



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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22 October 2020

EXMOOR NATIONAL PARK AUTHORITY

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held via Microsoft Teams Video Conferencing software on **Tuesday 3 November 2020 at 10.00am.**

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item relevant to the business of the Authority or relating to any item on the Agenda. Anyone wishing to ask questions should notify the Corporate Support Officer as soon as possible, or at the latest by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact Judy Coles on 01398 322250 or email jcoles@exmoor-nationalpark.gov.uk).

Please be aware that this is a public Authority Meeting and will be **audio and video recorded**. We will make the recordings available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson so that those present may be made aware.

(The agenda and papers for this meeting can be downloaded from the National Park Authority's website www.exmoor-nationalpark.gov.uk).

Sarah Bryan
Chief Executive

AGENDA

The first section of the meeting will be chaired by Mr R Milton, the Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson shall preside.

1. Apologies for Absence

2. Declarations of Interest/Lobbying of Members/Unaccompanied Site Visits

Members are asked to declare:-

- (1) any interests they may have in relation to items on the agenda for this meeting;
- (2) any lobbying by anyone concerned with a planning application and any unaccompanied site visits where contact has been made with any person concerned with a planning application.

(NB. When verbally making these declarations, members are also asked to complete the Disclosures at Meetings form – attached for members only).

3. Chairperson's Announcements

4. **Minutes** (1) To approve as a correct record the Minutes of the meeting of the Authority held on 6 October 2020 (Item 4).

- (2) To consider any Matters Arising from those Minutes.

5. **Public Speaking:** The Chairperson will allow members of the public to ask questions, make statements, or present a petition. Questions of a general nature relevant to the business of the Authority can be asked under this agenda item. Any questions specific to an agenda item can be posed when that item is considered subject to the discretion of the person presiding at the meeting.

Agenda items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications. This section of the meeting will be chaired by Mr S Pugsley (Deputy Chairperson (Planning)). If the Deputy Chairperson (Planning) is absent, the Deputy Chairperson of the Authority shall be preside.

6. **Appeal:** To note the decision of the Secretary of State for Housing, Communities and Local Government to allow the Appeal and grant planning permission for the first floor extension over existing living room to provide third bedroom at 2 Perry Cottages, Dulverton, Somerset in accordance with the terms of the application ref. 6/9/20/102, subject to conditions.

7. **Development Management:** To consider the report of the Head of Planning and Sustainable Development on the following:-

Agenda Item	Application No.	Description	Page Nos.
7.1	6/34/19/104	Proposed rural workers dwelling and garage and associated works – Knowle Farm, Knowle Lane, Timberscombe, Minehead, Somerset	1 – 22
7.2	6/9/20/114	Proposed erection of summerhouse and associated decking – 30 Barns Close, Dulverton, TA22 9EA	23 – 30

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|-----|-------------|---|---------|
| 7.3 | GDO 20/06 | Prior approval for the proposed erection of agricultural building (31.99m x 13.72m) – West Dean Farm, Trentishoe, Devon EX31 4PJ | 31 – 40 |
| 7.4 | 6/14/20/105 | Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the proposed repair and renovation of public toilet, together with the installation of car parking machine – Ashcombe Toilet, Simonsbath, Somerset, TA24 7SH | 41 - 58 |
| 7.5 | 6/14/20/106 | Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for advertisement consent for the proposed installation of visitor information board and 4 no. pay and display signs – Ashcombe Toilet, Simonsbath, Somerset, TA24 7SH | 59 - 68 |
- 8. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 8).
- 9. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday 27 November (am)).
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The remaining section of the meeting will be chaired by Mr R Milton, Chairperson of the Authority. If the Chairperson is absent, the Deputy Chairperson of the Authority shall preside.

- 10. Review of Standing Orders:** To consider the report of the Head of Strategy and Performance (Item 10)
- 11. Revised Budget for 2020/21:** To consider the report of the Chief Finance Officer (Item 11)
- 12. Treasury Management Mid-Year Report:** To consider the report of the Chief Finance Officer (Item 12)
- 13. Exmoor Nature Recovery Vision:** To consider the report of the Head of Conservation and Access and the Wildlife Conservation Officer (Item 13)
- 14. Valley of Rocks ENPA Car Park Improvements:** To consider the report of the Head of Conservation and Access (Item 14)
- 15. Personnel Update**
- Starters**
- 01/03/2020 – Jack Hunt – Conservation Assistant (Woodlands) – fixed term contract ending 28/02/2022
 - 28/03/2020 - Lisa Clarke – Information Advisor, National Park Centre – seasonal ending on 01/11/2020
 - 28/03/2020 – Alison Mercer – Information Advisor, National Park Centre – seasonal ending on 01/11/2020
 - 28/03/2020 – Shelley Trace – Information Advisor, National Park Centre – seasonal ending on 01/11/2020
 - 07/09/2020 – Florrie Kirby – Planning & Customer Support Assistant – fixed term contract ending 03/09/2021

- 07/09/2020 – Chris Blazey – Pinkery Centre Assistant – fixed term contract ending 30/11/2021
- 23/11/2020 - Kate Lacey – Conservation Intern – 1 year placement

Leavers

- 10/07/2020 – William Amos – Land & Property Intern – end of placement
- 31/08/2020 – Ione Willcock – Ranger – retirement
- 29/11/2020 – Rosie Wilson – Assistant Ranger - resignation

16. Any Other Business of Urgency

Further information on any of the reports can be obtained by contacting the National Park Authority at the address and telephone numbers at the top of the agenda. Details of the decisions taken at this meeting will be set out in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained from Judy Coles, Corporate Support Officer, at Exmoor House.

ITEM 4

EXMOOR NATIONAL PARK AUTHORITY

MINUTES of the Meeting of the Exmoor National Park Authority held on Tuesday, 6 October 2020 at 10.00am via Microsoft Teams Video Conferencing software.

PRESENT

Mr R Milton (Chairperson)	
Miss A V Davis (Deputy Chairperson)	
Mr S J Pugsley (Deputy Chairperson (Planning))	
Mrs L Blanchard	Mrs C M Lawrence
Mr R Edgell	Mr E Ley
Mr M Ellicott	Mrs F Nicholson
Mr D Elson	Mr P Pilkington
Mr J Holtom	Mr B Revans
Mr J Hunt	Mrs E Stacey
Dr M Kelly	Mr N Thwaites
Mr M Kravis	Dr S Warren

Apologies for absence were received from Mr J Patrinos and Mr V White

186. DECLARATIONS OF INTEREST:

The following declarations were declared in relation to Item 7.2 – Application No. 62/41/20/017 – Proposed external refurbishment of clubhouse – Lynton & Lynmouth Bowls Club, Rock Avenue, Lynton, Devon:

- Miss A V Davis declared a personal interest as her husband was a member of the Bowling Club and they were friends with members of the club's committee.
- All Member declared having been lobbied.

187. CHAIRPERSON'S ANNOUNCEMENTS:

- Due to a series of unfortunate circumstances, there is a casual vacancy for a Parish Council Member of the Authority. Legal advice is being strictly followed in relation to filling the vacancy, which is being carried out by the Somerset Association of Local Councils (SALC) prior to seeking ratification from the Secretary of State.
- Authority meetings are being held via Microsoft Teams and members of the public who wish to observe the meeting live can join via the link on the website, or alternatively view the recording within 72 hours of the meeting concluding. Only those members of the public who have registered in advance will be able to speak at the meeting.
- A virtual meeting of the Exmoor Consultative and Parish Forum will take place on Thursday, 12 November.
- The Authority hosted a socially distanced visit from Mary-Clare Rodwell, the High Sheriff of Somerset on 25 September. Ms Rodwell is keen to support the Authority's work particularly in relation to young people, new audiences and charitable giving.
- Following an extensive fundraising campaign, Woodside Bridge in Lynmouth was officially opened on 23 September.

- A team of officers have been working hard on a series of funding bids, including to the Green Recovery Challenge Fund and the Heart of the South West Local Enterprise Partnership; applications are also being developed for 5 short term posts through the Government's Kickstart scheme; and, in conjunction with 9 English National Parks, we have been successful in securing funding to further develop the National Park Experience Collection to specifically target domestic audiences.

