.

Audit Opinions and Priorities for Actions

Audit Opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.

Our overall audit opinion is based on 5 grades of opinion, as set out below.

Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.



Complaints Procedure

Peak District National Park Authority

Internal Audit Report 2015/16

Business Unit: Peak District National Park Authority
Responsible Officer: Director of Corporate Services
Service Manager: Head of Law
Date Issued: 05/02/2016
Status: Final
Reference: 69165/001

	P1	P2	P3
Actions	0	0	1
Overall Audit Opinion	Substantial Assurance		

Introduction

This audit forms part of the 2015/16 audit plan for the Peak District National Park Authority. The purpose of this audit was to review compliance with the Authority's complaints procedure and to compare current arrangements against best practice.

Managing complaints is an integral part of service provision. The purpose of a complaints system is to put right what has gone wrong and to learn from it, improving processes and services where necessary. Complaints can be a useful source of learning about how a service is viewed by the public and how it may be improved.

It is important that complaints are dealt with promptly and in a fair and open minded way and that steps are taken to resolve a complaint at the earliest possible stage to avoid further distress to the customer and risk to the authority.

Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system ensure that:

- The council publicises its complaints procedure effectively
- The customer complaints procedure is fit for purpose, and effective in resolving customer complaints to a high standard
- Complaints are being monitored in line with procedures
- Officers are aware of the procedure, and their responsibilities when handling customer complaints
- The data held on the corporate database is being fully utilised to improve services

Key Findings

The Complaints Procedure at the Peak District National Park Authority was reviewed against best practice and was found to be working, on the whole, effectively. There was found to be good coherence between the system and the features described in the Local Government Ombudsman guidance, with processes in place to ensure that roles and responsibilities are clear and complaints are handled by staff with appropriate training, authority, and objectiveness. The complaints procedure is widely accessible to the general public, fit for purpose and up to date and there is early and direct contact with the complainant. There is also performance monitoring in place in the form of Quarterly Reports and an Annual Review to the Audit, Resources and Performance Committee and consideration by senior managers at the quarterly performance meetings. Since 1st April 2015 after each quarterly report to Committee, which includes details of lessons learnt, a copy of the report is emailed to Heads of Services and Team Managers drawing their attention to it and any necessary changes in practice that are needed.

In the majority of cases it was found that complaints were acknowledged in line with the authority's complaints policy. Although there were delays in the process, there is evidence on file to show that this had been communicated to the complainant to keep them informed about the progress of the investigation.

In all cases, delays appear to be justified, particularly due to the complexity of the cases.

Retention of documentation at stages One and Two was generally good and the Database was being updated. However, there were issues found with regard to the file completion of the Database and electronic folders. The logging of one Stage Two complaint was found to be incomplete, where information was found on file but the Database had not been updated to reflect this progress. Another minor issue was found with the Stage One complaint as the date of acknowledgement had not been logged as a step on the database. Furthermore, with regard to the electronic folders, the second Stage Two complaint appeared to be missing correspondence to the complainant, communicating the delay in the issuing of the final response.

Overall Conclusions

It was found that the arrangements for managing risk were good with few weaknesses identified. An effective control environment is in operation, but there is scope for further improvement in the areas identified. Our overall opinion of the controls within the system at the time of the audit was that they provided Substantial Assurance.

1 File completion on Database and of electronic folders

Issue/Control Weakness

The Complaints Database and electronic folders are not fully complete.

Risk

Decisions may be made based upon incomplete information. Reputational damage if the complaint is not resolved.

Findings

As part of this audit three complaints were reviewed, for two of them there was information missing from the Database. In particular, for the Stage 2 complaint tested (ref: C386), Stage 1 had been recorded on the database but there were dates missing for date of initial contact and date of acknowledgement. It was established that these dates were not on file as the complaint had only been agreed to be set up as a Stage 1 complaint following a meeting with the Chief Executive. There was no documentation sent before this meeting.

It is best practice that there should be a date for the meeting and meeting minutes held on file and recorded on the database to show when this complaint started. Furthermore, there is no information stored on the database for Stage 2 of this complaint; it has only been updated as far as Stage 1. Stage 2 began 24/12/2014 and this has gone unnoticed until now.

There was also minor missing information missing for the Stage 1 complaint (ref: C409) as the date of acknowledgement had not been logged as a step on the database.

For the second Stage 2 complaint (ref: C397) that was reviewed, most of the relevant information was held on file. However, there is an email on file which agrees the deadline for the final Stage 2 response as being 19th May 2015, but the final response was not issued until 2nd July 2015. There appears to be no correspondence to the complainant in the folder which notified of a change of deadline and delay for the Stage 2 final response. A meeting was arranged for 8 June 2015 at request of Complainant with Chief Executive. Unfortunately there is no record of this in the complaint file.

Agreed Action 1.1

The Democratic and Legal Support Team will ensure the complaints database is completed for each step.

All staff involved in complaint handling will be reminded that they need to ensure all actions taken, including agreements to extend deadlines for responses or to hold meetings, are notified to the Democratic and Legal Support Team so that the complaints database and files can be kept up to date.

The Democratic and Legal Support Team will ensure in future that a file note or record of meetings with Complainants is put in the complaint file and noted in the database.

Priority

3

Responsible Officer

Head of Law

Timescale

By 31/03/16

Audit Opinions and Priorities for Actions

Audit Opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.

Our overall audit opinion is based on 5 grades of opinion, as set out below.

Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.



Grants

Peak District National Park Authority

Internal Audit Report 2015/16

Business Unit: Grants

Responsible Officer: Assistant Director Land Management

Service Manager: Countryside and Economy Manager/Cultural Heritage Manager

Date Issued: 28 January 2016

Status: Final

Reference: 69105/001

	P1	P2	P3
Actions	0	0	0
Overall Audit Opinion	High Assurance		

Introduction

The Peak District National Park Authority gives out a significant amount of money each year, although this is dwindling in line with the cuts to budgets that have occurred.

Areas where grant funding is still available include:

- Sustainable Development Fund: budget c£43,000 for 2015/16
- Environmental Enhancement Scheme: budget c£145,000 for 2015/16

Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system ensure that:

- There is a clear application process for each grant which ensures that sufficient information is available to inform decision making
- There are procedures in place for awarding grants that are applied consistently across the authority and ensure that objectives for each grant are defined prior to awarding.
- There are procedures in place to monitor and review performance and outcomes regularly, to ensure the monies are delivering the desired objectives
- Appropriate financial management procedures are in place

Key Findings

The processes within the Authority for awarding grants are generally very good.

- There is a clear application process, which is communicated to applicants either verbally or in writing. For the SDF grant, there is a link on the website to dates when a panel will meet to decide awarding of grants - this link currently does not work and should either be updated if still relevant or removed if not.
- Grants are awarded according to a scoring matrix and officer approval. Authority to do this is delegated in line with the Authority's standing orders, up to a limit of £30,000. For the SDF/cycle fund grants, while there was a copy of the officer report on file, this was not the signed copy – authorisation is done by email. It would be advisable to retain either a signed copy of the report or of the emails on file in case of any clarification required further down the line, although it is appreciated that this fund is winding up.
- The objectives for each grant are clearly defined and communicated to applicants. Projects are reviewed to ensure they are meeting the objectives of the grant. Where appropriate action can be taken to reclaim grant money where it is felt that applicants are not meeting those

requirements although it is accepted that this is a very rare occurrence - it would be advisable to always have this process detailed within the grant conditions in order to avoid any challenge should the situation occur.

- Grants are monitored frequently and in line with service requirements. They are reconciled using the FRED financial system and, in the case of the SDF/cycle grants, discussed at quarterly monitoring meetings.

Overall Conclusions

It was found that the arrangements for managing risk were very good. An effective control environment appears to be in operation. Our overall opinion of the controls within the system at the time of the audit was that they provided **High Assurance**.

Audit Opinions and Priorities for Actions

Audit Opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.

Our overall audit opinion is based on 5 grades of opinion, as set out below.

Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.

This page is intentionally left blank



Information Governance Follow-Up Peak District National Park Authority Internal Audit Report 2015/16

Business Unit: Peak Corporate Services
Responsible Officer: Director of Corporate Services
Service Manager: Head of Information Management
Status: Final
Date Issued: 17th February 2016
Reference: 69190/002b

	P1	P2	P3
Actions	0	0	2
Overall Audit Opinion	High Assurance		



Summary and Overall Conclusions

Introduction

Information is one of the most valuable assets held by any organisation. The Data Protection Act 1998 (DPA), Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) place obligations on public authorities which handle personal data and requests for information. Organisations need to ensure that data are held securely and remain accessible only to those with a need to view them, while also meeting transparency requirements.

Compliance with the Acts and Regulations is monitored by the Information Commissioner's Office (ICO). The ICO has the power to levy fines of up to £500,000 for non-compliance with data protection principles.

Therefore an audit of information governance was undertaken in October 2014, which examined Information Governance, Data Protection and Freedom of Information procedures, to support additional work on disaster recovery and some technical aspects of data security, which was undertaken and reported separately (Ref. 69180/001).

An overall audit opinion of "moderate assurance" was given.

Objectives and Scope of the Audit

The objective of the audit was to review progress towards the completion of the actions raised in the 2014-15 Information Governance audit (Report Ref: 69140/001).

The purpose of the original audit was to provide assurance to management that procedures and controls within the system ensured that:

- staff were adequately trained in DPA, FOIA and EIR issues;
- DPA, FOIA and EIR roles and responsibilities were clear;
- data breaches were handled in accordance with the DPA; and
- information requests made under the Acts and Regulations were handled appropriately.

Key Findings

The original audit report included seven actions which PDNPA had agreed to implement, in order to address the findings of the report.

Of the seven agreed actions, most of which included several elements, five have been fully implemented. The remaining two agreed actions have been substantially implemented, and the authority is working towards completing the outstanding elements and has identified reasonable target dates for the completion of these remaining actions.

The following elements of actions have not yet been fully implemented:

- training self-assessment questionnaires to be assessed by management and rolled out to staff; and
- named information asset owners are to be introduced.

Overall Conclusions

It was found that the arrangements for managing risk were very good. An effective control environment appears to be in operation.

Page 50

1 Senior management responsibility for information governance

1 Original Findings

PDNPA's Information Management Policies Framework is the key document covering information governance and data management principles. However, it does not assign overarching responsibility to a senior individual officer, and a SIRO is not named. The Framework directs anyone with queries to the Head of Information Management or ICT, and also states that "heads of service are directly responsible for implementing the policies within their business areas, and for ensuring staff work within them".

There is no specified role for a lead member of the Authority, as the Authority does not allocate any operational roles in information management to Members.

Original Risk

Ineffective information governance, leading to fines from the ICO.

1.1 Original Agreed Actions

Although we believe the role of the SIRO is currently adequately covered through the roles of the Head of Information Management, the Director of Corporate Resources and the Records and Information Manager we will strengthen these arrangements by updating the job description of the Head of Information Management to give this post the lead role to be introduced with the appointment of a new Head of Information Management in January 2015. The new post holder will work with the Director of Corporate Resources and the Information Management Steering Group to ensure he/she has appropriate access to the management team. This is a similar model to the way the statutory CFO and MO roles operate.

1.2 Current Position

The role of SIRO has been formally added to the head of information management job description.

The initial plan was to implement the SIRO role following the creation of IAS (as per the information management strategy) though as this was delayed by an organisational restructure the SIRO role has been introduced ahead of the IAOs.

1.3 Agreed Actions

No further action required.

2 Training and guidance

2 Original Findings

Staff have to complete twelve questions in an online survey after they have read the Information Management Policies Framework - this is part of the induction programme for new starters. The Head of Information Management advised that around 20 users have not completed this.

Members do not have to complete the survey, and only 5 out of 30 members attended an internal FOI/EIR briefing for the Members given in June 2012 by the Records and Information Manager. Some officers, including senior managers and Customer Services staff, are expected to undertake specialist training, and this was offered in 2012, but has not been repeated. This means that several members of staff who have joined the Authority since then have not had the training which was deemed necessary for their role and/or predecessors.

The Information Management Policies Framework does not assign overall responsibility to an individual for ensuring that all relevant training is provided and completed.

Original Risk

Poor understanding of legislation and personal obligations, causing information security breaches, leading to the imposition of fines or other penalties by the ICO.

2.1 Original Agreed Actions

We do not believe there is evidence that staff and members have a poor understanding of the legislation and personal obligations relating to data management. The current arrangements and procedures identify issues quickly and allow risks to be managed efficiently and effectively. We do accept, however, that we could improve training and guidance procedures by taking the following actions:

- Remind staff of guidance notes and procedures available on the intranet and provide an on line self-assessment tool to test basic knowledge
- Introduce a training programme for members, new staff and any anyone failing to pass the self-assessment test. This will cover FOI/EIR, Data Protection and the fundamentals of data management. We will consider with management team whether this training should be mandatory.
- Train all staff in use of the HUB – electronic document management systems for holding and managing all business records.

- Ensure all staff have completed the on-line Policy Framework questionnaire
- Assign responsibility for training to the Records and Information Manager with support from management team and line managers.

2.2 Current Position

Multiple reminders have been sent to staff as well as update notifications regarding specific changes to the policy document. The self-assessment questionnaire has been abandoned in favour of a new training module which has been developed. This is to be assessed by management team during February 2016 and rolled out to staff during March – June 2016.

Three audits have been completed, and all staff have now completed the online policy framework questionnaire.

Responsibility for training has been assigned to the information and records manager. This is being further strengthened by a change to the job description and person specification.

2.3 Agreed Actions

Self Assessment questionnaire to be assessed by management team during February 2016 and rolled out to staff during March – June 2016.

Priority	3
Responsible Officer	Head of Information Management
Timescale	30 th June 2016

3 Record retention

3 Original Findings

The Information Management Policies Framework covers "Retention and Disposal of Information", and refers staff to the "Guidelines for Retention" on for further details. In referring to the "Guidelines for Retention", the Framework states that they "should be considered once a file is 'closed' i.e. no further action is required or expected".

The Authority holds all records on site, and due to various restructures and changes in building use, many hard copy documents which were no longer required have been destroyed.

However, there is no process to trigger the destruction of hard copy documents, and the Framework and Guidelines do not assign responsibility for ensuring that destruction takes place. The Authority is working towards a comprehensive electronic document management system, and this will include the ability to prompt data owners to delete or retain files once their retention limit has been reached.

The auditor will examine disaster recovery in detail in Audit 69180/001, and will review data retention in back-ups as part of that audit, as the Authority is changing its DR arrangements.

Original Risk

Data are retained for longer than permitted by the Data Protection Act 1998, leading to the imposition of fines or other penalties by the ICO.

3.1 Original Agreed Actions

We will introduce named Information Asset Owners (IAOs) with primary responsibility for ensuring record management policies are implemented and adhered to.

We will provide support to IAOs through the work of the Records and Information Manager migrating data and records into the HUB.

3.2 Current Position

A new information management strategy has been created and agreed by both members and management team (July 2015). This includes agreement for the creation of IAO's across the organisation. The implementation is being delayed as the organisation is undergoing a restructure and so it would not make sense to position IAOs now as their spread across the organisation would change over this year as a result of that restructure.

3.3 Agreed Actions

Named IAOs to be introduced.

Priority	3
Responsible Officer	Head of Information Management
Timescale	31 st December 2016

4 Information asset register

4 Original Findings

The Authority does not have an information asset register. The Retention Policy is the closest equivalent, as it breaks down data held by organisation area, but may not be complete. There is no definitive central record of all data held, in which the Authority assesses the purpose and significance of the data which it holds, and the risks associated with them, and assigns responsibility for them to individual asset owners.

Original Risk

Data processing breaches the Data Protection Act 1998, leading to the imposition of fines by the ICO.

4.1 Original Agreed Actions

We accept there is no definitive central record of all data. Information is registered in certain areas (e.g. Planning and A-Files) but elsewhere teams and individuals store data according to their needs. This situation will change with the introduction of the HUB. Business data and records will be cleansed and migrated from heritage systems into HUB where indexed meta data will be used to create and maintain an information asset register. The records and information manager will work with IAOs to support this process and, together with other staff, work to cleanse any other data to ensure it meets the standards set out in the information management policies framework.

4.2 Current Position

The HUB has now been developed and currently contains references to 55 categories of data (such as planning applications, or listed building, or conservation areas etc.). As part of the current approved information management strategy, work will continue as a business as usual activity to cleanse further categories of data and to introduce consistent methods of management for those data sets. There is no end date for this activity, as the data that the organisation uses is constantly growing and changing, and so this action ongoing.

The implementation of IAO's was delayed due to an organisational restructure. This will now take place from September 2016 when the organisational changes are due to be agreed and implementation started. Although the IAO's will provide a formal management structure for data management across the organisation, this ongoing activity to migrate and cleanse data need not be impacted as it is being built into specific projects anyway.

4.3 Agreed Actions

No further action required.

Page 56

5 Storage and destruction of confidential information

5 Original Findings

The Information Management Policies Framework states "if the personal or sensitive data is on paper, card or microfiche, it should be destroyed mechanically using bulk shredding (available through HR or Property Services)". The auditor observed the confidential waste receptacle in HR - this was a sack, rather than a locked bin. The sacks are left open while in the building, but the auditor was informed that they are secured when removed from the building.

The auditor was informed that the HR office is kept locked when it is unoccupied and that the cleaners do not have keys. However, the Safety Officer is also a member of the HR team, and has access to the office, as does the Property Service.

Elsewhere there are no secure arrangements for holding confidential information prior to destruction - this could be commercially sensitive information, not necessarily personal data covered by the DPA.

5.1 Original Agreed Actions

Secure storage bins for sensitive documents to be installed around the building.

Provide lockable cabinets to those areas where sensitive/confidential information is held.

5.2 Current Position

Secure waste bins have been installed. Lockable storage is now available where appropriate.

5.3 Agreed Actions

No further action required.

Original Risk

Access to personal or commercially sensitive data by unauthorised persons (including other members of PDNPA staff), leading to imposition of financial penalties by the ICO, and/or reputational damage.

6 Procedures for responding to an information security breach

6 Original Findings

The Authority does not have any documented policy or procedure for handling a data security breach. The Head of Information Management and the Records and Information Manager advised that they would use the information resources on the ICO website to decide how to deal with a breach.

Original Risk

Failure to improve procedures, leading to the imposition of fines by the ICO.

6.1 Original Agreed Actions

Amendments made to the Information Management Policies Framework, setting out procedure for suspected or actual security breaches. Staff informed by email.

6.2 Current Position

As well as an update to the information management policies, the records and information manager makes use of the resources supplied by the ICO, including their guidance on data security breach management. We will incorporate revisions from the General Data Protection Regulation into our policies and guidance for staff, once the text of the GDPR has been agreed.

6.3 Agreed Actions

No further action currently necessary.

Page 58 **7 Review of Information Management Policies Framework**

7 Original Findings

The Framework has a version history, but there is no review interval indicated, and it does not formally assign responsibility for reviews.

Original Risk

The Authority does not respond to changes in legal requirements relating to information governance.

7.1 Original Agreed Actions

Updates to policies to be made as required with staff informed. (Example Procedure for security breach, item 6 above.). Complete review of framework every two years.

7.2 Current Position

A review schedule has been added to the information management policies framework with a full review scheduled every two years.

7.3 Agreed Actions

No further action required.

Audit Opinions and Priorities for Actions

Audit Opinions	
<p>Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit.</p> <p>Our overall audit opinion is based on five grades of opinion, as set out below.</p>	
Opinion	Assessment of internal control
High Assurance	Overall, very good management of risk. An effective control environment appears to be in operation.
Substantial Assurance	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Reasonable Assurance	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Limited Assurance	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
No Assurance	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Priorities for Actions	
Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.

10. LOCAL GOVERNMENT OMBUDSMAN COMPLAINT (C355/JRS)

Purpose of the report

1. This report informs Members of the findings of the micro-scrutiny panel which was appointed following the consideration by the ARP committee of a complaint which has been dealt with by the Local Government Ombudsman in respect of a case in Rowsley. The matter was considered by the Audit Resources and Performance Committee on 6 November 2015. At that meeting it was agreed that at this stage a short report would be provided for Planning Committee (January 2016), but that a micro-scrutiny review panel be set up to consider the lessons to be learned from this case. The micro-scrutiny panel comprised the following Members:

- Chair of Audit, Resources and Performance (Cllr Andrew McCloy)
- Vice Chair of Audit, Resources and Performance (Cllr Chris Furness)
- Chair of Planning (Paul Ancell)
- Emma Sayer
- One other Member of the Planning Committee

The Chair of Planning approached Cllr Caroline Howe to fill this last place and she agreed. The Panel met on 8 January. They visited the site so that they could understand the background to the case. They were assisted by the appropriate officers, including the Director of Conservation and Planning. The Panel met and reviewed the lessons to be learned from this case by considering the practicalities and process of consulting on planning applications and judging the impact of developments on neighbours.

Recommendations:

2.
 1. **That the findings of the report and recommendations be noted and adopted, as follows:**
 - i. **Planning officers to make a written log of all site visits and include photos.**
 - ii. **Planning officers to erect the yellow site notices and consider the best position for this.**
 - iii. **Planning officers to take a photo of the yellow site notice when erected.**
 - iv. **Planning officers to consider if any neighbouring properties need to be notified by letter and deliver these whilst on site or ensure admin staff send letter on return to office.**
 - v. **Administrative support staff to be given discretion to widen the 10m area if appropriate when preparing neighbour notifications.**
 - vi. **Planning officers need to recognise they are the backstop and use their judgement on site.**
 - vii. **Planning officers reports on applications (delegated and Planning Committee) need to be clear and concise with regard to neighbour notification and impact on neighbouring properties.**
 2. **That the Members of the Panel be thanked for their engagement in the micro-scrutiny process.**

How does this contribute to our policies and legal obligations?

3. The Authority's complaint procedures state: 'We aim to deliver high quality and efficient services. We are always trying to do better and welcome your feedback. It is important because it helps us build on strengths and learn from mistakes. If things go

wrong we want to rectify the problem as fairly and quickly as possible'. In our transitional year 2015/16 learning from complaints received will contribute to one of our four cornerstones: 'Our organisation – develop our organisation so we have a planned and sustained approach to performance at all levels (people, money, outputs)'. After exhausting the Authority's procedures a member of the public can complain to the Local Government Ombudsman as a final step.

Background

4. The Authority's agreed procedure for micro-scrutiny includes the following main steps:
 - Members in a meeting of the Authority or a Committee agree to a micro-scrutiny along with reasons for requesting it. The Members to be on the micro-scrutiny team are identified.
 - The Terms of Reference for the micro-scrutiny are agreed.
 - A Management Team lead officer is identified to be the link with the micro-scrutiny team, and to arrange meetings with staff who the team wishes to meet.
 - The findings and recommendations of the micro-scrutiny team are incorporated by the management team lead officer into a report to Audit, Resources & Performance Committee. The report should also cover proposed actions.

In this case the Ombudsman's investigator had concluded that there had been fault by the Authority due to the failure of the Authority to consider material planning considerations, apply its own planning policies or consider separation distances and the overbearing impact on a neighbouring property when granting planning permission for an extension. The concerns of the complainant initially arose through a failure to consult him directly on an application for an extension to the neighbouring property in 2012. The application was publicised through a standard yellow site notice, and some neighbours were consulted by letter, but the complainant was not directly consulted.

5. At the meeting of the panel on 8 January the Director of Conservation and Planning Authority's explained the current policy on notifying neighbours of planning applications, as set out in the Statement of Community Involvement (2012) in the consultation on planning applications section. He also tabled details of the neighbour notification policies of other National Park Authorities and 3 Constituent Authorities. He also explained that administrative support officers who prepare and circulate neighbour notification letters also occasionally use their judgement to include properties outside the 10m area as necessary. Planning officers going on site have details with them of properties notified (on the cover sheet of the application file) and can identify extra ones who should be notified.

The Panel agreed that site visits were important as a means of judging impact on neighbours and who to notify. They agreed that a written log of all site visits should be made, including photos. It was also important to consider where the site notice was placed.

6. Having reviewed the case, the Micro Scrutiny Review Panel agreed the following action points:
 - i. Planning officers to make a written log of all site visits and include photographs.

