

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Minutes of the meeting held at West Burton Village Hall on Tuesday, 26th September 2006.

Present:

RA Bird, Mrs A Brooks, WH Brown, SHK Butcher, G Dalton, TRN Harrison-Topham, D Heather, OJ Kendall, HA Kirkbride, KJ Lancaster, C Lis (in the Chair), SR Macaré, Mrs D Millward, Mrs Y Peacock, JJ Pearlman, Dr KM Petyt, Mrs FG Ramsbottom, S Shaw-Wright, Ms N Stedman and W Weston.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

89/06**MINUTES****RESOLVED –**

That the Minutes of the meeting held on 25th July 2006, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

90/06**PUBLIC QUESTION TIME**

No notifications of public questions or of the intention to make a statement had been received.

91/06**EXCLUSION OF THE PUBLIC****RESOLVED –**

That pursuant to Section 100(A)(4) of the Local Government Act 1972, the public be excluded during the consideration of each of the items of business listed in column 1 of the following table on the grounds that each involves the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A to the Local Government Act 1972 specified in column 2:

Item No on the agenda	Paragraph No
16	3
17	3
18(a)	5, 6 & 7
18(b)	3 and 5

92/06**APOLOGIES FOR ABSENCE**

Apologies for absence were received from J Blackie, W Fenten, C Hammond, Mrs S Marshall and A Osborne.

93/06

**DECLARATIONS OF THE EXISTENCE AND NATURE
OF PERSONAL INTERESTS**

TRN Harrison-Topham declared a personal non-prejudicial interest in Agenda Item No 8 as a member of North Yorkshire County Council's Pensions Fund Committee.

94/06

DECLARATIONS OF LOBBYING

No declarations of lobbying were made at the meeting.

95/06

CHAIRMAN'S REPORT

CONSIDERED – the report of the Chairman, who added that he would prepare, for circulation in the Members' Information Bulletin, a report on the Europarc Conference.

Some concern was expressed by members that the Chief Executive's report had been moved lower down the agenda.

RESOLVED –

That:

- (a) the report and further comments be noted; and
- (b) for future meetings the item in respect of the Chief Executive's report be moved back up the agenda.

96/06

DRAFT STATEMENT OF FINANCIAL ACCOUNTS 2005/06

CONSIDERED – the report of the Treasurer.

A member commented that:

- the detailed figures that made up the decrease in unrealised value of fixed assets could have been included;
- the fact that the valuation of Yoredale was at a figure lower than the cost of building the property suggested that it should not have been built or at least not in that location; and
- the outcome of the sale of Yorebridge House should have been included as a post-balance sheet event.

The Chief Executive reminded members that the Authority had taken the decision to build in Bainbridge and research had shown that the cost of sites outside the National Park would have been more expensive than the site chosen.

It was also explained that the valuation of Yoredale had been based on its current use and whilst the balance sheet did not include the income from the sale of Yorebridge House (because the sale had not been completed until after the year-end), next year's balance sheet would include the appropriate amount.

RESOLVED –

That:

- (a) the Draft Statement of Financial Accounts for the financial year ended 31st March 2006 be approved;
- (b) the Chairman of the Authority be authorised to sign the accounts on page 20 of the Statement of Financial Accounts; and
- (c) the Chairman of the Authority be authorised to sign the Statement of Internal Control on page 10 of the Statement of Financial Accounts.

97/06 AUDIT COMMISSION – ANNUAL GOVERNANCE REPORT 2005/06

CONSIDERED – the report of the Senior Finance Officer.

A member referred to Appendix 2, and asked if the 'Probity in Planning' follow-up report that would be sent to 'Management' would also be made available to members. The Chief Executive confirmed that the report would be circulated to members, either through the Members' Information Bulletin or separately.

RESOLVED –

That:

- (a) the contents of the Audit Commission's Annual Governance Report be noted; and
- (b) the Chairman of the Authority be authorised to sign the Letter of Representation, as set out in Appendix B to the Senior Finance Officer's report, as evidence that Members have had opportunity to comment in accordance with the International Standard on Auditing 260.

98/06 THE ADVOCACY AND REPRESENTATIONAL ROLES OF MEMBERS

CONSIDERED – the report of the Solicitor / Monitoring Officer.

Members welcomed the report.