188. MINUTES

- Confirmation:** The **Minutes** of the Authority's meeting held on 8 September 2020 were agreed and signed as a correct record.
- Matters arising:** There were no matters arising.

189. PUBLIC SPEAKING: See Minutes 191 and 192 for details of public speakers.

Items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications. This section of the meeting was chaired by Mr S J Pugsley, Deputy Chairperson (Planning).

APPEALS

190. The Committee noted the **decision** of the Secretary of State for Housing, Communities and Local Government to dismiss the Appeal against the refusal to grant planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted – East Harwood Riding Stables, Harwood Lane, Timberscombe.

DEVELOPMENT MANAGEMENT

191. Application No. 6/40/19/101

Location: Halse Farm, Halse Lane, Winsford, Somerset

Proposal: Proposed installation of 15m telecommunication mono pole mast and associated equipment together with twin wheel access track

The Authority considered the **report** of the Head of Planning and Sustainable Development.

Public Speaking:

- (1) Mr U Zellweger, Local resident
- (2) Mrs R Thomas, The Exmoor Society
- (3) Mr D Williamson-Jones, Agent for the Applicant

The Authority's Consideration

Members resolved to defer determination of the application to give Officers the opportunity to work with the Applicant to expedite the exploration of alternative locations for the proposed development, which would have less landscape impact, in order to bring the matter back to the Committee at the earliest opportunity.

RESOLVED: To defer determination of the application to allow for the exploration of alternative locations for the proposed development, with a view to bringing the application back before the Committee at the earliest opportunity.

Mr N Thwaites did not vote on Agenda Item 7.1 above, as he was not present for the duration of the item.

Before the officer presentation Miss A V Davis and Mr N Thwaites left the meeting.

192. Application No. 62/41/20/017

Location: Lynton & Lynmouth Bowls Club, Rock Avenue, Lynton, Devon

Proposal: Proposed external refurbishment of clubhouse

The Authority considered the [report](#) of the Head of Planning and Sustainable Development.

Public Speaking:

- (1) Mr & Mrs Drayton, Greenkeeper and Club Secretary respectively of Lynton & Lynmouth Bowls Club– written submission read out
- (2) Mr L Cory, local resident – written submission read out
- (3) Mr J Sinclair, Treasurer of Lynton & Lynmouth Bowls Club
- (4) Mr J Stokes, Applicant and President of Lynton & Lynmouth Bowls Club

The Authority's Consideration

The Committee noted that Planning Officers recommended the application be refused as they judged that the materials, mechanical sheen and appearance of the proposed works were not acceptable, as they would detract from the character and appearance of the traditional building and fail to conserve the special qualities of the historic character and appearance of this part of the settlement.

Fundamentally, the majority of the Committee disagreed with the Officers view that the building in question should be considered as 'traditional'. Members cited the pre-amble to Policy CE-S5, which allows for some latitude in the interpretation of what constitutes a traditional building:

*“Traditional buildings are important assets that contribute to the cultural heritage of the National Park and include a range of building types. The term ‘traditional buildings’ refers to **mostly** older buildings of solid wall construction built of natural and often local materials (e.g. stone, cob, brick, lime mortar and render) that on Exmoor **usually** predate the Second World War.*

*This term may also include buildings of historic interest, and where the use of certain materials may be long established, for instance some timber buildings and community buildings clad in corrugated iron sheeting. **It will be for the National Park Authority to determine whether a building is considered to be ‘traditional’ based on its historic and/or vernacular merit and its contribution to the National Park.**”*

Given the non-traditional materials used in the construction of the building, the fact that it was not located in a conservation area, and clarification that it was not designated as a heritage asset, Members were in agreement that the building should not be classed as 'traditional'.

As a consequence, the Committee were of the view that Policies GP1 and HC-S6 were material planning reasons which should prevail in relation to the proposed development, and that granting of planning permission would fulfil the Authority's secondary duty to foster the social and economic wellbeing of local communities.

RESOLVED: To grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly in accordance with the approved drawings numbered: 'LYNTON DOC: 02 Location Plan'; LYNTON DOC: 03 Block Plan'; LYNTON DOC: 04 (B) Floor Plan; LYNTON DOC; 05 (B) Proposed Elevations'; BOWLS DOC: 06 Window / Door Details'.

Reason: In the interests of clarity and to ensure the development is carried out as approved.

3. Prior to their installation detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes and colours have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect and enhance the appearance of the building and the area, and to ensure that the development accords with ENPA Local Plan: Policies GP1: Achieving National Park Purposes and Sustainable Development; CES5: Principles for the Conversion or Structural Alteration of Existing Buildings; and CE-S6: Design and Sustainable Construction Principles.

After the vote, Miss A V Davis returned to the meeting.

193. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE: The Authority noted the [decisions of the Chief Executive determined under delegated powers](#).

194. SITE VISITS: There were no site visits to arrange.

Mrs L Blanchard left the meeting.

The meeting closed for recess at 12.55pm and reconvened at 1.16pm.

The remaining section of the meeting was chaired by Mr R Milton, Chairman of the Authority.

195. RISK MANAGEMENT

The Authority received the [report](#) of the Head of Finance and Operations.

The Authority's Consideration

The Authority Committee wished to specifically thank the Head of Finance and Operations and the HR Advisor, along with all other associated staff, who have ensured that processes were put in place to enable the work of the Authority to continue during the current pandemic.

RESOLVED: The Authority resolved to:-

- (1) Note that the annual review of Risk Management has been carried out.
- (2) Approve the Health, Safety & Welfare Policy set out in Appendix 1 to the report.
- (3) Approve the Risk Register set out in Appendix 2 to the report.
- (4) Note that the Business Continuity/Disaster Recovery Plan has been reviewed.
- (5) Note how successful the Authority has been in dealing with the unexpected risk caused by the Coronavirus pandemic and ensuring that the work of the Authority has continued throughout.

196. CONSULTATIONS ON CHANGES TO THE PLANNING SYSTEM

The Authority received the **report** of the Head of Strategy and Performance and Head of Planning and Sustainable Development.

The Authority's Consideration

The Authority Committee noted the officer presentation and were broadly supportive of the proposed response. As a number of Members had already left the meeting, it was proposed and seconded that an additional resolution be added to request that Members send their specific comments to Officers in writing immediately after the meeting, so that they could be used to inform the Authority's formal response to the Planning White Paper.

RESOLVED: The Authority resolved to:-

- (1) Note that responses to the Changes to the Planning System consultation will be fed in by Officers to the National Parks England response.
- (2) Agree to delegate responsibility to prepare a response to the Planning White Paper to the Chief Executive, in consultation with the Chairperson, Deputy Chairperson and Deputy Chairperson (Planning), taking on board Member comments.
- (3) Encourage Members to send in any specific comments they may have, via the Corporate Support Officer, so that they can be considered when preparing the final response.

Mrs C Lawrence, Mr E Ley, Mr B Revans and Dr S Warren did not vote on Item 10 above, as they left the meeting during the debate.

Mrs F Nicholson left the meeting.

197. REVIEW OF EXMOOR NATIONAL PARK AUTHORITY'S STATEMENT OF COMMUNITY INVOLVEMENT

The Authority received the **report** of the Head of Strategy and Performance.

6 October 2020

The Authority's Consideration

The Authority Committee noted a minor change to paragraph 27 on page 10 of the SCI to allude to the fact that Authority publications – 'ParkLife' and 'Exmoor Visitor' - may not necessarily be produced to the normal timetable given the pandemic situation.

RESOLVED: The Authority resolved to:-

- (1) Adopt the updated Statement of Community Involvement, noting the temporary changes made in the light of the Coronavirus pandemic.
- (2) Delegate to the Chief Executive any amendments following member discussion and factual or typographical corrections and the minor change regarding NPA publications.

