

## DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**ANNUAL STATEMENT OF ACCOUNTS 2014/15**Report of the Head of ResourcesRecommendation : **That**

- (i) Members approve the 2014/15 Statement of Accounts;**
- (ii) The Chairman be authorised to sign and date the Statement of Responsibilities on behalf of the Authority**
- (iii) Members endorse the conclusion of Management and the Chief Financial Officer that the authority's accounts should be prepared on a Going Concern basis**
- (iv) The Chairman and the Chief Executive (NPO) be authorised to sign the Letter of Representation on behalf of the Authority**
- (v) The Chairman and the Chief Executive (NPO) be authorised to sign the Annual Governance Statement, approved by the Authority in June 2015 (NPA/15/017)**

**1 Introduction**

- 1.1 The Statement of Accounts is a statutory document which all local authorities have to produce and make available for public inspection. In addition, the accounts are subject to external examination by the Authority's external auditors.
- 1.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) publishes The Code of Practice on Local Authority Accounting (The Code) which specifies the principles and practices of accounting that must be followed in preparing the statement of accounts. The Statement of Accounts must be authorised for issue and made available for public inspection by 30 June each year; the un-audited copy can be accessed on our website at [http://www.dartmoor.gov.uk/data/assets/pdf\\_file/0007/583162/2014-15-Unaudited-Statement-of-Accounts.pdf](http://www.dartmoor.gov.uk/data/assets/pdf_file/0007/583162/2014-15-Unaudited-Statement-of-Accounts.pdf)  
An audited copy has been provided to Members (hard copy only) for this meeting (Appendix 1, provided separately) minus the final dates of approval, signatures and audit opinion.
- 1.3 The external auditor reviews compliance against the requirements of The Code and must provide the audit opinion and the Annual Governance Report by 30 September each year.
- 1.4 There are no significant changes to the format or the content of the Statement of Accounts this year. There have been no changes to the financial outturn, as reported in May and June, or as a result of the Audit.

- 1.5 Once Members have approved the Statement of Accounts, the Chairman is asked to sign the Statement of Responsibilities on behalf of all Members below the Chief Financial Officer's Certification (see page 9 of the accounts).
- 1.6 The Chairman and the Chief Executive (National Park Officer) are also required to sign a Letter of Representation to the Auditors, on behalf of the Authority, a copy of which is provided at Appendix 2. The purpose of which is to confirm to the Auditors that the Authority's financial statements give a true and fair view.

## 2 Financial Performance

- 2.1 The Audit and Governance Committee carried out a detailed review of the outturn position on 15 May 2014 (NPA/AG/15/005) and the final Financial Outturn Report was approved by the Authority on 5 June (NPA/15/016). At both meetings Members congratulated staff for the efforts made and outcomes achieved during the year, and for continuing to maintain a culture of robust financial management. A summary of the year's financial performance is set out in the Explanatory Foreword starting on page 2 of the Statement of Accounts.
- 2.2 The actual revenue outturn, in terms of its in-year Management Account reporting was a surplus of £210,184 (£47,974 surplus in 2013/14) against a net Revenue Budget of £3,705,543 (£4,489,361 in 2013/14) which represents a -5.67% variance (-1.07% in 2013/14).

This figure is reconciled to the deficit shown in the Comprehensive Income and Expenditure Statement on page 11 of the Statement of Accounts, in the table below:

	<b>31 March 2014</b>
	<b>£000</b>
<b>Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement</b>	<b>432</b>
Reverse amortisation, depreciation & impairment charges	(163)
Reversal of IAS19 Retirement Benefit Adjustments	(424)
Transfers to or (from) reserves per Management Accounts	(109)
Capital expenditure funded from NPG	54
<b>Revenue Budget Surplus (NPA/15/016)</b>	<b><u>(210)</u></b>

## 3 Reserves

- 3.1 The Authority brought forward Earmarked Reserve balances totalling £2.594 million on 1 April 2014 and utilised a total of £0.389 million during the year. At the end of the year the Authority approved transfers to or within reserves of £0.490 which has resulted in a closing balance of £2.695 million. It should be noted however, that £1.006 million will be fully utilised in 2015/16, bringing the 2015/16 forecast closing balance close to £1.689 million, well below the 2014/15 opening balance. The Movement in Reserves Statement on page 10 and Note 7 on page 26 of the Statement of Accounts, details the movements in year.

In addition the General Reserve remains at £300,000 equating to approximately 8.36% of the 2015/16 Net Budget Requirement and is the minimum level that the Authority has determined must be retained.

3.2 In aggregate, the level of reserves and balances held is regarded as sufficient to meet current needs and to provide some assurance that unforeseen risks and emergencies can be managed. These balances are determined in part by our on-going work programmes and projects and by a risk based analysis and methodology approved by the Authority.

#### **4 Pension Scheme Assets and Liabilities**

4.1 The pension liability is based on an actuarial valuation and represents the benefits that have been accrued by members of the local government pension scheme. The disclosures show many things, with a key factor being that they are highly unpredictable, due mainly to the “snapshot” valuation of assets and liabilities on one particular day in the year and the mismatch between assets held and the corporate bonds based method that is used to value the liabilities in the “annual accounting valuation process” (i.e. to meet the requirements of The Code and International Financial Reporting Standards).

4.2 The accounting standard asks the question: “how much would the Authority have to borrow on the bonds market to fund the liabilities?” Which is completely different to the questions posed during the triennial funding valuation, i.e. “how much do employers need to pay in the future to have enough assets to pay benefits?”

4.3 The annual accounting valuation included in these accounts results in some “hard coding of assumptions” especially in relation to the discount rate, which is based on the Corporate Bonds yield (and the assumption that funds are invested in corporate bonds, which they are not). This results in inconsistent, volatile and counter intuitive results when producing asset and liability valuations at each year-end period.

4.4 The result of the annual accounting valuation as at 31 March 2015 for the Authority is that the net liability has increased by £3.611 million from £7.783 million to £11.394 million. This net liability has increased mainly as a result of the fall in the discount rate assumption used as at 31 March. This has been offset by the strong asset performance by the Fund. However, it is worth noting that if the same valuation exercise had been repeated just two weeks later, the discount rate had risen again so that the increase in liability would have been reduced by approximately £2 million.

4.5 The pension fund deficit as reported in these accounts does not represent an immediate call on the Authority’s reserves but simply provides an accounting valuation snapshot (at 31 March 2015), with the value of assets and liabilities changing on a daily basis. It is arguable whether the annual calculation of the pension fund deficit accurately reflects the long run position, many believe it does not. It clearly asks different questions and gives different results from the triennial funding valuation.

4.6 The last triennial valuation undertaken by the actuary and effective from 1 April 2014 shows a continued improvement in funding (83% funded in 2013). Currently all major asset classes have performed better than expected and are anticipated to more than cover any increase in liabilities going forward. With less than 12 months to go before the next fund valuation, the Actuary is currently predicting a 1-2% increase in the overall funding level, that the deficit recovery programme is on track and that employer contributions are likely to remain stable, as they have for us since 2011.

## **5.0 Going Concern**

- 5.1 Each year the authority assesses whether it should be considered as a Going Concern and whether the accounts should be prepared on that basis. The external auditor, Grant Thornton (GT) has this year requested that the Authority consider this assessment. Management and the Chief Financial Officer consider that the authority is a Going Concern and that the accounts should be produced on this basis. Evidence to support this conclusion is contained within a copy of the response to the Auditor's requests for Information from Management at Appendix 3. A copy of the response to the Auditor's request for information from "Those Charged with Governance" is also provided for information at Appendix 4.

## **6 Conclusion**

- 6.1 The Auditors are presenting the "Audit Findings Report" and the "Audit Opinion" to you separately at this meeting. Their work is almost complete and they anticipate being able to provide an unqualified opinion in respect of the financial statements. There are no changes or adjustments to be made to the version of the accounts issued on 26 June 2012. The Auditors also propose giving an unqualified value for money conclusion, after also carrying out a review of our arrangements to secure economy, efficiency and effectiveness in our use of resources. The Audit Opinion will be added to the SoA after this meeting and before the 30 September.
- 6.2 Given reduced staff capacity (in excess of a 25% reduction since 2010) managing an ambitious and complex work programme once again presented a significant challenge. Indeed, it is pleasing to note that, in an era of austerity, there continues to be significant support for Dartmoor National Park from our partners and the public, as demonstrated by the additional income received this year, which will be used to the benefit of the Park and its communities. Staff and Members should also be congratulated for:
- proactively seeking and achieving efficiency savings where ever possible;
  - proactively seeking and securing external funding;
  - promoting our key messages, which results in financial support in terms of sales, sponsorship, donations and partnership working and funding;
  - working strategically with our local authority neighbours (Teignbridge, West Devon, South Hams and Devon County Councils) with whom we achieve so much more together
- 6.3 The financial statements record that as a result of careful management of the Authority's resources, a reasonable level of reserves has been maintained, leaving the Authority in a sound financial position to cope with future challenges. The impact of the economic downturn has seen a significant squeeze on public expenditure, including that for National Park Authorities, and this looks likely to continue for the foreseeable future. The financial resilience of the Authority during this period will be recorded in future years' financial statements and will give a unique insight into the robustness of its financial management structures.

- 6.4 The achievement of such a robust financial position this year results from the painstaking effort over many months of a great many people. I would like to place on record my thanks to Members and Officers of the Authority who have once again achieved so much and who continue to work so hard to deliver for Dartmoor and to secure the financial health of the Authority.

DONNA HEALY

**Background Papers:**

NPA/14/008; NPA/15/016; NPA/AG/15/005; NPA/15/006, NPA/15/017

**Attachments: Appendix 1 – Statement of Accounts & Annual Governance Statement (Members only)**  
**Appendix 2 – Letter of Representation**  
**Appendix 3 –Response to the Auditor from Management**  
**Appendix 4 – Response to the Auditor from Members**



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Appendix 2 of Report No NPA/15/024

Grant Thornton UK LLP  
Hartwell House  
55-61 Victoria Street  
Bristol  
BS1 6FT

Your ref:  
**Please Quote: DH/Grant Thornton**  
Direct Line: 01626 831030

4 September 2015

Dear Geraldine

**Dartmoor National Park Authority**  
**Financial Statements for the year ended 31 March 2015**

This representation letter is provided in connection with the audit of the financial statements of Dartmoor National Park Authority for the year ended 31 March 2015 for the purpose of expressing an opinion as to whether the financial statements give a true and fair view in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2014/15 and applicable law.

We confirm that to the best of our knowledge and belief having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:


**Financial Statements**

- i We have fulfilled our responsibilities for the preparation of the financial statements in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2014/15 ("the Code"); which give a true and fair view in accordance therewith.
- ii We have complied with the requirements of all statutory directions affecting the Authority and these matters have been appropriately reflected and disclosed in the financial statements.
- iii The Authority has complied with all aspects of contractual agreements that could have a material effect on the financial statements in the event of non-compliance. There has been no non-compliance with requirements of regulatory authorities that could have a material effect on the financial statements in the event of non-compliance.
- iv We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.

Peter Harper Chairman Kevin Bishop PhD Chief Executive (National Park Officer)

The purposes of the Dartmoor National Park Authority are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and to promote opportunities for the understanding and enjoyment of the area's special qualities. In pursuing these purposes the Authority has a duty to seek to foster the economic and social well-being of the local community.

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- v Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
- vi We are satisfied that the material judgements used in the preparation of the financial statements are soundly based, in accordance with the Code and adequately disclosed in the financial statements. There are no other material judgements that need to be disclosed.
- vii Except as disclosed in the financial statements:
  - A there are no unrecorded liabilities, actual or contingent
  - B none of the assets of the Authority has been assigned, pledged or mortgaged
  - C there are no material prior year charges or credits, nor exceptional or non-recurring items requiring separate disclosure.
- viii We confirm that we are satisfied that the actuarial assumptions underlying the valuation of pension scheme liabilities for IAS19 Employee Benefits disclosures are consistent with our knowledge. We confirm that all settlements and curtailments have been identified and properly accounted for. We also confirm that all significant post-employment benefits have been identified and properly accounted for.
- ix Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of the Code.
- x All events subsequent to the date of the financial statements and for which the Code requires adjustment or disclosure have been adjusted or disclosed.
- xi Actual or possible litigation and claims have been accounted for and disclosed in accordance with the requirements of the Code.
- xii The financial statements are free of material misstatements, including omissions.
- xiii We have no plans or intentions that may materially alter the carrying value or classification of assets and liabilities reflected in the financial statements.

We believe that the Authority's financial statements should be prepared on a going concern basis on the grounds that current and future sources of funding or support will be more than adequate for the Authority's needs. We believe that no further disclosures relating to the Authority's ability to continue as a going concern need to be made in the financial statements.