Officer comment: Planning Officers usually take photographs of all sites when they visit the site during the application process. The photographs are uploaded to the "Hub", which has both an internal and a public face; the photographs are usually on the public pages (PAM). Any notes are usually made on the front cover of the file or in electronic file notes – only the latter would be saved to the system once the application has been determined, so any significant notes need to be made and stored

electronically.

- ii. Planning officers to erect the yellow site notices and consider the best position for this.

Officer comment: Planning Officers usually erect the site notice on or close to the application site and usually try to identify the best location for this (in terms of public visibility). They also erect more than one notice if appropriate (where the development is significant or where there is more than one public access or face to the development, for example). They now always take photographs of the site notice once it has been erected as a record of the time and place. This was previously a common practice rather than a universal practice, but it is now universal for those applications where a site notice is put in place. An important point to note is that the date that a yellow notice has been placed on or near the site is recorded on M3, the Authority's electronic planning database, so it is possible to check that this was done if this is ever questioned.

- iii. Planning officers to consider if any neighbouring properties need to be notified by letter and deliver these whilst on site or to ensure that administrative support staff send letters on their return to office.

Officer comment: Planning Officers already do this, but the practice needs to be supported and reinforced.

- iv. Admin staff to be given discretion to widen the 10m area if appropriate when preparing neighbour notifications.

Officer comment: Again, administrative support officers already do this but the practice needs to be supported and reinforced. However, it is important to recognise that this is usually a site specific judgement so it is best made by the Planning Officer.

- v. Planning officers need to recognise they are the backstop. Again, it is essential that Planning Officers understand that the assessment of the potential impact on neighbours is a planning judgement which is best made on site.

Officer comment: Noted. This is a key learning point for the Planning Service.

- vi. Planning officers reports on applications (delegated and Planning Committee) need to be clear and concise with regard to neighbour notification and impact on neighbouring properties.

Officer comment: Noted. This is a key learning point for the Planning Service. It is essential that both delegated and Planning Committee report specifically refer to the issue of potential impact any neighbouring properties. This is an important responsibility for the Planning Officer writing the report and for the manager signing it off. Planning Officers have already been reminded that reports should include a proper written assessment of the potential impacts on the amenities of neighbouring properties and justify their conclusions with reference to the SPD on alterations and extensions where appropriate.

7. All Planning Service staff have been briefed by the Director of Planning to confirm these "lessons learned".

Are there any corporate implications members should be concerned about?

8. **Financial:** There are no specific financial issues arising from this report. Any resource

implications that might arise from the proposed actions would be considered by Resource Management Team.

9. **Risk Management:** The proposed measures will help to avoid future justifiable complaints about neighbour notification and publicity of applications.
10. **Sustainability:** The introduction of more effective and efficient ways of working will increase the sustainability of the Planning Service delivery.
11. **Background papers:** (not previously published) – Local Government Ombudsman’s decision dated 19 October 2015.
13. **Appendices:** Extract from Statement of Community Involvement June 2012
14. **Report Author, Job Title and Publication Date**

John Scott, Director of Conservation and Planning, 25 February 2016

Appendix 1: Extract from Statement of Community Involvement June 2012

Consultations on planning applications

Type of application	Notification requirements
Major development	All owners or occupiers will receive a letter telling them about planning applications if their building is within 20 metres of any part of the application site. A site notice will also be put up as required by law. We will also advertise these applications in local newspapers.
Minor development	All owners or occupiers will receive a letter telling them about planning applications if their building is within 20 metres of any part of the application site. If there are no such neighbours, a site notice will be put up.
Other development including householder development	All owners or occupiers will receive a letter telling them about planning applications if their main buildings are within 10 metres of any part of the application site. If there are no such neighbours, a site notice will be put up.
Conservation Area / Listed Building consent / Advertisement Consent	All owners or occupiers will receive a letter telling them about an application if their building is within 20 metres of any part of the application site. A site notice will also be put up as required by law.

This page is intentionally left blank

11. PROPOSED TRAFFIC REGULATION ORDER AT DERBY LANE (A76227/SAS)

Purpose of the report

1. This report presents the outcome of consultation with statutory consultees under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 for the proposed future management of this route.
2. On the basis of the consultation, available evidence and the information in this report, it is recommended that the Authority should proceed to publication of its proposals for a permanent traffic regulation order (TRO) on this route. At such time, there will be an opportunity for consultees and members of the public to make comments on the proposals and which will be considered by this Committee before the decision is taken whether or not to make a TRO.

Recommendations

3. **1. That the Authority publishes notice of its proposals for a Permanent Traffic Regulation Order under Section 22 BB(2)(a) Road Traffic Regulation Act 1984 that will have the effect of prohibiting use by mechanically propelled vehicles at any time on Derby Lane.**

Policies and legal obligations

4.
 - National Park Management Plan – Partnership for Progress 2012-17 –W14
 - Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road, and Procedure for Making Traffic Regulation Orders (TROs).
 - Sections 5(1) and 11A of the National Parks and Access to the Countryside Act (NPACA) 1949
 - Section 122 of the Road Traffic Regulation Act 1984.

Background

5. On 20 March 2015, Audit Resources and Performance (ARP) Committee approved actions in the key areas of work required to deliver the revised Strategy on managing recreational motorised vehicles (Minute 17/15). The Green Lanes Action Plan focused on the priority routes where the need for improved management had been identified. At Derby Lane, this included a proposed consultation on vehicle regulation.

The Route

6. Derby Lane runs south easterly from Summerhill Farm, Monyash to meet Long Rake Road at the access to Cales Farm. It is approximately 2.1 km long. The relevant Highway Authority is Derbyshire County Council (DCC). A map showing the route is provided in Appendix 1.
7. The route runs along the limestone plateau above Lathkill Dale and has far reaching views. Access to Summerhill Farm is via a classified section of road, thereafter the route is unsealed and in the latter sections is undefined on the ground. The stone walled track widens out before opening out into fields. The route is trackless for much of its length. The route is not passed by any roads throughout its length. Other than Summerhill Farm the route does not pass any properties along its length. The route is used for agricultural access to neighbouring fields and at the southern end meets with the access road to Cales Farm.

8. The route passes through a Site of Special Scientific Interest (SSSI) and an area of Natural Zone abuts the route at Cales Dale. The route passes through historic landscapes including medieval. It is considered to be the surviving section of the old road between Derby and Manchester and is marked by a post medieval guidepost. A high priority lead mining site and long barrow is located immediately adjacent to the route. The route lies within the White Peak Landscape Character Area. The conservation interest is summarised in Appendix 2.
9. Derby Lane is an important recreational asset for all users and provides a route from Monyash to Long Rake Road and the Arbor Low Scheduled Monument. The route is used for agricultural purposes and access for caving and provides an alternative to Lathkill Dale and the Limestone Way.
10. Determination of legal status is ongoing with an order for Byway Open to all Traffic (BOAT) status having been made by Derbyshire County Council. A BOAT is a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used.
11. At the end of 2013, the landowner placed boulders (subsequently enhanced by Armco barriers) part way along the route preventing it being used as a through route by 4-wheeled vehicles. Vehicle logging and evidence on the ground shows that use by 2-wheeled mechanically propelled vehicles (MPVs) continues on both parts of the route and that 4-wheeled use, including agricultural use, is taking place on the Monyash side of the barrier.
12. The sustainability analysis undertaken in 2007 illustrates the management problems associated with this route. Issues identified in the preparation of route management reports relate to disturbance and user conflict, the nature and condition of the route, and its environmental sensitivity. Detailed route management information is available at www.peakdistrict.gov.uk/priorityroutes.

Consultation

13. A consultation letter under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 was sent to consultees on 26 November 2015. The list of those persons consulted is set out in Appendix 3.
14. The consultation letter set out the reasons for consulting on a TRO and the possible options available. Consultees were asked to comment on whether they thought a restriction was necessary and if so to state the nature, extent and duration of any restrictions. They were also asked to comment on any alternative management options. A summary of the responses are set out in Appendix 4.
15. A number of comments were also received from individuals/bodies who were not consultees. Those from organisations have been reported where they endorsed the comments made by statutory consultees.

Issues Arising from the Consultation

16. Various actions regarding the management of this route have been undertaken including waymaking the route and logging vehicle use, However, the need for improved management remains.
17. This consultation has identified that the majority of consultees that responded consider that management issues could best be resolved by some form of TRO but there are

differences as to the nature and extent of such an order. Suggested TRO options include:

- A restriction on all mechanically propelled vehicles at all times on the full extent of the route
- A width/weight restriction
- A seasonal TRO

18. Three of the consultation responses recommended voluntary restraint at this time. One response considered that voluntary restraint could not be managed effectively on this route.
19. One of the other consultation responses did not believe that there was any present need for any formal restrictions or a restriction on 2-wheeled motorised vehicles over and above that presently provided by the boulders and barriers. This consultation response referred to the status of the route and that there was no need for action until the legal status had been determined. A number of other responses considered that pre-emptive action was required on this route.
20. The determination of the legal status of the public's rights is primarily a matter for the relevant Highway Authorities. Where there is sufficient evidence available to the Authority establishing the existence of public vehicular rights of passage over the route, The Authority may exercise its powers under s22BB.
21. A number of the consultation responses also referred to the safety of the route for other users. Safety concerns may be relevant to consideration of the impact on amenity. There may also be other management options which can seek to address risks of danger or harm.

Grounds for Making a TRO

22. Where it is proposed to make a TRO the Authority must be satisfied that a TRO would fulfil at least one of the purposes set out in s1(1) or s22(2) of the Road Traffic Regulation Act 1984 (Appendix 5). In the case of the Derby Lane route, the following purposes are considered relevant:
 - s1(1)(d) – for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
 - s1(1)(f) – for preserving or improving the amenities of the area through which the road runs
 - s 22(2) - for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area
23. Factors which contribute to natural beauty include landscape quality, scenic quality, relative wildness, tranquillity, natural and cultural heritage features and associations. Conserving the flora, fauna, and geological and physiographical features will also conserve the natural beauty of the area. Amenity is viewed as the benefits afforded to people from what is seen and experienced and is dependent on the natural beauty of an area and the opportunities offered for recreation.
24. Natural Beauty - The route is in a National Park designated for its exceptional natural beauty and passes adjacent to an area of Natural Zone. As such it is particularly important to conserve that natural beauty. The landscape, ecological and geological interest in this area is of national importance and there are nearby cultural heritage features of national and local importance. These and other undesignated assets all make

a significant contribution to the character of the area. There are extensive views from the route and it is visible from Arbor Low, approximately 700 metres away.

25. The route is historic and for much of its length is grassy and trackless. The nature of the route and its setting in the landscape as well as the variety of natural and cultural heritage features adds to the experience of using the route. The route also gives the opportunity for quiet enjoyment and to experience tranquillity, one of the special qualities that people value most about the Peak District National Park. Tranquillity and the freedom from intrusion is encompassed by the Natural Zone designation.
26. Amenity - Although not all the features and interests are directly affected by mechanically propelled vehicles using the route, the presence, or anticipation of their presence, and/or evidence of their passing has an impact on the natural beauty in this area and can detract from the experience and enjoyment by others in this area. The potential for an increasing level of recreational motor vehicle use through the clarification of legal status is likely to lead to greater disturbance to the tranquillity of an area and an increased potential for conflict with the land management and other recreational users.

Section 122 of the Road Traffic Regulation Act 1984

27. Before reaching a decision, the Authority must consider its duty under section 122 of the Road Traffic Regulation Act (RTRA) 1984. The duty under s122(1) is to secure twin objectives, namely the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The duty takes effect in 'so far as practicable' having regard to the matters specified in s122(2).
28. This is an important route as a means to link in with other rights of way. It is also an important route for recreational mechanically propelled vehicle (MPV) users, including those passing through the area on part of a longer journey or circuit. For these MPV users, there is an alternative available in the form of metalled roads.
29. No safety incidents have been reported to the Police. However, concerns over conflict with vehicle users have been raised and this may have deterred/inconvenienced some users. The safe and convenient use of the route by pedestrians and other possible users such as horse-riders, cyclists and carriage drivers could, therefore, be improved by the regulation of motor vehicle users. There are no opportunities for parking at either end and along the route but parking may take place at the lane end in Monyash. Any proposed restriction would not affect these facilities.
30. In considering the factors set out in relation to s122(2):
- Access to premises - any proposed restriction would only be for vehicles using the route as a through-road or for recreational use. Vehicular access to land adjacent to the route (for agricultural or land management purposes) would be unaffected.
 - Amenities of locality – to access this route it is necessary to use metalled roads. These offer an alternative for recreational vehicle users, albeit not of the same character as an unmetalled track. An unclassified UCR (as the route presently is) or a BOAT (as the route is proposed) is not part of the road transport network. Heavy commercial vehicles do not use this route.
 - Air quality –recreational motorised vehicle use has a negligible impact.
 - Public Service Vehicles – as this is an unsealed route it is not used by such vehicles.
 - Disabled access – Recognised invalid carriages will not be affected by the TRO. Any TRO would not prevent the use by wheel chairs and trampers and would enhance the safety and enjoyment of such access. Access by other means by

- disabled users could also be obtained on application to the Authority.
 - Natural beauty/amenity – the restriction of MPVs would have a beneficial impact on the natural beauty of the area and amenity of other users.
31. To ensure expeditious and convenient use any TRO if made would contain exceptions in order to permit the following mechanically propelled vehicle usage:
- Use by emergency services or by any local authority or water authority in pursuance of their statutory powers and duties.
 - Use to enable work to be carried out in or adjacent to the road
 - Use for the purposes of agriculture or land management on any land or premises adjacent to that road
 - Recognised invalid carriage
 - Use upon the direction of or with the permission of a Police Constable in uniform
 - Use with the prior written permission of the Authority
32. In balancing the duty in s122(1) and the factors set out in S122(2), the Authority believes preservation of the character of the route and enjoyment of the amenity and conservation of the natural beauty of the area outweighs unrestricted recreational motor vehicular use of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles.
33. Where a TRO is to be pursued, s122 would not require the Authority to proceed in stages starting with a least restrictive option. However, if a less restrictive option may achieve the desired outcome then it is a factor for consideration. Paragraph 17 and 18 highlight the principal alternatives which have been identified from the consultation process. The main alternatives are considered more fully in the paragraphs below.
34. Width/weight restriction - boulders have prevent 4-wheeled vehicles using the route as a through route. A restriction which limits the use by four-wheeled motorised vehicles would reduce the overall numbers of MPVs. However as shown by the on-site restriction from the use of the boulders, the conflict with other users and visual, physical and auditory impacts from 2-wheeled motorised vehicles remains.
35. Seasonal restriction - The trackless nature of the route means that it is susceptible to damage. The designated areas adjacent to and through which the route passes are of value primarily for their earth heritage and cave interest. Leaving aside the legal status of the public rights over the route and that there are on site width obstructions, the passage of vehicles on this route has resulted in rutting over an increasingly wider area. Whilst a seasonal restriction may help in reducing the impact on the route's condition to times when ground conditions are anticipated to be more suitable, there could still be impacts on the landscape and amenity of the area and during wet/soft ground conditions occasioned by periods of high rainfall.
36. Other Options - In view of the sensitivity of the area, it is not considered that the impacts could be both identified and adequately managed by a more selective TRO or other measure such as a scheme of voluntary restraint to a level which is acceptable and any recovery periods may not allow for the necessary protection of interests of acknowledged importance. Magnitude of impacts is greater in designated areas and there is no guarantee that the type, level and timing of use would not result in an adverse irreversible or cumulative impact on the integrity of these areas. The level of confidence in a less restrictive option achieving the outcome of protecting the character of the route, natural beauty and amenity of the area is therefore not sufficient to be able to justify this course of action.
37. The enforcement of any TRO, including the use of barriers, would be undertaken in consultation with the Highway Authority and the police and having regard to the character

of the route. Routine monitoring will identify if there are any problems.

Summary

38. A key issue is the extent to which it is necessary to restrict current and potentially the future increase in mechanically propelled vehicles to address the impacts arising from the hearing, meeting and seeing of recreational motor vehicles, or their passage, or the works required to manage that use.
39. Mechanically propelled vehicle use of the route impacts on the natural beauty and amenity of the National Park in the following ways:
 - Damage to grassland
 - Definition of a vehicular route through use and any subsequent repairs to make sustainable
 - Impact on the SSSI
 - Impact on the setting and the significance of nationally designated and undesignated cultural heritage assets
 - Visual impact of vehicle movement in the landscape
 - Noise impact on wildlife and people
 - Deterrence of use by non-MPV users from presence or anticipation of vehicles
40. 4 wheel drive vehicles are not at present able to use the route as a through route. Confirmation of the status of the route as a BOAT would open up the route to 4-wheeled as well as 2-wheeled vehicles.
41. On balance, it is considered that continued use and any increase in use by mechanically propelled vehicles on this route would have an adverse impact on the ecological/geological, archaeological and landscape interests, the amenity and recreational value of the area and the special characteristics of the route. To address this, a form of traffic regulation order which prohibits MPV use is considered appropriate.

Proposal

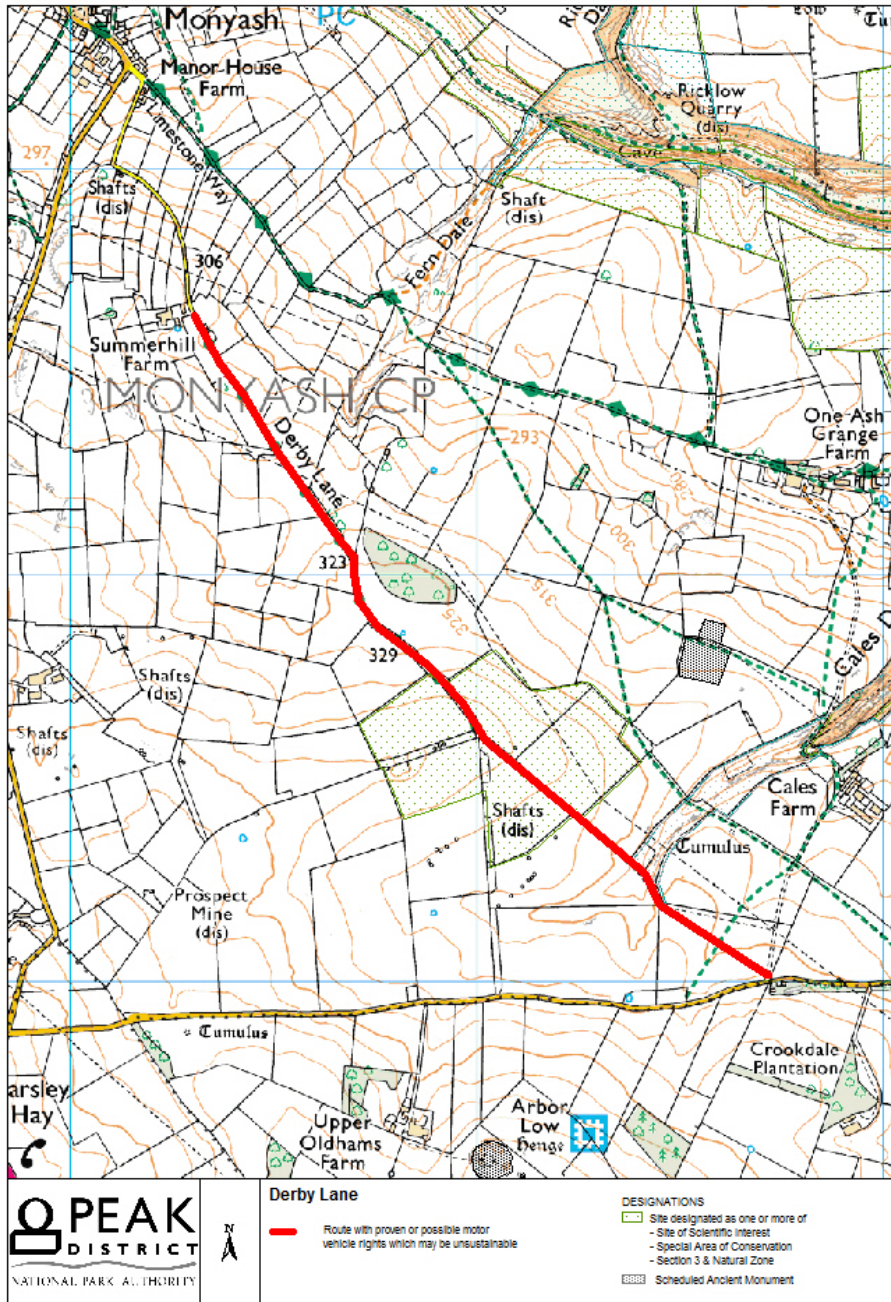
42. On the basis of the evidence, consultation responses and duty under s122, it is proposed that the Authority publishes notice of its proposals under Regulation 5 of the 2007 Regulations for a permanent TRO over the full length of the route restricting all mechanically propelled vehicles at all times, save for those excepted, for the purposes of
 - s1(1)(d) – for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
 - preserving or improving the amenities of the area through which the road runs (s1(1)(f) RTRA 1984)
 - conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area (s 22(2) RTRA 1984)
43. In their consideration of whether a permanent full time TRO for all MPVs is the most appropriate course of action, it is necessary for Members to have regard to whether alternative options could have the same effect in relation to the character of the road, and the natural beauty and amenity of the area.
44. If Members wish to pursue the TRO option then a statement of reasons and a draft notice of proposals, draft order and map will be prepared and publicised in accordance with the 2007 Regulations.

Are there any corporate implications members should be concerned about?

45. **Financial:**
The Authority budget planning (for 2015-16) included increased resources for this area of work in addition to delivering other action relating to the management of recreational motor vehicles and provision has been made to extend this until March 2017. Supplementary costs relate to:
- advertising and site works for any order that is made
 - public inquiry, where the decision is taken to hold one
 - defending potential High Court challenges, including Counsel's fees and an award of costs if unsuccessful.
46. The Authority's Resource Management Team have a standing item on their agenda to monitor external legal costs in relation to TROs.
47. **Risk Management:**
There is an element of reputational risk to the Authority for deployment of a TRO or for not using this power. This issue is likely to be of considerable public interest. The Authority must be confident that the grounds for action are clear, objective and defensible.
48. There is a risk that enforcement and prevention of illegal use will not be wholly effective. There will be a need to monitor and review over the longer-term. Physical measures and signage may be the target of vandalism and may need regular replacement.
49. **Sustainability:**
This report addresses sustainability issues in the context of both the National Park Management Plan and the Authority's statutory purposes, duty and legal powers.
50. **Equality**
The requirements of the Equality Act 2010 have been met in the consideration of proposals on this route and the ongoing requirements to have regard to the duty.
51. **Background papers:**
None
52. **Appendices**
The following documents are appended to this report:
1. Map of the route
 2. Summary of the conservation interest
 3. List of consultees
 4. Consultation responses
 5. Grounds for making a TRO
53. **Report Author, Job Title and Publication Date**

Sue Smith, Rights of Way Officer, 25 February 2016

This page is intentionally left blank



Representation on this map of a route is no evidence of a right of way.
 This map is reproduced from Ordnance Survey material with the permission of Controller of HMSO. Crown Copyright.
 All rights reserved. Peak District National Park Authority. Licence No. LA 100005734. 2005

This page is intentionally left blank

Derby Lane - Conservation Interest

Ecological/Geological Interest

The route runs through a part of Lathkill Dale SSSI (approximately 480 m in total) and lies adjacent to another part of the SSSI at Cales Dale. This latter section also forms Section 3 Limestone Dale/Natural Zone

The SSSI was designated for its limestone woodland, grassland, lichens and invertebrates and for the limestone geology and caves. The underground interest above which the route passes contains features of cave passage morphology, sediment sequences and cave formations.

The Natural Zone designation comprises habitats falling within the Section 3 map defined by the Wildlife and Countryside Amendment Act 1985 as areas whose natural beauty it is particularly important to conserve.

Archaeological Interest

The route passes through a range of Historic Landscape Character areas including medieval, land enclosed in mid 19 century and common land.

The lane comprises a section of the old road from Derby to Manchester and has a record of a post medieval guidestone.

Adjacent to the route is a long barrow and a high priority lead mining site.

Part of the significance of the nationally designated Arbor Low prehistoric monument is the landscape to the north which forms part of its territory and the setting for the monument.