198. ANY OTHER BUSINESS OF URGENCY: There was none

The meeting closed at 2.34pm

(Chairperson)



Appeal Decision

Site visit made on 29 September 2020

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/F9498/D/20/3246061

2 Perry Cottages, Dulverton, Somerset TA22 9LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Lunt against the decision of Exmoor National Park Authority.
 - The application Ref 6/9/20/102, dated 3 December 2019, was refused by notice dated 11 June 2020.
 - The development proposed is the first floor extension over existing living room to provide third bedroom.
-

Decision

1. The appeal is allowed and planning permission is granted for the first floor extension over existing living room to provide third bedroom at 2 Perry Cottages, Dulverton, Somerset TA22 9LN, in accordance with the terms of the application Ref: 6/9/20/102, dated 3 December 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building.

Reasons

3. The appeal building is a semi-detached dwelling which is set back from the highway in an elevated position and located within the Exmoor National Park. The evidence before me indicates that both the appeal building, and its paired neighbour, have been altered to provide extensions to the original buildings. By reason of their elevated position above the level of the highway, the appeal building, and its neighbour, are prominent and highly visible from within the surrounding area.
4. The appeal scheme concerns the incorporation of a first floor extension on the principle elevation of the appeal building. The proposed extension would be constructed atop of an existing extension which protrudes from the front elevation of the appeal building. The existing extension to the appeal building, in combination with alterations and extensions to the neighbouring dwelling, has resulted in a pair of semi-detached dwellings which are not balanced in terms of their scale and bulk and which are not symmetrical in appearance.
5. Policy HC-D15 of the Exmoor National Park Local Plan 2011-2031 (the Local Plan) concerns residential extensions, and provides, amongst other things, that

- extensions to dwellings must not be disproportionate to the scale of the original building and must not increase the external floorspace of the original building by more than thirty five percent.
6. Whilst there is dispute between the main parties as to the amount to which the external floorspace at the appeal building would be increased by the proposed extension, it is apparent from the figures and measurements provided by both the Council and the Appellant that the increase in external floorspace would not be significantly above or below the thirty five percent limit as detailed within Policy HC-D15 of the Local Plan.
 7. In this regard, even in the event that the increase in external floorspace was to the degree as specified by the Council, the overall increase would only be very marginally greater than that limit provided under Policy HC-D15 and, in my view, the overall increase in area would be so limited as to not be perceptible to those visiting or living in the surrounding area.
 8. The proposed extension would make use of materials which would match and compliment the appearance of the existing building. Whilst the appeal scheme would increase the overall volume and massing of the building, the proposal would appear as a subservient addition that would not dominate or overpower the character or appearance of the host dwelling. Furthermore, whilst the proposal would not result in a pair of identical semi-detached dwellings, it is apparent that the neighbouring dwelling has previously been significantly extended and altered to such a degree that the pair of semi-detached properties is already unbalanced in terms of their scale and appearance. In this respect, by reason of its design, position and massing I consider that the proposal would not compete with or further unbalance the character or appearance of the pair of semi-detached dwellings.
 9. For the above reasons, the appeal scheme would not conflict with Policy HC-D15 of the Local Plan. The proposal would further comply with Policies CE-S6 and CE-D4 of the Local Plan which requires that extensions compliment the form, character and setting of the original building and that the extension is appropriate in terms of scale and massing and makes use of materials that are sympathetic to the original building.

Conditions

10. The Exmoor National Park Authority has, within the appeal questionnaire, suggested standard conditions relating to the timescale of implementation, matching materials and the requirement to carry out the development in accordance with the approved plans. These conditions are either statutory in nature or reasonable and necessary in the interests of certainty and I will impose all those suggested with the standard wording.
11. I have also considered the further conditions as suggested by the National Park Authority. A condition is suggested in respect of obtaining a European Protected Species Licence. As this is dealt with under separate legislation, this is not necessary. However, as the presence of bats has been confirmed, it is necessary to ensure the reinstatement of access points and that the amount and positioning of external lighting does not disturb or prevent bats using the site. As such, conditions are required in these respects. Furthermore, in the interests of wildlife conservation and biodiversity enhancement, it is reasonable to include conditions regarding the provision of bird, bee and bat boxes.

Conclusions

12. For the reasons given above, the appeal succeeds and planning permission is granted subject to the conditions identified.

A Spencer-Peet

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby approved shall in all respects accord strictly with drawing numbers: 6.9.20.102.1 Location Plan, 6.9.20.102.2 Block Plan, 6.9.20.102.3 Existing East Elevation, 6.9.20.102.4 Proposed East Elevation, 6.9.20.102.5 Existing South and North Elevations, 6.9.20.102.6 Proposed South and North Elevations, 6.9.20.102.7 Existing Ground Floor Plan, 6.9.20.102.8 Proposed Ground Floor Plan, 6.9.20.102.9 Existing First Floor Plan, 6.9.20.102.10 Proposed First Floor Plan, 6.9.20.102.11 Existing Roof Plan and 6.9.20.102.12 Proposed Roof Plan received by the Local Planning Authority on 8 February 2020.
- 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing dwelling.
- 4) Prior to the first use of the development hereby approved a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design.
- 5) Prior to the first use of the development hereby approved, 2 no. Schwegler No. 1FF, or a suitable alternative, shall be installed externally on a tree or building adjacent to the site, at a minimum height of 4 metres, and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority, and Kent and Habitat 001 bat boxes, or a suitable alternative, shall be installed internally in the roof space, as per the recommendation from Section 5 of the Ecological Impact Assessment by Colmer Ecology 2019, and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 6) Prior to the first use of the development hereby approved, loft space for bats, and the reinstatement of access points of bats, as per Section 5 of the Ecological Impact Assessment by Colmer Ecology 2019 shall be installed. Any area of the roof that is accessible to bats must be lined with traditional black bitumen felt (type 1F) to avoid the risk of entanglement of bats.
- 7) No development within 10 metres of the northern elevation of the south-eastern extension, and any vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless an ecologist has checked the building, and any ivy, shrubs and tall ruderal vegetation to be cleared for active birds' nests, before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

- 8) Prior to the first use of the development hereby approved, 1 traditional and 1 open front bird nesting boxes shall be installed externally onto a tree, 1 hedgehog house within the garden beneath a section of mature shrubs, and 1 bee box in the garden on a south facing wall or hedgerow, shall be installed, unless otherwise agreed in writing by the Local Planning Authority, and be retained hereafter.

7.1



Committee Report

Application Number:	6/34/19/104
Registration Date:	17-May-2019
Determination Date:	24-Jun-2019
Applicant	Messrs Lamacraft
Agent:	Mr. B Dinnis, Acorn Rural Property Consultants
Case Officer:	Joe White
Site Address:	Knowle Farm, Knowle Lane, Timberscombe, Minehead, Somerset
Proposal:	Proposed rural workers dwelling and garage and associated works. As per additional information.
Recommendation:	Approve subject to conditions
Reason for bringing before Authority Committee:	Given the intertwined nature of the businesses related to the justification for the proposed dwelling the Head of Planning and Sustainable Development considers the proposal ought more properly be referred to the Authority Committee for decision.

Relevant History

6/34/05/110 Erection of building (approx 836 sq m) for polo livery and sand school for train Approved 01/10/2006
6/34/87/104 Proposed levelling ground for agricultural use on Pt.OS 176 (0015), Hart Cleeve, Approved 05/05/1987
6/34/88/101 Proposed construction of gallery for indoor riding school at Knowle Riding Centr Approved 03/15/1988
6/34/89/106 Proposed erection of dwelling and provision of joint access for adjoining proper Refused 07/04/1989
6/34/89/112 Proposed enlargement of existing pond to provide fishing for guests and the publ Approved 08/01/1989
6/34/90/114 Proposed conversion of redundant farm buildings to dwelling Knowle Farm, Timber Approved
11/06/1991

Site Description & Proposal

The planning application proposes a rural workers dwelling together with detached garage outbuilding.

7.1

The application site lies in open countryside to the north east of Timberscombe and adjacent to Knowle Lane.

The proposal is to erect a dwelling to support the equestrian and farming business on land to the north side of Knowle Lane and opposite the north entrance to the farm buildings and complex of Knowle Manor (a Grade II listed building), which lies to the south side of the Lane. The area of land is a relatively level site that is currently used for storage in connection with the farm.