### **Information Provided**

- xiv We have provided you with:
  - A access to all information of which we are aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;
  - B additional information that you have requested from us for the purpose of your audit; and
  - C unrestricted access to persons within the Authority from whom you determined it necessary to obtain audit evidence.
- xv We have communicated to you all deficiencies in internal control of which management is aware.

- xvi All transactions have been recorded in the accounting records and are reflected in the financial statements.
- xvii We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- xviii We have disclosed to you all our knowledge of fraud or suspected fraud affecting the Authority involving:
  - A management;
  - B employees who have significant roles in internal control; or
  - C others where the fraud could have a material effect on the financial statements.
- xix We have disclosed to you all our knowledge of any allegations of fraud, or suspected fraud, affecting the Authority's financial statements communicated by employees, former employees, regulators or others.
- xx We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing financial statements.
- xxi We have disclosed to you the identity of all the Authority's related parties and all the related party relationships and transactions of which we are aware.
- xxii We have disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements.

### **Annual Governance Statement**

- xxiii We are satisfied that the Annual Governance Statement (AGS) fairly reflects the Authority's risk assurance and governance framework and we confirm that we are not aware of any significant risks that are not disclosed within the AGS.

### **Approval**

The approval of this letter of representation was minuted by the Authority at its meeting on 4 September 2015.

### **Signed on behalf of the Authority**

Kevin Bishop  
**Chief Executive (National Park Officer)**  
Date:

Peter Harper  
**Chairman of the Authority**  
Date:



## Responses from Management:

Auditor question	Response
What do you regard as the key events or issues that will have a significant impact on the financial statements for 2014/15?	None – no significant change or issues that have had a significant impact
Have you considered the appropriateness of the accounting policies adopted by the Authority? Have there been any events or transactions that may cause you to change or adopt new accounting policies?	Yes None
Are you aware of any changes to the Authority's regulatory environment that may have a significant impact on the Authority's financial statements?	None
How would you assess the quality of the Authority's internal control processes?	Excellent – see internal audit reports
How would you assess the process for reviewing the effectiveness of internal control?	Excellent – very thorough
How do the Authority's risk management processes link to financial reporting?	Comprehensive 'live' strategic Risk Register (which includes financial risk) is reviewed quarterly and Operational risk are monitored on an on-going basis along-side the monthly budget monitoring process The finance team is appropriately qualified, trained & skilled with robust performance management Check levels of internal control & separation of duties S151 officer overview from DCC
How would you assess the Authority's arrangements for identifying and responding to the risk of fraud?	See above
What has been the outcome of these arrangements so far this year?	Robust monitoring & review as normal – nothing significant to report
What have you determined to be the classes of accounts, transactions and disclosures most at risk to fraud?	The risk of fraud is very low – but the obvious are Creditors and Payroll
Are you aware of any whistle blowing potential or complaints by potential whistle blowers? If so, what has been your response?	None
Have any reports been made under the Bribery Act?	None
As a management team, how do you communicate risk issues (including fraud) to those charged with governance?	Strategic Risk register Financial Regulations Procurement Policy & Procedures Standing Orders Employee & Member Code of Conduct Internal audit reports Annual Governance Statement Local Code of Corporate Governance Performance & financial reports
As a management team, how do you communicate to staff and employees your views on business practices and ethical behaviour?	Strategic Risk register Financial Regulations Procurement Policy & Procedures Standing Orders Employee Code of Conduct HR policies & procedures Staff induction training Team briefings and all staff meetings Appraisal

	All key documents are on the Intranet
What are your policies and procedures for identifying, assessing and accounting for litigation and claims?	The Head of Business Support works closely with the Head of Legal & Democratic Services - we are a small Authority and therefore we are able to communicate easily, and can work together to assess any risk and account for any claims accordingly Officers are professionally qualified, who carry out appropriate CPD.
Is there any use of financial instruments, including derivatives?	None
Are you aware of any significant transaction outside the normal course of business?	None
Are you aware of any changes in circumstances that would lead to impairment of non-current assets?	None
Are you aware of any guarantee contracts?	None
Are you aware of allegations of fraud, errors, or other irregularities during the period?	None
Are you aware of any instances of non-compliance with laws or regulations or is the Authority's on notice of any such possible instances of non-compliance?	None
Have there been any examinations, investigations or inquiries by any licensing or authorising bodies or the tax and customs authorities?	None
Are you aware of any transactions, events and conditions (or changes in these) that may give rise to recognition or disclosure of significant accounting estimates that require significant judgement?	None
Where the financial statements include amounts based on significant estimates, how have the accounting estimates been made, what is the nature of the data used, and the degree of estimate uncertainty inherent in the estimate?	None
Are you aware of the existence of loss contingencies and/or un-asserted claims that may affect the financial statements?	None
Has the management team carried out an assessment of the going concern basis for preparing the financial statements? What was the outcome of that assessment?	The 2014/15 Outturn position, the Reserve Balances and a risk assessed analysis is considered in detail by both Management and the Authority. This also carried out when building the annual budget and MTFP. It is considered by Management, the Authority and the S151 Officer that the Authority is in a strong position for the future, with a robust level of reserves and an effective operating budget. Future risk & uncertainty is identified in the Strategic Risk Register and Business Plan, with appropriate work programmes in place to ensure that the Authority can continue as a going-concern.
Management is required to consider whether there are any material uncertainties that cast doubt on the Authority's ability to continue as a business. What is the process for undertaking a rigorous assessment of going concern? Is the process carried out proportionate in nature and depth to the level of financial risk and	Identified in the Strategic Risk Register – uncertainly around future levels of NPG. See above which continues to be monitored throughout the year. Yes proportionate in so far as the Authority is funded most significantly by Defra NPG.

complexity of the organisation and its operations? How will you ensure that all available information is considered when concluding the organisation is a going concern at the date the financial statements are approved?	<b>*See also additional statement below</b>
Can you provide details of those solicitors utilised by the Authority's during the year. Please indicate where they are working on open litigation or contingencies from prior years?	Solicitors & Advisors utilised in the past 12 months: Bishop Fleming – taxation and accounting advice on proposed trading company on behalf of National Parks UK Ltd Historic buildings & conservation consultant – Nichola Burley of Heritage Vision Ltd (Middle Venton appeal hearing)
Can you provide details of other advisors consulted during the year and the issue on which they were consulted?	Barristers: Fenella Morris QC – advice on powers to trade and vires Stephen Whale – advice on planning enforcement case Emma Smith – advice & representation on injunction Michael Bedford – advice on mineral planning issues Claire Parry – advice on appeal proceedings
Have any of the Authority's service providers reported any items of fraud, non-compliance with laws and regulations or uncorrected misstatements which would affect the financial statements?	None

**\*Going Concern**

The accounts have been prepared on a going concern basis. The concept of a going concern assumes that an authority, its functions and services will continue in operational existence for the foreseeable future. Although Central Government funding is being cut significantly this will have no adverse effect on DNPA as a going concern.

Financial Performance – the authority has a strong track record of not overspending its budget. The Authority consistently delivers a surplus or breaks even at the year end. This is in spite of significant cuts to Government funding in recent years.

Continuing Provision of Services – Ongoing cuts to public sector expenditure have resulted in significant reductions in National Park Grant. The authority has made savings of over £1.4 million since the comprehensive spending review of 2010. Services have been reduced, efficiencies found and different delivery models identified. These changes do not affect the going concern status of the authority, as overall, services for and protection of the National Park continue. The authority has the ability to raise money from fees and charges, continues to lever in significant non-core grants and is still in receipt of a significant level of National Park Grant.

Cash flow/financing - At the year end the authority had cash and cash equivalents of £2.835 million which includes Earmarked reserves of £2.695 million. These sums are considered to be adequate.

Our conclusion is therefore that the authority is a Going Concern and the accounts should be prepared on that basis.

As part of the budget process, the Authority prepares a high level MTFs covering the next three years and this supports the declaration on the robustness of estimates and the adequacy of reserves. The Authority will need to make significant savings in order to meet the risk of further reduced level of resources over this timescale.

However, even with large budget reductions, the Authority's gross revenue budget is in excess of £4 million. The long and short term assets of the authority exceed £6.4 million. There are no structural changes proposed by Government for National Park Authorities and therefore no doubt exists around the medium term future of the Authority or its classification as a going concern.

## Response from Audit and Governance Committee Chair

### Fraud risk assessment

Auditor Question	Response
Has the Authority assessed the risk of material misstatement in the financial statements due to fraud?	Yes
What are the results of this process?	The view of A&G Committee is that the risk is low, there are adequate internal controls & separation of duties and the financial statements are reviewed by the S151 Officer. The S151 Officer also monitors the progress of the Finance team in producing the financial statements throughout production
What processes does the Authority have in place to identify and respond to risks of fraud?	*Annual programme of internal audit to test, verify & give assurance which is reported to A&G S151 contract with DCC to provide external oversight Risk monitored by Leadership Team and A&G Committee Comprehensive suite of governance policies, including anti-fraud & Corruption and Whistleblowing A&G Committee oversight AGS & Local Code of Corporate Governance supported by evidence & approved by A&G Committee
Have any specific fraud risks, or areas with a high risk of fraud, been identified and what has been done to mitigate these risks?	None
Are internal controls, including segregation of duties, in place and operating effectively?	Yes
If not, where are the risk areas and what mitigating actions have been taken?	N/A
Are there any areas where there is a potential for override of controls or inappropriate influence over the financial reporting process (for example because of undue pressure to achieve financial targets)?	No
Are there any areas where there is a potential for misreporting?	No
How does the Audit & Governance Committee exercise oversight over management's processes for identifying and responding to risks of fraud?	See above *
What arrangements are in place to report fraud issues and risks to Members?	Anti-Fraud & Corruption Policy and Whistleblowing Policy S151 Officer and Monitoring Officer AGS Systems & processes of Internal Control Internal Audit Reports Performance reports
How does the Authority communicate and encourage ethical behaviour of its staff and contractors?	Anti-Fraud & Corruption Policy and Whistleblowing Policy Procurement Policy Contractors Policy Staff & Member Induction Team Meetings, All Staff meetings Appraisals

How does the Audit & Governance Committee encourage staff to report their concerns about fraud? Have any significant issues been reported?	See above  None
Are you aware of any related party relationships or transactions that could give rise to risks of fraud?	None
Are you aware of any instances of actual, suspected or alleged, fraud, either within the Authority as a whole or within specific departments since 1 April 2014?	None

### Law and regulation

<b>Auditor Question</b>	<b>Response</b>
What arrangements does the Authority have in place to prevent and detect non-compliance with laws and regulations?	Professional Officers, professionally qualified Training (incl CPD) Supervision & appraisal Oversight by Monitoring Officer & S151 Officer
How does management gain assurance that all relevant laws and regulations have been complied with?	Professional Officers and Internal / External Audit reports
How is the Audit & Governance Committee provided with assurance that all relevant laws and regulations have been complied with?	Via Reports from and contact with Professional Officers & Internal / External audit reports
Have there been any instances of non-compliance or suspected non-compliance with law and regulation since 1 April 2014?	None
What arrangements does the Authority have in place to identify, evaluate and account for litigation or claims?	The Head of Business Support works closely with the Head of Legal & Democratic Services - we are a small Authority and therefore Officers are able to communicate easily, and work together to assess risk and account for any claims accordingly
Is there any actual or potential litigation or claims that would affect the financial statements?	None
Have there been any reports from other regulatory bodies, such as HM Revenues and Customs, which indicate non-compliance?	None

## DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**Local Plan Review**Report of the Senior Forward PlannerRecommendations : **That Members**

- i) **Adopt the Local Development Scheme with immediate effect**
- ii) **That 6 Members are appointed to a Local Plan Steering Group**

**1 Introduction**

- 1.1 This report describes the upcoming review of local plan policies for Dartmoor National Park. It sets out an update of the formal 'Local Development Scheme' for adoption, and identifies a need for a Member Steering Group through the preparation of the new local plan.

**2 Local Development Scheme (LDS)**

- 2.1 The Local Development Scheme (LDS), attached at Appendix 1, is a public statement of the Dartmoor National Park Authority's local plan preparation programme, and will guide the establishment of the documents which form part of the local plan for the Dartmoor National Park. This includes:
- *Development Plan Documents* (containing formal policies, for example the Core Strategy);
  - *Supplementary Planning Documents* (more 'informal' advice which adds to adopted policy, such as Design Guidance)
  - *Other documents, including Local Development Documents* (including more 'procedural' documents such as the Local Development Scheme or Statement of Community Involvement)
- 2.2 When the most recent version of the LDS was adopted in 2014 officers noted that a further revision may be needed as the local plan review programme was refined. That programme now sets out for a single 'local plan' for Dartmoor National Park, consolidating the policies in the Core Strategy, Development Management DPD, and also the Minerals Local Plan. A separate Minerals plan is no longer proposed and the LDS is therefore updated to reflect this.
- 2.3 The proposed Local Development Scheme is appended to this report. It is also available on the Authority's web site at <http://www.dartmoor.gov.uk/planning/pl-forwardplanning/pl-localdevframework/pl-localdevscheme> ; this page will be kept up to date in order to inform the public of the state of the Authority's compliance with this timetable.