Landscape Interest

The route lies within the White Peak Landscape Character Area (LCA) and abuts an area of Natural Zone.

The National Park is designated for its internationally and nationally important landscape.

The Natural Zone designation comprises areas whose natural beauty it is particularly important to conserve. Within the National Park it comprises the wilderness areas in which the influence of man and of development is less marked.

The overall strategy for the White Peak LCA is to protect and manage the distinctive and valued historic character of the settled, agricultural landscapes, whilst seeking opportunities to enhance the wild character and diversity of remoter areas. The route is within the Limestone and Limestone Plateau Pastures Landscape Character Types within the White Peak LCA.

This page is intentionally left blank

Derby Lane - List of Organisations and Bodies Consulted – November 2015

Person		Cases in which consultation is required	Response
1	The highway authority for the area in which the road is situated. <ul style="list-style-type: none"> Derbyshire County Council 	In all cases	No reply
2	The appropriate Crown authority	Where the proposed order relates to or appears to the National Park authority to be likely to affect traffic on a Crown road.	Not consulted
3	The fire and rescue authority for the area in which the road is situated. <ul style="list-style-type: none"> Derbyshire Fire & Rescue 	Where it appears to the National Park authority that the order is likely to affect the passage on any road of fire fighting vehicles.	No reply
4	The NHS trust or NHS foundation trust providing an emergency ambulance service for the area in which the road is situated. <ul style="list-style-type: none"> Derby & Derbyshire NHS 	Where it appears to the National Park authority that the order is likely to affect the passage on any road of ambulances.	No reply
5	The chief officer of police for the area in which the road is situated. <ul style="list-style-type: none"> Derbyshire Constabulary 	In all cases	Received
6	The parish or town council for the area in which the road is situated. <ul style="list-style-type: none"> Monyash Parish Council 	In all cases	Received
7	Any local access forum for the area in which the road is situated. <ul style="list-style-type: none"> Peak District Local Access Forum 	In all cases	Received
8	Auto Cycle Union	In all cases	No reply
9	British Driving Society	In all cases	No reply
10	British Horse Society	In all cases	Received
11	Byways and Bridleways Trust	In all cases	No reply
12	Open Spaces Society	In all cases	No reply
13	Ramblers' Association	In all cases	Received
14	Cyclists' Touring Club	In all cases	No reply
15	Land Access and Recreation Association	In all cases	No reply
16	Natural England	Where the order relates to a road which is within or partly within an SSSI.	Received
17	Campaign to Protect Rural England (Friends of the Peak District)	In all cases	Received
18	National Farmers Union	In all cases	No reply
19	Country Land and Business Association	In all cases	No reply
20	Council (Campaign) for National Parks	In all cases	No reply

21	<p>Such other body representing persons that the National Park authority considers are likely to be affected by any provision in the order</p> <ul style="list-style-type: none"> • Peak and Derbyshire Vehicles User Group • Peak Rights of Way Initiative • Trail Riders Fellowship • Peak and Northern Footpaths Society • Peak Horsepower • Peak District Green Lanes Alliance • Green Lanes Association • Disabled Off Road Association • Association Peak Trail Riders 	In all cases which the National Park authority considers appropriate	<p>No reply</p> <p>No reply</p> <p>No reply</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>Received</p> <p>No reply</p> <p>Received</p>
----	---	--	---

Consultations addressed to a local representative for the area where notified to the NPA for this purpose.

Derby Lane – Summary of Regulation 4 Consultation Responses

Derbyshire Constabulary -

- Assuming the route summary report (2013) is still current –Derby Lane is a non –classified highway (cul –de sac) being part of the Lathkill Dale SSSI. Page 1 of the report scores the route 6/15 as part of the sustainability analysis. The 2 key factors here in relation to consideration of a TRO relate to complaints about vehicle use –score 1 –few or no complaints and the other is the character of the route being damaged by vehicular usage – score 1 –little or no effect.
- Accepting that the route should be protected, any measures have to be proportionate to the issues evidenced –there is evidence that parts are used by motor cycles and I’ve copied in both the Section Inspector and Safer Neighbourhood Team Sergeant so that the extent of any complaints/use can be assessed. The situation is that the same rural conditions which will limit any effective enforcement of this route also will limit the ability to monitor vehicle usage. The survey (2007) didn’t indicate particular issues so the need to effectively monitor subsequent changes will be key to the consideration for any action.
- Based upon this information there is no clear evidence justifying the need to restrict vehicles along this section.
- I would question the justification for a TRO as stated above and the ability to achieve compliance on such a rural route will be difficult. The route is a cul de sac and the topography naturally limits the type of vehicle which can use it safely, however, a Prohibition of Driving (with exempted uses) would not introduce self –compliance without the support of physical measures and introducing such measures is impractical given the need for access by agricultural machinery, plus preventing use by motor cycles is virtually impossible- measures including gates may be circumnavigated by determined trail riders.
- Signs alone will not convey the message so there will be obvious enforcement implications for police where priority local policing commitments will result in little or no enforcement by police, so there can be no reliance on police resources to support a legal restriction of this nature.
- The survey report refers to the damage being done to the route, but any use not by drivers/riders connected with farms/other properties etc will be by the determined few who are not deterred by the condition of the route and the issues are, if there is now a need to protect the route, how can it be effectively protected?
- Any signing is unlikely to have any deterrent effect on regular ‘leisure’ users and without the fear of being caught detrimental any impact on the route will continue.
- The only effective solution if considered justified, is to erect a physical barrier on relevant sections to enable access only by ‘essential users’ –effectively this stops up the route/part of it whether on a temporary or permanent basis to allow the route section to recover. This has obviously implications but could be barrier controlled.
- This is a better option than any reliance on the ability to process non -exempted drivers/riders by introducing a signed only, TRO. Cost is always a prohibitive factor, but again, such action must be considered justified.
- The clear enforcement implications mean that on the evidence provided cannot support any legal restriction unless effective supportive means are associated with it and the reality is that signing only such a location will do little to address the situation.

Monyash Parish Council – The use of recreational vehicles should be restricted. The restriction should be done by a traffic regulation order. The use should be restricted to only landowners or users with the landowner's permission. Not able to comment on the other matters.

Peak District Local Access Forum –

- Members of the LAF have previously surveyed and considered the Derby Lane route. The Vehicles Sub-group (predecessor of the Green Lanes Sub Group), surveyed it and met in August 2010. Members unanimously recommended that no action be taken with this route unless illegal activity returns. Summarised issues as:

- Sections of the route are narrow, with no potential room to leave the lane
- There is some rutting of the surface
- The route is a cul-de-sac route (or at least appeared to be in the absence of clarity).
- The Green Lanes Sub-group surveyed the route and met in August 2012 and February 2013. The group recommended that the line of the route be discussed with the farmer and Highway Authority and that the use and condition be monitored. Noted that the route is unmarked on OS Maps at its southern end and not signed on site causing confusion and occasional trespass. Also asked for clarification of its status which understand Derbyshire County Council after a report and evidence to its Committee consulted about it being modified by Order to a BOAT (Byway Open to All Traffic).
- DCC have advised that there have been several objections and the case is being referred to the Secretary of State for determination. The matter of determining of what rights are conferred by status of the way is clearly a critical first stage. LAF does not have any particular role in that since it will be determined in due course by due legal process. Some members think it is not appropriate to consider a TRO until this has been resolved. If the BOAT status is confirmed, there are boulders currently obstructing part of the route which we assume Derbyshire CC would require to be removed by the owners/tenant.
- A section of sealed surface gives way to open grassy fields. This inevitably raises questions of sustainability if vehicle usage is other than very light, drivers are careful, and use of heavy vehicles is limited, certainly in periods of bad weather. When visited, did not conclude a balance of what was sustainable had been lost at that time. There were some pinch points where the ground was steeper, and at some gates, but concluded that whilst the situation needs to be monitored there was not at that time sufficient cause for concern to recommend any restriction of what was deemed to be a legal right.
- In the event that it is determined there are vehicular rights upon the way, landscape and sustainability issues will become paramount, and the LAF will clearly have a role. The same would of course be the case if a clear landscape problem arose before determination of status. Most colleagues do not seem to be suggesting/ are not suggesting there is a problem at this time. That may be consequent upon the blocking of the way, which may be illegal.
- It would seem sensible at this stage to explore the scope for voluntary restraint on the part of MPV users in the event that a legal right of passage is established for them.
- In response to the questions; do not think at present the use of the route by recreational motor vehicles should be restricted by a Traffic Regulation Order, but as have previously advised monitoring and review should continue and now ask that voluntary restraint is discussed with users whilst the BOAT issue is being considered further..
- That as there is not a wear and tear problem at present and continued monitoring therefore seems appropriate. In relation to this particular route, there are do not appear to be major issues relating to disturbance and user conflict, the nature and condition of the route and its environmental sensitivity. Clearly if the BOAT status is confirmed and boulders removed, the situation may change as unrestricted vehicular use could cause damage to vegetation and conflict between users may be a problem. Consider that as it is not a significantly surfaced route and the current surface could be vulnerable.

British Horse Society -

- At present there is some evidence of use and damage by motorised vehicles: some sections of the walled length of the route are badly rutted, resulting in flooded areas. These rutted areas are expanding beyond the normal width of the farm track to the walled edges of the lane. The route is likely to become a BOAT when its status is finally determined next year. If this status is confirmed then use by recreational motor vehicles is certain to increase and when that happens the route's unsealed surfaces will be very vulnerable to further damage. This further damage will affect not only the walled sections but also the parts of the route which cross grass pasture towards the southeast.
- Surface damage to byways by recreational motorised vehicles is a serious problem for horse riders in the Peak District. Deep ruts in soft ground are hazardous for horses even at walking pace and they ruin the enjoyment of riders and the exercising of horses by making the byway

wholly unsafe for trotting or cantering. At present, riders on Derby Lane have to take care to negotiate the existing rutted sections of walled lane but if the BOAT order is confirmed then it is likely that they will have to contend with deeper and more extensive ruts here as well as new ruts on the grassland sections of the route. Damage by vehicles to unsealed byway surfaces such as Derby Lane affects horses' safe going and wellbeing, and thereby adversely impacts on the capacity of the area to offer opportunities for public enjoyment and recreation.

- The use of the route by recreational motorised vehicles (especially groups of trail motorcycles) also has detrimental impacts on the safety of other users (riders, cyclists and walkers) and their experience of tranquillity and quiet enjoyment in the national park. The setting of Derby Lane is characterised by an open landscape of limestone grassland, typical of the White Peak, and motorcycle activity and noise is inevitably intrusive and disturbing in this context.
- Defra guidance says that Traffic Regulation Orders can be made to prevent problems happening, not just stop damage once it has occurred (source: DEFRA, "Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984").
- To conclude I submit that:
 - The use of this route by recreational motor vehicles should be restricted because of the need to protect Derby Lane from further damage, to resolve user conflict affecting safety and to preserve the amenity and environmental value of the area.
 - A TRO with the normal exemptions for land management and emergency vehicles is the only effective way of restricting use by recreational motor vehicles.
 - The restriction should apply to the full length of the unsealed section of the route and in both directions. A one-way system would encourage faster speeds by motorcyclists and thereby exacerbate safety hazards.
 - The restrictions should apply throughout the year. There is no evidence that a seasonal restriction would be sufficient to protect the track surface as wet conditions can occur in any season. In any case, issues of safety and amenity are not seasonal in nature.

Ramblers' Association – a TRO should be in place the whole length of Derby Lane from Summerhill Farm Grid Ref SK153656 to the junction with Long Rake Grid Ref SK167640 so as to retain the current surface and nature of the Lane. Certain that if it was opened to traffic it would soon deteriorate in such a way that very few users of the country side would find it passable.

Natural England - The track that you are concerned with is within the Peak District National Park and closely sited the Lathkill Dale SSSI. Would therefore welcome the restriction of recreational motorised vehicles in this environmentally sensitive area.

Friends of the Peak District - a permanent Traffic Regulation Order (TRO) restricting all recreational motor vehicle use on the lane is the most expedient method of protecting the environment and public amenity, and as a preventative measure to future damage.

- Derby Lane leaves the cul de sac at Summerhill Farm (off Rakes Road in Monyash) and follows a south easterly direction to join the minor road Long Rake (between Parsley Hay and Conksbury). It provides a good walking and horse riding route, with fine views across traditional White Peak landscapes, to visit Arbor Low (signposted along the way). The northern half of the route is a broad well-surfaced stony track with wide verges enclosed by stone walls and lined by substantial copses of mature trees. It appears well used by farm vehicles and stock.
- The southern section is a broad grassy lane with wide verges lying initially between stone walls, and then crossing green fields with no definitive route on the ground. At the gate into the fields road barriers have been erected, we understand, by the farmer to prevent repeated destruction of the stone walls. The gate opening has been restricted by the placement of boulders. For a short distance either side of the gate the route passes through part of the Lathkill Dale SSSI, designated for its underground caves. On the southern section between

walls, around the gate into the field, and at the climb out of the final dip near the tumulus there was evidence of motorcycle use which had churned the surface into ruts (visit 7th December 2015).

- DEFRA Guidance for National Park Authorities making TROs accompanies the 2007 regulations¹. It identifies the eight grounds for making a TRO on a route, these include:
 - a) avoiding danger or the likelihood of danger;
 - b) preventing damage to a road;
 - c) facilitating the passage on the road (including pedestrian),
 - d) preventing use which is unsuitable having regard to the existing character of the road;
 - e) preserving the character of the road where it is specially suitable for use by persons on
 - f) horseback or on foot;
 - g) preserving or improving amenities of the area;
 - h) for air quality (section 87 of the Environment Act 1995),
 - i) conserving and enhancing the natural beauty of the area or of affording better opportunities
 - j) for public to enjoy the amenity of the area.
- Examining these grounds, a permanent TRO on all recreational vehicles would deliver grounds b, c, d, e, f and h.
- The major concern on Derby Lane is the potential for damage caused to the route and surrounding area where it ceases to be a robustly surfaced stone track. The gate into the fields prevents 4x4 vehicles using the route – only motorbikes can pass through (confirmed by vehicle logging). There was evidence of use by the latter with rutting and pooling of water on the southern half of the lane with a softer surface. As the lane is poorly defined between the gate and Long Rake all users take a wide path across the fields, creating ruts in the top soil which are detrimental to the local environment and landscape.
- A permanent TRO would prevent further and future damage to Derby Lane (thus meeting grounds (b) and (f)), and facilitate the use of the route by horses and pedestrians who would be hindered if the surface was to deteriorate (ground (c)). Allowing limited use of the route would, given the topography and the soft surface of the southern section of Derby Lane, continue the damage.
- Derby Lane is bounded on all sides by traditional White Peak and historic landscapes. It has an elevated location and offers extensive views over the plateau to the east and south. The area's quiet tranquil character is adversely affected by vehicles on it. A permanent restriction would remove vehicles that are unsuitable given the character of the route (ground (d)).
- A permanent TRO would deliver enhancement to the natural beauty of the National Park and afford better public enjoyment of the amenity of the area (ground (h)). A permanent TRO would also allow removal of the road barriers which provide a visual intrusion and harm the special qualities of the Park in this area. Given its compliance with six of the eight grounds for serving a permanent TRO on Derby Lane, believe the Authority should progress this option as a preventative measure.

Peak and Northern Footpaths Society – strongly supports the making of a permanent TRO to at all times prevent the use of the whole width of the route in both directions by all motorised vehicles, except for access to property. Strongly endorse PDGLA response.

Peak Horsepower

- All motor vehicle traffic (other than for farm and emergency vehicle access) should be permanently prohibited from using Derby Lane at all times. Do not believe that there are any alternative, effective or enforceable means of preventing either the inevitable surface damage or the danger to horse riders which will arise with the increase in motor vehicle traffic which will occur if the route becomes a Byway Open to All Traffic, as seems likely.
- Believe that a number of the legal grounds on which PDNPA can make a TRO apply to Derby Lane
- TRO on safety grounds: - There are unsighted bends on the section of the route between Monyash and the boulders part way along which are preventing 4x4 use of part of the lane.

The brow of a hill on this section is also unsighted. Motor bike riders currently use the route but have no means of knowing what is around the unsighted bends or over the brow of the hill, and due to their engine noise and use of helmets they cannot hear any warnings which horse riders may try to give. For these reasons there is a risk of collision on this part of the route between horses and fast moving motorised trail bikes.

- The top of this same section of the route is on soft ground and has deep vehicle ruts (see the photograph attached). Ruts put riders and their horses at risk as horses can easily trip and fall in them, particularly if they are frightened and try to whip round. Most horses are frightened by the sound of revving trail bike engines, particularly when the horse cannot see where the frightening noise is coming from. At present this section is wide enough for riders to avoid the ruts but we know from other routes on soft ground that regular use of Derby Lane by recreational motor vehicles will produce on this section of the route parallel sets of deep ruts right across the width of the route. This will present a risk to riders and eventually make the route impassable for horses.
- For the above reasons there is clear likelihood of danger to horse riders from motor vehicle use of the walled section of the route. The grounds for making a TRO pro prevent the likelihood of danger therefore apply.
- TRO on grounds of 'preventing damage to the road' - For nearly all its length, the surface of Derby Lane beyond the boulders is undamaged grassland. It is abundantly clear from what has happened to similar routes in the National Park that should there be any growth in recreational motor vehicles use of Derby Lane, the grass surface of this part of the route will be destroyed. Refer here to the damage to Minninglow, the Wetton route, Beeston Tor, Moscar Cross Road and the route which is now a footpath which links Jacob's Ladder in Stoney Middleton to Riley lane in Eyam. The surface of all these routes has been severely damaged by recreational vehicles.
- Strongly advise PDNPA to put a TRO on Derby Lane on the grounds of 'preventing damage to the road' in order to protect the grass surface from motor vehicle damage.
- For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the character of the road - The character of Derby Lane beyond the landowner's boulders is open, undamaged, limestone grassland. Use of the route by 4x4s and motor bikes is wholly unsuitable for such a route. As mentioned, the evidence from what has happened to similar routes is clear: the character of this part of Derby Lane will be destroyed if motor vehicles are free to use it. Urge PDNPA to cite 'preventing use by vehicular traffic of kind which is unsuitable for the character of the road' as one of the grounds for a TRO on the route.
- For preserving the character of the road where it is specially suitable for the use of persons on horseback or on foot - Derbyshire County Council's Rights of Way Improvement Plan confirms that Derbyshire has a much smaller network of bridleways than other parts of the country. Only 10% of the rights of way network in Derbyshire are bridleways compared with 17% nationally
- As a result of the shortage of bridleways, local riders everywhere in Derbyshire, including in the Peak Park, rely heavily for safe off-road riding on the category of ways which DCC calls Non-classified Highways (NCHs). Derby Lane, is one of the few remaining NCHs in the Peak Park which still has a decent surface for horses. It is therefore particularly valuable to riders, whose horses need to exercise and work at all paces. Only a good grassy surface allows a horse to be ridden beyond walk or trot. Nowadays, even most bridleways in the Peak District do not have such a surface. For this reason believe there is a strong case for a TRO on Derby Lane on the grounds that it is particularly suitable for persons on horseback.
- For preserving or improving the amenities of the area - Derby Lane is a valuable amenity for horse riders. Know from what has happened to very many other riding routes in the National Park that if the route becomes a BOAT used by recreational motor vehicles, rider access will be seriously compromised and the amenity afforded by the route, not just to riders but to residents, walkers and cyclists as well, will be degraded. Believe PDNPA should include 'preserving the amenities of the area' among the grounds it cites for a TRO.

- For the purposes of conserving or enhancing the natural beauty of the area, or affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area. This includes conserving its flora, fauna and geological and physiographical features - Overriding concern is safety and access for horse riders and these concerns form the basis of our response to this consultation, but also value highly the privilege of being able to live and ride amidst the beauties of the National Park. Support the making of a TRO on Derby Lane on the grounds of conserving and enhancing the natural beauty of the area.
- Derby Lane is part of an SSSI, a designation which gives the whole of the SSI area a degree of special importance. If the lane becomes a BOAT, which seems likely following the DCC determination and BOAT Order, only a TRO will be able to conserve the natural beauty and tranquillity of this part of the National Park and prevent the noise, intrusion, disturbance and damage which comes with use by recreational motor vehicles.
- The field patterns, enclosures, walls, flora and verges of Derby Lane are all part of the fabric of the National Park and its heritage. It is part of PDNPA's statutory duty to protect these features. Evidence from other routes used by recreational motor vehicles is that all these features on and alongside routes used by recreational motor vehicles become severely damaged. PDNPA should use 'conserving the natural beauty of the area' as one of the grounds for TRO on the lane .

Peak District Green Lanes Alliance -

- Believe that the PDNPA should introduce a Traffic Regulation Order (TRO) banning all classes of motor vehicles on Derby Lane from travelling in both directions for all days of the year (with the normal exemptions for emergency vehicles, agricultural vehicles etc.) The reasons that PDNPA should adopt this approach are given in our response. Have also detailed why other approaches would be unsuitable.
- Have given reasons why a pre-emptive TRO is desirable on a route that currently appears to be little affected by recreational motor vehicle use in our response. Believe that PDNPA should consider protecting routes before extensive damage, loss of amenity and user conflicts arise, rather than waiting for these and welcome the fact that PDNPA is considering such an approach.
- Use of the route - The route is used by walkers, cyclists, horse riders and recreational motor vehicle users. Barriers and boulders have been erected by the landowner at SK160646 which may prevent use of the route by 4x4s and quad bikes between that point and the minor road, Long Rake, at SK 167640. (Have been told that when the gate here was locked motor bikes damaged the walls to get through. The farmer has now strengthened these walls with metal barriers.) Note that PDNPA's vehicle logger data for February – May 2015 indicates that only motor cycles used the logged section.
- There is farm vehicle use of the route but appears to be mainly north of the barrier at SK 160646.
- Some cavers use the route and park on the surfaced section between Summerhill Farm and SK 160646 to access caves in the area.
- Status of the route - Derbyshire County Council (DCC) has carried out a DMMO determination on the length of route shown on the map accompanying the PDNPA Regulation 4 letter. They determined that the route should be a BOAT. It has not yet been added to the Definitive Map and Statement because objections have been received. However, the order should be referred to the Planning Inspectorate which will determine its status and line in 2016.
- SSSI – Lathkill Dale. The section between SK160646 and SK 162644 is within the Lathkill Dale SSSI. The designation of the Lathkill Dale SSSI mentions Carboniferous Limestone, wildlife habitats and geological interest.
- Condition of the route - The walled section from Summerhill Farm to SK 160646 is mostly surfaced but not sealed, wide and for the most part with reasonable sight lines although there are some blind spots on this section.