The land adjacent to site appears to have an extant planning permission for the construction of an equestrian building and sand school (application reference 6/34/05/110). That permission appears to be extant because the development has been commenced through the provision of the concrete pads for the stanchions for the approved building.

The design and access statement submitted with the application explains that the dwelling has been designed to include adequate facilities for the applicant's day to day use, along with areas that will be used ancillary to the business activities. A parking and turning area is proposed together with a double garage.

The papers explain that the design principles that have been applied in composing the dwelling has been to provide a property that reflects the local design details of nearby Hartcleeve Cottages. The pitched gables and roofs provide a link to the surrounding buildings and adjacent structures of Knowle Farm.

The Ball Copes Local Wildlife Site lies to the east of the application site. There is a wooded area of land to the west, which rises up from the site. The land to the north remains relatively flat and opens out into a field. A small water course passes to the east and Knowle Lane forms the southern boundary. There are residential neighbours to the south and south west, although these sit away from the application site.

The proposal is a three-bedroom two storey dwelling. The dwelling is proposed with render elevations, with brick detailing, under a natural slate roof. Windows and doors are proposed to be timber. An open porch is proposed to the entrance door on the principal elevation of the dwelling, which faces north. The dwelling would have a floor area of less than approximately 104 square metres, including an office, shower and utility on the ground floor.

The proposal also includes an ancillary garage/outbuilding for the dwelling.

The papers submitted explain that Knowle Farm comprises a range of traditional buildings and modern buildings and approximately 120 acres of owned land at Knowle Manor. 50 acres of land is taken under licences and this has been the case for more than 15 years. The business also has grazing rights over Dunkery Hill

7.1

The traditional buildings and modern buildings are grouped with Knowle Coach House, a one bedroom flat that adjoins Knowle Coach House, and Knowle Manor. These buildings lie on the opposite of Knowle Lane.

The agent has explained that the applicant's are the freehold owners of the property and that the mother of an applicant has a life interest in Knowle Coach House that enables her to live in the dwelling for the rest of her life. The applicant's occupy the flat that adjoins Knowle Coach House.

The Knowle Manor is a Grade II listed building and is run as a private functions venue with self-catering accommodation. The property and business is owned by the applicants.

The papers submitted with the application explain that the applicant's family have operated a farming and equestrian business from the property for approximately 50 years and that the applicant's have owned Knowle Farm for approximately 11 years, having inherited part and purchased part of the property from the family estate.

The farming and equestrian enterprise trades as a partnership between the applicant's and their son. The details submitted explain that the son is the majority partner (60%) and has overall control and responsibility and works full time in the farming and equestrian business. It is proposed that the son would occupy the proposed dwelling, should planning permission be granted.

The private functions and self-catering accommodation enterprise that operates at Knowle Manor is run by the applicant's and trades as a separate business. One of the applicant's, Mrs Lamacraft, also runs a horse livery business that trades as a separate business from the holding.

Consultee Representations

Environment Agency – June 2019 - We recommend that this application is not determined until such time that the applicant has demonstrated that the risk of pollution to controlled waters is acceptable or can be appropriately managed. The reason for this position and advice is provided below.

Reason – We understand that your Authority has requested a Phase 1 desk study to assess potential risks associated with land contamination. We support the requirement for completion of a desk study as part of the application which should provide sufficient information to demonstrate that the risk of pollution to controlled waters is acceptable or can be appropriately managed. We recommend that this assessment be completed due to the presence of landfilled material on the application site. We note that supporting information from the agent has indicated that the nature of the tipped material was restricted on the permission granted at the time, and further information on the source and potential for contamination of the deposited material will form a valuable part of the assessment.

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We recommend that the planning authority should request that the initial Phase 1 assessment be completed as part of the application process. We ask to be re-consulted on any relevant information subsequently provided by the applicant to assess its adequacy.

Advice to applicant – Environmental Permitting

The discharge of domestic sewage associated with this development may be subject to General Binding Rules or require an Environmental Permit or under the Environmental Permitting (England & Wales) Regulations 2016 from the Environment Agency. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506 for an application form and guidance. You should be aware that the permit may not be granted. A permit will only be granted where the risk to the environment is acceptable.

Sept 2019 - Following review of the phase 1 contamination assessment report produced by Harcombe Environmental Services Ltd (dated 18/07/2019), we have no objection to the proposed development. The reason for this position and advice is provided below.

Reason – The contamination risks to controlled waters have been adequately described within the Phase 1 contamination assessment report (Harcombe Environmental Services, 18/07/2019) and no further assessment is required.

Advice to applicants – Environmental Permitting

As noted in our previous response dated 3rd June 2019, the discharge of domestic sewage associated with this development may be subject to General Binding Rules under the Environmental Permitting (England & Wales) Regulations 2010 which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506.

Timberscombe Parish Council – No comments

Wootton Courtenay Parish Council – No comments

Representations

No comments received

Policy Context

Exmoor National Park Local Plan 2011-2031

GP1 Achieving National Park Purposes and Sustainable Development

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GP3 Spatial Strategy
GP4 The Efficient Use of Land and Buildings
CE-S1 Landscape and Seascape Character
CE-D1 Protecting Exmoor's Landscapes and Seascapes
CE-S2 Protecting Exmoor's Dark Night Sky
CE-S3 Biodiversity and Green Infrastructure
CE-S6 Design & Sustainable Construction Principles
CC-S1 Climate Change Mitigation and Adaption
CC-D1 Flood Risk
CC-D5 Sewerage Capacity & Sewage Disposal
CC-S7 Pollution
HC-S1 Housing
HC-S2 A Balanced Local Housing Stock
HC-D8 New Build Dwellings in the Open Countryside
HC-D9 Rural Workers
AC-S1 Sustainable Transport
AC-D2 Traffic and Road Safety Considerations for Development
AC-S3 Traffic Management and Parking
AC-D3 Parking Provision and Standards
Annex 2 Rural Land Based Worker Dwellings

The Rural Worker and Succession Farm Dwellings Guidance Supplementary Planning Document (Feb 2020) is a material planning consideration.

The National Planning Policy Framework (NPPF) is a material planning consideration.

Planning Considerations

The main planning issues are considered to relate to the principle of development and whether the proposed dwelling would meet a proven need for a rural worker to reside at the site, whether the proposed development would have an acceptable impact on the character and appearance of the landscape, the acceptability of design and scale of the proposed development, highway safety and impact on neighbouring amenity and controlled waters.

PRINCIPLE OF DEVELOPMENT

It is recognised that for the proper functioning of rural enterprises individual dwellings are sometimes required in the open countryside. This is identified within the housing strategy of the Local Plan. Policy HC-D8 of the Local Plan advises that new dwellings in the open countryside will only be permitted where:

- a) The accommodation is designed to meet a proven need for a rural worker in accordance with HC-D9 that cannot be met:
 - i) Within the existing housing stock; or

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- ii) Through the provision of a temporary residential caravan; or
 - iii) The conversion of an existing building.

In addition, the policy requires that the new dwelling is well related to existing buildings and the design and layout should be appropriate.

Policy HC-D9 refers to “Rural Workers” and advises, among other things that new housing to meet the needs of rural worker will be permitted where it is justified by a proven essential functional need for a full time worker and that the business is proven to be financially viable in the long term.

An appraisal of the business and need for the proposed dwelling has been submitted in support of the application.

The details submitted explain that the farming and equestrian business operates on 120 acres of owned land at Knowle Manor and 50 acres of land that the family has occupied under licences for more than 15 years. The business also has grazing rights over Dunkery Hill and, during the course of the application, it has been explained that the applicant has purchased 34 acres of land in Surrey. The intention is to establish a polo yard on the Surrey property and take ponies that are bred and reared at Knowle Farm. The applicants are partners in the farming and equestrian business, together with their son.

The papers submitted explain that the son does most of the day to day management of the farm and equestrian business. The applicants, Mr and Mrs Lamacraft are not generally involved in the day to day operations. The details explain that Mr Lamacraft is not involved with the day to day work on the farm, other than undertaking tractor and light work due to health reasons, and is mainly involved in the functions and self-catering accommodation business. Mrs Lamacraft is also occupied with the tourism business and also the horse livery business that operates from Knowle Farm. It is understood that the son is also involved in these other businesses that operate from Knowle Farm.

