

DARTMOOR NATIONAL PARK AUTHORITY

Friday 6 September 2019

Present: A Cooper, G Gribble, P Harper, G Hill, S Morgan, D Moyse,
J Nutley, N Oakley, R Parkinson, M Renders, P Sanders,
P Smerdon, P Vogel, D Webber, P Woods

Apologies: K Ball, S Barker, J McInnes, C Pannell

The Chair welcomed new staff member Emma Percy, Communications and Public Relations Officer, to the meeting.

3468 Minutes of the Authority Meetings held on 26 July 2019

Subject to the amendment detailed below the minutes of the meeting held on 26 July 2019 were agreed and signed as a correct record.

Minute 3463, page 2, paragraph 2 – to be amended to read “... *they would like to endorse the Authority’s ambitious target of 2025* ...”

Minute 3466 – A Member asked how the resolution made regarding the changes to Development Management procedures would be communicated to Parish Clerks. The Chief Executive (National Park Officer), together with the Head of Forward Planning and Economy, advised that all Parish Councils had been invited to attend a workshop, which will take place on 17 September 2019 when everything would be explained. The changes are not scheduled to take place until 1 November 2019; a letter will be sent to all Parish Clerks. It is hoped that Parish Councils will communicate with case officers regarding proposed recommendations and liaise regarding applications.

3469 Declarations of Interest

Mr Harper, Mr Cooper, Mr Renders and Mrs Oakley all declared a personal interest in item 10 – Proposed New Extension to Postbridge Visitor Centre (NPA/19/029) as they are members of the working panel for this project. The Chief Executive (National Park Officer) advised that this did not preclude them from taking part in the discussion or voting on the recommendation(s).

3470 Chair’s Report

The Chair reported that she had attended the Meldon Wildlife Festival and was pleased to note that the event was well attended. There were a great many stalls and she recorded the Authority’s thanks to partner organisations for their endorsement of the event. She added that Mr Ball’s ‘Community Chest’ fund had provided a £500 donation to the festival fund.

The Chief Executive (National Park Officer) and Chair of the Authority hosted a meeting with the Chief Executive and Chairman of the Youth Hostels Organisation on 5 September 2019. Discussions highlighted the potential for further collaboration around their presence on Dartmoor (especially Believer) and some of our ambitions about reaching out to new audiences.

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Dr Parkinson had agreed to represent the Authority on 7 September 2019 at an event organised by the Devon Ramblers, celebrating 70 years of the National Parks and 50 years of the Ramblers in Devon.

National Parks Partnerships Limited (NPPL) – the Deputy Chairman advised that he had been appointed a director of NPPL which is a limited liability partnership set up by all 15 National Parks. He, together with the Head of Communications and Fundraising had attended a recent 'Big Ideas' session which had been organised in order to identify ways in which the company could move forward. The following possibilities were proposed:

- Each National Park to identify a species or habitat which is endangered – a campaign to improve the current situation would be set up and would run for a 3-4 year period;
- Identify ways to work in partnership with the Government's 'big ambition' – to ensure that every child of primary school age has the opportunity to visit a National Park;

With regard to hosting large events within the National Parks, it was made clear that National Park Authorities do not have the staff available to undertake this type of work.

A meeting with the interim Chair of National Park Partnerships was held at Parke on 5 September 2019.

3471 Items Requiring Urgent Attention

Members were reminded that the Planning Panel Tour was scheduled for Friday 20 September 2019 and were encouraged to attend.

Members were also reminded of their Annual Member Workshop, set to take place on Friday 13 September 2019 at Parke.

3472 Public Participation

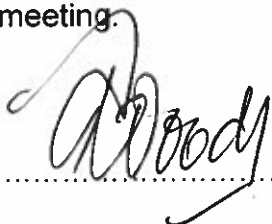
None.

3473 Local Plan – Final Consultation Draft (Regulation 19)

Members received the report of the Head of Forward Planning and Economy (NPA/19/026). They were reminded that a comprehensive presentation of the key aspects of the emerging local plan had been provided to them at the Authority meeting held on 26 July 2019. The report before them on this occasion sought final formal sign off of the Local Plan for Regulation 19 consultation.

Comments received during the consultation period: 16 September to 1 November 2019, should be focussed on whether the Plan is sound. The Sustainability Appraisal, Strategic Environmental Assessment, Habitats Regulations Assessment, Equalities Impact Assessment and Health Impact Assessment are before Members for agreement. The Duty to Co-operate Statement was approved at the last Authority meeting.

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Key changes compared to the current development plan include: the settlement strategy now having a three tier settlement list, an increase in the housing number to 65, new policies on 'local needs' custom and self-build housing, flexibility in rural exception sites and a firm 'lock-down' on the 30% rule on extensions.

Changes since the last consultation focus on sustainable construction (reflecting the climate emergency), revisions relating to flood risk and the water environment, biodiversity net gain and revisions regarding affordable housing and what is meant by that term. There is also a new transport policy.