- The southern reaches of this section can be muddy with ruts associated with both farm vehicle use and recreational vehicle use. A farmer with premises on the lane reports that the damage on the route which leads to rutting and flooding never used to happen and is caused by recreational motor vehicle use. Walkers complain about the flooding to the farmer.
- A small length, just north of SK 160646 (which is included in the SSSI) is grassy and has extensive parallel ruts. The third edition of Dodd and Dodd "Peakland Roads and Trackways", (publication date 2000) page 65 contains a picture of this area before it became rutted.
- South east of SK160646 the route is unsealed and unsurfaced over pasture land until it joins the minor road known as Long Rake. In May 2015 there were one or two small patches of ruts. We saw tracks of motor cycles circling in a small area in May. There were more extensive signs of ruts in this grassy section in December 2015. This reflects the wetter and softer condition of the ground in December. However, the overall impression of this section is of a grassy route in generally good condition, probably due to the boulders referred to earlier.
- However PDNPA's conservation report (Appendix 1 of the Route Summary) describes (supported by a photo) ruts over a wide strip of land, up to 20 metres from the field wall in January 2013. The improvement of the surface since suggests that the positioning of the boulders has reduced recreational motor vehicle use and subsequent damage.
- Believe that if use increased again, especially if confirmed as a through BOAT route, this grassy section of Derby Lane would be vulnerable and could experience the type of damage described in Section 6.
- Reasons why we believe regulation of recreational motor vehicle use by a Traffic Regulation Order can be justified.
- Road Traffic Regulation Act 1984 Section 1 (a) - for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising" - We have been told of conflicts experienced by one user between motor cycles and walkers where motor bikes have come over the brow of the hill too fast and have skidded towards pedestrians as they braked.
- Farm animals being moved along Derby Lane have been spooked by motor cycles, when the latter have not slowed down.
- Horses are also frightened by revving motor cycle engines. They are also at risk at the blind spots mentioned in Section 4.
- Road Traffic Regulation Act 1984 Section 1 (b) for preventing damage to the road or to any building on or near the road - The DEFRA publication "Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984", page 4 states "Traffic Regulation Orders can be made to prevent problems happening, not just stop damage once it has occurred. A National Park Authority would need to demonstrate a reasonable risk that the situation it was intended to prevent would arise."
- Believe that an argument to support a pre-emptive TRO could and should be made by PDNPA in this case (and in other cases.)
- There are few "green lanes" which are unsealed and unsurfaced with a grass surface within the National Park. In most cases, the grassed lane only forms part of the route. Believe that it is important to protect these grassed routes before they become damaged.
- Have seen the ruts and damage caused to surface of a number of grassed lanes by recreational motor vehicle use. Examples are Minninglow Lane / Gallowlow Lane; Morton's field (the part of Riley Lane, Eyam which crosses a field – this section is now a footpath following a public inquiry but the damage was caused when it was classified as an ORPA); the ORPA from Manor House to the Manifold valley in Wetton and called Wetton by PDNPA in its list of priority routes; the ORPA from Beeston Tor Farm southwards towards Throwley Cottage in Waterhouses parish; and Moscar Cross Road in the winter of 2013.
- On Minninglow Lane and Moscar Cross Road in 2013, during the winter ruts extend across the whole available width of the route making it difficult for non vehicle users to use the route.
- The presence of ruts mean that users may divert onto adjacent farmland. However in some cases there is evidence that recreational motor vehicle users are or were driving on farmland when there is no apparent need (on Minninglow Lane, Brushfield and Sough Lane,

Taddington for example.) We are aware of two instances where farmers have fenced off a route which was previously across open farmland to prevent such incursions: the eastern end of Minninglow Lane and Morton's Field. This fencing changes the character of the lane, reduces the area of cultivatable or grazing land and is expensive for farmers.

- Fencing has two additional consequences. It means that ruts are more likely to extend across the whole width of the “enclosed route” which makes the route more difficult for walkers, cyclists and horse riders to use.
- Secondly it increases the potential conflict between recreational motor vehicle users and non vehicle users as the latter have less space to get out of the way when they meet vehicles, particularly 4x4s and quad bikes which are wider. This problem is particularly acute for horse riders.
- Believe that this evidence from other routes; the ruts observed on Derby Lane in January 2013 and the seasonal deterioration observed in 2015 gives PDNPA clear grounds for a pre-emptive TRO to protect Derby Lane before serious damage occurs to the grassed section of the route.
- Road Traffic Regulation Act 1984 Section 1 (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property - the previous section sets out other reasons why it could be argued that part of Derby Lane is unsuitable for use by vehicular traffic.
- Derby Lane is an old established route. http://www.derbyshire.gov.uk/images/2015-03-02%20BOAT%20Derby%20Lane%20Monyash_tcm44-260999.pdf summarises the historical evidence and the maps on which the route is shown in historic times. Parts of it were a public carriage road in the Monyash Enclosure Award of 1771. The evidence submitted to DCC by local people when DCC carried out its DMMO determination is that there has been little use of the route by recreational motor vehicle users until recent times.
- Increased use is likely to change the character of the route especially over the grassed section (see the preceding section for the consequences of recreational vehicle use on other grassed routes).
- Historic routes are part of the Peak District landscape and should wherever possible be preserved in their current condition (if good or reasonable) rather than allowed to deteriorate.
- Road Traffic Regulation Act 1984 Section 1 (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot - Derby Lane is used by the High Peak Hunt several times a year. Local horse riders use it. The Peak District has a smaller network of bridleways than many other parts of the country (10% of the rights of way network compared to 17% nationally.) Therefore, local riders are dependent on ORPAs and BOATs (i.e. routes like Derby Lane.) The grassed section is particularly valuable as it allows horses to be ridden beyond a walk or trot. Horses need to exercise at all paces.
- For walkers, the lane crosses Monyash FP 18 which links with footpaths into Lathkill Dale. It can be used to make a number of circular walks centred on Monyash village.
- A walk using Derby Lane can be found at <http://www.peakdistrictonline.co.uk/hidden-lanes-from-monyash-walk-i3786.html>
- Derby Lane also provides a route which has been signed by PDNPA (mostly avoiding tarmac roads) from Monyash village to Arbor Low (an historic henge).
- Road Traffic Regulation Act 1984 Section 1 (f) for preserving or improving the amenities of the area through which the road runs and Section 22 (2) for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area. - Because the reasons for supporting a TRO on these grounds are so similar we have dealt with these sections of legislation together in order to avoid excessive repetition.
- “Amenity and natural beauty” is a statutory term derived from Section 5(2) of the National Parks and Access to the Countryside Act 1949 (as amended and as informed by Sections 59 and 99 of the Natural Environment and Rural Communities Act 2006). These terms are discussed in detail in the DEFRA guidance “Public Rights of Way: Guidance for National Park

- Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984” pages 5, 6 and 7. We have used this information to guide our response in this section.
- Cultural Heritage Features - One of the special qualities of the Peak District National Park is the “Thousands of years of human influence which can be traced through the landscape.”
 - The history of the route has been already mentioned
 - Walled fields associated with enclosure of agricultural lands are typical of the White Peak. The field pattern for much of the route is likely to reflect medieval and eighteenth century enclosure in Monyash.
 - Landscape Quality and Scenic quality - The route crosses the limestone part of the Peak District giving views into Cales Dale and more distant views of the White Peak. The landscape is typical of the farmed areas of the White Peak.
 - “Walking Peakland Trackways” by Mike Cresswell describes the walled section of Derby Lane as “wide, running along the broad ridge, exciting and atmospheric, and with a view back to the right running down Lathkill Dale.”
 - Tranquillity - “Opportunities to experience tranquillity and quiet enjoyment” are one of the special qualities of the National Park.
 - Derby Lane is far from any major road routes and provides a quiet walk, cycle or ride in a landscape which is typical for the White Peak. However, this tranquillity can be destroyed by parties of motor cycles.
 - Value of the route to non vehicle users as an amenity and for recreation - The value to horse riders and walkers has been detailed.
 - Conflicts between farming activities and recreational motor vehicle use - Appreciate that these conflicts are not in themselves grounds for a TRO, other than disruption to the movement of animals mentioned. However farmers are an essential part of the Peak District economy and also prevent the landscape returning to scrub (which is likely to happen if farming activities ceased in the White Peak.) The landscape associated with the White Peak is not natural but influenced by human activities – particularly farming. The majority of people would like this farmed landscape to be preserved as it contributes to the scenic quality and the sense of history and continuity in the landscape.
 - The Deputy Land Agent for the Chatsworth Estate contacted DCC during the DMMO consultation on Derby Lane. “He stated that there is no evidence of the track ‘on the ground’ where it allegedly enters the final three fields before reaching Long Rake and that the lack of a metalled surface along this section means that it would be particularly liable to be damaged by recreational vehicles. The subsequent damage to the field caused by vehicles would, he said, inevitably lead to the Trustees’ farming tenant receiving financial penalties from the Rural Payments Agency.” [Source: http://www.derbyshire.gov.uk/images/2015-03-02%20BOAT%20Derby%20Lane%20Monyash_tcm44-260999.pdf]
 - This report also refers to stock escaping into Monyash village because gates were left open.
 - Whilst not involving this particular route, the farmer on the route from Lathkill Dale to Meadow Grange Farm wrote to DCC as part of the DMMO determination on that route “He stated that recreational vehicle use of the claimed BOAT has caused a nuisance on the farm; in particular he referred to rutting caused to the unsurfaced ‘meadow’ section of the route which often makes it difficult and potentially dangerous to use a tractor. He also mentioned the disturbance to stock that vehicular use of that particular field can cause and to the fact that gates across the route are often left open.” [Source: http://www.derbyshire.gov.uk/images/2015-04-13%20BOAT%20Over%20Haddon_tcm44-262856.pdf]
 - Similar damage to meadow and pasture land and stock escaping because gates have been left open have occurred on Brushfield.
 - These examples (and farmers feeling obliged to provide fencing) provide evidence for why farmers can be concerned about the use of recreational motor vehicles on their land and would like pre-emptive action to prevent problems before they occur.
 - Believe that all the reasons given above support a pre-emptive TRO under the Road Traffic Regulation Act 1984

- Other Options Other than a Full TRO - have considered other possible options for managing recreational motor vehicle use on Derby Lane and have briefly given our reasons why they would be inadequate.
- Voluntary Restraint - Voluntary agreements suffer from the defect that many vehicle users are not members of recognised organisations; even members of these organisations may not abide by them; and the organisations themselves have no effective sanction over their members. There are no sanctions against users who deliberately ignore voluntary restraint. DEFRA recognises this in “Making the Best of Byways” December 2005 page 26 “Discussions with authorities when drafting this guide indicate that voluntary restraint is widely seen as ineffective in managing mechanically propelled vehicle use of byways.” However DEFRA goes on to conclude “Voluntary restraint can be a useful tool for management of byways where reductions in mechanically propelled vehicle traffic is desirable but not where the prohibition of mechanically propelled vehicles is agreed to be necessary.”
- Experience of voluntary restraint on The Roych and Minninglow Lane (both in the Peak District National Park) suggests that the lack of sanctions results in a significant minority of recreational motor vehicle users ignoring the restraint. Have observed this behaviour mirrored in other areas of the country – both in National Parks and outside. Therefore would not advocate a voluntary agreement on Derby Lane.
- Partial Traffic Regulation Orders- By Class of user or width - 4x4s, being wider, make it harder for other users to pass them and cause more damage on soft ground. Motorcycles generally drive much faster than 4x4s, and often in larger groups. Excessive revving of their engines can cause wheel spin and on unconsolidated surfaces can throw-off large quantities of earth, so the erosive effect may not be much less. The noise of motorcycles is more intrusive. Tranquillity is an important character of a National Park. Horses are frightened by the noise of motorcycles but not by the noise of 4x4s. Motorcycles are thus more likely to cause danger to horse riders.
- Seasonal Restriction - Generally seasonal restrictions are in the winter when other use is lower anyway. Seasonal TROs have been used by Highway Authorities in other parts of the country to protect unsealed and unsurfaced routes on heavy clay soils which are vulnerable to damage during wet weather. Increasingly, these HAs are having to extend these TROs to cover other periods at their discretion. Moreover seasonal restrictions do nothing to counter danger, loss of amenity etc. to other users when they are not operative.
- Time Restriction - Banning night time use, would not deal with the loss of amenity to other users during the day time when recreational use is greatest. Nor would it necessarily eliminate surface damage and the problems it causes to farmers. Do not believe a TRO applying at weekends only would be sufficient.
- One way system - Horse riders say that that one way systems increase the danger to them because vehicles, particularly motorcycles, may travel faster on a one way system. This additional speed is particularly dangerous where there are unsighted bends and brows of hills.
- A Permit System - A permit system would cause additional administration for PDNPA and could involve adding additional gates to the route (which would need permission from the Highway Authorities). Evidence received from contacts in the Lake District where the Lake District National Park use a permit system on one route, suggests that more vehicles use the route than have been authorised and that the code for the combination lock is passed between vehicle users. Therefore do not believe that a permit system would be effective.
- Alternative Routes for a Recreational Motor Vehicle Users if a Full TRO were imposed - An alternative route from Monyash village to the end of Derby Lane on Long Rake for vehicles is by minor roads known as The Rake and Long Rake. This alternative is longer but still allows users to see typical White Peak landscapes.
- The loss of amenity to recreational motor vehicle users if a TRO were imposed is outweighed by the gain in safety, amenity and opportunities for outdoor recreation for other users; and by the preservation of this historic route.

Green Lanes Association -

- Draw your attention to the straplines at the foot of your letter: “Working together for the Peak District National Park”, and “Where beauty, vitality and discovery meet at the heart of the nation”.
- This consultation is an opportunity for the Authority to genuinely “work together” with all legal users of Derby Lane, which is the old road to Derby, now designated by Derbyshire County Council as a Byway open to all Traffic.
- The old guide stoop on Derby Lane (now sadly abused by the landowner who uses it as a gatepost) denotes this unclassified county road as an important route. This road has (for longer than anyone can remember) been a route where beauty, vitality and discovery can meet, whether it be by persons on foot, by horse, carriage, or what used to be called the “horseless carriage” (what we now less romantically have to call an “MPV”).
- Regrettably the landowner or farmer have illegally blocked the road with unsightly boulders such that neither horse-drawn carriages or horseless carriages can use the route, and it appears that your Authority has sided with the landowner (and various strident pressure groups) to close the lane to vehicles by any means.
- If you apply a permanent TRO many peoples’ chance to experience discovery of the beauty and vitality of the Monyash countryside and scenery along Derby Lane will be lost to all except the most able bodied, as most disabled persons cannot afford (or even use) expensive “off-road” wheelchairs. This applies to my own father and mother (both disabled blue badge holders) - the only way they have of “discovering” the countryside is being driven in an MPV.
- A TRO against MPVs will not remove the damaging effects of the farmer’s tractor and heavy agricultural machinery, which cause far more wear and tear on the lane than the occasional private MPV.
- Suggest that the Authority takes account of-
 - Their obligation to work together in a genuine manner with motoring user groups to find a solution to whatever their perceived problem may be;
 - Establish and publish the number of actual complaints received by the police or highway authority over the past 30 years about use of this lane by MPVs
 - The options for voluntary restraint by users (as on Minninglow Lane, where we were praised in writing by PDNPA for the effectiveness of VR in recent years)
 - The options for a seasonal TRO during wet weather or winter months, using the model recently proposed by LARA.
- Only when such limited options have been discussed in detail with users and tried (in accordance with the government’s guide “Making the Best of Byways”) should any more onerous removal of user rights be considered. The cost to the Authority of applying a legal TRO is considerable, particularly where it will be opposed by user groups, and GLASS’s suggested options (a) to (c) above would be a far more cost effective method of route management in the first instance.

Association of Peak Trail Riders - do not believe a full traffic restriction order (TRO) is required on this right of way. Would however welcome an alternative method of management.

- Historic Vehicle use - are aware that this lane has been used for many years by recreational and farm motor vehicles. Our own investigation has alone revealed personal testimony evidence stretching back as far as the 1960s. With this in mind the expectation that evidence to support Derby lane has been used by vehicles for much longer leads us to include this lane as part of our historic heritage for motor vehicle use. In addition a substantial amount of motor historic vehicle user evidence is available upon request.
- Surface - Approaching Derby lane from Monyash . Mostly we know this lane to be a lime stone surface. We are aware this lane is used by large farm vehicles such as a tractors since the compacted tracks are wider than that of a motorcycle or a standard sized 4x4 type of vehicle. We have also witnessed this kind of vehicle present. A motorcycle would typically weigh around 105 to 130 kg. We would not expect any significant damage or compact to

occur from a motorcycle during normal passage on this kind of surface. The final part of the lane runs into a field area.

- The surface of the field area is mud and grass. A recent visit to this area on Tuesday the 15th of December 2015 showed evidence of agricultural vehicle tracks from what we would believe to be a large wheeled tractor. On this particular day the weather conditions were wet and significant rainfall prior to that day made it unreasonable for us to proceed over this area by vehicle. We did however find evidence of agricultural vehicle tracks at this point. This was filmed and documented by the BBC news camera team who visited the site with us on this day. Whilst we would not envisage these tracks to be permanent, we recognise that a large amount of vehicle use on this area in certain weather conditions would be detrimental to this particular surface at this point of the route. We note that the majority of disturbance to the surface is mostly at gated sections of the route and that below this grass surface is a limestone base which has proved over the years to have help prevent very deep ruts from forming any deeper than approximately 100mm to 150mm. We would also like to add to this point that we would doubt any significant surface damage of this kind would occur in dry conditions.
- Impact on Wildlife - The lane has mostly dry stone walls either side with a low wild grown grass verge. We would not expect nesting birds or any special or rare species of animal or insect to nest or make home this environment in any significant numbers. We base this conclusion due to the low level of sustainable resources available to such creatures by the natural, and man made features of this lane.
- Conflict of use - We are not aware of any major issues of user conflict or disturbance to local residents in the immediate area. We would suggest signage showing the status and permitted vehicles helps to make rights of way clear to all users and therefore can remove the basis for potential conflict.
- Local Business - Local businesses within this area that would be affected by a TRO of any kind would be the local Café known as the Old Smithy and the Bulls Head pub which both serve meals and drinks. We have spoken to both owners and they acknowledge the significance and contribution motorcycle trail riders give to their businesses and we have made them aware that any closure would most likely lead to the loss of this particular group of tourists to Monyash.
- Other local businesses that may be affected include any associated businesses in the Monyash or Bakewell area such as Melbourn and Easthope guest house and The Lathkill Hotel.
- Do not think this lane needs, or warrants a full traffic restriction order for the reasons we have set out. Would however welcome an alternative to this action by way of either voluntary or enforced agreement to restrict width and therefore the weight of a vehicle to reduce impact to the grass surface area. This would be our preferred method of management since any restriction would not affect farm vehicle access or the surface damage caused by such vehicles but would at least reduce impact from heavy recreational vehicles whilst allowing access for lighter vehicles such as motorcycles with a low surface impact.
- Should it be determined that some kind of TRO is required would prefer to explore a seasonal restriction instead. Take the view that this option may at least help limit the damage to local trade and may reasonably satisfy the needs of all groups and parties concerned.
- Eager to avoid the removal of yet another lane within the legal unsurfaced rights of way infrastructure for vehicles. Remain concerned at the reduction of available lanes which continues to adversely affect our local association of businesses within our area due to the reduction of trail riding tourists. Believe this reduction to be a direct consequence of the lack of available routes for recreational use for this group of users.
- The Association of Peak Trail Riders now has direct and immediate contact with the majority of local trail riders and trail guides. We are more than willing and would encourage any information to be given to us by PDNPA in order relay any request to avoid a particular lane in wet conditions. Would expect this approach to management of such lanes to have a positive response as would naturally expect most responsible trail riders to refrain from riding this, or any other sensitive lane in wet or snow conditions. Would therefore suggest that

anyone using the lane inappropriately would be most likely be doing so with no regard for the countryside code of conduct or possibly even riding illegally or using an unlicensed vehicle. Therefore would conclude that any legal status or restriction would have little or no effect on these persons.

This page is intentionally left blank

Grounds for making a Traffic Regulation Order

Under the Road Traffic Regulation Act 1984 (RTRA) as amended by the Natural Environment and Rural Communities Act 2006, a National Park Authority is able to make a TRO for any relevant road or part of a road where it appears to the Authority making the order expedient to make it:

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising (s1(1)(a) RTRA 1984)
- (b) for preventing damage to the road or to any building on or near the road (s1(1)(b) RTRA 1984)
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) (s1(1)(c) RTRA 1984)
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property (s1(1)(d) RTRA 1984)
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot (s1(1)(e) RTRA 1984)
- (f) for preserving or improving the amenities of the area through which the road runs (s1(1)(f) RTRA 1984)
- (g) for any of the purposes specified in paragraphs (a) to (c) of sub-section (1) of section 87 of the Environment Act 1995 (air quality) (s1(1)(g) RTRA 1984)
- (h) for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area. This includes conserving its flora, fauna and geological and physiographical features (s22(2) RTRA 1984).

A “relevant road” is any road which is within the National Park which is shown on a definitive map and statement as a byway open to all traffic (BOAT), a restricted byway, a bridleway or a footpath, or a carriageway whose surface, or most of whose surface, does not consist of concrete, tarmacadam, coated roadstone or other prescribed material.

This page is intentionally left blank

12. **CASTLETON VISITOR CENTRE REMODELLING AND IMPROVEMENT PROPOSALS (A.214/SB)**

Purpose of the report

1. This report updates members on the proposals for a significant remodelling and improvement of Castleton Visitor Centre and asks for approval of a capital project to take the proposals forward to support the delivery of our key purposes and full cost recovery targets as part of the corporate strategy.

Key issues

- There has been no significant change or refresh of interpretive displays and museum exhibits for a number of years
- Two key drivers for change are:
 - To enhance visitor experience and interpretative displays
 - To reduce the net cost of operating the centre and to contribute to full cost recovery targets.
- The High Peak Borough Council contribution to operating cost for provision of tourism information services will reduce to nil from 1 April 2018
- More effective use of space would enhance visitor experience, interpretive display and income generation
- The service user survey results and visitor feedback indicate that the combination of museum and visitor centre delivers a high level of visitor satisfaction and enjoyment.
- Effective partnership working with Castleton Historical Society (CHS) is important to maintain the Castleton museum at the centre, to enhance the visitor experience and ensure more effective use of the space.
- The proposals for remodelling and improvement of the centre are based on the continued joint working with CHS
- Effective partnership working with the local community and businesses and provision of high quality services and facilities at the centre will help to make Castleton more attractive for visitors and the local business and resident communities

2. **Recommendations**

1. **That members approve a capital project of up to £330,000 financed from borrowing.**
2. **That contracts be let up to a maximum of £330,000 for a scheme to remodel and refurbish Castleton Visitor Centre internally.**
3. The aim over the three year period 2016-19 is for visitor centres to deliver high quality visitor experiences and the objective of moving towards full cost recovery targets under the Corporate Strategy. The proposals for Castleton Visitor Centre will contribute to delivery of C1 to C4 of our four cornerstones and S2 to S4 of our four directional shifts.

Background

4. The visitor centres are a key element of visitor services provision and have the following key purposes:
 1. To share the opportunities available for enjoyment and understanding of the special qualities of the national park
 2. To provide a high quality experience
 3. To be a key point of contact for visitors and resident communities

4. To achieve the objective of moving towards full cost recovery targets
5. Our visitor centres have faced a lengthy period of doubt over their future in recent years but strategic certainty has now been given to Visitor Services to continue to operate visitor centres under the new strategic framework and financial proposals.
6. The Authority has provided an information service in Castleton since 1967, operating originally from much smaller premises on Castle Street where visitor numbers averaged around 45,000 per year. During 2004, the visitor centre redevelopment project was completed with considerable grant funding from HLF and other funding partners. The £1 million flagship centre opened on 5 July 2004 at its current central location at the entrance to the HPBC car park. The success of the initial project and establishment of the centre operation has been highly dependent upon joint partnership working with our key partners, especially the local community and CHS.
7. We have operated the centre in partnership with Castleton Historical Society (CHS) under agreement to house the local museum. The museum is important as a community cultural asset and 'not for profit' local heritage attraction. It supports delivery of our joint aims to promote understanding and inspire our visitors to want to learn more about the unique qualities of the area. The support and work of CHS trustees and members provides approximately 50 hours per month of volunteer input to the visitor centre. The original agreement was for ten years and expired in March 2013. The agreement is currently in abeyance. The proposals for remodelling and improvement of the centre, however, provide the opportunity to review and implement a new agreement with CHS in line with the new direction and focus on enhancing and maximising the visitor experience at PDNPA assets.
8. During 2004/05, 229,000 visitors were recorded in the centre's first year of operation. From 2008 to 2012 visitor numbers averaged at around 176,000 until 2012/13 when there was a significant 12% (22,000) reduction in numbers as a result of a combination of a poor summer, the recession and major sporting events. This impact was reflected across our visitor centres and reported across the visitor economy in general. In 2014/15, visitor numbers recovered by 6% on the previous year. The museum has helped retain footfall at the centre which currently averages circa 160,000. The visitor experience focus through the proposals will support the drive to increase visitor numbers. See Visitor Number trends in Figure1 below.
9. Castleton Visitor Centre merchandise operation has achieved a substantial increase in merchandise related activity; relative to growth and performance dating back to 2004/05. Income generation targets have been achieved year on year in line with retail sales performance and growth. In 2012/13, the operation achieved a gross sales turnover of £129,827 against a background of a difficult economic climate and reducing footfall. See trends in Figure 1 below. In 2014/15, a gross sales turnover of £145,480 was achieved representing an increase of 12% over the period from 2012/13. The consistent growth in retail performance supports the business plan proposals as part of the financial forecast on spend.