### **3 Programme of plan preparation Local Plan Review (Development Plan Document)**

- 3.1 It is important that the Authority recognises the statutory need to maintain an up to date development plan. The Core Strategy was adopted in 2008. Whilst it is considered consistent with the NPPF it is recognised that the economic and statutory context of this plan has moved forward. The Development Management DPD was adopted in 2013, after the publication of the NPPF and demonstrates a continued integrity to the overarching strategy and evidence which supports the Authority's local plan.
- 3.2 The review of the local plan will likely focus upon strategic housing policy, strategic economic development policy, and settlement strategy matters. The scope and extent of other potential areas of change will be determined through early engagement with stakeholders. The review will lead to a consolidated single 'local plan' for the National Park. This document will cover the whole of Dartmoor National Park.
- 3.3 The Dartmoor National Park Authority is the Minerals and Waste Planning Authority for the National Park and as such this is a statutory function. The NPPF says Minerals Planning Authorities should "identify and include policies for extraction of minerals resource of local and national importance" and "define Minerals Safeguarding Areas". The local plan will include as necessary, minerals and waste policies for the whole of Dartmoor National Park.
- 3.4 Member engagement in the local plan review process is crucial. Officers are therefore proposing a Local Plan Steering Group of 6 Members, is formed. The Group would likely meet every 2-3 months, and would:
- Critically appraise existing policies
  - Consider evidence prepared relating to key policy areas
  - Consider stakeholder views
  - Steer the formulation of new policies
  - Play a role in 'Duty to Co-operate' matters relating to strategic cross-boundary issues

The Steering Group would not be a decision making body, but would work with officers in preparing the local plan and advising its consideration by the Authority.

#### **Statement of Community Involvement**

In addition to the above local plan, the workplan for the Forward Planning Service includes the revision of the Statement of Community Involvement (SCI); the SCI is a requirement under the Planning and Compulsory Purchase Act (2004). The Authority's current SCI was produced prior to the National Planning Policy Framework and most importantly, the Localism Act. The local plan must be prepared in a way consistent with the approach set out in the SCI. A new SCI has been published for consultation on the 2 September 2015, and will be adopted in 2015/16. Members are referred to the relevant webpage of the Authority's website by following this link <http://www.dartmoor.gov.uk/planning/pl-forwardplanning/pl-localdevscheme>



## **4 Conclusion**

- 4.1 The National Planning Policy Framework, together with recent appeal decisions nationally, highlights the importance of maintaining an up to date development plan and evidence base. In particular, elements of the current Local Plan (the Core Strategy and Development Management DPD) require regular consideration in respect of the evidence underpinning key policies. In particular the fields of housing and economic policy are changing fast and subject of close scrutiny.
- 4.2 The LDS establishes therefore an important commitment from the Authority to maintain a robust and up to date development plan, giving it the ability to make clear, justified and defensible decisions on planning applications within the National Park.

## **5 Equality and sustainability impact**

- 5.1 An Equality Impact Assessment screening has been undertaken using the Authority's proforma. It does not identify any necessary amendment or action. Individual development plan documents will themselves be subject to a robust appraisal process.

## **6 Financial implications**

- 6.1 The adoption of the LDS sets a timetable for plan preparation over the next three years and potentially beyond. The delivery of this scheme therefore has resource implications for the Authority in respect of staff resource (principally forward planning) for document preparation, consultation and examination; staff resources relating to specialist input; specific research or appraisal requirements; publicity and publication; and the examination process and Planning Inspectorate fees.
- 6.2 The initial phase of this work is included within the Forward Planning budget for 2015/16, however it should be noted that the commencement of this work implies a commitment to complete the process of plan preparation and adoption subject to agreement of future annual budget and other resources.

DAN JANOTA

**Attachments: Appendix 1 – Local Development Scheme**



## **Dartmoor National Park Authority**

### **Local Development Scheme (LDS)**

#### **Fourth Revision**

The Local Development Scheme (LDS) is a public statement of the Dartmoor National Park Authority's local plan preparation programme, and will guide the establishment of the documents which form part of the local plan for the Dartmoor National Park.

This includes:

- *Development Plan Documents* (containing formal policies, for example the Core Strategy);
- *Supplementary Planning Documents* (more 'informal' advice which adds to adopted policy, such as Design Guidance)
- *Other documents, including Local Development Documents* (including more 'procedural' documents such as the Local Development Scheme or Statement of Community Involvement)

The Authority's first LDS came into effect in 2005, a first revision of the LDS was adopted in March 2007 and the most recent revision in 2014.

**September 2015**

## 1. Context

- 1.1. The 2004 Planning and Compulsory Purchase Act ('the 2004 Act') brought in 'Local Development Framework' as a new structure to local planning. Local Development Frameworks include:
  - *Development Plan Documents 'DPDs'* (containing formal policies, for example the Core Strategy);
  - *Supplementary Planning Documents 'SPDs'* (more 'informal' advice which adds to adopted policy, such as Design Guidance)
  - *Other documents, including Local Development Documents* (including more 'procedural' documents such as the Local Development Scheme or Statement of Community Involvement)
- 1.2. Whilst the current government prefers the term 'Local Plan' to 'Local Development Framework' (LDF) the structure remains. Regional Spatial Strategies (brought in by the 2004 Act) have since been removed through 2011 Localism Act ('the 2011 Act') which also brought forward key provisions relating to the Duty to Co-operate and the Neighbourhood Plans.
- 1.3. More recently, government guidance has also been rationalised significantly, with the National Planning Policy Framework (NPPF) replacing the portfolio of Planning Policy Statements in 2012, and the National Planning Practice Guidance published in March 2014 which has formed part of the governments 'red tape challenge'. It is also important to note that Government considers that the National Parks Circular<sup>1</sup> should set the context for the local plan coverage of the English National Parks.
- 1.4. Under section 67(1) of the Environment Act 1995, Dartmoor National Park Authority (NPA) is the Local Planning Authority (LPA) for the entire area of the National Park. Those responsibilities include the mineral and waste planning functions for the area. The Authority also prepares the Dartmoor National Park Management Plan; these are the over-arching strategic documents for the National Parks and set the vision and objectives to guide the future of the Parks over a 10 to 20 years period. The adopted 2014-2019 Dartmoor National Park Management Plan ('Your Dartmoor') establishes important principles for consideration in local planning policy and links closely with the adopted Core Strategy.

## 2. Current plans in Dartmoor National Park

- 2.1. The local plan for Dartmoor National Park comprises the Core Strategy (2008), and Development Management and Delivery DPD (2013), together with the saved policies of the Minerals Local Plan (2004). These documents are supported in their implementation by the Design Guide SPD and the Affordable Housing SPD. These documents set the spatial planning strategy, policies and guidance for Dartmoor National Park in the planning period up to 2026. An overview of the documents which currently form part of the local plan for Dartmoor National Park are set out in Table 1.

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<sup>1</sup> English National Parks and the Broads. UK Government Vision and Circular 2010. Defra, March 2010.

<b>Document name</b>	<b>Current status</b>	<b>Pre-submission consultation</b>	<b>Submission</b>	<b>Public examination</b>	<b>Adoption</b>
<b>Core Strategy (Development Plan Document)</b> Sets out the vision, aims and strategy for spatial development in the Dartmoor National Park. Provides the background for the formulation of the generic development control and site specific policies.	Adopted	2005 - 2007	2007	2007	2008
<b>Development Management and Delivery (Development Plan Document)</b> A suite of subject related development management policies to guide and control spatial development within Dartmoor National Park. Site specific policies set the planning framework for particular areas and land uses. Certain sites will be allocated for specific uses or purposes.	Adopted	2012	2012	2012- 2013	2013
<b>Minerals Local Plan (Development Plan Document)</b> Policies to control minerals development within the Dartmoor National Park.	Saved policies <sup>2</sup>	-	-	-	2004
<b>Design Guidance (Supplementary Planning Document)</b> Guidance to encourage a high standard of design appropriate for Dartmoor National Park	Adopted	2011	n/a	n/a	2012
<b>Affordable Housing (Supplementary Planning Document)</b> Guidance to make clear the Authority's expectations and support the delivery of affordable housing in Dartmoor National Park.	Adopted	2014	n/a	n/a	2014
<b>Statement of Community Involvement</b> Sets out the scope and arrangements for consultation and participation for each local development document	Adopted	-	-	-	2008
<b>Local Development Scheme</b> The timetable for local plan preparation	Current	-	-	-	2014

**Table 1.** Current local planning document prepared by Dartmoor National Park Authority

<sup>2</sup> Annex to the Core Strategy indicates which of the saved policies Local Plan still remain in force and which are superseded.

### **3. Local Development Scheme**

- 3.1. This review includes minor updates which reflect refinements to the programme for local plan review as it has been considered in detail. It was suggested in the 2014 LDS that a minor review may be necessary at this point. The principal change is the deletion of the Minerals Plan (DPD), in favour of minerals policies within the Local Plan. The LDS also now provides clarity as to the Authority's intention to prepare a single local plan document.
- 3.2. The LDS is a statement of Dartmoor National Park Authority's local development document preparation programme. Whilst this document will include commentary on the range of documents the Authority intends to prepare and review, it is important to note that the required scope of the LDS is the preparation of DPDs; Statements of Community Involvement and Supplementary Planning Documents do not need to be included.
- 3.3. The Authority intends to prepare the following documents within the timeframe of this LDS. Key milestones for their preparation are set out in Table 3.

#### **3.4. Statement of Community Involvement**

2004 Act requires that LPAs produce a Statement of Community Involvement (SCI). The Authority's SCI was produced prior to the National Planning Policy Framework and most importantly, the Localism Act. The local plan must be prepared in a way consistent with the approach set out in the SCI. The Authority has prepared a revised SCI for consultation, which would be adopted in 2015/16.

#### **3.5. Local Plan Review (Development Plan Document)**

The Authority recognises the statutory need to maintain an up to date development plan. The Authority's Core Strategy was adopted in 2008. Whilst it is considered consistent with the NPPF it is recognised that the economic and statutory context of this plan has moved forward. The Development Management DPD was adopted in 2013, after the publication of the NPPF and demonstrates a continued integrity to the overarching strategy and evidence which supports the Authority's local plan.

The review of the local plan will likely focus upon strategic housing policy, strategic economic development policy, and settlement strategy matters. The scope and extent of other potential areas of change will be determined through early engagement with stakeholders. The review will lead to a consolidated single 'local plan' for the National Park. This document will cover the whole of Dartmoor National Park.

The Dartmoor National Park Authority is the Minerals and Waste Planning Authority for the National Park and as such this is a statutory function. The NPPF says Minerals Planning Authorities should "identify and include policies for extraction of minerals resource of local and national importance" and "define Minerals Safeguarding Areas". The local plan will include as necessary, minerals and waste policies for the whole of Dartmoor National Park.

### **3.6. Supplementary Planning Documents (SPDs)**

The Authority has two adopted SPDs, the Design Guide (2011) and Affordable Housing SPD (2014). It is not anticipated that these will require review within the timeframe of this LDS. If it is the case that the Authority considers their revision necessary, whilst it would fall outside the necessary scope of this LDS, their revision would be consistent with the approach set out in the SCI and the appropriate regulations.

### **3.7. Joint working and other plans**

Although joint development plan documents can be prepared with other planning authorities, there is no intention to prepare joint planning documents. The Authority is in close liaison with Devon County Council, which is the mineral planning authority for the rest of Devon outside Plymouth and Torbay, in preparing evidence to inform minerals policies within the local plan, and with the constituent District and Borough Councils in preparing and revising other DPDs. The NPA responds to DPDs produced by the surrounding LPAs in the interests of 'joined up' planning and to ensure that the special qualities of the National Park are protected. The Authority recognises the importance of the Duty to Cooperate and will continue to work positively with stakeholders in the preparation of the local plan.

The Authority does not intend to prepare any Area Action Plans or Supplementary Planning Documents within the timeframe of this LDS.

### **3.8. Strategic Environmental Assessment/Sustainability Appraisal**

The Planning and Compulsory Purchase Act 2004 requires local development documents to be prepared with a view to contributing to the achievement of sustainable development. Local planning Authorities must also comply with a European Union Directive on the Strategic Environmental Assessment of certain plans and programmes that are likely to have significant effects on the environment.

The Authority will continue to take a robust approach in the preparation of an environmental report which informs and supports the different stages in the preparation of a DPD.