A member expressed some concern at how the second of the guiding principles:

"It is never appropriate for Members to advocate or represent the interests of particular individuals or organisations who are seeking a permission or consent from the Authority, and then to participate in decisions in relation to such matters."

might be applied, monitored and policed, particularly in relation to members being lobbied on planning applications.

The Solicitor advised that the paper did not propose any major changes to the way in which the Authority and members should operate. Essentially the report pulled together a variety of information and advice that members had already received, including that on lobbying. It would be

totally inappropriate for a member to talk to individuals in advance of the consideration of a planning application and to indicate support (or opposition) for a proposal. Members would only be in a position to form a judgement on an application when provided with all the available information and advice at the Planning Committee meeting itself.

A member expressed disappointment at the inability of members to raise issues at meetings under 'Any other business'. The Solicitor advised that Access to Information legislation prevented that from happening as only items for which public notice had been given could be considered, unless the Chairman decided that there were special reasons that warranted an item being considered as 'urgent' business.

Another member asked what mechanisms were in place to monitor members' behaviour, what sanctions were available and how would they be enforced. He also suggested that actions agreed by the Authority were not always recorded in the minutes. The Chief Executive reminded members that the general guidance provided for National Park Authority members was poor, although there was some prospect of this improving, with the possible revision and re-issuing of Circular 12/96. He accepted that members had a local, regional and national representative role, and added that it was not intended to include the 'Guiding Principles' in Standing Orders. The principles were meant to be 'policed' by the Chairman and members themselves.

A member commented that, overall, members of the Authority showed far more respect than was often experienced at other local authority meetings, and suggested that it was appropriate for the Authority to consist of members who had a range of views on the merits of national parks and their policies. He also stated that if a member believed that there was some factual inaccuracy in the minutes as presented for approval, a majority of members could approve an amendment. He also reminded members that, under Standing Orders, members could request items to be included on the agenda for a meeting.

RESOLVED –

That:

- (a) the Authority adopts the 'Guiding Principles' set out in the report of the Solicitor in relation to Members' advocacy and representational role; and
- (b) a copy of the Guiding Principles be included in the Members' Handbook.

99/06

'OUTDOORS FOR ALL?: DRAFT DIVERSITY ACTION PLAN'

CONSIDERED – the report of the Outreach and Education Manager.

In considering the report members raised a number of issues, including:

- pointing out that the Government's keenness to encourage a range of visitors to the Park was not helped by the closure of Youth Hostels in the National Park
- suggesting that there may not be much support amongst landowners and land managers for diversity training
- emphasising the need to encourage school children to visit the Park.

The Chief Executive stated that any response from the English National Park Authorities Association would be circulated to members.

RESOLVED –

That, subject to member and officer comments being taken into account, the draft response appended to the report of the Outreach and Education Manager be approved as the Authority's response to the 'Outdoors for All?: Draft Diversity Action Plan' consultation document.

**100/06 HOUSING, MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS
ISSUES AND OPTIONS – SEPTEMBER 2006**

CONSIDERED – the report of the Strategic Planning Officer.

The Head of Planning amended the recommendation to seek delegated authority, on the recommendation of the Working Groups, to send the Issues and Options papers out to consultation.

A number of issues were raised by members, including:

- referring to the fundamental issue of housing settlements – should they be nucleated, dispersed or other
- the Member Champion for Forward Planning expressed a wish to be on both Working Groups
- account should be taken, when producing the Development Plans, of the opportunities for enhancing the wildlife and environment, and comparison made to Liverpool City Council that requires some element of biodiversity improvement in each development.

In considering the establishment of the two Working Groups, as a number of members were not present, it was considered appropriate for each group to select its own representatives, in order that the views of all members could be taken into account.

RESOLVED –

That:

- (a) the Housing and Minerals and Waste Issues and Options papers be noted;
- (b) two Working Groups be established to oversee the production, consultation and progression of the Housing and Minerals and Waste Development Plan Documents on behalf of the National Park Authority, with the Terms of Reference set out in the Strategic Planning Officer's report and the delegated authority set out below;
- (c) each Working Group to consist of seven members, with
 - two members to be selected from amongst the County Council members on the Authority by the members of that group;
 - two members to be selected from amongst the District Council members on the Authority by the members of that group;
 - two members to be selected from amongst the Secretary of State appointed members on the Authority by the members of that group, those members being Messrs Pearlman and Weston on the Housing Working Group and Mrs Millward and Dr Petyt on the Minerals and Waste Working Group; and
 - two members to be selected from amongst the Parish group of members on the Authority by the members of that group;

and the selected members from the County, District and Parish Groups to be notified to the Head of Planning by 3rd October 2006;

(d) the Working Groups:

(i) be given delegated authority to oversee the review of the Housing Development Plan document and the Minerals and Waste Development Plan document, including considering in detail the content of the Issues and Options papers; and

(ii) make recommendations to the Authority on these matters;

the Head of Planning be authorised, on the recommendation of the Working Groups, to determine procedural matters in connection with the review of the Development Plan Documents referred to in (d) above, including sending the Issues and Options papers out to consultation; and

(e) the Scheme of Delegation be amended as necessary to reflect the above decisions.