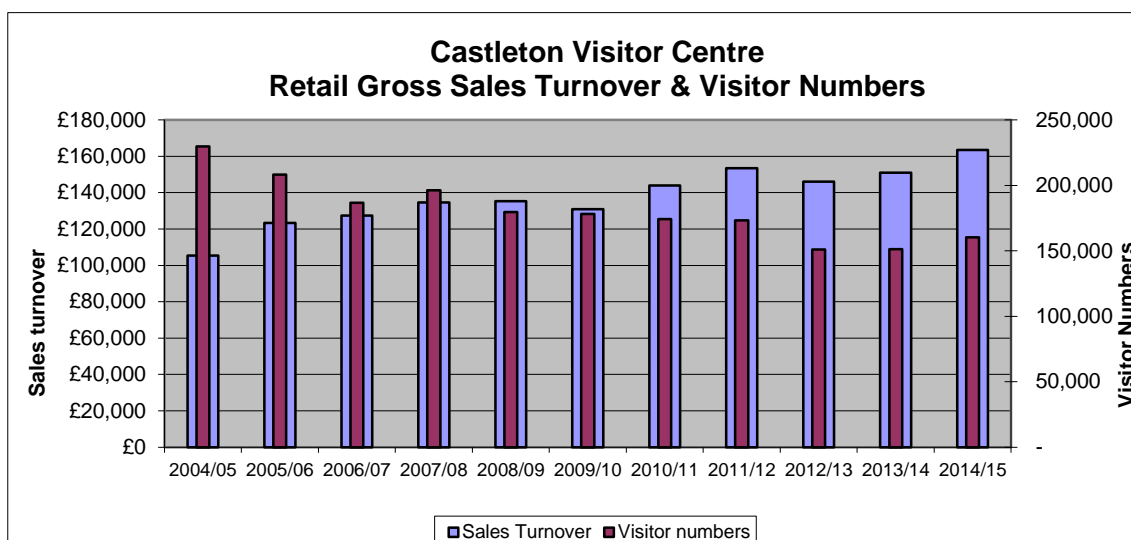


Figure 1: Castleton Visitor Centre Retail Gross Sales & Visitor Numbers 2004 – 2015

10. The corporate Service User Survey (SUS) process has provided the mechanism for obtaining annual trend data and customer feedback for visitor profiling, performance measurement and to inform visitor centre improvements and service development. Historically, visitor centres have contributed to promoting understanding (PU) delivery and related key performance indicators (KPIs). In terms of the quantitative measure, the data from the SUS is robust. The following provides a summary of 2014/15 SUS results for Castleton Visitor Centre: See Appendix 1 for full SUS results.

- The majority of visitors to the centre are day visitors, with just over a quarter of visitors staying overnight.
- The purpose for the visit is generally for recreation and leisure pursuits and the trend for this was up by 6% in 2014/15 on previous year.
- 20% of visitors were residents of the national park with 9% visiting for business or education purposes.
- 12% stated that their day to day activities are limited by a health problem or disability.
- 49% of respondents were from under-represented groups.

11. The record of enquiries at the centre supports the SUS data and shows that a high proportion of enquiries relate to the locality, attractions and outdoor recreation and activities. The centre also supports a high proportion of school and education visits throughout term time which explains the percentage of visits for business/education purposes. In terms of customer satisfaction and promoting understanding delivery, the SUS 2014/15 data shows the following:

89% of respondents felt satisfied with the visitor centre and service provided, compared with 92% in 2012/13.

In terms of visitors who felt that their understanding of the special qualities of the national park had increased as a result of their visit, increased understanding levels had reduced from 77% in 2012/13 to 62% in 2014/15.

Whilst the outcome of the overall SUS satisfaction scores remain in the upper quartile there is work to do to retain and convert the scores to an excellent rating through improvements in the quality and range of facilities and services and this would also apply to promoting understanding delivery. The SUS results show the potential for enhancing visitor experience for a significant proportion of visitors through improvements in facilities, service provision and interpretation at the centre.

13. In addition to the SUS, a customer insight programme of work has been completed by Attract Marketing consultancy during 2014. The research considered the needs and motivations of visitors to our centres and retail outlets and also those that do not visit. The report highlighted the following in relation to visitor centres:
Three out of four people interviewed claimed to have been into a national park visitor centre within the last year
The majority of people expect to find maps and information about the National Park (85%) within our visitor centres.
The research indicated that there were significantly greater numbers of AB respondents in Castleton and those aged between 55 and 64 years
There is an expectation for family events and activities to take place at our visitor centres.
14. The customer insight work also looked at patterns of visitor spend. The report highlights that visitors that make a purchase tend to spend significantly less at our centres, on average, than at other outlets. A third of respondents were either quite or very interested in the idea of a range of 'quality national park branded products' with 60% of respondents indicating a willingness to spend more on such products if the income would go back into the national park. The research also shows that visitors who spend at our outlets tend to be better off than the average visitor to the national park. According to the results, the top four reasons for visiting a centre were to pick up information, use a café and / or buy gifts and nearly half of those that visit make a purchase (49%).
15. The research demonstrates that visitor centres still form a key part of visitor services provision in national parks and that an on-site café has become an expected part of the visitor services offer. Along with the SUS results, the customer insights provides an indication of opportunities for audience and product development through a programme of activities and events through joint working with the Ranger Service and the Learning & Discovery Team (L&DT) and inspiring national park interpretation media and display.
16. Work with Derbyshire Retail and Business Help Consultancy (DBRH) was completed in 2015 in relation to how centres currently meet visitor experience standards and customer expectations and identified opportunities to improve customer service and retail performance overall. This work supplements the SUS and customer insight work in terms of:
how centres currently meet the expectations and perceptions of visitors
how visitor experience, engagement, communications and marketing can be enhanced
how retail/income generation can be improved.
17. The work with DBRH identified the potential for brand presence, targeted marketing and promotion for increasing footfall at visitor centres. A key element for consideration was 'How effectively are we driving potential visitors to the centres via branding and signage, the website and social media?' At Castleton Visitor Centre, DBRH identified the directional signage, brand presence and welcome to be a key area for improvement due to the negative impact the approach to the centre currently has on the initial visitor experience and all important first impressions. As a result of this work and the Customer Insights research, The Head of Communications and Marketing is leading projects to deliver brand on the ground, brand extension into products and marketing and promotion support for Visitor Services and wider operations. DBRH identified internal refurbishment and remodelling as an opportunity to enhance the visitor experience and improve retail performance along with effective marketing and promotion as a priority for potential return on investment at the centre. See Appendix 2: DBRH Summary of Actions
18. Visit England is seeking to support and promote accessible tourism and released the 'Purple Pound' report in March 2015 which highlighted the spending power in terms of volume and value of the sector in the UK. The 'Access for All – Unlocking the Purple Pound' Conference followed the report, on March 18 2015. The research shows the

following:

The accessible tourism market is currently worth £12.4 BN in the UK and over £2BN in England.

In the UK 1 in 6 people have an ‘activity limiting’ health problem or disability.

Disabled travellers tend to stay longer, spend more and return to places that meet their needs.

19. Accessible Derbyshire are championing the Visit England drive to promote accessible tourism and have also launched a major two year initiative ‘The Big Push’ with the aim of making Derbyshire and the Peak District the most accessible county and National Park in the country. The initiative focuses on working with leisure and tourism providers in the area to raise awareness of accessibility needs and provide fundraising support for access solutions. Co-founders Gillian Scotford and Jane Carver, are currently working with the Authority to provide advice on disability access to public footpaths, cycle hire facilities and have advised on proposals for access improvements at the centre; they are keen to see the developments progress and have offered ongoing guidance and support.
20. RMT requested completion of a resident and visitor consultation on the development proposals. A survey of both local residents and visitors took place from 13th to 15th November over the weekend of the Christmas lights switch on. A total of 174 respondents, of which 122 were visitors and 43 were local residents, completed the survey. When asked what facilities they would like to find at a national park visitor centre, the top ten responses were as follows:
 - Local maps
 - Local information about the national park
 - Local museum exhibition
 - Local community events and activities
 - Tourist information and accommodation booking
 - Café with indoor seating
 - Local products – arts crafts and produce
 - Food and drink kiosk
 - Retail – gift and souvenir shop
 - National Park Ranger, Learning and Discovery events and activitiesThe highlights of the consultation survey are provided at Appendix 3.
21. The process of consultation also included two drop in sessions at the centre, which took place on 1st and 2nd December 2016, to provide the opportunity for local community and residents to provide their views. The proposed scheme and background in terms of the Authorities financial position was explained to those interested. The main areas of discussion at the two sessions were around the following:
 - The proposed area to be allocated to CHS/museum and associated reduction
 - The impact on the local economy of proposed café and increased area for retail
 - Whether there is a need for access provision in the village
 - The possibility of an economic impact study of the effects of a café, retail and accessibility improvements
 - Current capacity for car parking and disabled parking, issues associated with HPBC operated car park
 - Timescales for the refurbishment and provision for further public consultation
 - Jewellery workshop – whether this will be taken forward due to impact on local established jewellery trade in the village
22. In response to the concerns raised at the drop in sessions, further consultation and meetings with Castleton Historical Society, Castleton Parish Council (PC) and the Chamber of Trade (CoT) have taken place with Sarah Fowler, CEO. A summary of the outcome of the meetings with the Parish Council and Chamber of Trade is as follows, see

CHS current position at paragraph 24 below:

There is concern around increasing footfall at the centre and the impact of the proposals on other businesses

To improve business it would be necessary to increase footfall overall

The aim would be to promote distinctiveness collectively

There is a need to follow the due diligence process

CoT and PC views will be expressed at ARP

CoT and PC were advised to register their intention before ARP to speak at the meeting

PC are willing to work with PDNPA

CoT are sceptical but willing to work with PDNPA

PDNPA aspiration is to be as transparent as possible

PDNPA is keen to work jointly with CoT, PC and the local community

The Business Plan will address the concerns raised through the consultation and reflect our commitment to wider partnership working throughout the life of the plan.

23. A key outcome of the meetings was that all parties were keen to work together and that this could lead to further opportunities for wider partnership working especially in relation to public realm, product development, marketing and promotion with for example Visit Peak District, High Peak Borough Council, National Trust and English Heritage to support Castleton and the Hope Valley as the wider destination.
24. A process of consultation has been followed with our partner the CHS, with the CHS Trustees mandated to act on behalf of the Society. The current position is as follows:

The conditions of the HLF grant funding over 10 years from 2003 until 2013 have been honoured. PDNPA have honoured the original agreement.

CHS Trustees expressed concerns about the proposed changes but understand that change is necessary to both refresh and sustain the centre.

CHS Trustees also raised concerns over the handling of the short-term agreement proposed by PDNPA in May 2015. However, now that the future direction of the Castleton Visitor Centre has been explained and clarified, CHS Trustees understand the rationale for the proposal. As previously stated, no agreement is currently in place.

PDNPA has placed CHS in a difficult position by requesting that all discussions remained confidential until the proposals were made public in December 2015.

CHS Trustees have honoured the request for confidentiality throughout the discussions.

CHS Trustees have maintained a record of meetings to date and have circulated the records to trustees of the Society

CHS, in agreement with PDNPA, disclosed the following as part of their report at the Society's AGM on 21st January 2016:

Space allocation for the museum will be less than is currently allocated, this being noted with regret but with an understanding of the need to maintain the viability of the Centre.

There will be opportunity for integration of aspects of local heritage within the reconfigured centre

A new partnership agreement will be put in place between CHS and PDNPA. The partners will continue to work together for the benefit of the Centre and with each partner valuing and supporting the other.

Proposals

25. The proposal is to let contracts up to a maximum of £330,000 to remodel and improve the centre to achieve the required reconfiguration of the site to enhance income generation and visitor engagement. An options appraisal of possibilities has concluded that a scheme based on the key elements below would represent the best package of uses:
- A dedicated area for the museum

- Multi-purpose room with interpretation and activity facility with provision for groups/education and local community groups
- Accessibility improvements including toilets and baby changing facilities
- Café and kiosk with access provision and that can provide for groups
- Family/children's activity area
- Improved retail area and National Park branded products
- Improved office space and staff area
- Enhance our brand presence and welcome through interpretation and information on the National Park's special qualities
- Maps and local information displays

RMT agreed to support the proposals and capital investment up to £330,000. RMT Minute No 19/15. The principle of the project and outline financing was approved in the Capital Strategy December 2015 Authority report and was shown in the forward Capital Programme (Appendix 2 of that report)

26. The aim of the scheme is to provide a high quality accessible visitor experience which will offer further income generating opportunities at the centre. See Appendix 5: Summary of the Proposed Scheme. The multi-purpose room and wider scheme of improvements will enable teams to develop an outreach package of activities working jointly with the local school, youth and community groups to extend the reach of the Authority and support the drive for market and audience development. See Appendix 4: Learning and Discovery and Outreach Services Package. The intention being for the centre to act as a hub to reach out on enhancing Castleton and Hope Valley as a destination working with our local partners to increase visits and footfall overall.
27. The options propose the following changes for the Centre at ground floor level. Outline plans will be available at the meeting.
- (a) The point of entry into the centre is moved from its present location to the new location as shown on the plans
 - (b) The area currently occupied by the CHS becomes the new, larger sales area. A new reception desk is located in this area to replace the existing desk.
 - (c) The area currently occupied by the hang glider exhibit becomes a café run in conjunction with the existing refreshment concession which is retained. The intention will be to create a quality café experience which incorporates national park messages and CHS activities.
 - (d) The present refreshment concession kitchen is slightly extended and remodelled and given direct access to the new café area.
 - (e) The Darnborough Room which is currently underutilised becomes an extension to the café with arm chairs and sofas, with a small children's play area.
 - (f) The existing retail sales area becomes a multi-functional use room with some retractable stadium style seating making it able to accommodate a class size group. The intention is to have a projection wall or screen, interpretive material. The room could also be a free standing room available for hire and will have access to a small kitchen and a toilet. This is seen as potentially being a very valuable new resource for the Learning and Discovery Team and outreach.
 - (g) The display of CHS exhibits and artefacts will be concentrated in the circulation space between all the other elements of the Centre although every opportunity will be taken to integrate CHS artefacts and display cabinets elsewhere wherever possible in the layout of the new Centre.
 - (h) There are a number of other connected changes which include the provision of male and female toilets for users of the café and revised storage of leaflets and goods for the retail area.
 - (i) Accessible toilets for users of the café will also be included.

Planning issues:

28. As a follow up to concerns raised during the consultation, pre application planning advice has been sought and the advice in summary is that:.
- PDNPA owns the freehold.
 - An Economic Benefits and Impact Assessment would not be a requirement for planning approval on this type of development
 - The change of use of part of the building to a café (A3 use) would require planning consent. The view is that this would be acceptable as it would be an appropriate use for the site, which is adjacent to a public car park and within the village
 - The issue of competition between individual businesses is not a material planning consideration.

Financial:

29. The outline financing was approved in the Capital Strategy December 2015. The borrowing will result in approximately a £19,200 per annum capital repayment cost over 25 years. The investment will enable the service to increase income generation to cover both the capital repayment cost and to meet the objective of moving towards full cost recovery targets. See financial targets at Figure 3 below.

Castleton Visitor Centre - Cost Analysis

	2014/15	Year 1	Year 2	Year 3
	Castleton	Castleton	Castleton	Castleton
	KCE	KCE	KCE	KCE
Sales	(145,480)	(176,738)	(203,050)	(221,487)
Cost of Sales	90,129	97,206	103,556	112,959
Trading Profit	(55,351)	(79,532)	(99,494)	(108,528)
Kiosk/Café	*****	(40,000)	(40,000)	(40,000)
Other Income eg Grants	*****	(7,000)	(4,500)	(2,000)
Net Income	(91,152)	(126,532)	(143,994)	(150,528)
Employees	0	0	0	0
Premises & Land	30,160	32,232	32,232	32,232
Transport	46	80	80	80
Supplies etc	11,242	6,750	6,750	6,750
Contributions to projects	0	0	0	0
Recharges	163	0	0	0
Capital Repayment	0	19,200	19,200	19,200
Net cost after overheads	(49,541)	(68,270)	(85,732)	(92,266)
Staff costs	75,301	69,323	69,323	69,323
Net Cost	25,760	1,053	(16,409)	(22,943)

Figure 3: Key financial targets

30. The Business Plan assumptions at Fig 3 demonstrate the likely performance in each year. This shows that targets should be achieved over the period dependent upon the timing of the development and launch in time for the start of the visitor season in year 1.
31. The cost of central support services supporting Visitor Centres overall is estimated to be in the region of £110,000 p.a. and Castleton Visitor Centre as one of the larger centres in the network bears a proportion of these costs. (for example if apportioned on turnover it would bear in the region of 40% of the support service cost i.e. £44,000 per annum, although

more detailed work may need to be done to derive an appropriate proportion of the total actually borne by the centre). The projected surplus therefore at the end of the three years helps to improve the performance of the centre towards achieving full cost recovery, as shown in the table below:

	<u>2014/15</u>	<u>Year 3</u>
Total Net Income	<u>(91,152)</u>	<u>(150,528)</u>
Non Pay	41,611	58,262
Staffing	75,301	69,323
Support cost	<u>44,000</u>	<u>44,000</u>
Total Expenditure	<u>160,912</u>	<u>171,585</u>
Estimated Full Cost	<u>69,760</u>	<u>21,057</u>
% Cost Recovery	57%	88%

32. The year on year increase on income margin will be achieved through café operation, retail and trading income, product diversification and associated increase in footfall as a result of the implementation of a robust marketing and communications plan. The marketing and communications plan will be developed with Head of Marketing and communications. The Business Plan proposes measures that will achieve the income required over the cumulative period. The income projections are based on percentage increases in the following:
- Footfall
 - Overall conversion rate
 - Average Transaction Value
 - Gross sales
 - Gross margin
33. The marketing and communications plan will be resourced from the business plan for Visitor Services.
34. The Government's living wage proposals will have an impact on staff costs, should they be fully implemented at the rates announced. The centre business plan will be reviewed annually and adjusted accordingly to account for any increase in cost.

Asset implications:

35. The site taken as a whole currently provides accommodation for the following:
- visitor centre services
 - display of CHS artefacts
 - a refreshment kiosk
 - local community facility
 - office space for the Visitor Services central team
 - space for the storage of saleable stock
 - space for storage and meetings for CHS
36. The Authority now owns the freehold of the site and the proposed scheme allows the continued use and occupation of the site and property to be consolidated and developed further. The scheme will significantly increase the levels of service delivery and economic benefit which a building of this size can make if effectively used and managed. In the past

floor space at this Centre has been under-utilised: this scheme will go a long way to improving that situation.

ICT implications:

37. Castleton visitor centre is to act as a 'hop' to allow new fibre connectivity to be installed to the Edale Moorland Centre. As no route to the internet is possible directly from the Moorland centre this connectivity is being routed through Castleton visitor centre and then on to the internet from there. The contract term for this connectivity is 5 years from Circa May 2016, and therefore for this period of time the connectivity at the Moorland Centre is dependent upon the continued operation of Castleton visitor centre by the PDNPA.
38. If approved, IT will need to input into the detailed plans for internal cabling to support the improved staff office facilities and also to be able to provide Wi-Fi access throughout the building (and potentially any online devices in the retail areas planned for the future). The plans will need to take into account a small lockable cabinet (currently in place but may need to be relocated) in which to house networking equipment and the locations that BT and Virgin terminate their lines into the building. This detail is not expected to present an issue and just need to be factored into the detailed planning if the project is approved.

Risk Management:

39. There are the following risks relating to the proposal as follows:
 - a) The timetable for the work and alignment will need to be fully considered so that the centre is ready to open before Easter 2017 in time for the start of the visitor season to achieve year 1 income targets.
 - b) Disruption while the work is carried out may impact on the visitor experience and income levels but it should be possible to minimise that effect with logistics planning and work sequencing and due to the majority of work being completed during the winter months to reduce the impact.
 - c) The possibility of benefits of the project not accruing and income targets not being achieved will be managed through established business management and monitoring processes including footfall, product margins and sales income.

The Visitor Services specific reserve was established to enable targets to be achieved in the event of a poor trading year on this basis and for any surplus to be allocated to reserve for reinvestment. The specific reserve is crucial in ensuring that the service manager is able to achieve cost recovery targets over a medium term period by allowing for surpluses in any financial year to be added to the reserve, and allowing deficits in any financial year to be drawn from the reserve

Sustainability:

40. There are no implications although the proposed changes may provide opportunities to add sustainability improvements as part of the scheme of proposals.

41. **Background papers** (not previously published)
None

Appendices

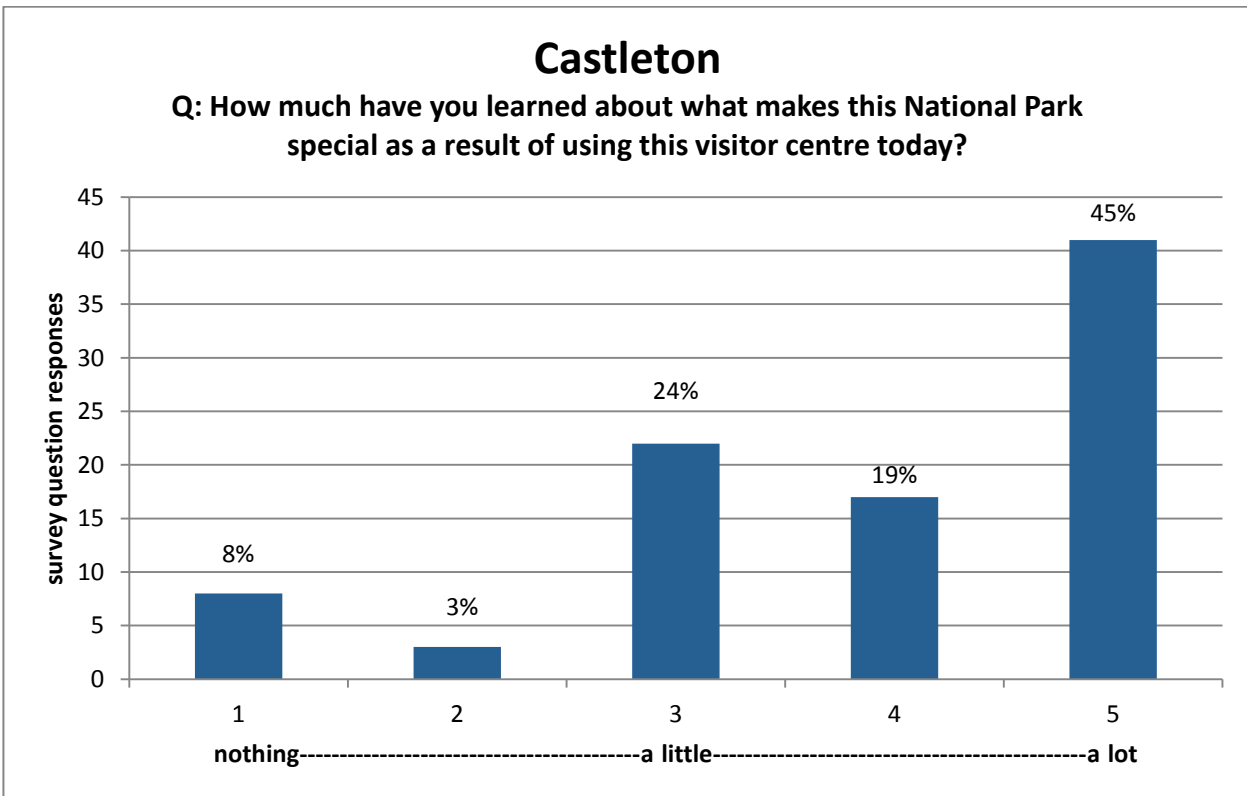
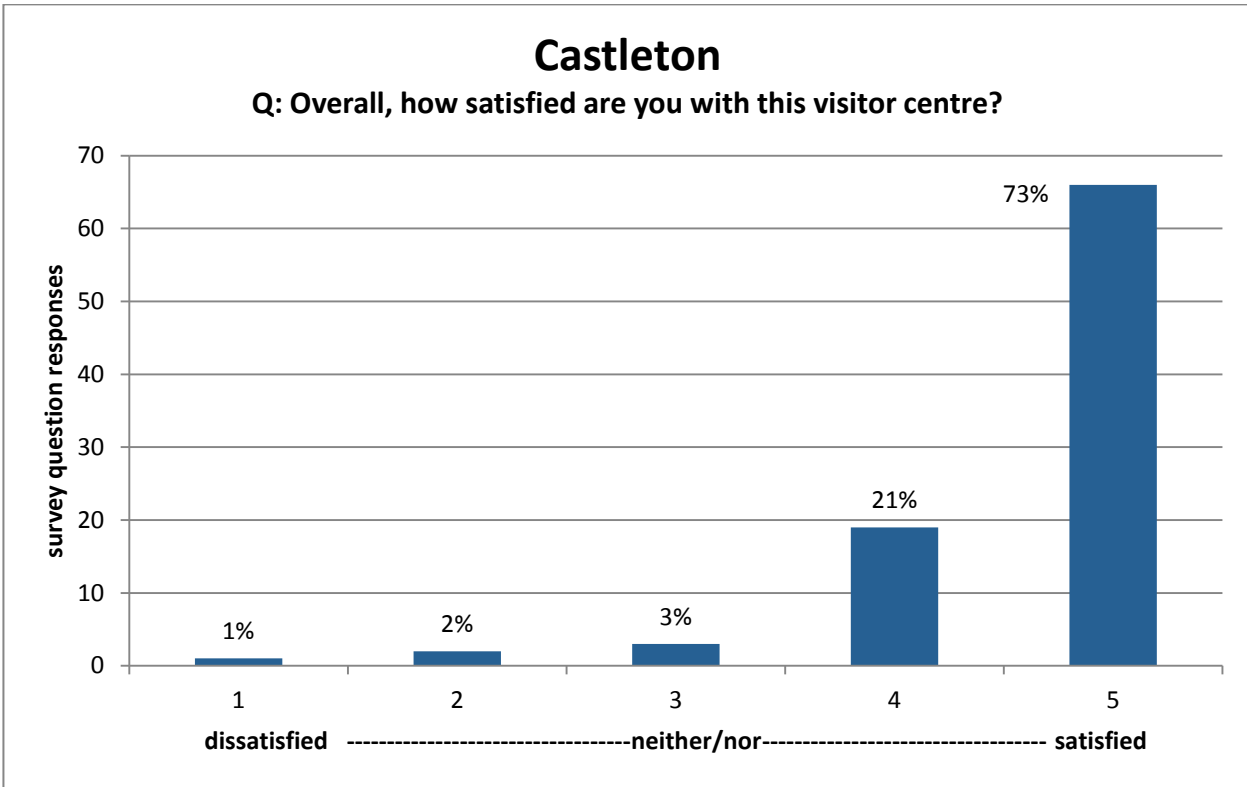
- Appendix 1: Castleton Service User Survey Data and Graphs
- Appendix 2: Derbyshire Business Retail Help Summary of Actions
- Appendix 3: Consultation survey highlights
- Appendix 4: Outreach and Activities Proposal
- Appendix 5: Summary of Elements of the Scheme

