

DARTMOOR NATIONAL PARK AUTHORITY

5 December 2014

CHARGING FOR PRE-APPLICATION PLANNING ADVICEReport of the Director of Planning

Recommendation: To adopt the proposed charging scheme for pre-application advice with such charges to be introduced from 1 April 2015

1 Purpose of report

- 1.1 Members approved a formal public consultation on proposals to potentially introduce charges for pre-application advice relating to certain types of application at the Authority meeting in September 2014 (NPA/14/039).
- 1.2 This report sets out the results of the public consultation and an assessment of the comments received.

2 Comments received

- 2.1 The public consultation ran from 9 September until 21 October 2014. The consultation was by individual letters to all Parish and Town Councils and Parish Meetings, a selection of approximately 80 planning agents who use the service regularly, Devon County Council, all constituent District and Borough Councils, Dartmoor Preservation Association, Dartmoor Society, Local Enterprise Partnership, Community Council of Devon, rural housing providers, the Country Land Owners Association, and other statutory consultees and local amenity bodies. In addition the farming community were consulted through an article in the Dartmoor Hill Farm Project. The consultation was also placed on our web site front page inviting comments from the general public and other interested parties.

3 Summary of responses

- 3.1 The responses have been split into type of organisation for ease of reference and are summarised as follows:

Parish/Town Councils – a total of 5 Parish/Town Councils responded as follows

- Buckfastleigh Town Council – Charges for residential pre-application planning advice to be limited to site visits and re-design seems fair.
- Drewsteignton Parish Council - Proposal ensures protection of tax payers money by limiting free services. Difference between listed and non-listed property was however considered discrimination.
- Hennock Parish Council - Charges considered very reasonable
- Plasterdown Grouped Parish Council - Retrograde step as the people who would benefit most from free advice would be disadvantaged under the proposed charging system

- South Brent Parish Council - Add small/medium enterprises to list of exemptions for job creation

Planning agents – a total of 4 agents responded as follows

- Planning fees already too high and this will put applicants off building work. Small fee may be acceptable on large developments
- Comment made on pre-application to ask when charging to commence so clients may be advised
- Welcome charge as long as completed within four weeks. Cornwall Council offer a reduced rate for minor residential development enquiries involving no site visit and/or meeting, and you might wish to consider this
- Any response needs to be useful and substantive and not just repeat policies which can be easily found by looking them up.

District/Borough Councils – West Devon, South Hams and Teignbridge councils responded. A summary of the Teignbridge District Council response is as follows. West Devon/South Hams joint response is appended.

- 3.2 Teignbridge District Council – *“Our main concern lies with the proposal to charge for economic development related proposals, such as new businesses or to the expansion of existing businesses. We object to such a charge because we believe that it will deter and prevent proposals for job creation coming forward in the National Park and therefore frustrate our objectives of promoting sustainable job creation in a large part of our rural area, and within the towns of Ashburton, Buckfastleigh and Moretonhampstead. It is therefore surprising that the potential impact on economic development was not listed as a disadvantage to the proposal in the Audit and Governance Committee report.”*
- 3.3 *“Whilst Teignbridge District Council take a different view from the DNPA on the principle of charging for pre-application discussions in terms of customer care and quality outcomes, we are not objecting to your proposals on this basis, since those are matters for you. Our objection relates purely to the impact on our (and your) priority of promoting economic development across the district. Accordingly, we would request that you add economic development proposals as an exemption to your proposed list of fees.”*
- 3.4 Members are referred to the full response set out in Appendix 1 to this report.
- 3.5 **Dartmoor Preservation Association (DPA)** – In summary they state that pre application advice is good and anything reducing pre-application activity is unwelcome. No evidence pre-application numbers will fall. Concern about set up costs. There is a danger relationships between planners and communities will diminish with heightened expectations from developers. This may increase appeals. Exemptions are welcomed but care should be taken; suggesting housing associations are not exempted. Enforcement exemptions could appear to be rewarding people who disregard going through the proper process.
- 3.6 Members are referred to the full response set out in Appendix 1.
- 3.7 **Hydroelectric (HEP) renewable energy schemes** – during the consultation period a Member of the Authority has raised the potential for an exemption for hydro

schemes. It is stated that such schemes are in line with government policy and are already difficult to achieve because of the hurdles to jump. The Authority should be positive towards such proposals and only charge where schemes require more than one officer visit and there are complications.