### **3.9. Key milestones in the production of a development plan document**

Table 3 sets out key milestones in the preparation of a DPD.

<b>Initial Evidence Gathering</b>	<ul style="list-style-type: none"> <li>• Formulate initial aims and objectives for local plan</li> <li>• Begin evidence gathering process</li> <li>• Identify relevant environment, economic and social objectives to inform Sustainability Appraisal</li> </ul>
<b>Initial consultation and continued work on evidence gathering</b>	<ul style="list-style-type: none"> <li>• Engagement with local communities, businesses and other interested parties (Regulation 18)</li> <li>• Take into account representations received from consultation process in line with (Regulation 18)</li> <li>• Engage with Duty to Cooperate partners</li> <li>• Ensure compliance with the SCI</li> <li>• Continue evidence gathering</li> <li>• Test emerging options through Sustainability Appraisal</li> </ul>
<b>Publication</b>	<ul style="list-style-type: none"> <li>• Draft plan published for representations for a minimum of 6 weeks (Regulations 17 and 19)</li> </ul>
<b>Submission</b>	<ul style="list-style-type: none"> <li>• Plan submitted for examination, along with Sustainability Appraisal, evidence base and a statement of representations and main issues (Regulation 22)</li> </ul>
<b>Examination of submitted plan</b>	<ul style="list-style-type: none"> <li>• Independent Inspector assesses plan to determine whether it has been prepared in line with the Duty to Cooperate, other legal requirements and whether it is sound in line with section 20 of the Planning and Compulsory Purchase Act 2004 and Regulations 23/24.</li> <li>• Local Planning Authority can ask Inspector to recommend main modifications to make plan sound or comply with other legal requirements</li> <li>• Inspector issues report at end of examination</li> <li>• Exceptionally, the Inspector will recommend the draft plan is withdrawn if it has not been prepared in accordance with the Duty to Cooperate or if it is likely to be found unsound</li> </ul>
<b>Adoption</b>	<ul style="list-style-type: none"> <li>• Draft plan formally adopted by the local planning authority in line with section 23 of the Planning and Compulsory Purchase Act 2004</li> <li>• Monitoring of implementation of Local Plan policies required in line with Regulation 34.</li> </ul>

**Table 3.** Local Plan Development - taken from National Planning Policy Guidance (Regulations refer to *Town and Country Planning (Local Planning) (England) Regulations 2012*)

Local Development Document	Public participation on the scope and content of the document*	Publication	Submission	Adoption
Local Plan Review (DPD)	2016/17	2017	2018	2019

**Table 4.** Dartmoor National Park Authority Local Development Scheme – Programme 2015-2019

\* This includes consultation with the statutory bodies on the scope of the sustainability appraisal.

#### 4. Monitoring and review

4.1. Legislation requires local planning authorities to produce an annual monitoring report to assess progress on the implementation of the LDS.

4.2. Monitoring systems should also assess:

- whether policies in local development documents are being implemented effectively, and whether targets or milestones are being met
- the impact of the policies with regard to national, regional and local targets
- the effectiveness of the policies and proposals with regard to the achievement of strategic objectives, and whether modification or replacement is required.

Where policies or proposals need to be changed, the annual review should indicate how that will be achieved.

4.3. A robust monitoring framework is now set out in the Authority's Annual Monitoring Report published in Spring/Summer of each year. The review and monitoring of community plans and strategies and the Dartmoor National Park Management Plan also provides evidence and material for assessing the documents in the local plan. Development Plans will be revised/reviewed on a 5 year timescale; Supplementary Planning Documents will be reviewed on a 5-10 year timescale or in both cases, as required in response to other material matters arising from ongoing monitoring.

4.4. A State of the Park Report is also prepared as a supporting element of the Management Plan, which will also be a useful source of monitoring information.



## DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**INTERIM STATEMENT ON AFFORDABLE HOUSING  
ADOPTED JANUARY 2015**Report of the Head of PlanningRecommendation : **That Members:**

- (i) Rescind the Interim Statement adopted on 9 January 2015**
- (ii) Rescind the lower threshold of five units or less**
- (iii) Note a separate Supplementary Planning Document (SPD) on affordable housing is no longer required at this time**

**1 Introduction**

- 1.1 In January 2015 Members considered a report (Section 106 Thresholds – Changes to Government Guidance), (NPA/15/001) which described a new policy position adopted by Ministerial Statement and incorporated in the National Planning Practice Guidance. This new policy materially altered the Authority's ability to require S106 contributions for affordable housing (and other 'tariff style contributions') on development of 10 housing units or less. The Authority was given the opportunity to adopt a lower threshold of 5 units or less; however, the guidance stated that only off site commuted sums and financial contributions may be sought of schemes of 6-10 units. This meant for those schemes the money could be collected but would need to be spent on other sites following the completion of the development.
- 1.2 Members adopted the lower threshold, and an Interim Statement on Section 106 Obligations, as well as committing to alterations in the form of a Supplementary Planning Document (SPD) which would reflect the new position.

**2 Interim Statement**

- 2.1 The purpose of the Interim Statement was to minimise the adverse impact on the delivery of affordable housing in the National Park:

**DNPA Interim Statement on Section 106 obligations**

Dartmoor National Park Authority (DNPA) will determine all applications for housing development in line with the adopted policies in its local plan, and the presumption in favour of sustainable development. Proposals which do not offer affordable housing consistent with the adopted policies in the local plan will need to provide clear evidence in respect of how they constitute sustainable development. DNPA believes that the provision of affordable housing on-site remains the most appropriate use of development land in the National Park; commuted sums for off-site provision will require clear justification.

The provision of affordable housing to meet local needs is a key element of sustainable development in the National Park, and is a fundamental principle of the local plan. This approach ensures that development is focussed upon meeting the needs of National Park communities, and that the limited land resource within this nationally important landscape is used to the best effect.

DNPA recognises that sustainable development is about positive growth. Sustainable development will demonstrate an appropriate balance of environmental, social and economic benefit, at all times consistent with National Park purposes. This means any proposed new housing development must show clear consideration of:

**Environment** – recognising the great weight given to conserving and enhancing the special qualities of the National Park, making the best use of limited land resource and providing for appropriate development in the right location

**Society** – meeting the needs of local communities to ensure they are strong, vibrant and healthy

**Economy** – supporting the economic well-being of local communities in a way which is consistent with the special qualities of the National Park

- 2.2 It was recognised that the new Ministerial Statement and National Policy Guidance would require a thorough re-working of the Authority's approval to the delivery of affordable housing, through a new Supplementary Planning Document.

### 3 Legal Challenge

- 3.1 Within the past few weeks the High Court has ruled on a legal challenge to the new policy position. In a judgement handed down on 31 July 2015 the High Court quashed the policy changes announced in Parliament on 28 November 2014, which were later incorporated into revised National Planning Policy Guidance.
- 3.2 Allowing the Claim by West Berkshire District Council and Reading Borough Council, the Court has quashed:
- (i) the relevant parts of the NPPG;
  - (ii) the Secretary of State's decision to adopt the new policy by way of Written Ministerial Statement; and
  - (iii) the Secretary of State's decision on 10 February 2015 to maintain the policy.

The Court also granted a declaration that the policies in the Ministerial Statement must not be treated as a material consideration in development management and development plan procedures and decisions or in the exercise of powers and duties under the Planning Acts more generally.

<http://www.bailii.org/ew/cases/EWHC/Admin/2015/2222.html>

- 3.3 The High Court judgement is to be welcomed. During the period in which the policy has existed, Members have considered applications where the Authority has been unable to require the affordable housing contributions set out in their adopted local

plan. A number of applications which do not meet the local plan requirements for affordable housing are also in the pipeline. It is therefore important that the Authority clearly states its position.

- 3.4 Members should note that the Government has stated an intention to appeal against the judgement.

#### **4 Conclusion**

- 4.1 Planning applications should be determined on the basis of the relevant policy in place at the time of making the decision. As the revised policy position has been quashed, the Authority is back in the position of applying the affordable housing policies as set out in the adopted local plan, taking into account in particular, financial viability, the National Planning Policy Framework and Guidance and other material planning considerations.
- 4.2 Given the removal of the guidance, the lower threshold and interim policy statement previously adopted are unnecessary and unhelpful. Members are asked to rescind those decisions, with immediate effect. The need to amend the Affordable Housing SPD also falls away, although there will be a longer term need to review this document as part of the new Local Plan preparation work which is now underway.

#### **5 Financial Implications**

- 5.1 There are no direct financial implications for the Authority.

DAN JANOTA

**Background papers:** NPA/15/001 Section 106 Thresholds – Written Ministerial Statement

## DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**DARTMOOR COMMUNITIES FUND**Report of the Communities Officer

**Recommendation: That Members agree the contents of this report and welcome the commitment of West Devon Borough, South Hams District and Teignbridge District Councils to supporting Dartmoor Communities in 2015/16.**

**1 Introduction**

1.1 The “New Homes Bonus” (NHB) is a Government scheme encouraging local authorities to grant planning permission for the building of new houses in return for additional revenue. Although the grant is paid directly to district councils as local housing authorities, the Government confirmed that it expects locally acceptable solutions to be negotiated with National Park Authorities, recognising our role as local planning authorities. The grant is not ‘ring fenced’ and can be used as the local authority determines.

**2 Dartmoor Communities Fund 2014/15**

2.1 West Devon Borough and South Hams District Councils agreed to transfer £18,688 and £17,277 respectively to the Authority to support the 2014/15 Dartmoor Communities Fund grant scheme. However, at this time, Teignbridge District Council (TDC) declined to make a similar provision. While the Fund was run as a single grant scheme, the contributions from each Council were ring fenced accordingly, with no provision being made for Teignbridge communities.

2.2 The scheme was designed to be simple, flexible and responsive, providing clear guidance supporting a one-step application process. No minimum or maximum was set beyond the constraints of the funding available and priority was given to projects that supported ‘Your Dartmoor’ Management Plan objectives. The grant eligibility criteria maximised community benefit and return, offering an accessible source of support to help communities maintain and enhance community facilities and infrastructure on Dartmoor.

2.3 The fund opened to applications in September 2014 and proved popular with a good range of applications being received. Total grant requests (£63,280) exceeded the funding available but by working with the applicants, it was possible to support all but one of the proposals received in each district/borough area.

Funding of nearly £40,000 was allocated to support the long term viability of valued existing community facilities and services, or to create new community infrastructure to meet identified community needs. In total projects of a value in excess of £200,000 are being supported, including Holne Village Shop and Community Tearoom, improvements to Palstone Park at South Brent and works to

extend the use and income raising potential for village halls in Bittaford, Postbridge, Drewsteignton and Throwleigh. A full list of supported projects is attached at Appendix 1.

- 2.4 In total 10 projects were offered grants in December 2014 and although 2 are still to draw down funding, they are expected to claim shortly. In any event, grants must be claimed within two years of award and the Authority has reserved the right to withdraw a grant offer where no project delivery or progress can be evidenced. Any residual underspend will be brought forward to the 2015/16 fund.

### **3 Dartmoor Communities Fund 2015/16**

- 3.1 The commitment of Teignbridge District Council to support the Dartmoor Communities Fund programme in 2015/16 is very much welcomed. This enables the Fund to be extended to cover all of Dartmoor excluding the small part that lies within Mid Devon. Allocations for 2015/16 have been confirmed as:

- Teignbridge £25,000
- West Devon £17,610
- South Hams £5,779

- 3.2 Building on the success of the 2014/15 Fund, it is proposed to manage and award the 2015/16 Dartmoor Communities Fund using the same criteria, processes and timetable. Applications will be competitively assessed against the scheme criteria and will need to show good value for money as well as deliverability within the prescribed timescale (Appendix 2). A first round application deadline of the end of October 2015 is proposed, with any further rounds being subject to funding availability.

- 3.3 Applications will be assessed by the Communities Officer, with reference to the appropriate DNPA Parish Link Members, local WDBC & SHDC Ward Councillors, the Chair of the TDC Rural Aid Committee and the local Parish Council, with the final decision being delegated to the National Park Officer in accordance with the existing Scheme of Delegation.

### **4 Conclusions**

- 4.1 The Dartmoor Communities Fund is invaluable in supporting Dartmoor communities to achieve their aspirations and help in the delivery of key 'Your Dartmoor' objectives. With the loss of the 'Your Dartmoor' Fund it is now the only Authority grant scheme offering targeted support and funding to Dartmoor communities.

### **5 Financial Implications**

- 5.1 The Communities Fund is supported through the West Devon Borough Council, South Hams District Council and Teignbridge New Homes Bonus ring fenced allocation. Accordingly there will be no additional direct budgetary implications for this financial year. Management of the Grant Scheme for the Communities Fund is included in the Communities Officer's 2015/16 Work Programme.