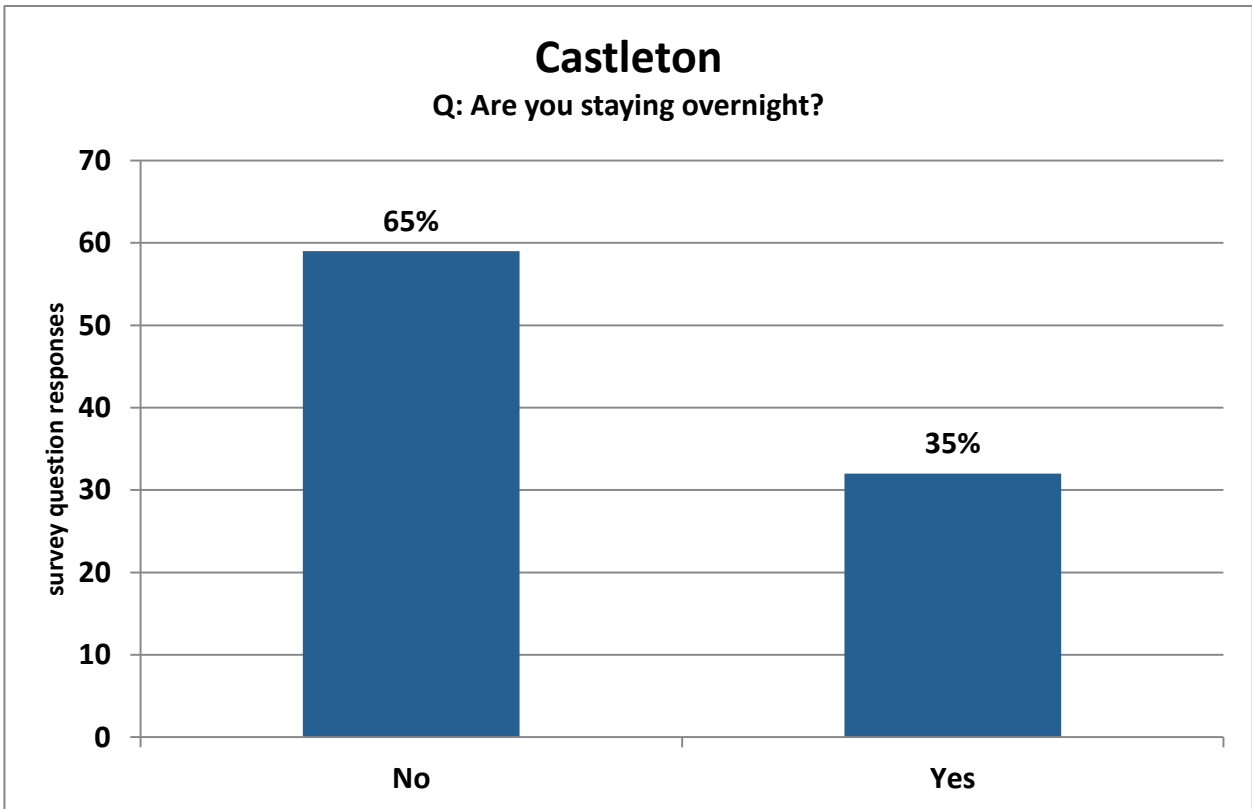
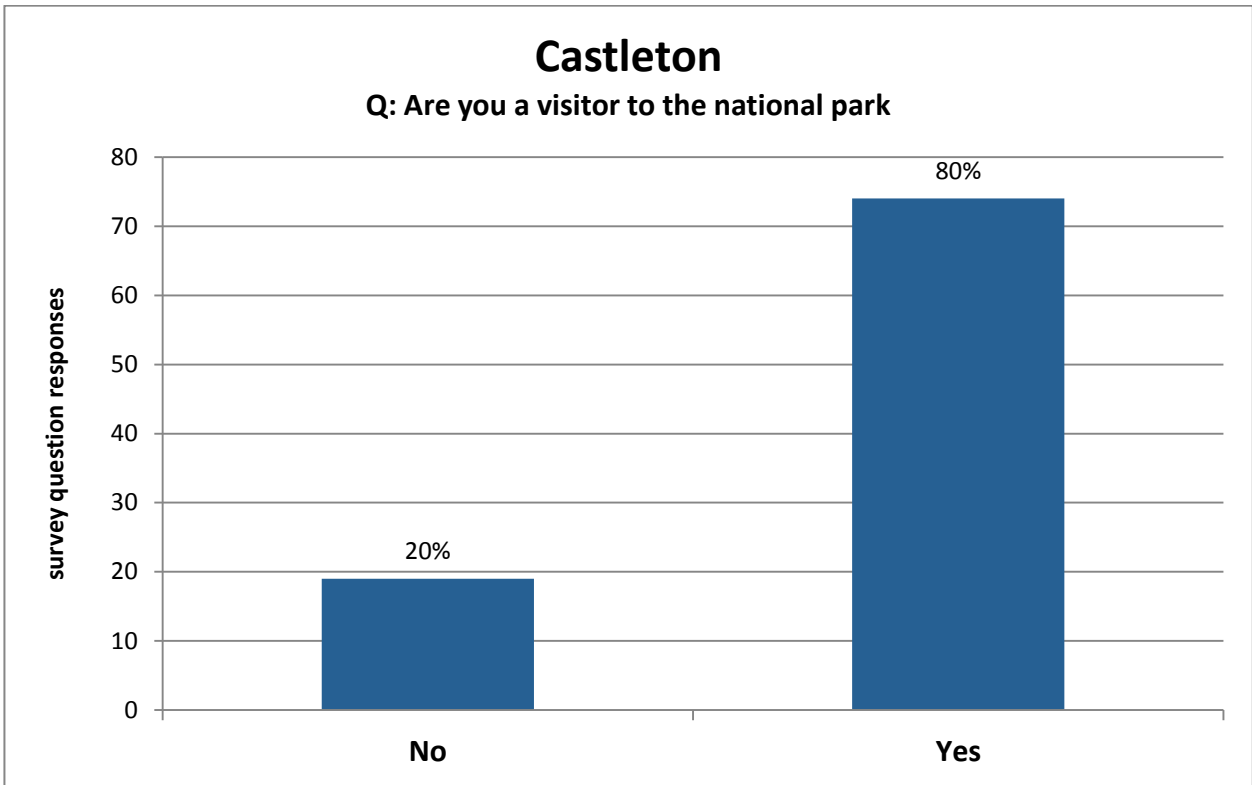
Sue Beswick, Visitor Services Manager, 25 February 2016

This page is intentionally left blank

Appendix 1

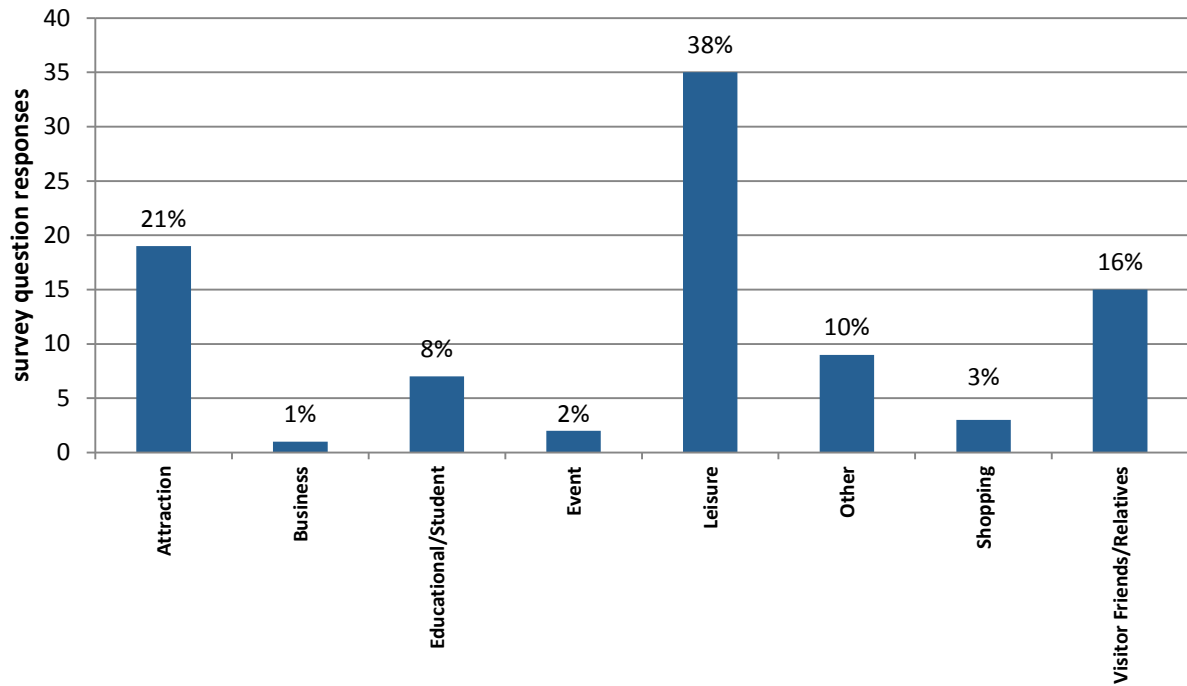
Castleton Visitor Centre - Service User Survey data and graphs 2014/15





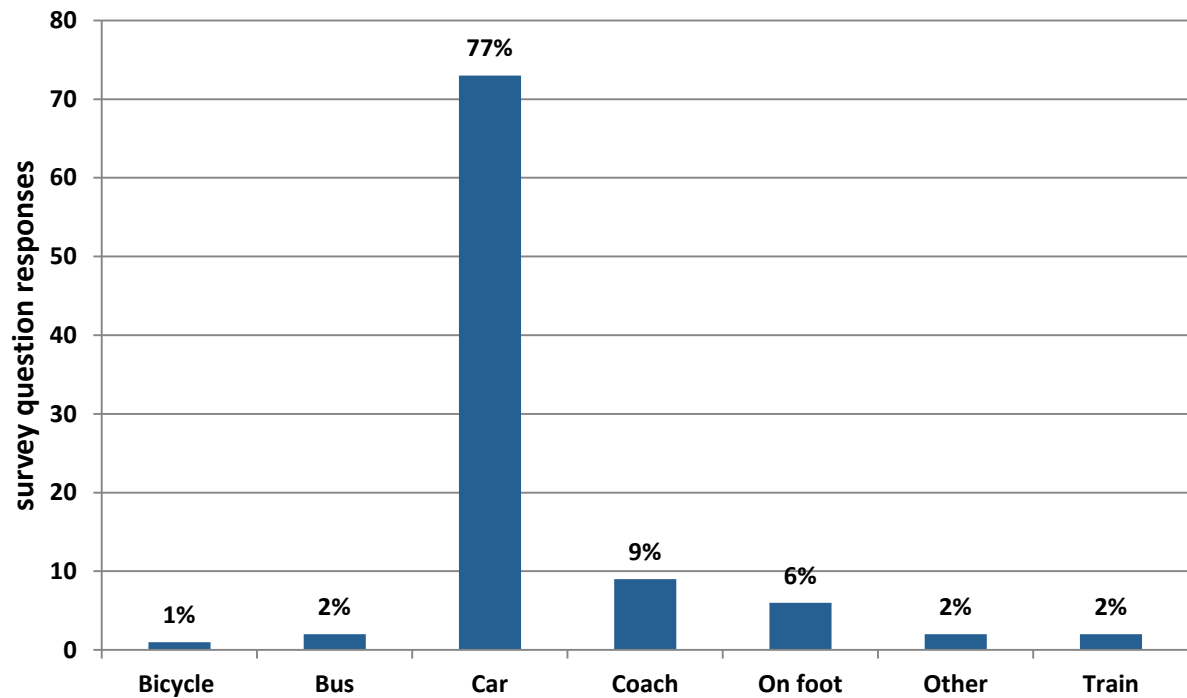
Castleton

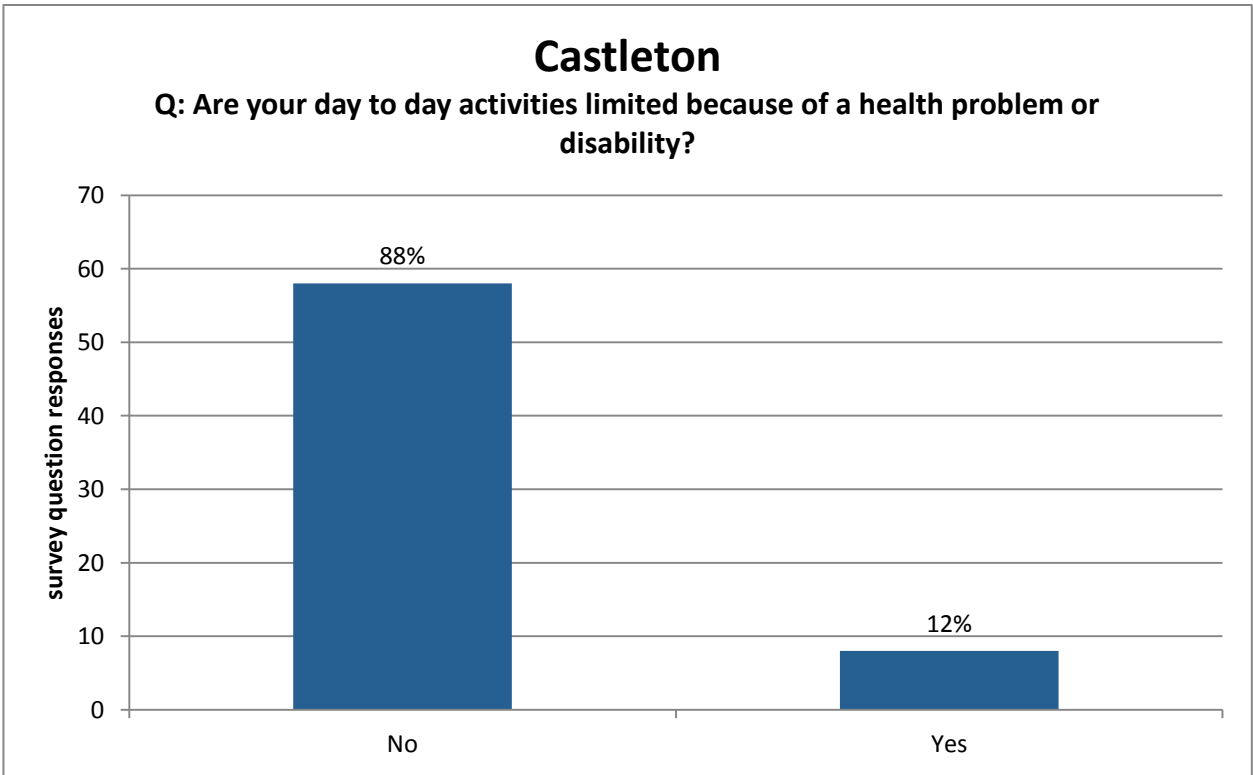
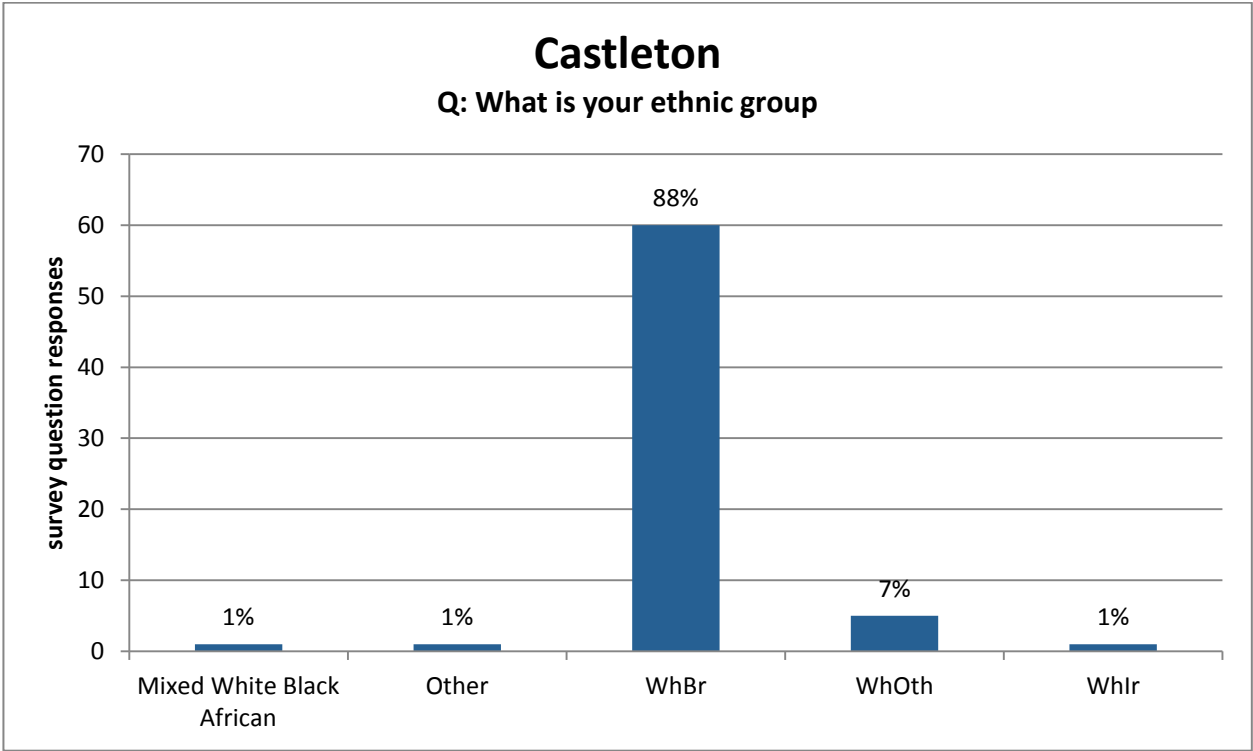
Q: Reason for your visit to the Peak District



Castleton

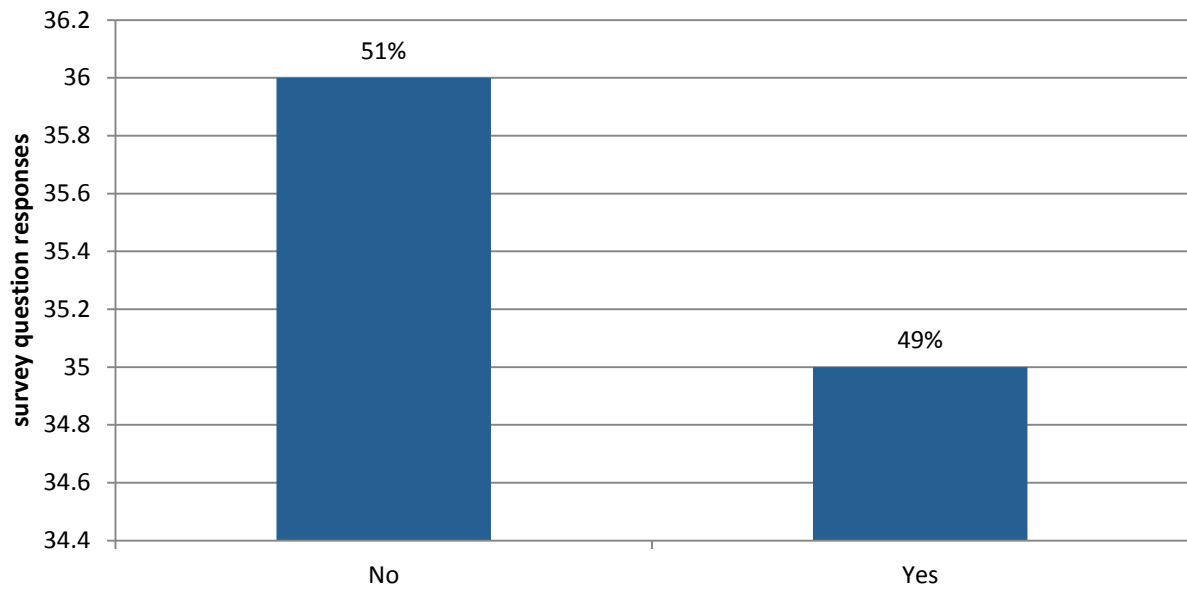
Q: How did you travel here





Castleton

Repondents from under represented groups



This page is intentionally left blank

Area of focus	Findings	Recommendations
Visitor Services and Cycle Hire Team	A restructure of the Visitor Services and Cycle Hire teams is necessary to achieve a commercial focus and visitor experience orientated team.	Restructure Visitor Services and Cycle Hire team to deliver commercial focus and improved visitor experience and so that Cycle Hire falls within the Visitor Services remit.
Maintaining a high quality visitor experience focus	Mystery Shopper results:. Fairholmes 92%, Ashbourne 78%, Edale 77%, Bakewell 69%, Castleton 64%, Parsley Hay 37%	Develop high quality visitor experience focussed business plans with agreed targets, milestones and key performance measures.
Customer segmentation profiles	There is an opportunity to develop services and products at individual centres that are in line with Customer Insights segmentation profiles	Review product ranges and service provision in line with Insights market segmentation and maintain ongoing customer research programme.
Maintaining a commercial focus	A Retail and Brand Action Plan would focus development of the commercial approach to branding, layout, display, visual merchandising, selling skills, product range and category	Work jointly with ME project lead to develop and achieve the Retail and Brand Action Plan to improve all aspects of commercial focus at centres
Brand development of the Top Twenty Best Selling Products (now 8 products – update from SAG)	There is scope to develop a range of own branded products in line customer segmentation and the top twenty best sellers	Review with ME project lead the top twenty best- selling products to develop an own brand range.
Brand Presence	The old logo is predominant across all centres and work is in progress to develop a consistent approach to application of the new branding.	Agree an exit strategy for products, signage and display which show old logo. Work jointly with ME to achieve the Retail and Brand Action Plan.
Sales, financial reporting and stock management system	An effective commercially focussed system for stock management and sales reporting is required to inform commercial activity.	Work with Finance and IT support to progress the Exchequer finance system and KCPOS for key margin and sales data to inform buying activity and sales performance measurement .
Website , web shop and social media marketing development and promotion	<p>A solution is required to enable improvement to systems infrastructure and connectivity at Castleton and across centres.</p> <p>A joined up approach is required to enable Visitor Services and Cycle Hire to improve website presence, marketing capability and social media effectiveness.</p> <p>Training and development of staff in social media marketing is necessary for effective promotion of centres and services.</p>	Work jointly with ME and IT Services teams to review connectivity issues and to develop and achieve website, social media and promotional plans.
Customer first impressions	The standard of external and internal welcome including signage at both visitor and cycle hire centres requires improvement to enhance visitor experience and first impressions at all sites.	Enhance visitor experience and engagement in line with customer segmentation profiling and quality standards through centre development and refurbishment, planned capital expenditure and investment based on Return on Investment. Develop Ambassador scheme.