4 Analysis of responses received

- 4.1 There is a general acceptance it seems from Parish/Town Councils and planning agents that charges should be levied with support generally for the exemptions as set out, with only one parish objecting outright and one agent similarly.
- 4.2 The concerns regarding different treatment of Listed and non-Listed properties are accepted. Significant additional advice and specialist expertise is often required when dealing with alterations to a Listed Building. Officers are not aware from District and Borough Council partners who already have such a difference in place regarding any complaints along these lines. One agent referred to the quality of the response. A lot will depend on the quality of the information provided to the Authority at pre application stage. The advice notes will set out the minimum requirements for submission which will strike a balance between the need to prepare some drawings even if of a sketch nature and not putting the potential applicant to unnecessary expense. Planning agents should be well versed on the general policy framework and should know which schemes have potential and which do not. Where the interpretation of policy is at issue then sketch details will be normally needed to clarify the proposal.
- 4.3 One parish consider an exemption should be made for small businesses and this is picked up below. Another parish council refers to people who benefit most being under a disadvantage but there is no clarification from them regarding this. Generally the fee schedule is set to charge for those developments which will significantly raise land value such as for residential. This seems reasonable and fair.
- 4.4 Turning to the more substantive comments of Teignbridge District Council and Dartmoor Preservation Association, these need further comment.
- 4.5 Looking at the breakdown of pre-application requests received during the financial year 2013/14 as a guide the minor development category which would include all economic development type proposals as well as agricultural development/farm diversification etc. would account for approximately 20% of the total number of requests, and approximately 24% of the projected fee income (£16k out of a total of £66k)
- 4.6 Officers and the Authority generally recognise the importance of economic development to Dartmoor. There are key policies contained in the Authority's Local Plan which support such development. The Local Plan contains a wealth of information on a range of different types of development. This coupled with the Design Guide gives potential applications free information and a useful starting point. We aim to point all potential applicants to these key documents before they enter into pre application discussions. This should weed out schemes which are clearly nonstarters and avoid abortive costs. In discussions with senior planning staff in West Devon/South Hams councils there is no indication that their pre-application charging scheme has been a serious brake on economic development in

itself. Members are referred to the comments of the Development Manager at Appendix 1. Officers, whilst recognising there is a potential that some potential applicants may be put off, still consider a charging scheme should be introduced and monitored in terms of its impact. It is considered that it is preferable to offer bespoke advice based on sketch proposals provided at an early stage rather than allow potential developers to incur considerable architect costs in drawing up a scheme and submitting an application which may prove abortive.

- 4.7 Turning to the comments of Dartmoor Preservation Association officers recognise the concerns but consider there will be sufficient safeguards written into the scheme to ensure officers do not give anything other than 'without prejudice' views. Any views given must not fetter the Director of Planning or the Authority from coming to a different eventual decision based on all material considerations including the views of consultees. All responses will include a caveat to this effect. Officers consider that the exemption for affordable housing is still worth including. The Authority's top priority in development terms is the delivery of affordable housing, and in this respect the exemption should be maintained. As with all charging schemes, the ability to monitor and adjust will always be available. The Authority already considers all fees and charges on a yearly basis and it is suggested that the opportunity to consider this set of charges is looked at then.
- 4.8 Finally in respect of Hydro Electric Power schemes, Members will note the charging schedule allows for free advice as a desk top exercise for domestic schemes but a charge to be levied if a site visit is needed. Commercial schemes are charged regardless of need for a site visit. A free desk top service initially will help to 'weed out' those cases which have little chance of success. A site visit would then normally follow which would probably involve more than one officer given the range of issues which need to be considered. There is therefore a considerable expense in officer time and travelling which goes into even small scale schemes and it is considered appropriate therefore to charge.

