

DARTMOOR NATIONAL PARK AUTHORITY

Friday 10 June 2022

Present: A Cooper, W Dracup, G Gribble, P Harper, G Hill, J McInnes, S Morgan, D Moyse, J Nutley, C Pannell, M Renders, P Sanders, P Smerdon, D Thomas, P Vogel, P Woods

Officers: K Bishop, Chief Executive (National Park Officer)
R Drysdale, Director of Conservation and Communities
A Gandy, Senior Policy Officer

Apologies: L Samuel, N Oakley

The Chair welcomed Mrs Shewan, Independent Person, to the meeting.

3426 Declarations of Interest

Mr Dracup, Mr Harper and Mr Glanville declared a personal interest in Farming in Protected Landscapes. These interests would not preclude Members from joining in any debate etc.

3427 Minutes of the Authority meeting held on Friday 1 April 2022

The Minutes of the meeting held on Friday 1 April 2022 were proposed by Mr Sanders, seconded by Mr Nutley and agreed as a true record.

3428 Chair's Report

The Chair reported the following:

- Meeting with Defra staff regarding the National Landscapes Partnership; the Director of Conservation and Communities also attended. Discussions were wide ranging. There is also a separate Defra/National Parks England (NPE) Governance Working Party looking at the governance recommendations in the Government's response to the Landscapes Review. I am one of the NPE representatives on this group.
- Along with other Members and Officers, she had attended the official opening of the new building at East Shallowford. A good day was enjoyed by all, including representatives of the Royal Family. Thanks to the East Shallowford Trust for the invitations.
- Team Devon meetings – Chairs and Chief Officers of the Authorities in Devon; much discussion regarding devolution. One of the purposes of these meetings was to put together a forward plan that fitted with ministerial ambition and rules.
- UK National Parks Forum meeting via Teams; numerous discussions surrounding issues of mutual interest.
- NPE AGM and Board meeting joined remotely; discussions included funding, relationship with Defra etc.
- Okehampton Railway Station – attended the launch of the new hourly service. She advised that there may be another launch in respect of the Authority's unmanned Visitor Centre.

At the invitation of the Chair:

- The Deputy Chairman advised that National Parks Partnership (NPP) had put in a bid to Defra regarding working with Areas of Outstanding Natural Beauty (AONBs) and National Parks Authorities.
- He had attended an event, through the CLA, at the Royal Cornwall Show and had had the opportunity to speak to the Secretary of State for the Environment, Food and Rural Affairs.
- Soil Association – appointed Deputy Chair

A Member thanked all the officers of the National Park, including the Member, Mr Sanders, who had attended the formal opening of the '100% Affordable'.

3429 Items requiring urgent attention

None.

3430 Public Participation

None.

3431 Enforcement Policy (Byelaws)

Members received the report of the Director of Conservation and Communities (NPA/22/023).

At the Authority meeting held on 4 February 2022, Members had approved the use of body worn cameras, primarily for the safety protection of Rangers; officers were also aware that the cameras may, in the future, be used for enforcement purposes. It was recognised that an Enforcement Policy would be required which would have to consider the protections and prohibitions within the Byelaws. Legal actions would always need to be evidence based; therefore, the Enforcement Policy would help the Authority to enforce any legal action.

The Director of Conservation and Communities drew Member attention to Section 2.5 which stated that delegated officers would not be required to seek separate formal Authority approval before taking appropriate legal action.

He advised that appropriate training would take place. The Policy, alongside the Code for Crown Prosecutors, would be placed on the Authority's website.

Mr Gribble proposed the recommendation, which was seconded by Mr Cooper.

RESOLVED: Members APPROVED the introduction of the Dartmoor National Park Authority – Enforcement Policy (Byelaws).

3432 Appointments to the Dartmoor Commoners' Council

Members received the report of the Chief Executive (National Park Officer) (NPA/22/024).