The main enterprises, in terms of the farming and equestrian side, include lamb production from a commercial flock of approximately 240 breeding ewes and progeny, together with a small number, currently 6, of suckler cows. The enterprises also include polo pony breeding that involves producing polo ponies from 4 brood mares and rearing, breaking in and training their offspring of various ages at Knowle Farm. At 3 to 4 years of age, the polo ponies are sent to the applicant’s daughter and her partner, who finish them and offer them for sale from a yard based in Midhurst in South England. The applicant’s daughter and her partner are also involved with breaking and training the polo ponies when they are at Knowle Farm.

The farming and equestrian business also takes in approximately 30 polo ponies on a winter livery basis during the off season each year from the end of September to

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middle of April. This service includes exercising the ponies so that they are returned to their polo clubs fit and in condition for the start of the season.

The application papers explain that the, Mrs Lamacraft senior (the applicant's mother), lives in Knowle Coach House. Mr and Mrs Lamacraft (the applicants), live in a flat that adjoins Knowle Coach House and the applicant's son lives between a bedroom in his grandmother's house and the living accommodation in his parents flat.

The agricultural appraisal provided advises that the labour requirement for the farm and equestrian business at Knowle Farm equates to just over 4 full time workers.

The appraisal considers the specific requirements of the business and the need for staff to be present on the holding for most of the day and night for most of the year. In considering this, the appraisal advises that the specific requirements of the business bring an essential need for more than one full time worker to be available on the site throughout the year to ensure the proper operation of the farming and equestrian enterprises at Knowle Farm. The appraisal also adds that the running of the Knowle Manor requires onsite presence whilst guests are on site and that the proposed dwelling would also assist in providing this.

The details submitted consider that the farming and equestrian business is a financially viable and sustainable business and that it is likely to remain so for the foreseeable future.

In terms of potential available alternative accommodation, the papers consider that the functional need for the dwelling cannot be met by another dwelling on the unit. The applicants occupy the flat and the Coach House is occupied by the applicant's mother, who has a life interest in the dwelling and it cannot therefore be made available. In terms of the potential for the housing need to be met in the local available stock of housing, the papers explain that dwellings, including a 2 bedroom dwelling in Timberscombe, which is being marketed, is unaffordable to the business and that the functional need of the business would not be met because the dwelling is not within the immediate vicinity of Knowle Farm – so as not to allow matters to be easily identified or dealt with at short notice.

The appraisal considers that the financial evidence demonstrates that the farm business is financially viable, that it is extensive in nature and the land management activity contributes to the conservation and enhancement of the natural beauty and wildlife of the National Park, in accordance with HC-D9 and Annex 2 of the Local Plan.

The Local Planning Authority has commissioned its own appraisal of the business need for the proposed dwelling. Landsense Professional have carried out an appraisal on behalf of the Local Planning Authority and have provided advice accordingly. Through an initial appraisal, while a labour requirement of 3.88 equivalent full time workers was identified, Landsense Professional considered that

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the essential needs of the business for a full time worker to be available on the holding could be met by the existing accommodation, which is occupied by the applicants.

Landsense Professional also considered that, from the evidence available, the proposal does not fully meet the financial tests in accordance with the Local Plan policy when considering the farming and equestrian business as a stand alone enterprise from those other businesses at Knowle Manor. Landsense Professional was also unconvinced that any need for additional accommodation could not be met through other available accommodation in the locality.

There is clear inconsistency between the conclusions reached of each appraisal in this case. Further discussions have taken place and the applicant's agent has prepared further information to assist with the consideration of the proposal.

The agent considered that the appraisal on behalf of the Authority held inaccuracies and took an opportunity to review and reply to these matters.

The agent has provided an update on the business and advised that, in his opinion, there remains an essential need for more than one full time worker to be available on site throughout the year to ensure the proper operation of the farming and equestrian enterprises, and that this cannot be met through the existing available stock of housing. The agent also considers that the evidence that has been provided demonstrates that the business is financially viable and there is sufficient long-term certainty regarding its future to satisfy the financial test. Furthermore, the agent advises that although he is aware that the focus of the appraisal is on the land-based enterprises, it should not be overlooked that the business and its associated land management activities make an essential contribution to the Knowle Manor business. The agent notes that farmers have for years been encouraged to diversify in a manner that is compatible with their core land management businesses. That diversification is vital to the viability of many businesses, to the rural economy, and to the ongoing operation of farming enterprises that have shaped and continue to maintain the character and special qualities of the landscape.

The existing diversified businesses that are operated by the applicants from the holding do bring complexity to the proposal in terms of how the businesses are intertwined and how that may bring rise to a need for further residential accommodation on the holding. The applicant's mother and her occupation of Knowle Coach House is a further consideration.

In this case, the applicant's agent considers there is a need for more than one full time worker to reside on site to meet an essential functional need – so he considers there is a need for two dwellings to be available on the holding.

Landsense Professional, in considering the farming and equestrian business only, i.e. the land based business, consider that this need could be met through the existing

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accommodation on the holding, notably the accommodation occupied by the applicants and that peak demand that arises throughout the year, for example during lambing, could be met through temporary accommodation that could be provided at the holding under permitted development rights.

Landsense Professional do, however, in considering the particular merits of this proposal, comment and acknowledge that the existing flat is occupied by the applicants who, while partners in the business, are also occupied with the management of other businesses carried out at Knowle Manor, including the tourism business and livery.

Landsense Professional have concluded that, whilst they would typically expect a farming and equestrian business of this scale likely to require only one dwelling on the holding to meet a functional requirement, in this instance, with the specific details of the business and extenuating circumstances there is potential for an argument for a second dwelling to meet the needs of the holding.

The labour requirement for the business is assessed by both appraisal as being greater than 3 full time workers. Both appraisals consider there is an essential need for residential accommodation on the site. There is however difference of opinion as to whether that can be met by the existing housing on the holding.

In having regard to this, it is reasonable to consider that Knowle Coach House is not available to the business because the applicant's mother has a life interest in the property and it is not, therefore, available to the applicants or business and cannot reasonably be made available to meet the need of the business.

The existing residential flat is occupied by the applicants. It is understood that the applicant's day to day involvement of the farming and equestrian business is restricted because of commitments to the existing other businesses that are operated at the holding and within which the family is involved, and also because of poor health.

It is however reasonable to anticipate that the applicants, both residing in the flat and being partners in the equestrian and farming business, are able between them to meet part of the essential need for on-site presence that has been identified, even if they are not able to meet all of the need.

The agent for the application has identified the need for more than one full time worker to be present and in that way considers a further dwelling on the holding is necessary.

It is reasonable, in the particular circumstances of the proposal, to consider that the existing flat provides suitable accommodation to provide the business with the ability to meet some of the need for on-site presence to deal with emergency at short notice and ensure part of the functional need of the business is met.

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The proposed dwelling, on the basis that the accommodation within Knowle Coach House can reasonably be considered unavailable to the holding, would meet the essential need for a second dwelling that has been identified on the holding.

The existing flat does not offer space for subdivision and the Coach House is not available. Other accommodation that has been on the market is considered to be unaffordable and wider accommodation that is on the market in Timberscombe would not meet the identified need for accommodation on the holding.

This is, however, a closely balanced matter. The applicant's agent considers there is an essential need for a further dwelling on the holding, and that need cannot be met through the applicant's existing accommodation. Landsense Professional consider that typically it would be anticipated that the existing flat would meet the need that arises, but Landsense do acknowledge that if some consideration is had to the existing diversified businesses on the site, which the family operate, the need for a second dwelling could be justified on a functional basis.

In accordance with the Rural Worker and Succession Farm Dwellings Guidance the operational needs of a holding will depend on the needs of the individual farm or rural land-based enterprise and not on the personal preferences or circumstances of any of the individuals involved. Typically, other businesses would not be considered to contribute to an essential need arising. In this particular case there are very clearly intertwined businesses that the applicants operate from the holding. The businesses clearly relate to Knowle Manor and the farm and rely on the building fabric and infrastructure at the site. The applicants and their son are involved in the operation of all the businesses to differing extents and the success of the businesses appear to relate and rely on the other to lesser or greater extents.