5 Operation of scheme, advice notes and general principles

- 5.1 Members are referred to previous reports which set out intended next steps of drawing together a simple set of advice notes and the mechanics of the scheme and how it will be administered. Prior to the scheme being introduced a set of notes will be publicised and made available. Members will be provided with a copy of the notes at that time as they will have a role in promoting the benefits of seeking early advice.
- 5.2 At this stage however Members are asked to consider and agree some fundamental principles as follows -
- Advice offered will be without prejudice to the final decision
 - Advice must be requested in writing with sufficient information provided to enable officers to properly consider and respond
 - Responses will be in writing
 - The Director of Planning and Planning Team Managers reserve the right if advice has not been sought to refuse an application under the delegation scheme, rather than entering into negotiation, unless issues can be resolved quickly and easily

- Similarly, if advice is not followed, officers reserve the right to determine the application if engaging in negotiations mean the application runs over government target times.
- Responses will include all internal specialist advice and where appropriate the comments of external consultees such as Devon Highways and the Environment Agency
- The processing of requests will not commence until the appropriate fee is paid (online payment)
- The timescale for giving advice will be generally 28 calendar days. The timescale for larger, more complex schemes will be potentially longer, but this will be communicated to potential applicants. No refund will be made if this informal target is not met.

6 Financial Implications

6.1 On the basis of the charging schedule attached to this report, the potential income generated in a typical 12 month period is likely to be:

Advertisements	£1,100	
Changes of use	£6,200	
LBC	£2,760	(based on a third proceeding to site visit)
1-9 dwellings	£33,000	(based on 1-2 dwellings being the majority)
Other minor	£15,840	
Major devt.	£7,200	(based on 10-30 dwellings)

Total income	£66,100	

- 6.2 The potential income generated is estimated at £66,000 for the next financial year based on the breakdown of pre application requests received in 2013/14 and taking out exemptions. Expenditure to set up the system is expected to be very low, limited to the costs of producing a new set of forms and guidance notes, promulgation of new advice and dealing with any complaints. There will also be other minor costs in setting up an online payment system, and associated IT work. A database is already set up to log and process pre application requests and no major upgrade work is needed. It is suggested that pre application advice requests and responses are scanned to the Authority's document management system but this will be subject to adequate staff time in the administration team.
- 6.3 There is expected to be a drop in the overall number of pre-application advice requests so projected fee income must be treated with some caution.
- 6.4 Any increase in the number of refusals of planning permission or listed building consent (because of a failure to take pre-application advice) could have a knock-on impact on the number of appeals. This area of work is highly resource intensive in officer time. However, it is by no means certain that many or most poor applications continue through to a refusal and an appeal. Some applicants and agents accept officer advice on their application, albeit at a late stage, withdraw and reconsider the way forward.
- 6.5 If it is resolved to introduce a scheme of charges for pre-application advice, the impact on requests for pre-application advice, applications, decisions, appeals and

complaints will be monitored and trends reported to the Audit & Governance Committee on a regular basis as part of the quarterly planning performance reports.

7 Equality and Sustainability Impact Assessment

- 7.1 Members will note a number of proposed exemptions. These are aimed at those customers who are less able to afford fees and for whom there are different needs from the planning service. We will continue to offer free householder advice, and free advice to community not for profit groups, provided they are properly constituted. Registered charities will also be exempt. The Director will maintain a power to exempt in **special** circumstances, taking into account equality and sustainability issues.

8 Conclusion

- 8.1 The consultation exercise has shown that there is no overriding objection in principle or to the details of the proposed charging scheme from users of the planning service. The concerns expressed above do however need to be monitored and the scheme adjusted as appropriate. Members are asked to consider the report and adopt the charging schedule with a view to charges being introduced from 1 April 2015.