The Dartmoor Commons Act 1985 established the Dartmoor Commoners' Council as an independent statutory body to regulate the commons and promote livestock husbandry on the Commons. It also provided powers for the Authority to appoint four

members to the Commoners' Council. Two members are appointed to represent land owning interests; currently, those two members are Mr Russell Ashford and Mrs Penny Warren. Mr Ashford's term of office would expire at the end of June 2022. The report sought formal Member approval to appoint Mr Russell as a landowner representative on the Council for a further four years. The nomination had been put forward by the Common Owners' Association; there is no limit to the number of times a member can be nominated/elected to the Commoners' Council.

Mr Dracup proposed the recommendation, which was seconded by Mr Cooper.

RESOLVED: Members confirmed the re-appointment of Mr Russell Ashford as a landowner representative on the Dartmoor Commoners' Council, as required by the Dartmoor Commons Act 1985 section 3(2d).

3433 Defra National Park Grant Funding Agreement

Members received the report of the Chief Executive (National Park Officer) (NPA/22/025).

Defra has issued a new grant funding agreement which needs to be signed in order for the Authority to be able to draw down National Park Grant, which is the Authority's main source of funding. In the funding year 2021/22 the Grant counted for 72% of overall expenditure. In 2019 Defra introduced a new format for the grant funding agreement; at that time the Authority expressed concern to Defra about the format of the agreement and its suitability for a special purpose local authority.

Formal confirmation of National Park Grant for 2022/23 was received on 1 April 2022, i.e. the first day of the financial year. Later that month Defra issued the revised draft funding agreement for comment. National Parks England, which represents the nine National Park Authorities sought to co-ordinate comments and submitted these to Defra. Defra has issued a slightly revised agreement to be signed by each individual National Park Authority. Defra officials have stated that National Park Grant cannot be paid until the agreement has been signed.

The Chief Executive (National Park Officer) advised Members that he and senior officers had some concerns about the agreement; those concerns were outlined in Section 2 of the report as follows:

- Format – the agreement is more suitable for a project rather than a funding agreement for an organisation that is meant to be independent of central government with statutory purposes. The revised agreement states that any commitment to expenditure by the Authority, before confirmation of grant would be at the own risk of the grant recipient i.e., if the Authority was to commit to expenditure over a number of financial years that risk would fall on the Authority. Defra, understandably, wishes to limit its liability but the concern is what that would mean to the Authority as a going concern. Defra has accepted the concern that the grant confirmation is too late in the business planning cycle and confirmed that every effort will be made to confirm funding by 31 January, before the start of the new financial year.
- Payment of the grant is dependent upon delivery of the Authority's Business Plan, with Defra having the right to reduce, suspend, terminate or require any part of the grant to be repaid if the National Park is considered to not be delivering a satisfactory outcome on any part of its Business Plan. Defra

officials have advised that the conditions contained within the Agreement follow a National Audit Office study which criticised previous agreements, stating that they did not contain targets or milestones.

- Section 29 of the Agreement which sets out Defra's intention to establish a new National Landscapes Partnership. The Authority accepts the need for collaboration, a good example of this is the Farming in Protected Landscapes programme. However, paragraph 29.33 states that the grant recipient would promote the interest and strategy of the National Landscapes Partnership. No detail regarding the set up of the Partnership, no information of governance or membership and certainly no information on its interests or strategy is available; yet, the Authority is being asked to sign a legal agreement to support and promote this Partnership. Officers have explained their concerns to Defra, requesting that the paragraph be removed or re-worded. We have also suggested re-wording that would address our concerns. Defra has not accepted the suggested amendment but has sought to reassure the Authority.

In response to questions and concerns expressed by Members, the Chief Executive (National Park Officer) responded:

- All National Park Authorities are independent bodies. Officers are aware that some National Parks have already signed the Agreement. At least one other National Park Authority is taking the draft Agreement to a formal meeting of its Authority members for resolution;
- Amendments to the agreement have been sought; Defra officials have attempted to provide reassurance. We understand that the amendments to the agreement are being driven by the the National Audit Office's scrutiny of Defra and criticism that their agreements were not tight enough. DNPA's concern is that the draft Agreement is not suitable for the Authority.;
- National Parks Partnerships (NPPL), is a limited liability partnership, established by all 15 UK National Parks, as equal members, its purpose is to generate commercial income through sponsorship for equal benefit. Defra is proposing that NPPL should be part of the National Landscapes Partnership but this would fundamentally alter the role of NPPL: the NLP relates to England and to all AONBs in England; NPPL is UK wide and a partnership of National Parks.
- Up until the end of March 2022, National Parks England (NPE) represented the 10 National Parks in England. We understand that Exmoor NPA has given the statutory nine months notice to leave NPE but the other English NPAs have agreed a change to the funding arrangements for NPE which we hope will mean Exmoor remain members

A Member felt that the Authority should sign the Agreement but, at the same time, that it would be prudent for a letter to be sent setting out the areas of concern. Another Member suggested that the Authority's local MPs should be appraised of the situation.

A Member stated that the Authority is currently using its Reserves to pay salaries, utility bills, running expenses etc; no money has been received since 1 April 2022. He believed that the Secretary of State for Defra was 'blind' to these changes and the potential implications.

Following further discussions, the Chair made the suggestion that a letter be sent to the Secretary of State, copied to the Minister, together with the Chair of National

Parks England, thus maintaining protocol. Members agreed that this would be a way forward.

Mr Sanders proposed that a mandate be granted to the Chair of the Authority to write to the Secretary of State, copy to the Minister, detailing Members' concerns about the Grant Funding Agreement, also expressing a desire to work with Defra to revise it for the next financial year, the letter to be copied to the Chair of National Parks. This was seconded by Mr Vogel

RESOLVED: Members:

- (i) considered the implications of the new Grant Funding Agreement and authorised the Chief Executive (National Park Officer), in consultation with the Chair of the Authority, to sign the new agreement on behalf of the Authority; and
- (ii) mandated the Chair of the Authority to write to the Secretary of State, copy to the Minister, detailing Members' concerns about the Grant Funding Agreement, also expressing a desire to work with Defra to revise it for the next financial year, the letter to be copied to the Chair of National Parks.

3434 Dartmoor National Park Authority Climate Action Plan – Progress Update

Members received the report of the Senior Policy Officer (NPA/22/026)

Members were reminded that it had been three years since Members had declared a Climate Change Emergency. Members endorsed the Climate Action Plan in 2020; during that time officers have undertaken 2½ years of actions and emissions monitoring during that time. Data gathered now provides a good picture of how well the Authority has done in that time.

Defra has undertaken a baseline exercise on carbon emissions across the whole of the Defra group; the Authority has contributed to this process and, as a result, officers have now been invited to talk with officials regarding the setting of targets etc. The scope of the exercise includes all of the 'arms reach' organisations funded by Defra, all of the National Parks, Environment Agency etc.

Purchased Goods and Services is the area within Scope 3 that the Authority needs to improve upon. Business Accommodation is another area which will be reported on going forward.

The Key Finding is that the Authority's approach is robust, with a small carbon footprint relative to the Defra Group – 0.6%. National Parks as a whole represent only 1% of the Defra carbon footprint.

The Authority is progressive in its monitoring of emissions – home working, vehicles, investment. The current goal is to be carbon neutral within Scopes 1 and 2 by 2025. There is no limit to how much we can do in the way of offsetting. Defra is progressing towards science-based target setting – aligning with what the science says is needed to alleviate global heating to 1.5 degrees centigrade or 2 degrees centigrade. This places a higher emphasis on emissions reduction as opposed to offsetting.

With regard to the Authority's footprint, there has been a 28% decrease in Scope 1 and Scope 2 emissions, a 26% decrease in overall emissions

RESOLVED: Members:

- (i) Noted the progress made on the Action Plan;
- (ii) Endorsed the projects identified to be continued; and
- (iii) Agreed that a review of the Action Plan be completed in 2022/23.

3435 Tree Preservation Orders, Section 211 Notifications (Works to Trees in Conservation Areas) and Hedgerow Removal Notices Determined Under Delegated Powers

Members received the report of the Trees and Landscape Officer (NPA/22/027).

RESOLVED: Members noted the content of the report.

DRAFT