Area of focus	Findings	Recommendations
---------------	----------	-----------------

--	--	--

--	--	--

Castleton Visitor Centre Consultation 2015

Tuesday, November 24, 2015

174

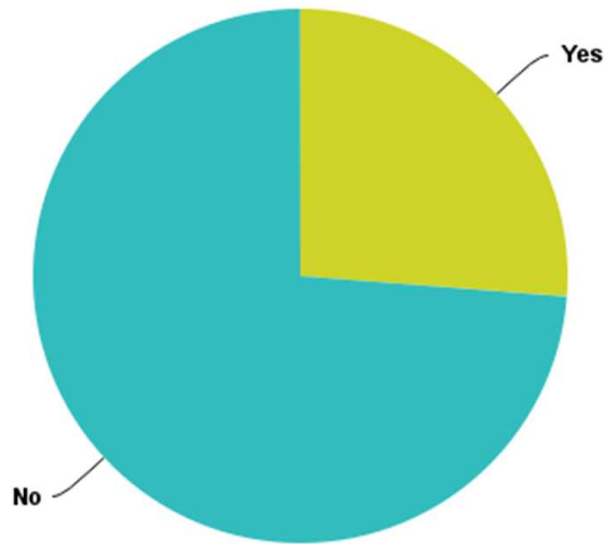
Total Responses

Date Created: Friday, November 13, 2015

Complete Responses: 164

Would you be prepared to take part in an interview that should only take about 10 minutes of your time?

Answered: 164

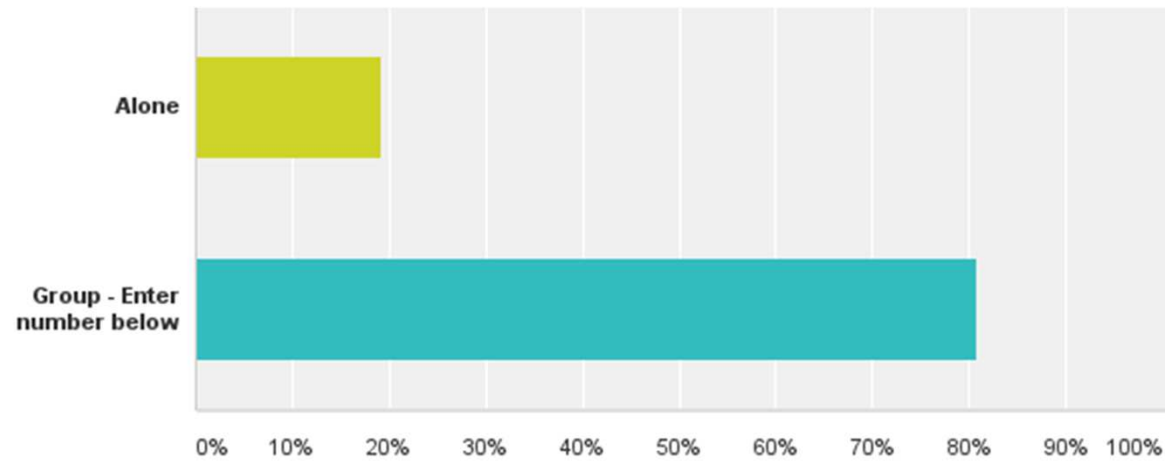


74% of respondents were visitors

Survey	Resident	Visitor	Total
Online	8	16	24
Face-to-face	35	105	140
Total	43	121	164

Are you visiting alone or in a group?

Answered: 120 Skipped: 54

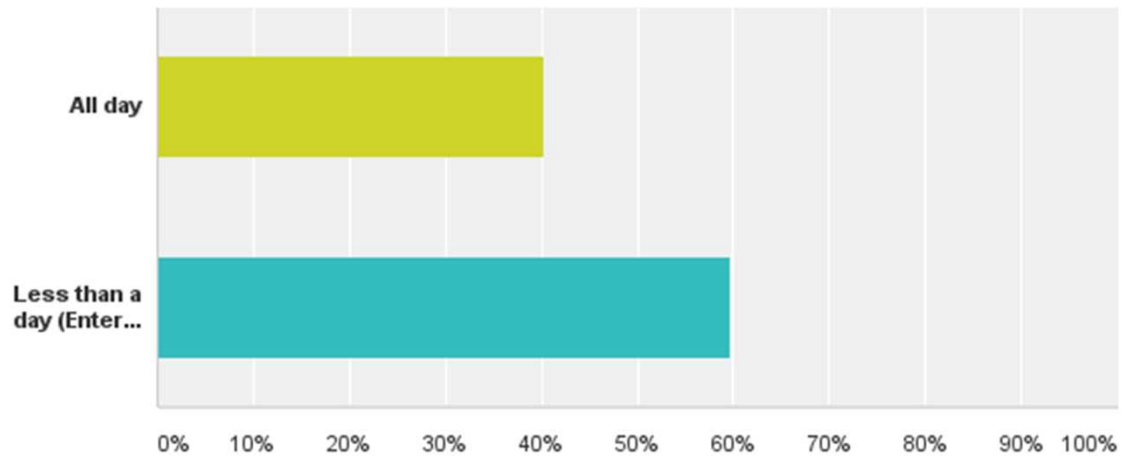


Average group size
(visitors only) is
3.1 people

Answer Choices	Responses
Alone	19.17% 23
Group - Enter number below	80.83% 97
Total	120

How long do you intend to stay in Castleton and the Hope Valley today?

Answered: 119 Skipped: 55



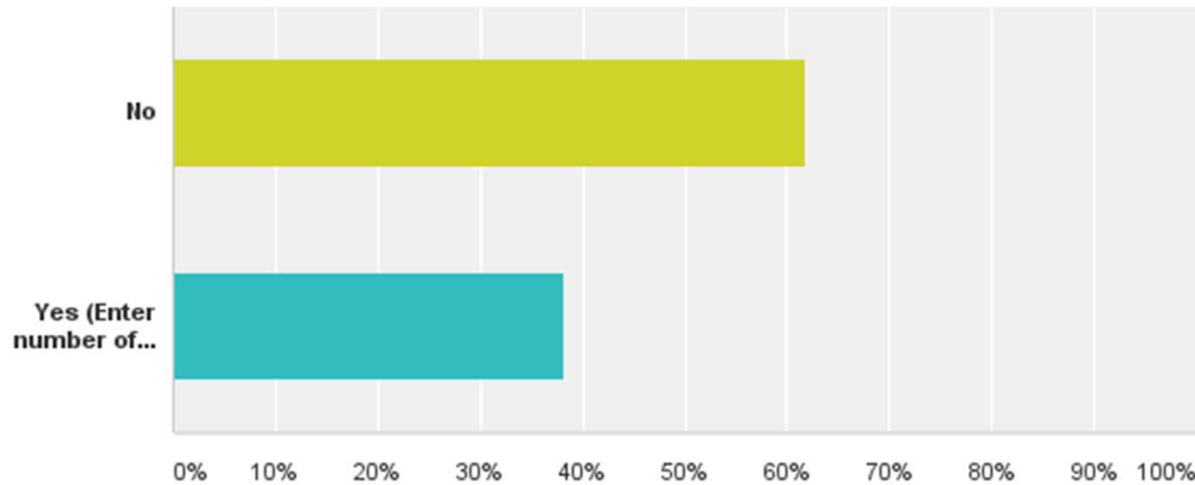
Average length of stay is **3.1 hours**

(for those staying less than a full day)

Answer Choices	Responses	
All day	40.34%	48
Less than a day (Enter estimate of number of hours below)	59.66%	71
Total		119

Is your visit part of a longer holiday have you stayed overnight?

Answered: 118 Skipped: 56



Answer Choices	Responses
No	61.86% 73
Yes (Enter number of nights below)	38.14% 45
Total	118

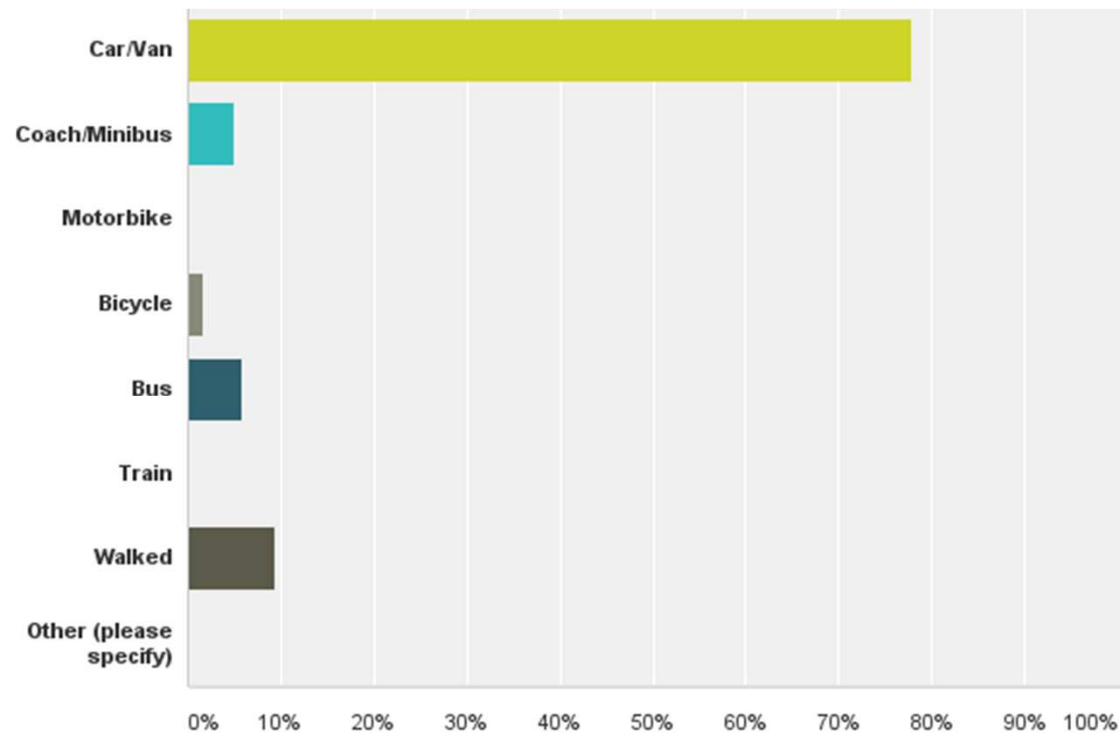
Average length of overnight stay is **2.9 nights**

(for those staying overnight)

38% of visitors were visiting as part of a longer holiday

How did you travel to Castleton today? (select main method of transport only)

Answered: 118 Skipped: 56

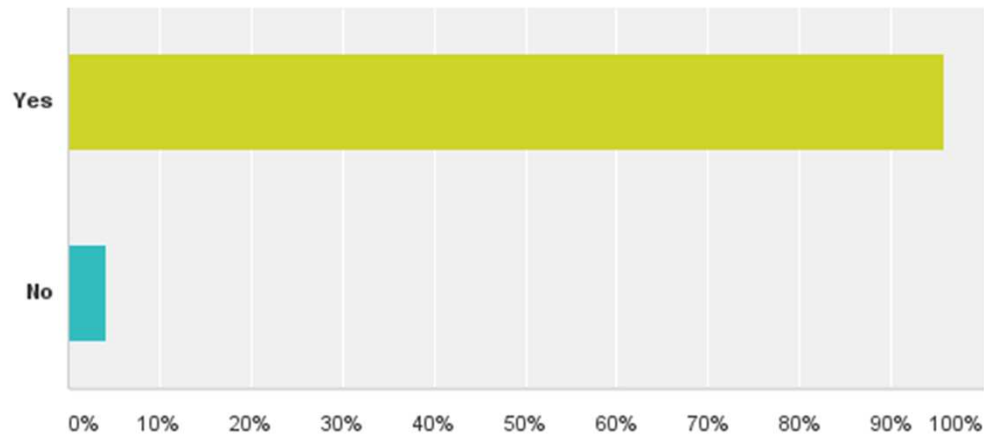


Nearly 8 in 10 visitors came by car or van

Answer Choices	Responses
Car/Van	77.97% 92
Coach/Minibus	5.08% 6
Motorbike	0.00% 0
Bicycle	1.69% 2
Bus	5.93% 7
Train	0.00% 0
Walked	9.32% 11
Other (please specify)	0.00% 0
Total	118

Did you spend any money during your visit to Castleton?

Answered: 118 Skipped: 56

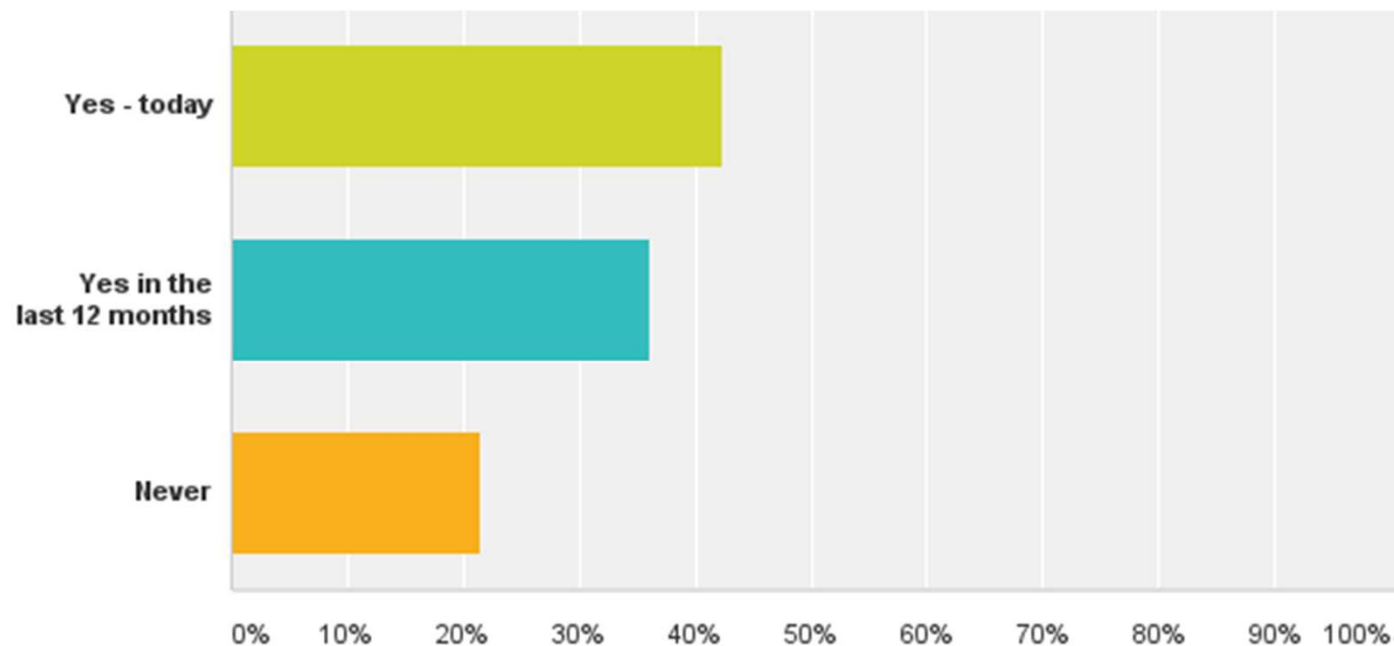


Over **9 in 10** visitors spent money in Castleton

Answer Choices	Responses
Yes	95.76% 113
No	4.24% 5
Total	118

Have you visited Castleton Visitor Centre today or at any time within the last 12 months?

Answered: 158 Skipped: 16



22% of respondents (18% visitors / 4% residents) had never been to the visitor centre in the last 12 months

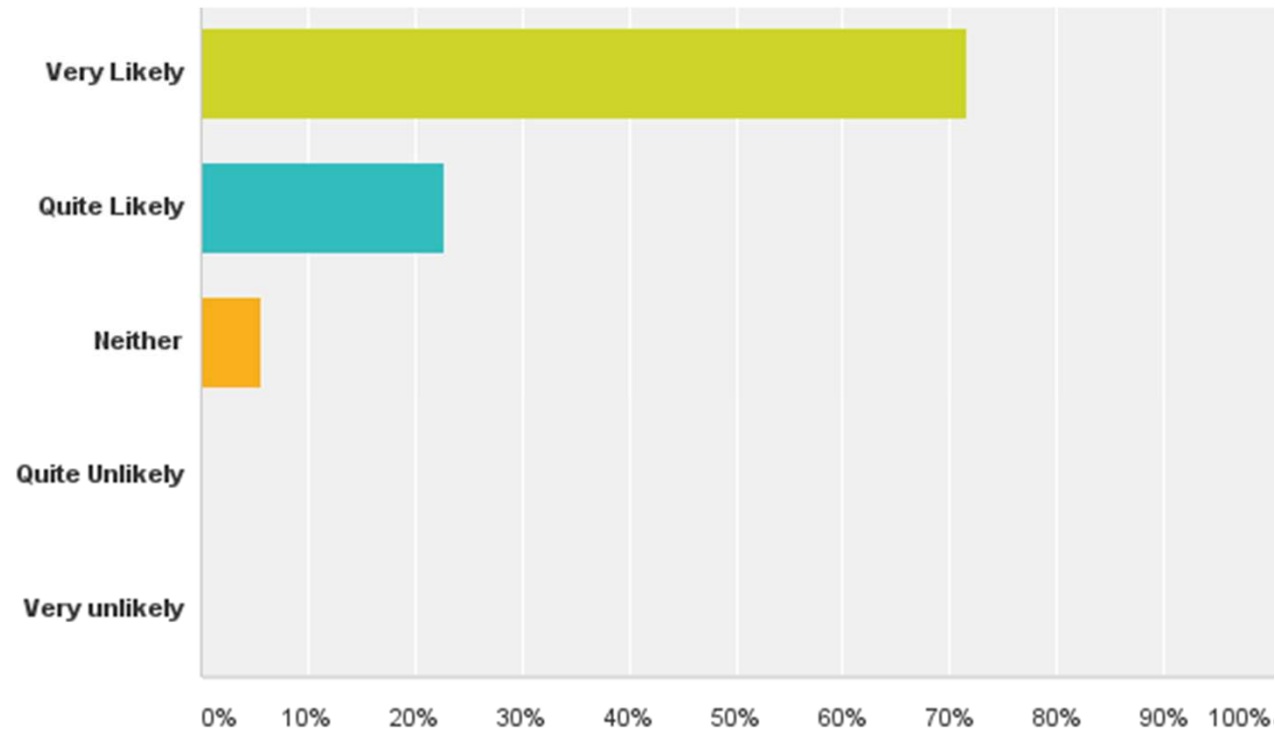
When visiting Castleton Visitor Centre previously have you?

Answered: 123 Skipped: 51

Answer Choices	Responses	
Enquired at the service counter or picked up any tourist, travel or local information	56.10%	69
Bought any gifts or items from the shop	51.22%	63
Booked any accommodation	2.44%	3
Bought refreshments from the food and drink kiosk	34.96%	43
Looked around the museum and interpretation exhibits	74.80%	92
Looked around the arts and photography displays	69.92%	86
Taken part in a family event or activity	17.07%	21
None of the above	8.94%	11
Total Respondents: 123		

Are you likely to return? Tick one

Answered: 123 Skipped: 51

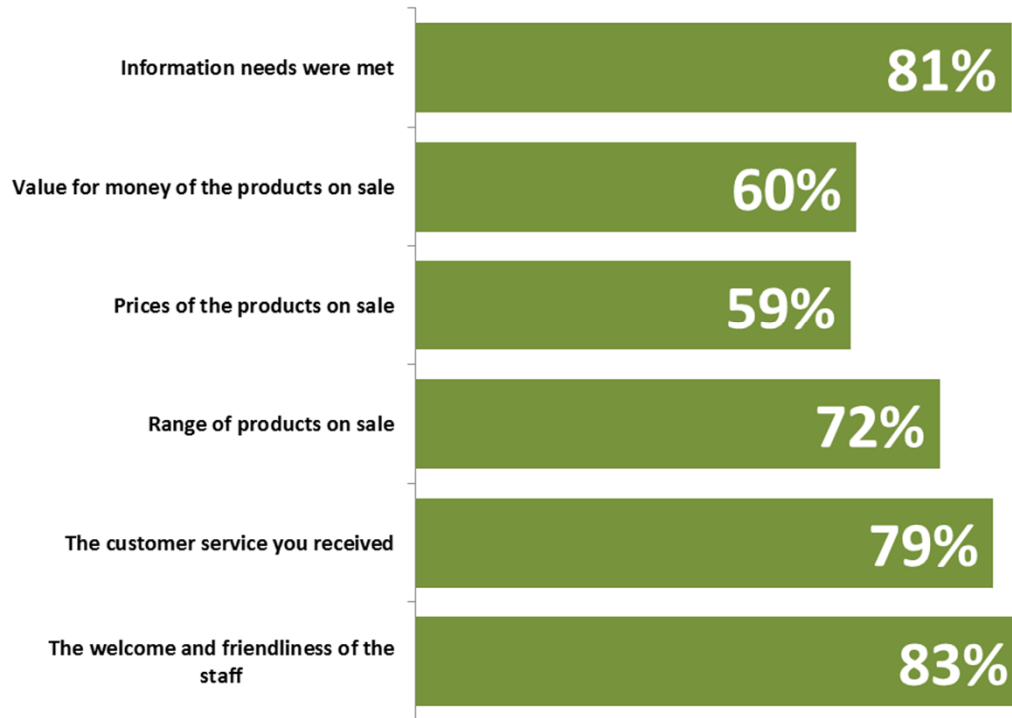


0 respondents were unlikely to return to the visitor Centre Castleton

Using a scale from 1 to 5, where 1 = very dissatisfied and 5 = very satisfied, can you tell me how satisfied you were with the following aspects when you visited the centre:

Answered: 122 Skipped: 52

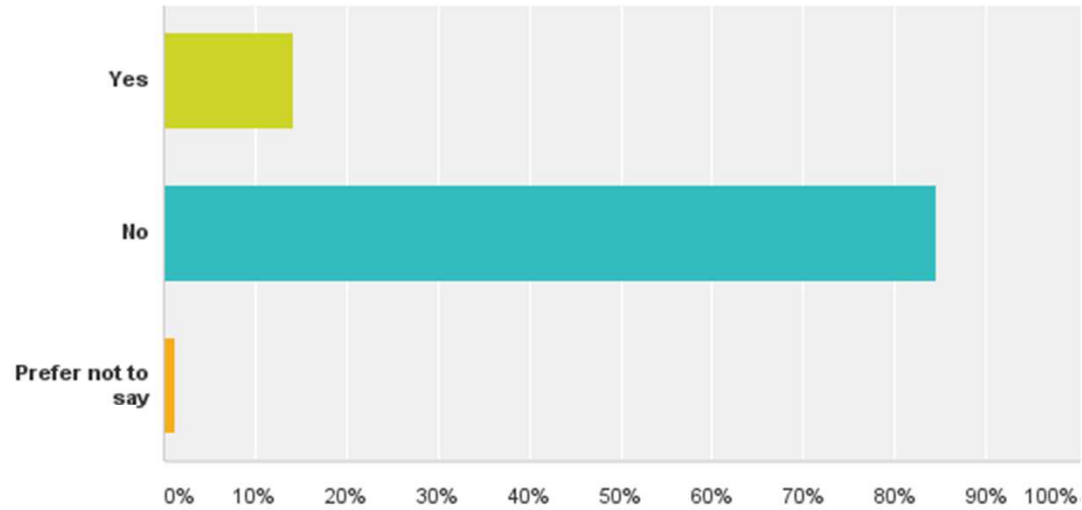
NET Satisfied



	Weighted Average (5 is positive 1 is negative)
The welcome and friendliness of the staff	4.39
The customer service you received	4.32
Range of products on sale	3.99
Prices of the products on sale	3.68
Value for money of the products on sale	3.7
Information needs were met	4.4

Do you have a limiting long term illness that affects your day to day activities?