STEPHEN BELLI

Background Papers and appendices

(NPA/AG/14 /051)

(NPA/14/039)

Attachments: Appendix 1 – Comments of West Devon Borough Council, South Hams District Council, Teignbridge District Council and Dartmoor Preservation Association
Appendix 2 – Proposed Dartmoor National Park pre application charging schedule

COMMENTS OF TEIGNBRIDGE DISTRICT COUNCIL

7 November 2014

In terms of viability of economic/commercial development proposals, we carried out an analysis in advance of submitting our Community Infrastructure proposals. The work, carried out for us by Peter Brett Associates, concluded that “the commercial market for speculative development is currently subdued within Teignbridge. Out of town centre retail is one of the few uses whereby there are still positive values attainable. Even where we have sensitivity tested rising development values it is still clear that for most other uses there is some way to go before we return to a positive value.” More specifically, for all B uses the costs of development exceeded the values generated by the expected rent levels (ie such proposals were fundamentally uneconomic as a rule). Accordingly, a zero rate of CIL was proposed (and accepted by the examiner) for B uses. Very low rates of proposals and development for this kind of use reinforces this view. Therefore, any additional cost associated with the planning system (which can be very costly for applicants as you will be aware) increases the risk to potential investors/developers. Since economic development is amongst the highest risk proposals, the imposition of the charge is very likely to deter job-creating proposals in your area.

You have accepted the principle of not charging for certain unviable proposals with social benefit (specifically you are proposing no charge for parish council developments and for affordable housing proposals). Our very strong view is that this approach should be extended to job-creating economic development proposals.

Just to clarify, while TDC take a different view from the DNPA on the principle of charging for pre-application discussions in terms of customer care and quality outcomes, we are not objecting to your proposals on this basis, since those are matters for you. Our objection relates purely to the impact on our (and your) priority of promoting economic development across the district.

Simon Thornley

Business Manager Strategic Place

22 October 2014

Thanks for inviting comments on the above consultation.

As a background to our comments you will, I know, be aware that Teignbridge District Council do not charge for pre-application fees as we consider it to be an important part of our service, and we have seen no evidence that charging such fees improves the value for money offered by planning services.

However, our main concern lies with the proposal to charge for economic development related proposals, such as new businesses or to the expansion of existing businesses. We object to such a charge because we believe that it will deter and prevent proposals for job creation coming forward in the National Park and therefore frustrate our objectives of promoting sustainable job creation in a large part of our rural area, and within the towns of Ashburton, Buckfastleigh and Moretonhampstead. It is therefore surprising that the potential impact on economic development was not listed as a disadvantage to the proposal in the Audit and Governance Committee report.

Promoting economic development is not easy – many proposals are of marginal potential viability and subject to significant financial risk to the promoters. The planning system is such a risk, with refusal of a planning application being a particular worry for business people. Such individuals or companies may have limited experience of the planning system and require considerable advice and information in order to navigate through the various planning requirements. A planning application fee, and the associated studies often necessary, are costly investments to make. In the absence of reasonable certainty of a positive response many businesses are likely to be put off making an application in the first place. This is the key role of pre-application advice, providing initial guidance to a potential applicant whether the time and money necessary to make a formal application is likely to be worthwhile. By reducing the risks, economic development in appropriate places can be promoted. We therefore do not accept your categorisation of business seeking to set up and create jobs as “developers who will clearly profit significantly from increased land values should planning permission be granted” (quote from report to Audit and Governance Committee).

Fees of up to £600 will, we believe, act as a significant deterrent to seeking such advice and are likely to encourage businesses to seek sites outside the National Park where such fees are not levied. The Teignbridge Council Plan sets the achievement of economic development as a key priority, and this would apply to our area of the National Park. Your own emerging Management Plan makes a number of reference to the need for economic growth and the role of the National Park Authority in promoting such growth.

Accordingly, we would request that you add economic development proposals as an exemption to your proposed list of fees.