Proposed next steps are as follows:

- 16 September to 1 November 2019 – Consultation period
- March 2020 – submission of Draft Local Plan to Secretary of State
- Mid-2020 – examination in public
- Early 2021 – Adoption

Members thanked the Head of Forward Planning and Economy for the comprehensive overview and were pleased to see that there had been many opportunities for the public and Members to be included in this work. A Member commented that they were pleased to see that Community Land Trusts can play a valuable part.

Following a comment from a Member regarding the usefulness of Appendix 2 which details the changes made within the Draft Local Plan, the Head of Forward Planning and Economy suggested that the summary document could be used for cross-referencing purposes etc.

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

RESOLVED: Members:

- (i) Agreed to publish the draft Local Plan (Regulation 19) for consultation; and
- (ii) Noted the appraisal reports (Sustainable Appraisal/Strategic Environmental Assessment, Habitats Regulations Assessment, Equality Impact Assessment Screening) (Non-technical Summary – Appendix 1 to the report)

The Chair asked that the minutes record congratulations from Members to the Head of Forward Planning and Economy and his team for their hard work.

Posters and postcards detailing the consultation period and organised drop-in events were distributed to Members.

3474 South Hams SAC Greater Horseshoe Bats Habitats Regulations Assessment Guidance

Members received the report of the Head of Forward Planning and Economy (NPA/19/027). The South Hams Special Area of Conservation (SAC) is thought to be home to the largest population of Greater Horseshoe Bats in the UK. There are six designated roosts, two of these are within the National Park. The SAC cannot function in isolation; the roosts, all Sites of Special Scientific Interest (SSSIs), are dependent upon the foraging areas and commuting routes i.e., the space in between the designated roosts.

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In 2010 Natural England provided guidance which provided 'best practice' information. It has been useful but there were weaknesses within the guidance and an occasional lack of clarity. Local Planning Authorities have been working together for a number of years to draw together joint guidance. Members were reminded that they approved a draft of this document for consultation in March 2018. This guidance will apply to any development taking place within the consultation area.

The guidance document is not a formal Supplementary Planning Document; however, reference to the consultation zone is now to be included in the Local Plan. It will be cross-referenced in to the planning application validation checklist.

Members applauded the Guidance document. In response to a Member query the Head of Forward Planning and Economy advised that the Guidance runs alongside a licensing scheme. It would be the responsibility of individual applicant to ensure that his/her scheme met the requirements of the license.

Mr Sanders proposed the recommendation, which was seconded by Mr Harper.

RESOLVED: Members endorsed the South Hams SAC Greater Horseshoe Bats Guidance.

3475 Defra National Park Grant Funding Agreement

Members received the report of the Chief Executive (National Park Officer) (NPA/19/028).

National Park Authorities (NPAs) were established under the Environment Act 1995 (part III) as independent authorities to administer National Parks. National Park Grant (NPG) from Defra (Department for the Environment, Food and Rural Affairs) equates to 78% of DNPA's income. Earlier this year Defra announced that they were going to review the existing Financial Grant Memorandum in order to bring it up to date and in-line with Cabinet Office guidance and a recommendation from the Audit Office that Defra should up-date NPA grant arrangements and demonstrate stronger mechanisms for review and oversight.

The revised document is very different to the current Memorandum. The new draft Grant Funding Agreement (GFA) is:

- In the form of a legal agreement or contract;
- More detailed and potentially prescriptive. We would need to spend all of the grant as there is potential for clawback;
- Required to be re-signed each time a new Grant Funding Letter is issued.

The biggest concern is Clause 23 which provides Defra with the power to change areas of spending in-year. Defra has advised that this clause would only be used in 'exceptional circumstances'. Officers have raised concerns about this section of the Agreement to Defra officials. There is a risk that Clause 23 could be used to undermine the independence of the Authority.

In response to Member queries, The Chief Executive (National Park Officer) confirmed that if Members considered that Clause 23 could pose a risk to the Authority then it

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would be prudent to include it on the Strategic Risk Register. There is, currently, no list of what 'reasonable requirements' may be. Clause 23 could effectively fetter Member independence.

Members observed that Clause 23 could put pressure on the Authority with regard to delivery of its special purposes and recommended that this should be raised in any letter. In addition, Members questioned whether the Sandford Principle could be overridden due to Defra intervention.

The Chair suggested that a second recommendation be added to this item, mandating the Chair to write to the Minister highlighting the concerns expressed, should an insufficient response be received from Defra officials.

Members agreed that a letter would be the best course of action for the time being; it would show that Members and Officers have taken note of the contents of the Funding Agreement. It is important that the Authority works alongside other NPAs in order to express the same view.

Mr Sanders proposed, Mr Gribble seconded, and Members agreed:

RESOLVED: that:

- (i) The Chief Executive (National Park Officer) continue to raise concerns with Defra officials;
- (ii) The Chair to write to the Minister, should an unacceptable response be received from Defra officials; and
- (iii) To authorise the Chief Executive (National Park Officer), in consultation with the Chair of the Authority, to sign the new National Park Grant Funding Agreement on behalf of the Authority.