## **6 Sustainability and equality impact assessment**

- 6.1 The Communities Fund will form a key mechanism for the Authority to engage with communities at a local level helping them to meet community needs and aspirations, supporting wider National Park Management Plan objectives. Sustainability and equality are intrinsic in the assessment of grant applications.

**JOANNA RUMBLE**

**Attachments: Appendix 1 – 2014/15 Dartmoor Communities Fund Report  
Appendix 2 – Dartmoor Communities Fund assessment criteria**

## **Appendix 1: Dartmoor Communities Fund 2014/15**

The Dartmoor Communities Fund opened to applications during September 2014 and proved popular with a good range of applications being received. Total grant requests (£63,280) exceeded the funding available but by working with the applicants, it has been possible to support all but one of the proposals received in each district/borough area.

Funding of nearly **£40,000** has been made available to support a wide range of capital projects that ensure the long term viability of valued existing community facilities and services, or create new community infrastructure to meet identified community needs. In total projects of a value in excess of **£200,000** are being supported.

### **The projects awarded grant funding in 2014/15:**

#### **West Devon**

**Drewsteignton Village Hall Committee** awarded £4,152 grant aid to repair two of the grade 2 listed hall's three external doors which urgently need repair, returning the hall to a satisfactory condition, improving appearance, energy efficiency and security, enabling its continued use for community events and private hire.

**Lydford Playground Project** awarded £5,200 grant aid to support a traditional playground for younger children and a Multi-Use Games Area for older. By reducing the need for travel out of village to reach facilities and providing a resource for the primary school it will build community cohesion.

**Postbridge Village Hall Committee** awarded £ 6,500 grant aid to support the provision of an independent and secure water supply (borehole) for the hall and to expand the car park with improved entrance for year round use.

**South Tawton Parish Council** awarded £400 grant aid to renovate the interpretation Board at Ramsley Common, South Zeal which explains the history of Ramsley Copper Mine and the village of South Zeal for the benefit the local community and tourists alike.

**Throwleigh Village Hall** awarded £1,060.80 grant aid to undertake alterations to the World War 11 American steel Quonset hut which is now used as village hall to improve draught proofing, meet current fire and safety standards and provide a new exit ramp to meet access requirements and enable use of the hall by all.

**Yelverton Village Park** awarded £1,049 grant aid to extend the existing play equipment to meet the growing demand for additional play equipment from both local and adjacent parishes.

## **South Hams**

**Bittaford Village Hall Committee** has been awarded £4,000 grant aid to support the development of the existing hall roof space to provide a room suitable for meetings with separate access, enabling multi use of the hall.

**Holne Village Shop & Tearoom** has been awarded £1,522 grant aid to support energy efficiency, access and security improvements to the community owned village shop and tearoom.

**South Brent Old School Centre** has been awarded £9,000 to support a range of improvements to increase capacity, flexibility and range of uses, including access improvements and other works to create additional functional space for community use including a community gym.

**South Brent Recreation Association** has been awarded £6,000 grant aid to renew and improve the car park and access surfacing at the Pavillion and recreation ground at Palstone Park, South Brent.



DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**APPOINTMENT OF INDEPENDENT PERSONS**

Report of the Monitoring Officer

Recommendation: **That**

- i) Mr Timothy Stapleton be appointed as the Authority's Independent Person with immediate effect; and**
- ii) Members agree to hold a further recruitment process after three months**

**1 Introduction**

- 1.1 Members will be aware that the Localism Act 2011 set out a new framework for standards matters in local authorities in England & Wales. Section 28(7) of the Localism Act provides that every local authority (which includes a National Park Authority) shall appoint at least one "independent person".
- 1.2 At its Annual Meeting on Friday 6 July 2012, the Authority formally appointed Mr Blackshaw and Mr Woodall as independent persons under the new standards regime for a three year term.
- 1.3 By virtue of the restrictions set out in the *Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) (Amendment) Order 2012/1714*, Mr Blackshaw and Mr Woodall were not eligible for re-appointment.
- 1.4 At a meeting of the Standards sub-committee on 15 May 2015 it was resolved to advertise and seek to appoint two new independent persons.

**2 Eligibility for Appointment**

- 2.1 Section 28(7) of the Localism Act requires the Authority to put in place arrangements for the appointment by the authority of at least one independent person
- 2.2 Section 28(8) provides that for the purposes of subsection (7)—
  - (a) a person is **not** independent if the person is—
    - (i) a member, co-opted member or officer of the authority,
    - (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority, or
    - (iii) a relative, or close friend, of a person within sub-paragraph (i) or (ii);

- (b) a person may not be appointed under the provision required by subsection (7) if at any time during the 5 years ending with the appointment the person was—
  - (i) a member, co-opted member or officer of the authority, or
  - (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority

#### **4 Role content and Job Description**

- 4.1 Members approved a job description for the role of independent person in May 2013 (Appendix 1). This was used as the basis for the advertisement and selection process.

#### **5. Advertisement**

- 5.1 A prominent advertisement was placed in the Western Morning News situations vacant section on Thursday 11 June. The advertisement was also carried on the Western Morning News website for 7 days.
- 5.2 Seven enquiries were received, by email and telephone. Each person was sent an application pack including copies of the Job Description, Terms of Reference for the Standards sub-committee, Member Code of Conduct and Annual Report of the Standards sub-committee 2015.
- 5.3 Despite the range of enquiries, only one completed application form was returned by the closing date of 29 June 2015.

#### **6. The Applicant**

- 6.1 The applicant, Mr Timothy Stapleton, attended Parke by invitation on 7 July 2015 for an informal interview with the Monitoring Officer. Mr Stapleton is a resident of Lifton and a regular walker of western Dartmoor. He describes himself as a Chartered Surveyor by training, with an MSc in Financing of Recreational Land Management and wide experience of environmental issues in the public and private sector. Mr Stapleton was for 16 years a principal lecturer at the University of the West of England, spent 9 years on the SW regional board of the National Trust and served for 9 years on the Board of Exeter College, including three years as Chairman of the Board.
- 6.2 We discussed Mr Stapleton's experience of ethical issues and probity, the reasons the Authority has a code of conduct and a Standards sub-committee and the scope of the role of independent person. Mr Stapleton also discussed some case scenarios and outlined the issues he identified and how they might be addressed.

## **7. Recommendation**

- 7.1 Mr Stapleton is believed to be highly suitable for the role of independent person. It is recommended that he be appointed as the Authority's independent person with immediate effect.
- 7.2 Mr Stapleton has already been invited to attend an introductory session with the Monitoring Officer, with a view to taking up his duties immediately following the September meeting of the Authority, subject to ratification of his appointment by Members.
- 7.3 Officers remain of the view that it would be preferable for the Authority to have the input and availability of two independent persons. Given the low level of response in June, it is recommended to defer a further recruitment process until late Autumn 2015 in the hope of reaching a new range of potential applicants. The Standards sub-committee in early November will also provide an opportunity for Members to review the wording of the advertisement and the content of the application pack.

## **8 Financial Implications**

- 8.1 The advertisement in the Western Morning News cost almost £1,000. Apart from officer time, there were no other costs incurred in the recruitment and appointment process.
- 8.2 Each independent person is entitled to receive an allowance of £188 per annum together with reasonable travelling expenses at £0.45 a mile.

## **9 Equality and Sustainability Impact**

- 9.1 Standards procedures aim to ensure that Members, officers and the public are treated fairly, openly and with respect. The maintenance of high standards of conduct, good governance and transparency are crucial in ensuring equality and achieving respect for diversity. Independent persons have an important role in identifying and preventing any discrimination.

CHRISTOPHER WALLEGE

DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**REVISIONS TO STANDING ORDERS**

*Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015*

Report of the Monitoring Officer

**Recommendation: that Members agree to amend Standing Orders by the deletion of Appendix 4 and substitution of Appendix 4A with its accompanying Protocol, to take effect from the conclusion of the meeting.**

**1 Introduction**

- 1.1 On 25 March 2015 the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, were laid before Parliament. The Regulations came into force on 11 May 2015 and every local authority in England was told to implement the changes arising from the Regulations “*no later than its first ordinary meeting after 11 May*”.
- 1.2 The changes relate to the procedure to be followed in relation to any disciplinary action which is taken or may be taken against the Head of Paid Service (Chief Executive), the Monitoring Officer or the Chief Finance Officer (s.151 Officer). Under the previous statutory regime, the Authority would have been required to appoint a Designated Independent Person (DIP) to investigate any disciplinary action involving any of those relevant officers, and any action would have to be in accordance with that report.
- 1.3 Members are asked to note that the changes proposed in this report will directly affect the employment situation of the Chief Executive (National Park Officer) and the Monitoring Officer, who is the author of this report.

**2 The Draft Regulations**

- 2.1 Early in 2013, DCLG wrote to a limited number of stakeholders seeking their views on draft Regulations that would remove the requirement for a DIP to investigate allegations of misconduct by senior local government officers in England.
- 2.2 The Government's rationale for these changes was that the existing DIP process was bureaucratic and time-consuming, and that it often led to authorities making inflated severance payments to senior officers in order to avoid taking the costly DIP route. It therefore proposed that any decision to dismiss top staff was to be taken by full Authority, and that full Authority would be required to consider any report about the proposed dismissal which a panel drawn from members of the

Authority's Independent Remuneration Panel thought fit to put before the Authority.

- 2.3 Respondents raised concerns about the dilution of the protection of statutory officers, who may be required to make unpopular statutory reports, and about the skill set of the panel members, and the detailed prescription about how the panel might operate. It was suggested that the Independent Persons appointed under s.28(7) of the Localism Act 2011 would be best placed to fulfil the role of the proposed new panel, given that their role related to the consideration of disciplinary matters.

### **3 The New Framework**

- 3.1 The 2015 Regulations provide that a final decision to dismiss any statutory officer (not just the Head of Paid Service) must be taken by the full Authority. Before taking that decision, the Authority must invite at least two Independent Persons to be members of a Panel, and the Authority must take into account any recommendation of that Panel before taking a final decision to dismiss.
- 3.2 The Regulations provide that the Panel is to be a committee of the Authority and so it is subject to all the legal requirements for committees, including the proportionality rules. The Regulations remain unclear whether the Panel should also carry out any disciplinary hearing, or whether a further committee / sub-committee should be convened, or an officer appointed for this function.
- 3.3 To ensure that the new process will not involve high costs, the Regulations limit the remuneration that should be paid to Independent Persons on the panel to the level of the remuneration which they would normally receive as an Independent Person in the conduct regime (£188 per annum for DNPA appointees).

### **4 Revised Standing Order 4A and the Protocol**

- 4.1 The proposed new Standing Order 4A is at Appendix 1 to this report. The drafting of the revised standing order aims to take deliver the government's desire to have a more streamlined process under the new Regulations, while taking into account the statutory protections previously afforded to statutory officers.
- 4.2 The Protocol at Appendix 2 sets out a more comprehensive framework for the process of addressing questions of misconduct and other disciplinary issues in relation to statutory officers. It sets out roles and responsibilities and makes it clear that the Hearing Panel conducts any disciplinary hearing.
- 4.3 Standing Order 4A and the Protocol are drafted so as to apply to all disciplinary or misconduct investigations and hearings in relation to statutory officers. This has been done because it will not always be possible to identify with any certainty at the outset of an investigation whether a decision to dismiss is a potential or likely outcome of that investigation. While this risks more minor matters being drawn within the ambit of the Protocol, it is believed to offer a reasonable and proportionate process for statutory officers facing disciplinary proceedings.

## **5 Recommendation**

- 5.1 That Members agree to amend Standing Orders by the deletion of Appendix 4 and substitution of Appendix 4A with its accompanying Protocol, to take effect from the conclusion of the meeting.

## **6 Financial Implications**

- 6.1 It is not anticipated that the amendments will have any financial implications.

## **7 Equality and Sustainability Impact**

- 7.1 It is not anticipated that the amendments will have any equality or sustainability impacts.