Simon Thornley

Business Manager Strategic Place

COMMENTS OF SOUTH HAMS DISTRICT COUNCIL AND WEST DEVON BOROUGH COUNCIL

Dear Mr Belli

Please accept my comments below as our formal response to your consultation

We have been operating a fee paying pre-application service at South Hams for some years now and more recently at West Devon. Despite initial reservations from agents/applicants on the need to pay a fee all now signed up to this service. We hold regular forums with our agents and major developers and there are no dissenting voices on the principle of paying for a service.

All major development proposals now use our service and increasingly agents wish to use this service on minor and householder developments. There is however an issue with customer expectation on timely delivery of advice once the fee has been paid.

It is as such very important to try and agree timelines at the outset. There is no 'one size fits all' to this and many customers are prepared to have an extended time so long as they are kept informed of progress.

I have noted the comments from Teignbridge DC, our experience is somewhat different. Most employment developments come forward as part of mixed use schemes and have not presented a problem. Far from seeing the fee regime as a deterrent I have no real evidence of this being the case. I would encourage your members to endorse the pre-application proposals you have put forward.

Malcolm Elliott
Development Manager
South Hams District Council and West Devon Borough Council
19 November 2014

Mr. Stephen Belli, Director of Planning
Dartmoor National Park Authority
Parke
Bovey Tracey
Newton Abbot
Devon
TQ13 9JQ

20 October 2014

Your ref: SBe/Pre-app consultation

Dear Stephen,

Dartmoor National Park pre-application planning advice charge

I am writing in connection with your letter of 9th September on the above subject and would make the following comments on the principles of charging:

- I believe that the pre-application advice service is a good one, which results in better quality applications and, as a result, improvements to the quality of the built environment. Whilst I have no evidence for the fact that it might also reduce the number of vexatious or pointless applications, this would be a logical supposition. Therefore, whilst I understand that there might be a centrally driven imperative to consider charging, anything which reduces the amount of pre-application activity would be undesirable.
- Despite my above comments, in view of the proposed exemptions I find it hard to believe that there will be an appreciable reduction in the number of pre-application discussions. Although the consultation paper suggests that pre-applicants will have a self-help facility on the Authority's website, it might be unwise to make bullish assumptions that a drop in applications will free up too much in the way of officer time.
- In view of the number of "no charge" categories, and taking into account any set up, website and administration charges, care should be taken to ensure that introducing these charges does not result in a net expenditure increase.
- Finally, I believe that great care should be taken over the cultural issues involved. The danger with charges of this nature is that they could be seen as establishing a close commercial relationship between developers and the planning organization, whereas the relationship should really be one between the planners and the communities that they serve. A developer who pays a substantial charge for pre-application advice might have a heightened expectation that this will automatically result in approval being granted. In turn, this could lead to an increase in appeals.

I would also like to make the following comments on the proposed charging schedule and the associated exemptions:

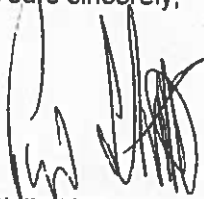
- In general, the exemptions for householders, charitable organizations etc are to be welcomed, although care should be taken to ensure that this does not automatically exempt some housing associations from charges (see below)
- I have some reservations regarding the exemption for 100% affordable housing schemes. Housing associations are generally in a position to carry out development activities as a result of the rent and sales revenue generated from properties built as a result of government grants. Although it may be unlikely that there will be many

large schemes which fall into this category, it may be appropriate to consider charging for any which fall into Class A or Class B.

- An exemption for enforcement enquiries to regularise unauthorised development seems strange, and could appear to be rewarding people who disregard planning decisions.

I hope that the above is of some use to you and look forward to hearing the outcome of your consultation.

Yours sincerely,



Philip Hutt
Director, Dartmoor Preservation Association

Dartmoor National Park planning advice pre application fees

Schedule of fees payable

Costs will include meetings sometimes with multiple officers and a detailed written response. Meetings can be in the office or on site.