Answered: 155 Skipped: 19



Answer Choices	Responses
Yes	14.19% 22
No	84.52% 131
Prefer not to say	1.29% 2
Total	155

What our visitors said they would like to see in the National Park visitor centres

Listed in order of demand (High-Low)
Local maps
Local information about the National Park
Local Museum Exhibition
Local community events and activities
Tourist information and accommodation booking
Café with indoor seating
Local products - art, crafts and produce
Food and drink kiosk
Retail - gift and souvenir shop
National Park Ranger, Learning and Discovery events and activities
Photography gallery - local area photography
Retail - National Park branded products
Blue John Jewellery outlet, workshops and demonstrations
Family/Children's play area
Cycle lock up

Appendix 4 - Castleton Visitor Centre Development Proposals

Proposal for the Multi –Purpose Community Facility and Learning and Discovery and Outreach Services at the Centre

Castleton Visitor Centre – Multi –Purpose Community Room

The potential development of the Castleton Visitor Centre opens up great opportunities to extend the reach of the Authority to promote understanding and enjoyment of the special qualities of the Peak District National Park to new audiences (outreach) and to further link to other sites managed by the Authority. This opportunity gives the chance for Visitor Services, the Learning and Discovery Team (L&D Team) and Rangers to work collectively at a new focal point to help deliver our four cornerstones and four directional shifts.

As well as providing interpretation that can be changed and adapted to promote key messages in a timely way, the centre will also provide an ideal space to grow our outreach work, with schools, community groups, families and individuals, developing the overall visitor experience and connecting people to the landscape.

Visiting Schools - Current Situation

Castleton has for a long time been used as a case study for fieldwork in textbooks and online materials, this means that schools are very keen to come and visit, using the village as a textbook example for village studies and impacts of tourism fieldwork. A large number of schools visit Castleton throughout the year. We currently reach some of these through school visits to the visitor centre and museum. School visits are recorded at the visitor centre and records show an increase in school visits in 2014/15 in comparison with previous years. This increase has occurred even though the centre is not actively promoted to schools.

Table 1: Castleton Visitor Centre - Record of school group visits

	2012/13	2013/14	2014/15
January	0	3	3
February	0	4	5
March	1	15	13
April	0	10	11
May	1	13	24
June	1	16	30
July	7	13	10
August			1
September	31	22	9
October	24	18	12
November	6	12	11
December	0	2	2
TOTALS	71	128	131

Table 2: Castleton Visitor Centre – Number in school group

	2012/13	2013/14	2014/15
January		50	116
February		94	234
March		535	444
April		446	463
May		681	738
June	93	313	865
July	161	282	301
August			30
September	1060	992	284
October	1044	784	429
November	154	390	482
December		66	75
TOTALS	2512	4633	4461

A smaller number of school visits use the services of the L&D Team to deliver curriculum programmes. The potential to dramatically increase this is opened up by the proposals to develop the site and link up the informal school visits with Learning and Discovery provision at the centre.

Table 3: Learning and Discovery Team - Record of School Group Activity

	2012/13	2013/14	2014/15
Number of Pupils	700	169	297
Number of schools	20	6	13

Visiting Schools and Education Groups – potential for development

With a dedicated space that can be used by visiting groups we can develop a range of products that will engage with more school groups, from a pre-recorded video that can simply be shown by pressing a button, to a structured day long programme delivered by the L&D Team, or a selection to meet the needs of the school. These products should be based on market research to establish the demand and the price that might be paid. The new products will extend and support the current offer from the L&D Team.

For many groups our current lack of indoor space and access to toilets is a very real barrier to schools coming for day visits, especially primary age pupils and schools from areas with a high number of Muslim girls. The proposed dedicated space at Castleton Visitor Centre will

offer a security to teachers of this age group that we currently don't have and will open up the possibilities of delivering to these groups. In addition, we will be working with the National Trust to bring in to use the field opposite the visitor centre to run activities and events. The table below shows the proposed new Learning and Discovery products which will be available at the centre:

Table 4: Potential Learning and Discovery Schools products

Activity	Audience	Possible Income	Comments
Introduction to Castleton Video – Impacts of Tourism	Primary and Secondary Schools group	Charge/donation	To reach schools confident in leading their own visit Different videos for different age groups
Teachers packs to support self-guided visits	KS2 – Village study KS3, KS4 and A level packs – Impacts of tourism	Charge	A range of these could be produced for the different Key Stages
Introductory talk	KS2-A level	Charge	We could focus this on one day a week and schools can book time slots to make it an effective use of staff time
New programme development	KS2 village study	Per pupil charge	Current programme in need of review
Other programmes as identified by market research	All Key Stages	Per pupil charge	In door space opens up new opportunities and possible extension of season for existing programmes with some adaptation

Outreach Opportunities – Current Situation

At the present time the ranger service run some guided walks from the centre and the L&D Team run activities and events at the visitor centre during school holidays, and at key visitor times. The Learning & Discovery activities have proved very successful, especially at Christmas when the lights are switched on and during National Parks Week. During National Parks Week Ranger guided walks have also been led on days that coincide with the L&D Team running an event, when the guided walk has then taken people from Castleton to Edale Visitor Centre.

The L&D team saw 363 children and 388 adults at 10 events run at the visitor centre in 2014/15. These have been funded by donations and small project funds (such as one from the British Ecological Society in 2013/14).

Outreach Opportunities– potential for development

There is the potential for a wide range of possibilities to be opened up with the provision of a space to gather a group as a focal point at Castleton Visitor Centre. While the centre itself has provided a very useful focal point over the years since it opened in 2004, for some of our harder to reach clients the proposed dedicated multi-purpose facility will provide the

security and stepping stone necessary to enable them to venture into the National Park. The room can be used as a base from which to run bespoke guided walks and events for targeted outreach groups.

For other outreach activities and groups the facility will provide an ideal meeting space, which can also be made available for community hire.

The multi-purpose facility will make it much easier for services working collaboratively to run events to engage with the general public visiting Castleton, to draw them in to learning experiences that will deepen their understanding of the place and the work of the authority and open them up to the idea of becoming more personally involved (giving money and volunteering time). There will be the opportunity for the Visitor Services team to co-ordinate a schedule of events and activities with the support of L&D, the Rangers and led by volunteers. Using the capacity of volunteers to deliver events will reduce the cost, while donations and small funding bids will bring in income.

Visitor Services will ensure that the facility contributes to the overall full cost recovery targets for the service and wider operations over the period 2016 – 2019 and beyond in the longer term.

The facility could also be used as part of the National Park staff induction/awareness training and the programme of guided walks and outreach can be extended and developed, linking this site to North Lees , Edale, cycle routes and beyond as the programme develops.

Table 5: Potential Outreach Opportunities

Activity	Led by	Other teams	Possible income generation	Link to other properties
Extended guided walks programme	Rangers	VC	Charges/	Edale North Lees, Bus and cycle routes
Extended events programme	L&D	Rangers VC	Charges/donations Small funding pots e.g. WWI HLF bid	Edale North Lees, Bus and cycle routes
Targeted group activities	Rangers and L&D team	Others as needed	Funded -NP bids or individual group bids	As appropriate
Visitor Passport	VC	Rangers L&D team	Charge	Edale, North lees, Longshaw and other visitor attractions
MFF and other specialist talks	VC	All and outside bodies	Charge/donations	As appropriate

Appendix 5: Summary of the Scheme

A summary of the proposals is detailed below:

1. Dedicated area for the museum

The proposed central location for the CHS museum will result in visitors to the centre moving through this area to access the proposed café and multipurpose room which will also incorporate CHS displays and information as part of an ongoing annual programme.

The area dedicated for display of museum artefacts and memorabilia will mean a reduction on the current space allocation. However, a programme of changes and themed displays will provide interest and will ensure that the museum is refreshed throughout the year and through the seasons. There will be the opportunity to incorporate museum and CHS activity with Learning and Discovery Team (L&DT) activities and interpretation schemes throughout the centre and also within the proposed café.

The proposals provide the opportunity to review and strengthen the current arrangement with CHS in line with the new direction and focus on enhancing and maximising the visitor experience at our assets. The proposals are based on the continued joint working with CHS and a dedicated space for museum display has been identified although at a reduced level than is currently allocated. The dedicated space allocation will support the museum in meeting the criteria necessary for museum accreditation which secures CHS valuable grant aid funding to improve displays and interpretation of CHS projects.

2. Multi –purpose Interpretation and activity facility

The proposed multi-purpose facility would provide the scope for Visitor Services, the L&DT and Rangers to work collectively at a new focal point to support delivery of the corporate strategy.

The facility would provide a base in the Hope Valley for L&DT and Rangers to run a programme of events and activities either starting at or based at the centre. As well as providing interpretation that can be changed and adapted to promote key messages in a timely way, the facility would provide an ideal space to grow our outreach work with schools, community groups, families and individuals, developing the overall visitor experience and connecting people to the landscape in line with People & Park Connected.

There is the potential for a wide range of possibilities to be opened up with the provision of a space to gather a group as a focal point at Castleton Visitor Centre. There will be the opportunity for L&DT to work with CHS and other partners on joint local community initiatives eg Youth Archaeology Group. While the centre itself has provided a very useful focal point over the years since it opened in 2004, for some of the L&DT harder to reach clients, a dedicated multi-purpose facility could provide the security and stepping stone necessary to enable our visitors/audiences to venture into the National Park and the facility could be used as a base from which to run bespoke guided walks and events for targeted outreach groups.

For other outreach activities and groups there is the potential for a meeting space at Castleton Visitor Centre, which could also be made available for community hire although not in competition with local amenities.

A dedicated facility would make it easier for Authority teams working collaboratively to run

events to engage with the general public visiting Castleton, to draw them in to learning experiences that could deepen their understanding of the place and the work of the authority and open them up to the idea of becoming more personally involved (giving money and volunteering time). The facility would provide the opportunity for the Visitor Services team to co-ordinate a schedule of events and activities with the support of L&DT, the Rangers and led by volunteers. Using the capacity of volunteers to deliver events will reduce the cost, while donations and small funding bids will bring in income.

Visitor Services would ensure that the facility contributes to the overall full cost recovery targets for the service and wider operations over the period 2016 – 2019 and beyond in the longer term.

The facility could also be used as part of the National Park staff induction/awareness training and the programme of guided walks and outreach can be extended and developed, linking this site to our Estates, Trails and cycle routes for example as the programme develops. See Appendix 4 for full proposal.

3. Access for all

The proposed development provides the opportunity to improve disabled access and provision in line with national and regional initiatives to inform development and our research findings regarding the needs of our visitors.

Access improvements and public toilet provision for disabled people have been incorporated into the plans along with baby changing facilities which will also enhance provision for young families. Effective access statement information will support the targeted marketing and promotion of access improvements at the centre.

There will be an opportunity to consider future market development in this area working jointly with local businesses and attractions and Accessible Derbyshire as a key partner and advisor. There may be opportunities to support Accessible Derbyshire in the drive for a mobile changing places facility to be available at key times of year as part of the future development of provision at the centre.

The access improvements will support the centre to attract people living with disability and also their family and friends.

4. Proposal for accessible café provision

Unlike flagship visitor centres in other national parks: Lake District (Brockhole); North York Moors (Danby and Sutton Bank); Pembrokeshire Coast (Oriell y Park St David's), Yorkshire Dales (Aysgarth Falls), the Peak District National Park Authority does not operate a café within any of the four visitor centres.

The proposal for café provision at the centre provides the opportunity to either run a café operation in house or establish a café business concession, along similar lines to that at Aysgarth, Yorkshire Dales National Park Centre. This would allow a private sector business to run a café within the existing footprint of the Visitor Centre.

The opportunities and sensitivities of a café would be:

- The opportunity to attract more visitors to the site including groups and coach parties
- The opportunity to diversify and increase income streams
- The opportunity for a new private sector business or an existing café to diversify if the business franchise option was the chosen option
- The opportunity to operate a café in house
- Additional income is anticipated due to potential for attracting new audiences – for example access market, groups, coach parties, school groups
- A focus on locally supplied food products in line with the ‘Inspired by’ concept, directly supporting other business
- The venture could provide wider economic benefit to the area by providing employment opportunities; enhancing the overall quality of the tourism offer together with other attractions in Castleton; encouraging people to visit or stay in Castleton longer
- The capacity for disabled parking and parking generally has been highlighted as a concern as part of the local consultation
- Concerns have been raised in the village over the possibility of a café at the centre and related competition with local businesses

A suitable space could be the existing area known as the ‘hang glider’ room which is spacious, overlooks the car park and could become a café run in conjunction with the existing refreshment concession which would be retained. The intention would be to create a unique and quality café experience and offer which would incorporate national park interpretation and key messages.

- The present refreshment concession kitchen would be slightly extended and remodelled and given direct access to the new café area.
- The Darnborough Room which is currently underutilised would become an extension to the café with arm chairs and sofas, with a small children’s play area.

The facility would reflect the standards and ethos of the PDNPA and this would easily be achieved through running the café in house or alternatively through a Service Level Agreement or Management Agreement.

5. Enhanced area for retail merchandise and development of Peak District National Park branded products

As a result of the work with Derbyshire Business and Retail Help (DBRH), a plan has been agreed as part of the actions to improve visitor experience and to achieve full cost recovery targets. As part of the work with DBRH, a review of customer focus and our commercial approach considered the following:

- Customer insights and trends
- Visitor Experience and Customer Service
- Branding and Point of Sale
- Visual display and merchandising
- Retail Display and Selling skills
- Product range, category and layout

The top twenty best-selling products were also identified for review to see which would be the most appropriate and from which to create an own branded range of quality products.

The work with DBRH will inform the design brief and retail layout as part of the proposals for the centre and a new reception desk is proposed to be located in the retail area to replace the existing desk with new branded signage, logo and welcome.

See Appendix 2: DBRH Summary of Actions

6. Interpretation and display

Recent research by Visit Britain and others has emphasised the importance of developing the visitor experience and emotional engagement with the visit. The standard of external and internal welcome including signage and interpretation at the centre requires improvement to enhance visitor experience and first impressions.

As a first step, we have worked with the Authority's Interpretation Officer to agree an interpretive scheme for the centre in order to engage wider audiences and family groups. Working with CHS, the scheme will be developed with a focus on the specific landscape character area, connectivity of trails and places to enrich the visitor's experience and based on a 'layered' approach with overarching key messages about the wider National Park promoting our brand through the place.

The aim will be to engage and inspire visitors to want to learn more about Castleton and Hope Valley locality and community. Opportunities to integrate visiting exhibitions and interpretive media with the base scheme will be explored through appropriate channels and associated networks and partnerships including through Buxton Museum and Art Gallery with the aim of producing an annual schedule and programme of changing displays and multimedia in collaboration with CHS museum. This collaborative approach will apply across visitor centres to reinforce the brand and connect visitors with the place.

The interpretative scheme is yet to be agreed but there will be a display and exhibits through from the proposed retail area. Interpretative media will also be integrated throughout the centre as part of the scheme of changing displays, exhibitions, activities and café/family room.

The Learning & Discovery and Outreach schedule of activities, visitor centre business plan and annual service plan will detail the wider activity that will support interpretive delivery at the centre.

13. BROSTERFIELD CARAVAN AND CAMPING SITE, FOLOW – PROPOSED SUBMISSION OF REVISED PLANNING APPLICATION (P4484/TRS)

Purpose of the report

To seek Members' approval for the submission of a revised planning application for Brosterfield Caravan and Camping Site following further community consultation during 2015.

At the ARP meeting 3rd May 2013 Members recommended that Authority:

1. Agree the submission of a full planning application for the Brosterfield site as predominantly a touring caravan and campsite, with a manager's unit, 5 eco lodges, an amenity block and infrastructure as set out in Option 5 in the presented options report together with any required modifications which may be compatible with other options as presented in the options analysis paper.
2. Agree that finessing of the application is undertaken as part of the planning process.

Key issues

- The site was purchased by the PDNPA to remove the threat of Park Homes being developed on the site by Tingdene Homes (Arunworth Ltd) who in 2011 successfully appealed the interpretation of the 1998 Planning permission. To achieve this it is proposed that the existing planning permission as interpreted by the planning inspectorate in 2011 is changed by Discontinuance Order.
- A planning application was submitted in December 2014. The application comprises a finessed Option 5 as approved by Members in May 2013.
- The planning application met with a significant amount of objection, in particular from the Foolow community.
- The planning application was paused whilst further community consultation was carried out throughout 2015 with representatives of the Foolow community.
- As a result of the further consultation, the District Valuer was asked to provide additional Valuation advice based on the agricultural land value and three caravan and camping site scenarios. These were the 2014 planning proposal and two alternatives, A and B.
- In addition a further value has since been obtained of the recommended revised application which is a combination of Alternatives A and B known as Alternative C.

1. Recommendations

1. **To agree that Option 2 is taken forward, to submit a full planning application for a revised proposal (Alternative C) with any required modifications/finessing undertaken as part of the planning process.**
2. **That following and subject to the outcome of the planning application, an analysis for future options for the site is then presented to members.**

How does this contribute to our policies and legal obligations?

2. The site was purchased in 2012 in order to protect the intrinsic landscape value of the National Park. It was bought because the impact of the development of a 20 unit static caravan park without restrictions was considered detrimental to the quality of the unique landscape of the area, and the purchase would protect the local community

from such inappropriate development.

Having listened to the community representatives but also being aware of the duty of the Authority to the public purse to achieve best value, a revised planning application which balances the remit to conserve and enhance the National Park's qualities with public interest in terms of the community and the public purse is recommended. The revised proposal Alternative C will exclude the camping pods whilst seeking the most commercially attractive proposal without them.

3. **Background**

The site was purchased by the PDNPA to remove the threat of Park Homes being developed on the site by Tingdene Homes (Arunworth Ltd) who in 2011 appealed the interpretation of the 1998 Planning Permission. The Planning Inspectorate granted a Lawful Development Certificate for "The unrestricted all year round occupation of 20 caravans falling within the statutory definition (i.e. to include mobile "park" homes)."

The stated intention of the PDNPA was to remove the Park Home threat and return the site to a touring caravan and camping site as was the intention of the 1998 planning approval.

In May 2012, in accordance with Resolution 1 of item 12 of the Authority Meeting on 30 March 2012, land which included the Brosterfield caravan site was purchased by the Authority in order to protect the landscape and community cohesion of Foolow. Prior to purchase the District Valuer was engaged to value the site based on its agricultural value, and also its value with the benefit of planning consent for a touring caravan site.

At ARP on 25th January 2013 Members were presented with an options analysis paper for the development and disposal of the site. The paper presented 6 options for the development of the site and 2 for the disposal of the site. The committee resolved that officers should report back on the development of the options before a planning application was made.

At the May 2013 ARP it was resolved that Option 5, the most commercially aggressive of the options put to the meeting was pursued with any finessing required as part of the planning process.

4. Community consultation took place in November 2014 and a planning application was submitted in December 2014 comprising; 20 all year pitches to include 5 camping pods, 14 touring pitches and 1 warden's pitch plus 30 seasonal grass pitches for use Easter to 31st October, amenity block, new site access and services.

As a significant amount of objections were received to the proposal it was decided that the application should be paused whilst further community consultation was undertaken.

Further consultation took place throughout 2015 between the Authority and a group of representatives from the Foolow community. A group comprising neighbours and a representative of Foolow Parish Meeting have had meetings with our Brosterfield team to listen to and discuss the proposal, the different elements of it and also their concerns with regard to value of the site. During this consultation, the community stated that, ideally, they would like the site to be used permanently for agricultural use only.

The community group suggested that there would be little difference in value between agricultural land use and the land with planning consent for a caravan site. This was not the view of the Authority based on clear valuation advice received from the District Valuer. However, as a result of the consideration of new options identified and discussed with the community representatives during 2015 the Authority sought further valuation advice from the District Valuer.

5. The District Valuer was instructed by the Authority to value the site as agricultural land and also to value it under three possible touring caravan and camping planning scenarios. The first scenario was the 2014 planning proposal. The second and third scenarios were alternatives A and B; both alternatives exclude the camping pods but still have a maximum of 50 pitches for touring caravans and camping.

The camping pods appear to be the single most contentious element of the proposal, but all elements came in for some concern within the many objections lodged. The main objections highlighted by the community representatives were the impact on the landscape, impact on community, access, and planning creep.

Having now completed that consultation and having received additional valuation advice from the District Valuer, a decision is sought from ARP on the way this project is taken forward and the nature of a revised planning proposal, as any significant change will have an impact on capital value.

The 3 scenarios considered by the District Valuer;

1. The 2014 Planning Application- Finessed Option 5 as resolved by May 2013 ARP.

20 all year pitches (5 camping pods, 14 surfaced pitches, 1 warden's pitch.)
30 unsurfaced pitches for use Easter to 31st October
Amenity block
New site access
Services - waste, water and electricity.

Valuation £400,000-£450,000

2. Alternative A

50 touring pitches for use Easter to 31st October
Amenity block to simple design based on traditional limestone barn
Warden's accommodation to be incorporated in to amenity block
Minimise hard standing/permanent development footprint to the area around amenity block.
New access
Services – waste, water and electricity.

Valuation £320,000 plus - depending on nature of warden's accommodation.

3. Alternative B

20 all year pitches including 1 warden pitch
10 additional pitches Easter to 31st October
20 additional pitches at Bank Holiday weekends only
Amenity block to simple traditional limestone barn style design
New access

Services – waste, water and electricity

Valuation £325,000

Agricultural Land Use only

4. Agricultural Land comprising approximately 4.3 hectares in total - Brosterfield Caravan and Campsite together with roadside field.

Valuation £130,000-£150,000

6. **Recommended Alternative Proposal**

5. A combination of Alternatives A and B (Alternative C)

20 all year pitches

30 pitches Easter to 31st October

Amenity block to simple design based on traditional limestone barn to incorporate warden's accommodation

Minimise hard standing/permanent development footprint to the area around amenity block

New access

Services - waste, water and electricity

Valuation £375,000-£400,000

7. **Options**

Option 1 – Continue with the current proposal as submitted

Pursue the existing planning proposal as submitted in December 2014. The District Valuer valuation is £400,000-£450,000.

Option 2- Submit a revised proposal (recommended Alternative C), a combination of alternatives A and B

Submit a revised proposal, which is a combination of alternatives A and B to exclude the camping pods but include accommodation for the owner/warden within the amenity block design and make additional amendments to the access, and layout of the site. District Valuer Valuation £375,000-£400,000

Option3 – Return to agricultural use

Consider relinquishing the planning approval on site completely and returning the site to agricultural use only. District Valuer Valuation £130,000-£150,000

8. **Financial:**

On balance the recommended proposal is the most favoured strategy to follow to minimise the cost of the intervention to the public purse whilst securing landscape protection and balancing community engagement objectives.

9. **Risk Management:**

There is a risk that through the planning process some elements within the application may need to be modified.

There is a risk that members of the public, in particular some of the Foolow community will not be content with the revised proposal despite the recent consultations.

10. **Sustainability:** There are no issues.

11. **Background papers** (not previously published) - None.

Appendices – None

Report Author, Job Title and Publication Date

Tammy Shirley, Rural Surveyor, 25 February 2016.

This page is intentionally left blank