CHRISTOPHER WALLEGE

**Attachments -**

**Appendix 1: Appendix 4A**

**Appendix 2: Protocol for Investigations and Hearings in Respect of the Head of Paid Service, Chief Finance Officer or Monitoring Officer**

## Appendix 4A

*Local Authorities (Standing Orders) (England) Regulations 2001 & 2003 as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015*

### **1. Appointment of Head of Paid Service**

*The Environment Act 1995 Schedule 7 para 14 & The Local Authorities (Standing Orders) Regulations 2015*

- 1.1 Where the Authority proposes to appoint a Head of Paid Service to serve as Chief Executive (National Park Officer), it shall constitute an Appointments Committee for that purpose and appoint not less than three and not more than seven Members of the Authority to serve on that committee.
- 1.2 The Appointments Committee shall:
  - (a) elect a Chairman and Deputy Chairman from amongst its membership
  - (b) draw up a job description and person specification setting out—
    - (i) the duties of the Chief Executive (National Park Officer), and
    - (ii) any qualifications, experience or qualities thought essential or desirable in the person to be appointed
  - (c) consult Natural England, as required by Schedule 7 para 14 Environment Act 1995
  - (d) consult such other organisations and persons as it deems necessary or appropriate
  - (e) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of suitable candidates; and
  - (f) agree the content of any application information pack and make arrangements for a copy to be sent to any person on request.
  - (g) make arrangements for the confidential receipt of applications.
- 1.3 Upon receipt of applications, the Appointments Committee shall
  - (a) select a short list for interview from amongst such applicants; and
  - (b) interview those included on the short list who agree to attend for interview; and
  - (c) determine whether the post should be offered to any candidate, with or without conditions; or
  - (d) where no suitable person has applied or is able to be appointed, make arrangements for re-advertisement
- 1.4 In fulfilling its functions under this Schedule the Appointments Committee may call upon support and assistance from such officers of the Authority and such external recruitment consultants, human resource advisors and other persons as the Authority shall authorise, and shall

incur only such costs or expenses as may be expressly authorised by the Authority.

## **2. Appointment of other Relevant Officer**

*The Environment Act 1995 Schedule 7 para 14 & The Local Authorities (Standing Orders) Regulations 2015*

- 2.1 Where the Authority proposes to appoint a Chief Finance Officer or Monitoring Officer, it shall constitute an Appointments Committee for that purpose and appoint not less than three and not more than seven Members of the Authority to serve on that committee.
- 2.2 The Appointments Committee shall:
  - (a) elect a Chairman and Deputy Chairman from amongst its membership
  - (b) draw up a job description and person specification setting out—
    - (i) the duties of the relevant Officer, and
    - (ii) any qualifications, experience or qualities thought essential or desirable in the person to be appointed
  - (c) consult such other organisations and persons as it deems necessary or appropriate
  - (d) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of suitable candidates; and
  - (e) agree the content of any application information pack and make arrangements for a copy to be sent to any person on request.
  - (f) make arrangements for the confidential receipt of applications.
- 2.3 Upon receipt of applications, the Appointments Committee shall
  - (a) select a short list for interview from amongst such applicants; and
  - (b) interview those included on the short list who agree to attend for interview; and
  - (c) determine whether the post should be offered to any candidate, with or without conditions; or
  - (d) where no suitable person has applied or is able to be appointed, make arrangements for re-advertisement
- 2.4 In fulfilling its functions under this Schedule the Appointments Committee may call upon support and assistance from the Chief Executive (National Park Officer) and such officers of the Authority and such external recruitment consultants, human resource advisors and other persons as the Authority shall authorise, and shall incur only such costs or expenses as may be expressly authorised by the Authority.



### **3 Investigation of Misconduct**

- 3.1 Where it appears to the Authority that it is necessary to investigate whether there has been misconduct by the Chief Finance Officer, Head of Paid Service or Monitoring Officer (“Relevant Officer”) the procedure set out in Appendix 1 shall apply.
- 3.2 Except as provided in paragraph 3.3 below, no disciplinary action (within the meaning of Part II of the 1993 Regulations) shall be taken in respect of a Relevant Officer except in accordance with paragraph below.
- 3.3 The Authority may suspend the Relevant Officer for the purpose of investigating alleged misconduct. Any such suspension shall be:
  - (a) by resolution of the Authority, or in an urgent case by the Chairman or in his/her absence the Deputy Chairman acting on behalf of the Authority; and
  - (b) with full pay and benefits; and
  - (c) limited to the shortest period necessary to avoid prejudice to any investigation or to the interests of the Authority; and
  - (d) shall not exceed a period of two calendar months, beginning on the day on which the suspension takes effect, unless extended by express resolution of the Authority.

### **4 Disciplinary Action**

- 4.1 No final decision shall be taken to dismiss or take disciplinary action against a Relevant Officer, except in accordance with the *Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015* as set out in this paragraph.
- 4.2 If the Authority is considering dismissing or taking disciplinary action against a Relevant Officer, it shall constitute a committee for that purpose (“*the Hearing Panel*”) under section 102(4) of the Local Government Act 1972 and appoint not less than three and not more than seven Members of the Authority to serve on the Hearing Panel.
- 4.3 The Authority shall invite relevant independent persons to be considered for appointment to the Hearing Panel, with a view to appointing at least two such persons to the Hearing Panel. The Authority is not required to appoint more than two relevant independent persons, but may resolve to do so.
- 4.4 In paragraph 4.3 above “relevant independent person” means any Independent Person who has been appointed by the Authority or, where there are fewer than two such persons, such independent persons as have been appointed by another local authority or authorities as the Authority considers appropriate.

- 4.5 The Authority shall appoint to the Hearing Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 4.3 in accordance with the following priority order—
- (a) a relevant independent person who has been appointed by the Authority and who is a local government elector, where “local government elector” means a person registered as a local government elector in the register of electors in the Authority’s area in accordance with the Representation of the People Acts
  - (b) any other relevant independent person who has been appointed by the Authority;
  - (c) a relevant independent person who has been appointed by another local authority or authorities.
- 4.6 The Hearing Panel shall receive a report from the Independent Investigator together with any information or representations provided on or behalf of the Relevant Officer in accordance with the procedure specified in Appendix 1.
- 4.7 The Hearing Panel shall reach a view as to whether misconduct has occurred and the nature, extent and seriousness of any such misconduct by the Relevant Officer.
- 4.8 The Hearing Panel shall recommend to the Authority whether any disciplinary sanction should be imposed and the appropriate level of sanction.
- 4.9 The views of the Hearing Panel shall be debated at a meeting of the Authority in closed (Part II) session. Before taking of a vote on whether or not to approve any sanction or dismissal, the Authority shall take into account:
- (a) any advice, views or recommendations of the Hearing Panel;
  - (b) the conclusions of the Independent Investigator; and
  - (c) any representations from or on behalf of the Relevant Officer

## **5. Expenses**

Any remuneration, allowances or fees paid by the Authority to an Independent Person appointed to the Hearing Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person’s role as independent person under the 2011 Act.

# Dartmoor National Park Authority



## **Protocol for Investigations & Hearings in respect of the Head of Paid Service, Chief Finance Officer or Monitoring Officer**

Local Authorities (Standing Orders) (England) Regulations 2001 & 2003  
Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

### **Introduction and Summary**

- i. This protocol is concerned with the actions following a resolution by the Authority that concerns about misconduct should be subject to investigation.
- ii. The function of the Independent Investigator is to ensure, as far as possible, that all the information which is relevant is identified and presented to the Hearing Panel, with a reasoned analysis whether the evidence supports or does not support a finding of misconduct.
- iii. The duty of members of a Hearing Panel is to act in an inquisitorial manner, seeking the truth in relation to the alleged misconduct on the balance of the information available. This includes a power for the Panel to commission further investigation or information if it needs to do so in order to come to a decision.
- iv. The Hearing Panel shall usually sit in public session and receive evidence and representations in public. However, this shall not prevent the Panel determining to receive evidence, hear representations or conduct proceedings in closed session under Part II of Schedule 12A to the Local Government Act 1972 (as amended) when it deems it necessary or expedient to do so.
- v. Any person who made a complaint of misconduct shall have the right to attend and observe proceedings to the same extent as any member of the general public, but shall not have the right to speak, give evidence (unless called as a witness) or make representations at the Hearing.

## **1. Investigation**

- 1.1 Where it appears to the Authority that it is necessary to investigate whether there has been misconduct by the Head of Paid Service, Chief Finance Officer or Monitoring Officer (“Relevant Officer“) the Authority shall commission an investigation by an appropriate person (“the Independent Investigator“) such as a senior officer of another local authority, a Solicitor, Barrister, Chartered Accountant or Human Resources professional in private practice
- 1.2 At the meeting at which any such investigation is commissioned, the Authority shall:
  - (a) Give directions for the appointment of an Independent Investigator
  - (b) Constitute a committee under section 102(4) of the Local Government Act 1972 for the purpose of determining whether misconduct has occurred and further whether disciplinary action or dismissal is necessary (“the Hearing Panel“)
  - (c) Appoint not less than three and not more than seven Members of the Authority to serve on the Hearing Panel.
  - (d) Consider and determine whether it is necessary to suspend (or continue the suspension of) the Relevant Officer pending the outcome of the investigation
  - (e) Give directions to notify the Relevant Officer(s) concerned
  - (f) Give directions to notify the Authority’s Independent Person(s)

## **2. Appointment of Independent Investigator**

- 2.1 The Independent Investigator shall be instructed to conduct a thorough investigation and to prepare a written report for the Hearing Panel as quickly as reasonably possible.
- 2.2 The Independent Investigator may be a senior officer of the Authority, a senior officer of another local authority, or an external Independent Investigator. The Independent Investigator may ask the Authority to appoint persons to assist him/her in the conduct of his/her functions and may seek permission to obtain such professional advice as may be reasonably necessary for the conduct of the investigation.

## **3. Notification to the Member**

- 3.1 Upon appointment, the Independent Investigator will inform the Relevant Officer:
  - i. that the matter has been referred for investigation;

- ii. the identity of any person making the allegation of misconduct (unless identification of the complainant might prejudice the investigation or put the complainant at risk);
- iii. the conduct which is the subject of the allegation;
- iv. the procedure which will be followed in respect of the investigation;
- v. the identity and contact details for the Independent Investigator;
- vi. that an initial written response is needed within 14 days as set out in para 4.1 below

#### **4. Initial response of the Relevant Officer**

4.1 The Relevant Officer will be asked to respond to the Independent Investigator in writing within 14 days of notification as follows:

- advising the Independent Investigator whether the Relevant Officer admits or denies the misconduct alleged;
- listing any documents which the Relevant Officer would wish the Independent Investigator to take into account in any investigation of the allegation, where possible providing copies of these documents, and informing the Independent Investigator of where the original documents may be inspected,
- providing the Independent Investigator with the name, address and telephone number (or other appropriate contact details) of an person or organisation whom the Relevant Officer would wish the Independent Investigator to interview in the course of any investigation of the allegation, and
- providing the Independent Investigator with any information which the Relevant Officer would wish the Investigating Officer to seek from any person or organisation.

#### **5. Purpose of the Investigation**

5.1 The purpose of the investigation is to enable the Independent Investigator to prepare and present to the Hearing Panel a report which provides sufficient information to determine whether there is evidence of misconduct by the Relevant Officer, the strength and reliability of the evidence, and the nature and extent of any misconduct.

#### **6. Termination of the Investigation**

6.1 The Independent Investigator may terminate the investigation at any point, where he/she is satisfied that he/she has sufficient information to enable him/her to

report to the Hearing Panel and to enable the Hearing Panel to come to a considered decision.

## **7. Additional Matters**

- 7.1 If in the course of the investigation, the Independent Investigator becomes aware of any other matter which appears to indicate misconduct by the Relevant Officer other than the matters which he/she is currently investigating, the Independent Investigator shall (a) inform the Relevant Officer, (b) invite the Relevant Officer to provide a written statement about the additional / new matter.(c) and report the matter to the Authority.

## **8. The Process of Investigation**

- 8.1 The Independent Investigator will identify an initial list of persons to be interviewed, organisations from whom information is to be sought and documents to be inspected as part of the investigation.
- 8.2 Where the Relevant Officer has provided the Independent Investigator with the information requested in accordance with paragraph 4.1 above, the Independent Investigator shall include in this list each document, person and organisation referred to in that response, unless he/she is of the opinion that the inclusion of that document, person or organisation would unreasonably delay the completion of the investigation.

## **9. Production of documents, information and explanations**

- 9.1 In the course of the investigation, the Independent Investigator may make such enquiries of any person or organisation, and request any person or organisation to provide any document or information which is in his/its possession or control, or provide any explanation, as he/she thinks necessary for the purposes of carrying out the investigation.

## **10. Interviews**

- 10.1 In the course of the investigation the Independent Investigator may request any person to attend and appear before him/her or otherwise provide any information, document or explanation as he/she thinks necessary for the purposes of carrying out the investigation.
- 10.2 Any person who appears before the Independent Investigator may arrange to be accompanied at their own expense by a solicitor or friend.
- 10.3 Where practicable, following an interview the Independent Investigator shall produce a written note of the material points of the interview, provide two copies

of that note to the person interviewed and ask them to return one copy signed as a correct record of the interview, with such corrections or amendments as they may feel necessary for that purpose.