Fees are inclusive of VAT

Exemptions where no fee payable

- Parish Councils (own land or land they are to acquire)
- Householder development within the curtilage of a dwelling house (not change of use of land/buildings or other development outside the curtilage)
- Listed Building advice with no site visit
- Registered charitable organisations or not for profit organisations
- 100% affordable housing schemes
- Rural 'exception' site affordable housing schemes
- Cross subsidy schemes to be based on open market proportion to assess fee
- Enforcement enquiries to regularise unauthorised development
- Generic advice over the telephone or in reception but on a very limited time basis (no more than 5/10 minutes)

Type of Development	£ Including VAT	Additional Fee
CLASS A <ul style="list-style-type: none"> • Residential between 31-149 dwellings • Non-residential floor space 5,000- 9,999 sq. m 	£600 (up to 2 meetings)	£300 per additional meeting
CLASS B <ul style="list-style-type: none"> • Residential between 10-30 dwellings - • Non-residential floor space 1,000-4,999 sq. m 	£400 (up to one meeting)	£200 per additional meeting
CLASS C <ul style="list-style-type: none"> • Residential (including holiday lets) between 3-9 dwellings • Non-residential floor space 500-999 sq. m 	£300 (up to one meeting)	£150 per additional meeting
CLASS D <ul style="list-style-type: none"> • Residential 1-2 dwellings (including replacement dwellings) including change of use to, conversion and holiday lets • Non-residential floor space up to 499 sq. m 	£150 (up to one meeting)	£50 per additional meeting

<p>CLASS E</p> <ul style="list-style-type: none"> • Advertisements • Telecommunications proposals • Change of use where no operational development (except residential/holiday let) 	<p>£100 £100 £100 (up to one meeting only)</p>	
<p>CLASS F</p> <ul style="list-style-type: none"> • Listed Building where site visit involved 	<p>£120 (up to one meeting)</p>	<p>£60 per additional meeting</p>
<p>CLASS G</p> <ul style="list-style-type: none"> • Other minor development including agricultural based development 	<p>£80 (up to one meeting)</p>	<p>£40 per additional meeting</p>
<p>CLASS H</p> <p>Renewable energy - solar, wind, hydro</p> <ul style="list-style-type: none"> • Domestic scale • Non-domestic Hydro schemes 	<p>Free but £120 if site visit needed</p> <p>£150 (up to one meeting)</p>	<p>£50 per additional meeting</p>

DARTMOOR NATIONAL PARK AUTHORITY

5 December 2014

NATIONAL PARK ENTERPRISES LIMITEDReport of the Chief Executive (National Park Officer) and Head of Legal and Democratic ServicesRecommendations: **That Members:**

- (i) **note the proposal to establish a jointly owned company with other UK National Park Authorities to develop opportunities for commercial sponsorship; and**
- (ii) **authorise the Chairman, in consultation with the Chief Executive, to complete the necessary documents to enable Dartmoor National Park Authority to become a member of the proposed new company.**

1 Background

- 1.1 By the end of this Parliament the Authority will have seen a real terms reduction in its income of over 40% (using the Consumer Price Index as the Government's preferred measure of inflation). The Autumn Statement 2013 made it clear that what was originally a six year 'squeeze' on public sector spending will now be a minimum eight year squeeze. There is a projected further 8% reduction in government spending in 2015/16 – 2017/18. If the Government continues to protect certain Departmental budgets (as appears likely given recent announcements about health expenditure) then the cuts to unprotected budgets (ie Defra) could be as high as 18% (based on current information).
- 1.2 The Government is encouraging National Park Authorities (NPAs) in England to look at other sources of income including commercial sponsorship/income from business.
- 1.3 The Authority's experience of seeking commercial sponsorship/income from business is that it can be time consuming, that sponsors may consider specific projects but are unlikely to contribute to core costs and that there is greater potential if all NPAs collaborate to make the most of the National Park 'brand'.
- 1.4 Recognising the point about the collective value of the National Park brand, the Chairs of the UK NPAs asked officers to develop proposals for a 'delivery vehicle' to take forward this agenda and develop the 'Britain's Breathing Spaces/National Park brand' for the collective benefit of all 15 NPAs across the UK. The Chairs gave a clear steer that the new body needs to be:
 - For the collective and equal benefit of all 15 NPAs with net income being returned to the Authorities in equal share
 - Efficient and effective – able to take decisions in a timely manner without the need to report back to all 15 Authorities but also protecting the National Park brand
 - Involve outside experts as necessary to get its work done.