101/06

FEEDBACK FROM MEMBERS

CONSIDERED – the report of the Secretariat Officer.

RESOLVED –

That the report be noted.

102/06

REPORT OF THE CHIEF EXECUTIVE

CONSIDERED – the report of the Chief Executive.

The Chief Executive reported that an issue had arisen at the recent meeting of the Audit and Review Committee which he had undertaken to report to members. During the Committee's consideration of a report from the Auditor, a member had referred to the receipt by the Authority of a petition. The petition was in opposition to the Authority's decision to charge residents of the National Park for parking permits. The member stated that he had made it clear at the meeting that his concern was not with the subject matter of the petition, but was about the general process of receiving and dealing with petitions. Members supported the view that the receipt of a petition should not trigger the reconsideration of any issue that had provoked a petition. They did, however, accept that it would be appropriate for the details of the receipt and nature of, and response to petitions to be reported to the Authority. Further to that a judgement would be made on the nature and significance of the subject matter of the petition and depending on that judgement, members to be informed as soon as practicable.

RESOLVED –

That:

(a) the report be noted;

(b) in future, details of any petitions received and the response provided, be reported to the Authority, with the Chief Executive, after consultation with the Chairman, to determine

those instances where members should be informed as soon as practicable of petitions received;

- (c) 'Rejuvenate Wensleydale' be deleted from the Authority's formal list of Partnerships.

103/06

PLANNING COMMITTEE

CONSIDERED – the minutes of the meetings of the Planning Committee held on 11th July and 8th August 2006.

RESOLVED –

That the minutes of the meetings of the Planning Committee held on 11th July and 8th August 2006 be received.

104/06

FINANCE AND RESOURCES COMMITTEE

CONSIDERED – the draft minutes of the meeting of the Finance and Resources Committee held on 7th August 2006.

RESOLVED –

That the draft minutes of the meeting of the Finance and Resources Committee held on 7th August 2006 be received.

105/06

ACCESS COMMITTEE

CONSIDERED – the draft minutes of the meeting of the Access Committee held on 10th August 2006.

RESOLVED –

That the draft minutes of the meeting of the Access Committee held on 10th August 2006 be received.

The remainder of business was considered in private

PUBLIC SUMMARY OF BUSINESS CONSIDERED IN PRIVATE

106/06

TURNTABLE – SOCIAL ENTERPRISE

CONSIDERED – a report from the Museum Manager that provided:

- an update about a project that would lead to the improvement of facilities at the Dales Countryside Museum in line with the recommendations of the Best Value Performance Plan; and
- the opportunity for members to discuss a new innovative approach to revenue diversification and growth via social enterprise.

Members were generally supportive of the proposals and the enthusiasm of officers. They did, however, seek and received confirmation that they would be kept informed of progress and would receive detailed business plans before any decisions to progress with the initiatives were approved.

[Note Mrs Y Peacock declared a personal and prejudicial interest in this item as the owner of Tea Rooms in Bainbridge, and left the meeting during the debate and voting.]

107/06

YORKSHIRE TOURIST BOARD MEMBERSHIP FEES

CONSIDERED – a report from the Chief Executive that updated members about a possible increase in fees for membership of the Yorkshire Tourist Board.

Members agreed that further discussions should continue between the Chief Executive, in consultation with the Member Champion for Promoting Understanding, and the Yorkshire Tourist Board over the level of fees for the Authority's membership of the Board. The Authority authorised that formal six months' notice be given of the Authority's intention to resign its membership of the Board in the event that agreement could not be reached with the Board.

108/06

PRIVATE COMMITTEE MINUTES

The private minutes of the following committee meetings were received by the Authority:

- Planning Committee held on 11th July 2006
- Finance and Resources Committee (draft) held on 7th August 2006.