## **11. The Draft Report**

11.1 The Independent Investigator shall prepare a draft report setting out:

- (a) the details of the investigation;
- (b) the relevant provisions of statute and any relevant regulations, Standing Orders, procedures & protocols
- (c) the Relevant Officer's initial response to notification of the matters under investigation (if any);
- (d) the relevant information, advice and explanations obtained in the course of the investigation;
- (e) a list of any documents relevant to the matter;
- (f) a list of those persons interviewed and those organisations from whom information has been sought;
- (g) a note of any person or organisation who has failed to co-operate with the investigation and the manner in which they have failed to co-operate;
- (h) a statement of his/her draft findings of fact;
- (i) his/her conclusion as to whether there is evidence of misconduct by the Relevant Officer
- (j) the strength and reliability of that evidence
- (k) the nature and extent of any misconduct; and
- (l) any recommendations which the Independent Investigator is minded to make
  - (i) for dealing with any misconduct;
  - (ii) for rectifying any deficiency in the Authority's procedures or for preventing or deterring any future misconduct;
  - (iii) to remedy the position of any person who may have suffered detriment or injustice as a result of the misconduct.

11.2 The draft report shall state that the Independent Investigator will present a final report to the Hearings Panel once any comments have been received on the draft report.

- 11.3 The Independent Investigator shall send a copy of his/her draft report to the Relevant Officer, and request that they send any comments thereon to him/her within 14 days.
- 11.4 The Independent Investigator may send a copy of, or relevant extracts from his/her draft report in confidence to any person on whose evidence he/she has relied in compiling the draft report, and request that they send any comments thereon to him/her within 14 days.
- 11.5 In exceptional circumstances, the Independent Investigator, may determine that it is not appropriate by reason of the nature of the allegation or any other matter relevant to the investigation or the persons involved to produce a draft report, and shall instead produce and send to a final report to the Hearings Panel.

## **12. The Final Report**

- 12.1 After the expiry of the period of 14 days referred to above (or such extended period as the Independent Investigator may allow), the Independent Investigator shall review the draft report in the light of any comments received, and produce a final report.
- 12.2 The final report shall state that it represents the Independent Investigator's final findings and may be presented to the Hearing Panel
- 12.3 The Independent Investigator shall send a copy of the final report to the Relevant Officer and to the Authority.

## **13. Hearing Procedure**

- 13.1 A date shall be fixed for the meeting of the Hearing Panel, no sooner than 14 days and no later than 28 days after receipt by the Authority of the final report of the Independent Investigator.
- 13.2 At the start of the hearing, the Chairman of the Hearing Panel shall introduce each of the members of the Hearing Panel, the Independent Investigator (if present) and any other officers present, and shall then explain the procedure which the Panel will follow in the conduct of the hearing.
- 13.3 The Hearings Panel shall then deal with the following preliminary procedural matters in the following order:

- i. Quorum**

The Chairman shall confirm that the Panel is quorate



**ii. Declarations of interest**

The Chairman shall ask members of the Panel if they wish to declare any interest in the business before the Panel

**iii. Hearing procedure**

The Chairman shall confirm that all present know the procedure which the Panel will follow in determining the matter.

**iv. Proceeding in the absence of the Relevant Officer**

If the Relevant Officer is not present at the start of the hearing:

- (i) the Chairman shall ask whether the Relevant Officer has indicated an intention not to attend the hearing;
- (ii) the Panel shall then consider any reasons which the Relevant Officer has provided for not attending the hearing;
- (iii) the Panel shall decide whether it would be appropriate to continue the Hearing in the absence of the Relevant Officer or to adjourn the hearing to another date.

**v. Exclusion of Press and Public**

The Hearing Panel may resolve to exclude the press and public from the Hearing, or any part thereof, where it appears likely that confidential or exempt information will be disclosed.

The Independent Investigator's final report, pre-hearing summary and copies of any relevant documents shall be withheld from the press and public in advance of the meeting and at the meeting, until this question is resolved.

**14. The Hearing**

14.1 The Hearing Panel will then address the issues in the manner set out in the Independent Investigator's report.

14.2 The Chairman will ask the Independent Investigator to present his/her report, having particular regard to why he/she concluded, on the basis of his/her findings of fact that there has been misconduct. The Independent Investigator may ask to call witnesses as necessary to address any points.

14.3 No cross-examination shall be permitted but, at the conclusion of the Independent Investigator's report and/or of the evidence of each witness, the Chairman shall ask the Relevant Officer if there are any matters upon which the Panel should seek further clarification.

14.4 The Chairman shall then invite the Relevant Officer to respond to the Independent Investigator's report and to call any witnesses as necessary to

address any points.

- 14.5 No cross-examination shall be permitted but, at the conclusion of the Relevant Officer's evidence and/or of the evidence of each witness, the Chairman shall ask the Independent Investigator if there are any matters upon which the Sub-Committee should seek clarification.
- 14.6 The Hearing Panel shall be entitled to refuse to hear evidence or further evidence from any person if they are not satisfied that the evidence is necessary in order to be able to determine whether there has been misconduct, or the extent and nature of any misconduct.
- 14.7 If the Hearing Panel is of the opinion that it requires additional evidence on any point in order to be able to come to a considered conclusion, the Panel may (on not more than one occasion) adjourn the hearing and make a request to the Independent Investigator to seek and provide such additional evidence and to undertake further investigation on any point specified by the Panel

## **15. Decision making**

- 15.1 The Hearing Panel shall then retire to another room to consider in private.
- 15.2 No officer or adviser shall retire with the Hearing Panel as a matter of course, but it shall be open to the Panel to request advice at any time or times during its deliberations, including during the formulation of any reasons for its decision(s).
- 15.3 The Hearing Panel shall make its decision on the balance of probability, based on the evidence which it has received at the hearing.
- 15.4 The Panel's function is to make a finding on the complaint. It may, at any time, return to the main hearing room in order to seek additional evidence from the Independent Investigator, the Relevant Officer or a witness, or to seek legal advice or advice. If it requires any further information, it may adjourn and instruct an officer to produce such further evidence.
- 15.5 At the conclusion of the Panel's consideration, the Chairman will state the Panel's principal findings of fact and their finding as to whether the Relevant Officer has committed misconduct as set out in the Independent Investigator's report.

## **16. Decision**

### **(a) If no misconduct is found to have occurred**

If the Hearings Panel determines that no misconduct has occurred, the Chairman will thank all those present and will formally close the hearing.

**(b) If misconduct is found to have occurred**

- i. The Chairman will ask the Independent Investigator if there is any further information which should be taken into account
- ii. The Chairman will ask the Relevant Officer if there is anything further they wish to be taken into account
- iii. The Hearing Panel shall then adjourn to consider in private whether to recommend any disciplinary sanction, including dismissal (with or without notice) and whether to make any general or specific recommendations to the Authority.
- iv. At the completion of their consideration, the Panel shall return to the hearing room and the Chairman shall state the Hearing Panel's view as to whether dismissal (with or without notice) or any disciplinary sanction should be imposed.
- v. The Chairman shall indicate any general or specific recommendations which the Panel wishes to make to the Authority with a view to promoting high standards of conduct.
- vi. The Chairman will thank all those present and will formally close the hearing

**17. Ratification**

- 17.1 A decision of the Hearing Panel that no misconduct has occurred shall be final and binding on the Authority
- 17.2 A decision of the Hearing Panel that misconduct has occurred shall be final and binding on the Authority
- 17.3 A recommendation of the Hearing Panel to impose any disciplinary sanction, including dismissal, (with or without notice) shall be provisional and subject to ratification by the Authority.

## DARTMOOR NATIONAL PARK AUTHORITY

4 September 2015

**DNPA / DCC PARTNERSHIP NATURALLY HEALTHY PROJECT - UPDATE**Report of the Senior Learning & Outreach Officer**Recommendation: That Members note the progress of the Naturally Healthy Project****1 Introduction**

1.1 This report highlights the achievement of the first year of the Naturally Healthy Project. Members discussed and agreed the match funding for this project in June 2014, NPA/14/031 and min. 3062 refer. Members will recall that it is a partnership project with Devon County Council through the Public Health team. A similar project is also being delivered by colleagues at Exmoor National Park Authority.

1.2 This project specifically seeks to:

- develop greater understanding of health benefits, particularly mental wellbeing benefits of accessing outdoor space;
- link GPs in a small pilot area with the National Park Authority through exploring a 'green prescription' programme;
- through action research to understand the barriers all stakeholders face – community and individual barriers to accessing the natural environment; health professional barriers to prescribing; National Park (environment provider) barriers to making the connections to communities and GPs.

**2 Progress to date – summary****2.1 Community engagement and understanding health benefits**

2.1.1 A part-time Naturally Healthy Project Officer was appointed in November 2014. The initial focus of the project has been community and organisational (NHS) research and engagement to understand the issues, scale of problem, barriers and the opportunities. Contact has been established with 14 Community & Voluntary Sector Groups/Organisations and 10 Health/Local Authority organisations.

2.1.2 Initially there was a slow response from Buckfastleigh community groups and therefore the project team decided to engage with 4 national organisations with a remit to support the development of health and well-being to contribute to the evidence base. This led to the development of a variety of activities targeted at groups of people considered at risk of low physical or emotional health. These

included Dartmoor site visits and walks; arts projects to explore emotional wellbeing and ecology activities to stimulate interest and cognitive improvements. Details of these interventions are provided at Appendix A.

2.1.3 Of the 14 local organisations and community groups contacted since November 2014, four specific projects have now been developed. We will use these to provide evidence of efficacy, a model for further development in wider geographic areas and to sustain the project into the future.

2.1.5 All interventions so far have targeted groups with particular needs as evidenced in the South Hams and Devon Public Health Locality Plan 2013/14 which includes the following (extracts below):

- particularly those experiencing disadvantage in some areas and in some groups including families needing targeted support, socially isolated older people, and the homeless population.
- Investing in the health and wellbeing of children and young people.
- Improving mental health and emotional health and wellbeing, and preventing loneliness.

2.1.4 Young people

- **JellyTeenz:** Jellyfish Productions CIC to deliver 6 session film project for 12-16 year olds with a focus on Dartmoor as inspiration. One young person has never been on Dartmoor and another said they rarely go as “it takes too much effort.”
- **Buckfastleigh Bikes:** The Bungalow (Statutory Youth Service), Mend My Bikes and ReFurnish CIC to deliver young men's bike day – mending bikes followed by a ride to woods and BBQ. On-going plan to respond to pre-project research which identified no easy bike access to Dartmoor.

Young Families

- **ABC Children's Centre:** Action For Children, Homestart and Health Visitors. Activities for families with young children – engaging with those not currently involved.

Adults

- **Walk & Talk:** Active Devon project which will be linked with the Naturally Healthy Project, where DNPA's Naturally Healthy Volunteer will lead walks in Dartmoor, to adults not in work i.e. unemployment or retirement.

2.1.6 A variety of consultation activities and resources (process and questionnaires) have been developed to gather participants' experience of and aspirations about visiting Dartmoor National Park in relation to their health and well-being. Alongside this work we have also designed Pre-Activity Baseline Questionnaire and Post-Activity Evaluation forms so that we can start to evaluate the impact of the activities being offered and undertaken. (We have used the Warwick and Edinburgh Wellbeing

Scale, Rosenberg Self Esteem Scale, Profile of Mood States and Connection to Nature Scale or Changes in EQ-5D quality of life scores as defined in the project contract with DCC / Public Health to inform the design of these questionnaires.)

## 2.2 Working with Buckfastleigh Medical Centre: developing a 'green prescription'

2.2.1 Considerable time (6 months) has been invested to develop systems and processes to help medical staff refer to the Naturally Healthy Project, and other naturally healthy activities. This involved meetings with the GP Practice Manager and attendance at Practice Meetings. During discussions at Practice Meetings it was evident that Doctors have concerns about the time required and any budget implications if they get involved in this work.

2.2.2 There was some initial confusion with the *Walking for Health* scheme which was previously accredited by Natural England and had been running for over twelve years. Natural England suspended accreditation in November 2011. *Walking for Health* is now co-ordinated by The Ramblers and MacMillan with support locally from Public Health and there is a new accreditation scheme roll-out. Given the *Walking for Health* experience GPs remain concerned about long term viability and this concern also applies to our own Naturally Healthy Project. Ensuring a sustainable model has always been at the heart of our Naturally Healthy Project work and the conversations with doctors has re-emphasised that message.

2.2.3 The time committed to this aspect of the project is starting to show some **real success on the idea of green prescriptions**. We have trialled joint patient consultation with Active Devon\* in GP Waiting rooms, this involves discussing different activities with people to improve physical or emotional well-being.

(\*Active Devon is the County Sports Partnership (CSP) for Devon, including Plymouth and Torbay, and one of a network of 43 CSPs across England.)

2.2.4 We have also discussed with doctors a process for applying green prescriptions and a draft referral processes has now been written and presented to Medical Partners. We are awaiting final confirmation of the process by the Practice and expect to be able to take the first cohort in autumn 2015.