- 1.5 Work on the new structure has been led by the Chief Executive (National Park Officer) of Northumberland NPA who commissioned Ward Hadaway Solicitors to advise on structures and governance.

2 National Park Enterprises Ltd

- 2.1 It is proposed to establish a company limited by guarantee, incorporated and registered in England and Wales – to be known as National Park Enterprises Ltd. The members of the company (equivalent to shareholders) will be the 15 NPAs in England, Wales & Scotland.
- 2.2 The company will be run by a Board of Directors, with not less than three and not more than seven Directors. The Board will be appointed by the Members (the NPAs) and will be accountable to the Members.
- 2.3 It is proposed that the majority of Directors shall be appointed from members of NPAs (although not necessarily NPA Chairs). The mechanism for appointment is not yet settled. There has been discussion around an “appointments committee” and whether each NPA should have a representative and/or vote in the process. There is nothing in the documents as drafted to require a ‘balanced representation’ or, for example, to prevent a particular spatial grouping of NPAs from being a dominant voice. Discussion at the June 2014 meeting of the Association of National Park Authorities (ANPA) focused on the need for suitably qualified directors rather than specific representation requirements.
- 2.4 It is further proposed that up to 3 Directors will be “independent” Directors, appointed for their knowledge, skills, experience and connections with a view to bringing that expertise into the company. It is intended that the independent Directors will be appointed by the Members (NPAs) probably after advertisement and competitive interview process, although the mechanism for appointment is not yet settled.
- 2.5 The key purpose of the company will be to seek, negotiate and secure sponsorship and financial support, in order to pass the proceeds back to the NPA members. The current Articles anticipate company profits being distributed to NPA members in equal shares.
- 2.6 The success of the company is likely to be heavily dependent on the ability of the Board of Directors to present a convincing “offer” and business case to potential sponsors. It is considered unlikely that the company will be able to attract strong candidates to serve as Independent Directors without a realistic reward package, so it is proposed that the Board of Directors should have the power to award remuneration to the Independent Directors, but not the NPA Directors.
- 2.7 It is unclear at this stage to what extent the company will need or have any employed staff or office accommodation. It will be for the Board to determine whether the company operates as a “virtual” business, using outsourced and service level arrangements with other organisations, or whether it employs staff and takes on premises. A budget provision of £150K for all start-up and year one costs was agreed by the Chairs of the UK NPAs.
- 2.8 One of the main assets available to the new company will be the “Britain’s Breathing Spaces” brand which Dartmoor NPA trademarked on behalf of all UK NPAs in 2013. It is proposed that Dartmoor NPA retains ownership of the brand but licences the

new company to use it in return for a licence fee. This would appear to be a tax effective mechanism to maximise the financial benefits of any commercial sponsorship. Any revenue from a licence fee paid to Dartmoor NPA would be divided equally amongst all 15 UK NPAs.

2.9 Clearly the venture is not without risks. The main risks appear to be:

- Inability to agree company structure & membership (*company cannot be formed*)
- Insufficient people to be appointed as NPA Directors (*company formed but cannot constitute Board*)
- No suitable candidates to serve as Independent Directors (*NPA Board members overstretched; Board may be ineffective*)
- Insufficient start-up funding to bring and effective company into operation (*company ineffective*)
- Board employs staff and takes on premises but cannot secure sponsorship revenue to meet costs after year 1 (*initial investment lost and insolvency*)
- Failure of the company to achieve sponsorship (*venture fails*)

2.10 There are also significant reputational risks if care is not taken by the company to scrutinise fully and critically all potential sponsors. It is very important to conduct due diligence investigations of the sponsor, their suppliers and other connected organisations. NPA members need to have assurance that a sponsorship arrangement will not inadvertently bring them into a relationship endorsing products or organisations which are found to have unethical or exploitative labour and resourcing practices, or an organisational ethos which does not sit comfortably with National Park purposes.