In this instance, having regard to the particular merits of the proposal, the intertwined nature of businesses that are operated from the holding and managed by the family, as well as having regard to the particular nature of the existing accommodation on the holding and the availability/unavailability of that accommodation, the proposed dwelling is, on balance of considerations, considered necessary to meet an essential need for additional accommodation in accordance with HC-D9 of the Local Plan.

In terms of the financial "test" the agent considers that the evidence provided demonstrates that the business is financially viable and there is sufficient long-term certainty regarding the future of the business. The business also has a track record of success and also has the benefit of diversified businesses that operate from the holding.

Landsense Professional are less convinced over the financial soundness of the farming and equestrian business itself and there is some difference over this matter between the appraisals. Landsense do consider that it is likely that funding may be made available from the intertwined nature of the businesses based on this holding –

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for example, it is noted that the Knowle Manor business is funding the purchase of additional land for the farming business. The farm enterprise itself does show a small profit nonetheless and overall given the specific nature of this business and the activities taking place at the holding and conducted by the applicants, the financial test under HC-D9/annex 2 is judged, on balance, to be satisfied.

Officers, therefore, conclude that the principle of the proposed development and need for a dwelling at the holding is acceptable. Officers are satisfied that the need for the dwelling cannot be met through the existing housing stock or through suitable conversion of an existing building or sub-division of an existing dwelling. The need arising is likely to be permanent and the business is established. Therefore, the provision of a temporary caravan is not necessary. Policy HC-D8 a). is considered to be satisfied.

In accordance with HC-D8 of the Local Plan, where permission is granted for a new dwelling on an agricultural holding that has an existing dwelling(s) under the control of the applicant, which needs to be used in connection with the enterprise, a condition will be attached to ensure that the occupancy of any existing dwelling(s) is also limited to persons able to demonstrate a proven essential need for that accommodation.

In this case, the existing residential flat occupied by the applicants is considered to contribute toward meeting the essential need for residential accommodation on site and it is occupied by partners in the business. In accordance with HC-D8 of the Local Plan, a condition will be attached to ensure that the occupancy of any existing dwelling is also limited to persons able to demonstrate a proven essential need for that accommodation.

LANDSCAPE

Policy GP1 of the Local Plan advises that sustainable development for the National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities, while promoting opportunities for the understanding and enjoyment of these qualities by the public and, in doing so, foster the social and economic wellbeing of local communities.

Policy CE-D1 requires that development is compatible with the conservation and enhancement of Exmoor's landscapes. This policy advises that development should not detract from the natural beauty of the National Park through cumulative and/or sequential landscape and visual effects of development.

The application site is near to the existing complex of farm buildings, although on the opposite side of the road, so would not be read as part of that building group. The site is, however, well related to an existing operational yard area, which lies to the north. The site is set back from the road and partially screened by existing vegetation. The site is relatively flat and the topography and vegetation forming the west and east sides of the application site contribute to a relatively secluded site. While the proposal retains the road boundary hedge, it is likely that the proposed development would be

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noticeable from the road, particularly because of the new access. However, the house would be set back from the road and would be read with the context of the yard area, which is currently used for storing agricultural equipment, silage bails and timber, which provide the back drop to the application site. The dwelling would also sit with the character of more dispersed houses that appear along Knowle Lane.

In the circumstances, the proposed development is considered to be compatible with the conservation of Exmoor's landscape.

DESIGN AND SCALE

Policy CE-S6 advises that development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment. Materials and design should complement the local context through the use of traditional and natural sustainable building materials.

Policy HC-D9 advises that the gross internal area of new rural worker dwellings will be 93sqm or less unless it is demonstrated that a larger dwelling is required in which case, the size of the dwelling will be commensurate with the needs of the holding.

The proposed dwelling would provide a second dwelling to the farm and equestrian business. The applicants occupy a one bedroom flat and, as such, it is considered reasonable to accommodate some "business" space within the proposed dwelling. The gross internal floor area of the dwelling would be approximately 104sqm, which includes an office space together with shower and utility which comprise approximately 11sqm. The main living accommodation within the proposed two-storey dwelling would be approximately 93sqm.

The adopted Rural Worker and Succession Farm Dwelling Guidance does provide guidance in relation to consideration of a dwelling larger than 93sqm.

In this case, the proposed dwelling is, on balance, considered to be necessary to meet the functional needs of the holding, which is, on balance, considered to be financially sound. The space additional to the 93sqm can be considered to reasonably relate to business space, including office accommodation and space for muddy boots, changing and washing. In this context, it is considered that the applicant has demonstrated a need for a larger dwelling, having regard to the size of accommodation already available to the applicant, is commensurate with the needs of the holding.

Turning to design, the appearance and form of dwelling proposed is considered to be appropriate having regard to its context. The use of natural slate and timber framed windows and doors accord with CE-S6, and the building detailing does respond to local building vernacular.

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In the circumstances, the design and scale of the dwelling proposed is considered to be acceptable.

HIGHWAY SATEY

Policy AC-D2 advises that development that causes unacceptable levels of traffic in terms of environment or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted.

The proposal is considered unlikely to have a severe impact on the local highway network. The proposal would utilise an existing access to a minor public road. The road is relatively straight at the application site and the curve in the road to the east contributes to improving visibility along the road from the application site. The nature of the access is considered likely to cause an acceptable impact on the existing level of highway safety as a result of the single dwelling proposed.

Should planning permission be granted conditions would be required to ensure that surface water from the site will be prevented from running onto the public highway and that any new entrance gates will be set back from the road to allow a vehicle and trailer to enter the site clear of the highway.

On balance, given the nature of the road and the development proposed and the nature of the public road, the proposal would likely have an acceptable impact on highway safety.

NEIGHBOURING AMENITY

Policy CE-S6 advises that development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impact.

There are residential neighbours to the south on the opposite side of the public highway. The neighbours are separated from the application site by the road and its established hedgerows to either side.

Given the nature of the existing land use, the relationship to the local neighbours and distance between the properties, the proposal is judged to have an acceptable impact on neighbour amenity.

CONTROLLED WATERS

The Environment Agency's initial consultation response advised of potential risk of contamination and recommend that this application is not determined until such time that the applicant has demonstrated that the risk of pollution to controlled waters is acceptable or can be appropriately managed.

The risk was considered to arise because of the presence of landfilled material on the application site.

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A phase 1 contamination assessment report produced by Harcombe Environmental Services Ltd was subsequently submitted in support of the application. The assessment report is considered to have adequately addressed the risks of contamination to controlled waters and, on receipt of this information, the Environment Agency confirmed no objection to the proposed development.

The proposed development is not considered to bring harm to controlled waters near the site accordingly.

CLIMATE EMERGENCY

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework requires that "the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and the sourcing of construction materials. The papers submitted explain that the dwelling will allow high levels of insulation to meet the standards of current building regulations and that the dwelling will seek to take advantage of a high efficient heating system. Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that a reason for refusal should be given.

Human Rights

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The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

The principle of development is, on balance, considered to be acceptable. Details have been provided to demonstrate that the need for the dwelling cannot be met within the existing housing stock. The business is established and there are no suitable buildings available for conversion. Given that this is a well established business it is judged that there is not a need for temporary accommodation while the business establishes but that, as there is, on balance, considered to be a proven essential need for additional permanent accommodation at the holding, the dwelling is justified. The business, on balance, having regard to the specific nature and circumstances, is considered to be financially viable.

Recommendation

Planning permission is granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following list of plans:

- i. Location Plan, drawing number 1 – date stamped 16 May 2019;
 - ii. Proposed Block Plan, drawing number 1980.0/301A – date stamped 16 May 2019;
 - iii. Proposed Ground Floor Plan, drawing number 1980.0/302A – date stamped 16 May 2019;
 - iv. Proposed First Floor Plan, drawing number 1980.0/303A – date stamped 16 May 2019;
 - v. Proposed Roof Plan, drawing number 1980.0/304A – date stamped 16 May 2019;
 - vi. Proposed Elevations, drawing number 1980.0/310A – date stamped 16 May 2019;
- and
- vii. Proposed Sections, drawing number 1980.0/320 – date stamped 16 May 2019;
 - vii. Existing Flat, drawing number 2 – date stamped 8 October 2020.