2.2.5 The project has successfully recruited a volunteer to support development and delivery for 2 days a week. This volunteer may provide local support for succession beyond the funded lifetime of the project.

2.2.6 We have identified the next steps required for developing Green prescriptions:

- Create a Buckfastleigh Naturally Healthy Pilot Project (NH) Group. This group will engage patients referred from the GP and/or other community health organisations and help them find and get involved in appropriate activities.
- The NH Group will be recruited initially through -
  - Referral from the Buckfastleigh Medical Centre,

- Promotion of the group (via visits talks and posters) to Buckfastleigh Monday Group – a support group for local residents with low-level Mental Health; Buckfastleigh Food Bank and other Buckfastleigh Community groups.
- Create final referral processes and supporting materials for both medical staff and patients and deliver training to ALL medical staff on what the project is trying to achieve and the proposed process for referral.
- Gather health and well-being baseline information from people attending events using the Naturally Healthy Baseline questionnaire.
- Deliver monthly activities and evaluate using agreed rigorous processes.

### **3 Next steps: project objectives September 2015 - March 2016**

- 3.1 With direction from Public Health Devon the project will put its primary focus on Buckfastleigh. We aim to create a Naturally Healthy partnership comprising local community groups and Buckfastleigh Medical Centre support.
- 3.2 We will continue to help deliver events and activities to support the GP referral process and to help people manage or prevent future concerns about their well-being. These will include the following:
- Deliver Children's Centre, JellyTeenz Arts & Buckfastleigh Bike projects and support them to develop self-sufficiency;
  - Develop further partnerships with Buckfastleigh communities and organisations, including with Buckfastleigh Food Bank, The Monday Group (support group for people with low level mental health issues), Buckfastleigh Swimming Pool;
  - Link Buckfastleigh carers with other carers' activities (for example at Bovey Tracey) and help them to develop self-sufficiency;
  - Work with Buckfastleigh Town Council ensuring Naturally Healthy project is embedded in the Buckfastleigh Neighbourhood Plan, including the aspiration for the Medical Centre to develop into a Health & Well-being Hub;
  - Continue to contribute to Buckfastleigh Community Events i.e. Lamb Pie Day, Duck day, etc to raise profile of the Dartmoor National Park and Naturally Healthy Project;
  - Provide long-arm support for Hikmat and Westbank Healthy Living Centre carers to develop more activities for their groups.

### **4 Monitoring and Evaluation**

- 4.1 As part of the funding agreement with Devon County Council, there are regular, six monthly, monitoring and steering group meetings. The first of these in early June saw the DNPA Naturally Healthy Project reporting successfully against a suite of key performance indicators. The opportunity to discuss our approach with colleagues from Public Health and the Exmoor Project is valued and will ensure the two projects contribute to the research and evidence base.
- 4.2 An independent evaluation process over the three years is being undertaken by Plymouth University (Medical School and Social Sciences) of this project and the sister health project on Exmoor National Park.

- 4.3 The evaluation will seek to add to the evidence base on health benefits of access to the natural environments, understand barriers to access natural environments in more depth, develop a toolkit to overcome these and disseminate widely through publication and conferences.
- 4.4 A visit from the Defra Minister, Lord de Mauley, to the Devon Local Nature Partnership in November 2014 also saw this project receive considerable interest.

## **5 Conclusion**

- 5.1 The project has started to develop all strands of identified work. The Project Officer is developing a clearer understanding of the health issues and barriers to access and she has started to identify and work with relevant local community groups.
- 5.2 There has been real progress in engaging with targeted groups to support existing activities and help develop new ones which will promote a healthy lifestyle. The idea of a 'green prescription' is being developed with local doctors through the Buckfastleigh Medical Centre and this is raising questions about sustainability of the project. The formation of local partnerships, local groups and development of ambassadors for the work is therefore essential to ensure that there is local ownership of the activities and ethos of the project going forward. We now have procedures in place to start measuring the impact of interventions and an independent evaluation of this project and the work being undertaken on Exmoor has started. It is worth noting the interest in this project by Lord De Mauley on his visit to Devon earlier this year. He was particularly impressed by the integrated approach.

## **6 Sustainability and equality impact assessment**

- 6.1 A Sustainability and Equality Impact Screening has been undertaken – there are no identified environmental impacts. There are positive impacts on both society (equality) and potential positive impacts on the economy (employability).

## **7 Financial implications**

- 7.1 There are no additional budget implications for the Authority. Funding for the two year project is agreed by DCC and DNPA. The total cost of the project is £94,000, with the Authority contributing £25,000 plus £9,000 in kind support (hosting the project).

**Attachments:**    **Appendix 1 – Examples of Wider Community Engagement**  
                          **Appendix 2 – Equality and Sustainability Impact Assessment Screening Record**

**ORLANDO RUTTER**  
**BEKKI REDSHAW**



## Dartmoor National Park Authority – Naturally Healthy Project

### Examples of Wider Community Engagement

Due to the initially limited responses from Buckfastleigh community groups and an understanding of wider health inequalities across Devon there was a project decision to engage with organisations that work with target groups of people considered at risk of low physical or emotional health more widely across Devon in the early phase of the project to help demonstrate efficacy.

#### a) Carers including Young Carers and adults living with Dementia & their Carers

##### **Evidence of need:**

*“There is significant evidence to support the fact that carers of all ages are a vulnerable group at a disproportionate risk of experiencing health inequalities... At present one in five carers give up work to care and the link between poverty and poor health is well established.”*

**Source:** Devon Carers Needs Assessment

Established groups with whom the project engaged included: Westbank Healthy Living Centre, Alzheimer’s UK, and Devon Carers (including Young Carers).

This led to five activity sessions including Dartmoor visits, a Haytor Cuckoo walk and a visit to Higher Uppacott. Each of these sessions was evaluated using mixed methods to generate both quantitative and qualitative data which will contribute to the Action Research elements of this project. Examples of qualitative feedback include the following:

A quote from a participant:

*“It’s good to be doing something different and be out in the fresh air ... Making you feel better away from the stresses at home with other people who share your experiences .. it becomes less stressful ... you don’t feel the only one.”*

A quote from a professional from one of the engaged organisations:

*“All too often at our groups we find ourselves slipping into focusing on the person who is ‘cared-for’ instead of looking at the needs of the carer themselves and I feel your input has helped redress the balance into getting carers thinking about themselves and what they are interested in and would like to do.”*

#### b) Black and Minority Ethnic communities Hikmat CIC

##### **Evidence of need:**

*“People from black and minority ethnic (BME) communities tend to have poorer health, a shorter life expectancy and have more difficulty in accessing health care than the majority*

*of the population. Mental health is an area of particular concern for the minority communities in the UK's multicultural society."*

**Source:** NHS Improving Access to Psychological Therapies: Positive Practice Guide.

Two Naturally Healthy activity sessions engaged 41 adults at Yarner Wood Nature Reserve – with a specific focus on the Chinese Community and a further 12 young people for a 'Haytor Senses Day' – with participants from both Hikmat and Devon Young Carers.

These events were similarly evaluated in order to contribute to the evidence base, examples of qualitative feedback:

Quote from participants:

*"It's been a lovely day. I particularly enjoyed the horses and the birds. I wish it could have gone on for longer, it's very peaceful here"* Chinese community

*"I never just sit and relax ... I haven't felt this peaceful for so long."*  
Hikmat parent

A quote from professionals from each of the engaged organisations provides further detail:

*"Most of the group are from Hong Kong where it's all built up. And now they live in the city, for some this is the first time they have been out in the British Countryside."*  
Chinese Group staff member

**Lesbian, Gay, Bi-sexual and Transgender (LGBT+) communities** Proud2Be CIC

**Evidence of need:**

*"LGB&T people have significantly higher levels of depression, anxiety, self-harm and suicidal ideation and have higher levels of smoking, alcohol and substance abuse. This is likely to be linked to stress from isolation, bullying and harassment."*

**Source:** Devon LGBT Health Needs Assessment

Visits to and community consultation with Proud2Be Project Social Group will lead to a Princetown sponsored walk in autumn with 36 people signed up.

## Dartmoor National Park Authority Equality & Sustainability Impact Assessment Screening Record

Directorate/Service:

Conservation & Communities

Title of strategy, policy, service or project:

DNPA / DCC Partnership Naturally Healthy Project - update

DNPA Report - progress

Is this: ~~existing/new/proposed/revised~~? (delete as appropriate)

### Q1 – What is the aim of the strategy/policy/service/project?

Using funding from DCC we have appointed a p/t post to drive this Action Research Project.

This pilot project aims to demonstrate the health and wellbeing benefits of visiting Dartmoor National Park and experiences in the natural environment to both individuals (from target communities) and to health professionals.

The pilot and Action Research elements are important – to share learning more widely and find a sustainable model to replicate in other Dartmoor communities.

### Q2 – Who is the strategy/policy/service/project going to benefit?

Direct benefit: communities in Buckfastleigh and surrounding parishes

Indirect benefits more widely – contribution to understanding National Park's contribution to wider human health and well-being.

### Q3a – For people with “protected characteristics\*”, does or could the strategy/policy/service/project have a negative impact?

~~Yes/No/Don't know~~ (delete as appropriate)

If the answer is Yes or Don't know a full impact assessment is required

\*Protected Characteristics under the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;

- religion or belief;
- sex;
- sexual orientation

**Q3b – Does or could the area being looked at help promote equality?**

**Yes/No/Don't know** (delete as appropriate)

If the answer is No or Don't know consider doing a full impact assessment  
If yes- please complete Q7 below

**Q4 – Is there a potential impact (positive or negative) on the economy of the area from this strategy/policy/service/project?**

**Yes/No/Don't know** (delete as appropriate)

If the answer is Yes or Don't know consider doing a full impact assessment

**Q5 – Is there a potential environmental impact (positive or negative) from this strategy/policy/service/project?**

**Yes/No/Don't know** (delete as appropriate)

If the answer is Yes or Don't know consider doing a full impact assessment

**Q6 – If the answers above have indicated that a full impact assessment should be undertaken and you do not intend to do so, please explain why**

**Q7 – If the reason for not undertaking a full assessment is that the impact on equality, economy or environment is positive, please record the positive impact below (so we can record positive action)**

**Positive impact – equality:** Buckfastleigh has indices of health, social and economic deprivation – this project will target those individuals who GPs identify as either at risk or who could benefit by this intervention.

**Positive impact - economic:** health is frequently a barrier to employment.

**Screening undertaken by:**

Orlando Rutter

**Approved by (Director/Chief Executive [NPO]):**

**Date:**

DARTMOOR NATIONAL PARK PLANNING AUTHORITY

4 September 2015

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

Report of the Trees and Landscape Officer

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

**TREE PRESERVATION ORDERS**

**Teignbridge**

**Ref: 15/0014**

**Cedar House, Ashburton**

**SX 7475 6956**

Application to remove low lateral branches from two beech trees. The works are minor and will have minimal impact on the health or appearance of the trees. Consent was granted subject to the following conditions:

- 1 Five working days, notice to be given to the Authority prior to the commencement of approved works.
- 2 All works to be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

**West Devon**

**Ref: 15/0016**

**Moorview, Dousland**

**SX 5385 6894**

Application to reduce the length of a low lateral branch on a beech tree. The works will have minimal impact on the health or appearance of the tree. Consent was granted subject to the following conditions:

- 1 Five working days, notice to be given to the Authority prior to the commencement of approved works.
- 2 All works to be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

**Ref: 15/0016**

**Heathermoor, Belstone**

**SX 6228 9377**

Application to crown reduce an ash tree. The tree is growing on high bank in an exposed location. Consent was granted subject to the following conditions:

- 1 Five working days, notice to be given to the Authority prior to the commencement of approved works.
- 2 All works to be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

## **SECTION 211 NOTICES**

### **West Devon**

**Ref: 15/0015**                      **1 New Cottages, Meavy**                      **SX 5420 6715**

Notification to reduce extended branches on an oak tree. The works will have minimal impact on the health or appearance of the tree.

A Tree Preservation Order has not been made.

### **HEDGEROW REMOVAL NOTICES**

**Ref: 27/15/1/50**                      **Beacon Farm, Bridford**                      **SX 8103 8502**

Notification to remove 4.8m of hedgerow to create a new gateway. The works will have minimal impact on the integrity of the hedge or hedgerow system.

A Hedgerow Retention Notice has not been served.

**Ref: 27/15/1/51**                      **Whippetree Farm, Bridford**                      **SX 8103 8502**

Notification to remove 4.8m of hedgerow to create a new gateway. The works will have minimal impact on the integrity of the hedge or hedgerow system.

A Hedgerow Retention Notice has not been served.

STEPHEN BELLI

(For further information please contact Brian Beasley – Trees & Landscape Officer)