Members felt that it was important that MPs be aware of this position; it was AGREED that a briefing note would be put together.

A Member suggested that the Communications team look closely at Clause 16.2 of the Agreement.

3476 Proposed New Extension to Postbridge Visitor Centre

Members received the report of the Head of Communications and Fundraising (NPA/19/029).

In May 2018 Members approved a project for a new visitor centre at Postbridge. The project is split into three parts: MTMTE interpretation, RDPE (Rural Development Programme for England) funding bid; and design and construction of the redeveloped centre. Due to the complexity and high risk nature of the project a number of exit points were written in at critical points in the timeline, including Duchy of Cornwall approval of the design, planning permission, submission of the funding bid to the RDPE and success of the funding bid.

The funding bid has been successful with the RDPE offering 100% funding (approx. £500k). Three tenders were received for the construction of the new centre, the lowest two having been evaluated and NPS confirming that the lowest tender meets

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with the Authority's requirements. NPS has recommended that the tender is accepted. Therefore, if Members were minded to proceed the following timetable would be followed:

- 23 September 2019 – Visitor Centre to close
- 21 October – construction work to commence, due to last for 32 weeks
- June 2020 – fit out
- July 2020 – Centre to re-open

The toilets and part of the car park would remain open for the duration of the construction phase. Contractors would be required to give 24 hours' notice with regard to any large deliveries.

Various communications have been organised to advise of the closure, timescales etc, including notification to the Parish Council and a drop-in event on 17 September, a media release, and a web page which would follow the construction as it develops.

Mr Gribble declared a personal interest in this item, due to his being a director of NPS and advised that he would take no part of the discussion.

Members advised that it would be important to think ahead and keep the public informed of progress. In addition, it was suggested that the walking trails information boards should still be displayed. In response to a Member query the Head of Communications and Fundraising advised that some of the MTMTE interpretation would be placed at the Princetown Visitor Centre during the construction period. A Member commented that the public should be made aware of the Construction Management Plan, in particular with regard to the protection of trees.

With regard to possible risks to the Authority should the project go ahead, the Head of Communications and Fundraising advised that, should the project go over the contracted sum in the tender, the Authority would not be permitted to make up any difference through the use of public funds.

The Chief Executive (National Park Officer) stated that it was right to identify the risks but also important to have the vision.

RESOLVED: Members:

- (i) Noted the progress of the project to date and the funding approval received from the RDPE;
- (ii) Noted the verbal update on the viability of the proposed lowest tender; and
- (iii) Approved the instruction to notify the preferred bidder of the Authority's intention to proceed and, following the standstill period, proceed to the construction phase.

3477 Devon & Somerset Fire and Rescue Service Consultation

Members received the report of the Chief Executive (National Park Officer) (NPA/030).

Members were made aware of two key issues that should be highlighted in any response that the Authority sends with regard to the DSFRS (Devon and Somerset Fire and Rescue Service) consultation 'Safer Together':

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- Wildfires – large areas of Dartmoor is of international importance for wildlife – blanket bog, upland heath, upland oakwoods, designated a Special Area of Conservation. Wildfires pose a considerable risk to these environments and this will only increase with climate change. It is essential that fire crews responding to a wildfire have knowledge of the terrain, experience in this field and are able to respond in a timely manner;
- Heritage at Risk – there are over 2,070 listed buildings within the National Park, 588 of these are thatched and are located mainly on the eastern side of the National Park. The Authority's own property, Higher Uppacott, is an example of a high heritage asset.

Under Section 11A of the National Parks and Access to the Countryside Act 1949 all relevant authorities are under a statutory duty to have regard to National Park purposes. Officers believe that DSFRS is a 'relevant' authority and should therefore have regard for DNPA purposes.

Following a query from a Member regarding data for fires occurring in thatched properties, Mr Nutley advised that he would be able to help with data and would provide it for the Chief Executive's use. Another Member advised that it was important to know where liability rests, for example, it is not possible to obtain public liability insurance for the Commons.

Following a further brief discussion, Mr Sanders proposed the recommendations, which were seconded by Mr Cooper.


RESOLVED: Members authorised the Chief Executive (National Park Officer), in consultation with the Chair of the Authority, to respond to the current Devon and Somerset Fire and Rescue Service (DSFRS) consultation 'Safer Together' highlighting the following points:

- (i) Emphasise the statutory duty on DSFRS as a 'relevant authority' under the terms of Section 11A of the National Parks and Access to the Countryside Act 1949 to have regard to National Park purposes when coming to decisions of carrying out its activities within the National Park; and
- (ii) Highlight the particular risks around wild fires and heritage assets, as outlined in section three of the report.

3478 Tree Preservation Orders and Section 211 Notifications (Works to Trees in Conservation Areas) Determined Under Delegated Powers

Members received the report of the Trees and Landscape Officer (NPA/19/031).

RESOLVED: Members NOTED the content of the report.

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