Reason:

For the avoidance of doubt and to ensure the development accords with the approved plans.

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3. The occupation of the dwelling hereby approved shall be limited to a person or persons solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 (1) of the Town and Country Planning Act 1990), or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason:

To acknowledge the justification for the application, with the dwelling required to meet the functional requirements of this farm holding, and to ensure that the dwelling hereby permitted is occupied only by a person or persons employed locally in agriculture or forestry in accordance with the policy of restraint set out in the Development Plan.

4. The Occupation of the existing dwelling known as "Knowle Manor Flat" (the flat), as identified on drawing number 2 and outlined in green, attached with this decision notice, shall be limited to Mr K Lamacraft and/or Mrs R Lamacraft (the applicants) or to a person or persons solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 (1) of the Town and Country Planning Act 1990), or in forestry, or a person or persons solely or mainly working within the tourism accommodation business operated from Knowle Manor, or a widow or widower of such a person, and to any resident dependants.

Reason: To acknowledge the justification for the application, with the existing dwelling required to meet the functional requirements of this holding, but also having regard to the particular circumstances of the applicants and their related involvement with diversified agricultural business activities that take place at the holding, and to accord with Policy HC-D8 of the Exmoor National Park Local Plan.

5. No development shall take place until a landscaping scheme including planting of trees, shrubs, herbaceous plants and areas to be grassed has been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting season after commencement of the development, unless agreed otherwise, in writing, by the Local Planning Authority and shall be maintained for a period of 5 years, such maintenance to include the replacement of any trees or shrubs that die.

Reason:

To confirm details not already clearly provided as part of the application and to aid the suitable integration of the development, in the interests of the character and appearance of the locality.

6. Prior to their installation, a sample of the natural slate for the roof of the approved dwelling and the roof of the approved garage/outbuilding shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the roofs shall be finished in the agreed natural slate and thereafter natural slate shall be retained on the roofs of the house and outbuilding.

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Reason:

To ensure that the character and appearance of this building is sympathetic to this location within the National Park.

7. Prior to its installation, details of the type and colour finish of the render for the external elevations of the dwelling and garage hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the dwelling and garage shall be rendered and painted in accordance with the agreed details.

Reason:

In the interests of the visual appearance of this building in this location within the National Park.

8. Prior to the commencement of the development hereby approved, details including a sample of the surface finish for the access track, driveway and turning area hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall thereafter be carried out in accordance with the agreed details.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

9. Prior to first occupation of the dwelling hereby approved, the access hereby approved over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason:

In the interests of highway safety.

10. Prior to installation of any entrance gate(s), further details of the design and appearance of the gate(s) shall be submitted to and approved by the Local Planning Authority, and any gate(s) shall thereafter be installed in accordance with the agreed details. Any entrance gates erected shall be hung to open inwards and be set back a minimum of 9 metres from the carriageway edge of the adjoining public highway, unless otherwise previously agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.

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11. Prior to the construction/installation of the roof timbers on site for the dwelling hereby approved details for the disposal of surface water so as to prevent its discharge onto the highway, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed detail/means for such provision shall be installed before the first occupation of the dwelling house and thereafter maintained at all times.

Reason:

In the interests of highway safety.

12. The windows, doors and external joinery of the development hereby permitted shall be timber and thereafter timber windows, doors and external joinery shall be retained.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

13. All external frames shall have a minimum 100 mm (4") reveal unless agreed otherwise in writing with the Local Planning Authority.

Reason:

In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby permitted shall be erected without the prior permission, in writing, of the Local Planning Authority.

Reason:

To control the size of the dwelling interests of ensuring the size of the dwelling is such that it remains affordable to the agricultural community and in the interests of visual amenity.

15. Any gas, electricity, water, sewage, telephone and cabling services to the development the subject of this application shall be placed underground.

Reason:

For the avoidance of doubt and in the interests of visual amenity.

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16. The dwelling hereby permitted shall not be occupied until space has been laid out within the site for the parking and turning of vehicles in accordance with the details shown on the approved plans.

Reason: To ensure that there is sufficient off road car parking in the interests of highway safety.

17. No floodlights or other forms of external lighting shall be installed on the site without the prior permission, in writing, of the Local Planning Authority.

Reason:

For the avoidance of doubt and to safeguard the character of the locality.

18. Unless otherwise agreed in writing by the Local Planning Authority, 1 x Build-in WoodStone Bat Box (<https://www.nhbs.com/build-in-woodstone-bat-box>), or similar, shall be installed on the southern and/or western elevation of the new building, at a height of over 3m.

Unless otherwise agreed in writing by the Local Planning Authority, 2 X standard bird nest box shall be installed facing north or east, at a height above 3m.

Unless otherwise agreed in writing by the Local Planning Authority, 1 x integrated bee bricks (<https://www.nhbs.com/bee-brick>) shall be built into the external wall space of the new building. The brick will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes.

Reason:

To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure and the authorities obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Informatives

ENVIRONMENT AGENCY NOTE

Advice to applicants – Environmental Permitting

The discharge of domestic sewage associated with this development may be subject to General Binding Rules under the Environmental Permitting (England & Wales)

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Regulations 2010 which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506.

HIGHWAY AUTHORITY NOTE

Please note that it is likely the applicant will need to enter into a suitable legal agreement with the Highway Authority for the highway works that will be carried out as part of the development – please refer to:

<https://www.somerset.gov.uk/roads-and-transport/highway-area-offices/>

MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park

Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts.

Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application.

To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis. The Department of Communities and Local

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Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

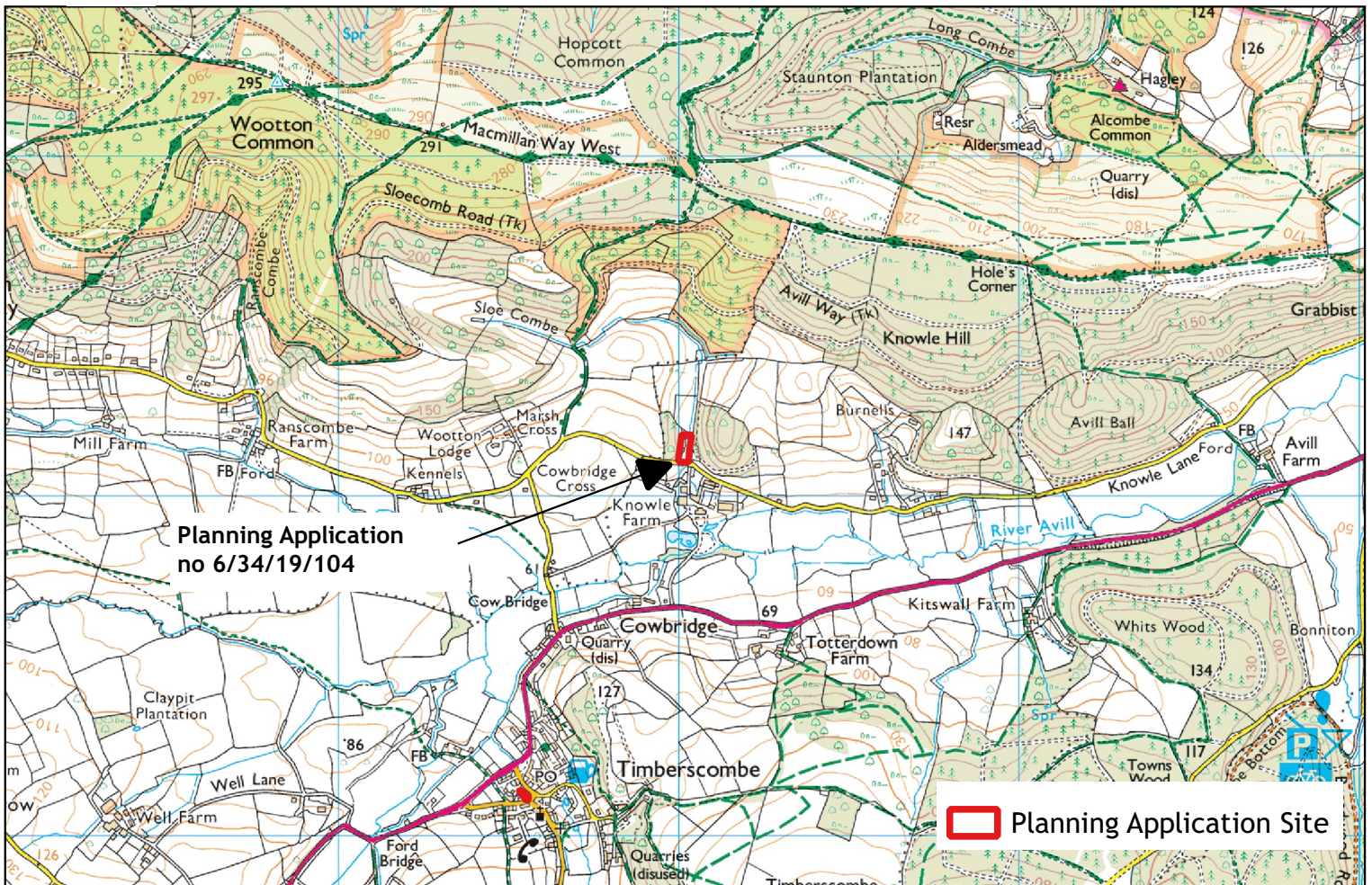
POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.