2.11 Despite these risks, it is believed that the company structure affords reasonable safeguards. Close monitoring in the early months of the company will enable an evidence-based assessment of whether the venture represents good value for money and a valuable opportunity to pool UK NPA resources and present a coherent approach to seeking sponsorship and financial support for National Park purposes.

2.12 The National Parks Foundation in the USA is a potential model for the new company: it is the official charity of America's national parks and has commercial partners ranging from Google to Disney (www.nationalparks.org).

3 Financial implications

3.1 The business case for the new company (prepared with external input from a consultant with sponsorship expertise) indicates that contributions will be required from each NPA in year 1 but from the end of year 1 positive cash balances will be generated which will be the source of funding for the company's costs with net income distributed to the NPAs. The business case suggests a profit of £1.4m should be achievable by the end of year 4.

3.2 On the basis of the business case presented at the ANPA annual general meeting in June 2014, Chairs of the UK NPAs agreed to allocate £10,000 from each Authority towards the costs of establishing and operating the new company in 2014/15 with another £10,000 per National Park to be allocated in the respective Medium Term Financial Plans but only released subject to satisfactory progress and a detailed business case for further investment.

3.3 If income received from the current commercial sponsorship arrangement with Reckitt Benckiser is factored into the equation then the net cost to the Authority in 2014/15 will be £4,000 (we will receive a minimum of £6,000 from the Airwick sponsorship programme in 2014/15).

4 Conclusion

- 4.1 In an era of reducing budgets it is important that we explore and develop opportunities for new income streams. The Government are actively encouraging us to do this. The proposed new company is designed to be an effective delivery vehicle for the 'commercial sponsorship' agenda. It has the potential to be more business-like in its dealings than the ANPA where you have over 30 people involved in decision-making. However, establishing the company is but one step towards a more pro-active approach to commercial sponsorship/income from business. A key priority for the company must be the procurement of capacity and expertise to negotiate and secure income from business.
- 4.2 The liability for the Authority is capped at £1 and our financial contribution is an initial £10,000 with the potential for an additional £10,000 subject to business case.

KEVIN BISHOP
CHRISTOPHER WALLEGE

DARTMOOR NATIONAL PARK PLANNING AUTHORITY

5 December 2014

**TREE PRESERVATION ORDERS AND SECTION 211 NOTIFICATIONS
(WORKS TO TREES IN CONSERVATION AREAS)
DETERMINED UNDER DELEGATED POWERS**

Report of the Trees and Landscape Officer

Recommendation : **That the decisions be noted.**

SECTION 211 NOTICES

Teignbridge

Ref: 14/0035 Wildmoor, Moretonhampstead SX 7525 8598

Notification to crown reduce a yew tree. The works will have minimal impact on the health or appearance of the tree.

A Tree Preservation Order has not been made.

Ref: 14/0037 39 East Street, Ashburton SX 7571 6999

Notification to fell a cherry tree. The tree is hidden from public view and its removal will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

Ref: 14/0038 15 Kingcombe Court, Buckfastleigh SX 7402 6608

Notification to pollard a willow tree. The tree in very poor condition with large areas of basal decay.

A Tree Preservation Order has not been made.

Ref: 14/0039 Brookside, Lustleigh SX 7856 8123

Notification to fell a birch tree. The tree is part of a larger group of trees and its removal will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

West Devon

Ref: 14/0036 South Brent Car Park SX 6968 6030

Notification to crown reduce a hornbeam. The works will have minimal impact on the health or appearance of the tree.

A Tree Preservation Order has not been made.

BRIAN BEASLEY