Site Map
Scale 1:2500

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Overview Map
Scale 1:20000

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Committee Report

Application Number:	6/9/20/114
Registration Date:	15-Sep-2020
Determination Date:	04-Nov-2020
Applicant	Mr & Mrs CJ & SA Carter
Agent:	
Case Officer:	Kieran Reeves
Site Address:	30 Barns Close, Dulverton, TA22 9EA
Proposal:	Proposed erection of summerhouse and associated decking.
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	One of the applicants is employed in the Authority's planning department

Relevant History

6/9/02/121 – Proposed erection of car port to side of garage and erection of detached summerhouse – Approved on 6th August 2002

6/9/85/108 – Proposed erection of a domestic double garage – Approved on 3rd June 1985

Site Description & Proposal

Planning permission is sought for the erection of a detached summerhouse and associated decking in the rear garden of 30 Barns Close. 30 Barns Close is a semi-detached dwelling that is situated in the housing estate on the eastern side of Dulverton. The property also has a detached garage and car port. 29 Barns Close is attached to the dwelling at the application site and 1 Barns Close adjoins the southern boundary of the application site.

The applicants received planning permission for a summerhouse in 2002. Planning permission was implemented by the erection of the aforementioned car port under the same permission. However, the summerhouse was shown on those plans in the wrong place and therefore the applicants have had to submit this application to correct the siting of the summerhouse

The proposed summerhouse would be a single storey detached building with a pitched roof. The exterior walls would be constructed from timber and the roof would be clad in corrugated Onduline sheeting. It would be erected on raised decking and the decking would extend further to the east. Door and windows would only be in the

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southern elevation. At a maximum height of 300mm, the decking would technically not require planning permission in isolation but the application proposes one single building operation as the summerhouse would be constructed on the decking.

Consultee Representations

Dulverton Town Council – No objections

SCC Highway Authority – No observations

Representations

No public representations have been received at the time of writing this report.

Policy Context

Exmoor National Park Local Plan 2011 – 2031

GP1 – General Policy: Achieving National Park Purposes and Sustainable Development

CC-S1 – Climate Change Mitigation and Adaption

CE-S6 – Design and Sustainable Construction Principles

HC-16 – Outbuildings

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

The main material planning considerations in this case are the principle of development, the design, scale and materials and the impact on neighbouring amenity.

Principle of Development

The proposed development is for a domestic outbuilding and associated decking. The building would be erected in the curtilage of an existing residential property, 30 Barns Close, and it would be used ancillary and in association with the dwelling at the property. As such, the proposed development is considered to be compliant in principle with Policy HC-D16 of the Exmoor National Park Local Plan 2011 – 2031, subject to other material planning considerations being satisfied.

Design, Scale and Materials

The proposed outbuilding would have the typical design and appearance of a domestic summerhouse and its scale is considered to be subservient to the scale of the dwelling. Its scale would also be in proportion with the existing outbuildings at the property and the development would not constitute overdevelopment of the site. The associated decking is also considered to be an appropriate design and scale for a

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structure within a residential garden. The proposed external materials of natural timber walls and decking is considered to reinforce the acceptability and compliance of the proposed development.

The roof of the outbuilding would be clad in Onduline roof sheeting. This is a dark coloured wavy corrugated sheeting that seeks to resemble traditional black metal roof sheeting. It is noted that the wavy corrugated form of the Onduline sheeting would match the roof of the car port that was constructed in the early 2000s and it is considered that the roof material responds to the local vernacular of outbuildings. Taking all of these considerations into account, in particular, the small scale of the building, the unremarkable character of the dwelling and that the proposed roof would resemble traditional corrugated roof sheeting seen across the Park, the use of the Onduline sheeting is considered to be acceptable in this instance.

The design, scale and materials of the proposed development are considered to be compliant with the Local Plan.

Impact on Neighbouring Amenity

30 Barns Close is a corner property on a residential street. The principal elevation of the dwelling faces on to one street and the side elevation faces towards another street. This means that the rear garden of the property faces towards the side boundary of a neighbouring property, 1 Barns Close. The area of the garden where the building and decking would be erected faces over the front garden of this neighbouring property. However, a similar view of the neighbouring property can be achieved by sitting or standing in the garden and the proposed development does not increase this level of overlooking. In addition, the front garden of 1 Barns Close is already significantly overlooked by users of the street that passes along the front of the neighbouring property. The proposed building and decking would also not increase overlooking into the neighbouring dwelling as the view from the development towards the windows in the principal elevation of the neighbouring dwelling is at an acute angle to the site of the development. Officers conclude that the proposed development would not lead to undue overlooking of the neighbouring property.

The proposed development would be set back from the boundary with 1 Barns Close and this together with its small scale is considered to prevent harm from overbearing or loss of light.

Overall, the proposed development is not considered to cause material harm to neighbouring amenity as a result of overlooking, overbearing or loss of light.

Other Matters

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency.

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Policy GP1 of the Local Plan sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Policy CC-S5 seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and Policy CE-S6 seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework prescribes that the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and the sourcing of construction materials but it is noted that the proposed building would utilise sustainable cladding material in the form of natural timber. In addition, the scale of the development is relatively small. It is considered that there would be negligible material impact on the climate going forward. Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that the application should be refused.

Human Rights

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

Officers conclude that the design, scale and materials of the summerhouse and associated decking, and the impact of the development on neighbouring amenity, are acceptable and compliant with the adopted development plan.

Officers therefore recommend that planning permission be granted, subject to the attachment of appropriate planning conditions.

Recommendation

Approve subject to the following conditions:

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-
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out strictly in accordance with the approved Location Plan and Block Plan, and approved drawing numbers 05, 06, 07 and 08A, date stamped by the Local Planning Authority on 15th September 2020, unless otherwise required by condition(s) below.

Reason: To ensure a satisfactory standard of development in the interests of amenity.

3. The external walls, windows and doors of the building hereby approved shall only be constructed from natural timber and the roof of the building shall only be clad in black wavy corrugated Onduline roof sheeting. For avoidance of doubt, the roof of the building shall not be clad in felt or metal roof sheeting. The building shall be retained in accordance with the requirements of this condition thereafter and any subsequent works to the building shall also accord with the requirements of this condition.

Reason: In the interests of the satisfactory appearance of the development and the wider street scene.

4. The building hereby approved shall only be used for domestic purposes ancillary to the residential property at 30 Barns Close, Dulverton (edged in red on the approved Location Plan). The building shall not be used for any other purposes.

Reason: In the interests of protecting neighbouring amenity and highway safety.

Informatives

Positive and Proactive Statement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a

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positive outcome.

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

Conditions and Informatives and the Submission of Further Details

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

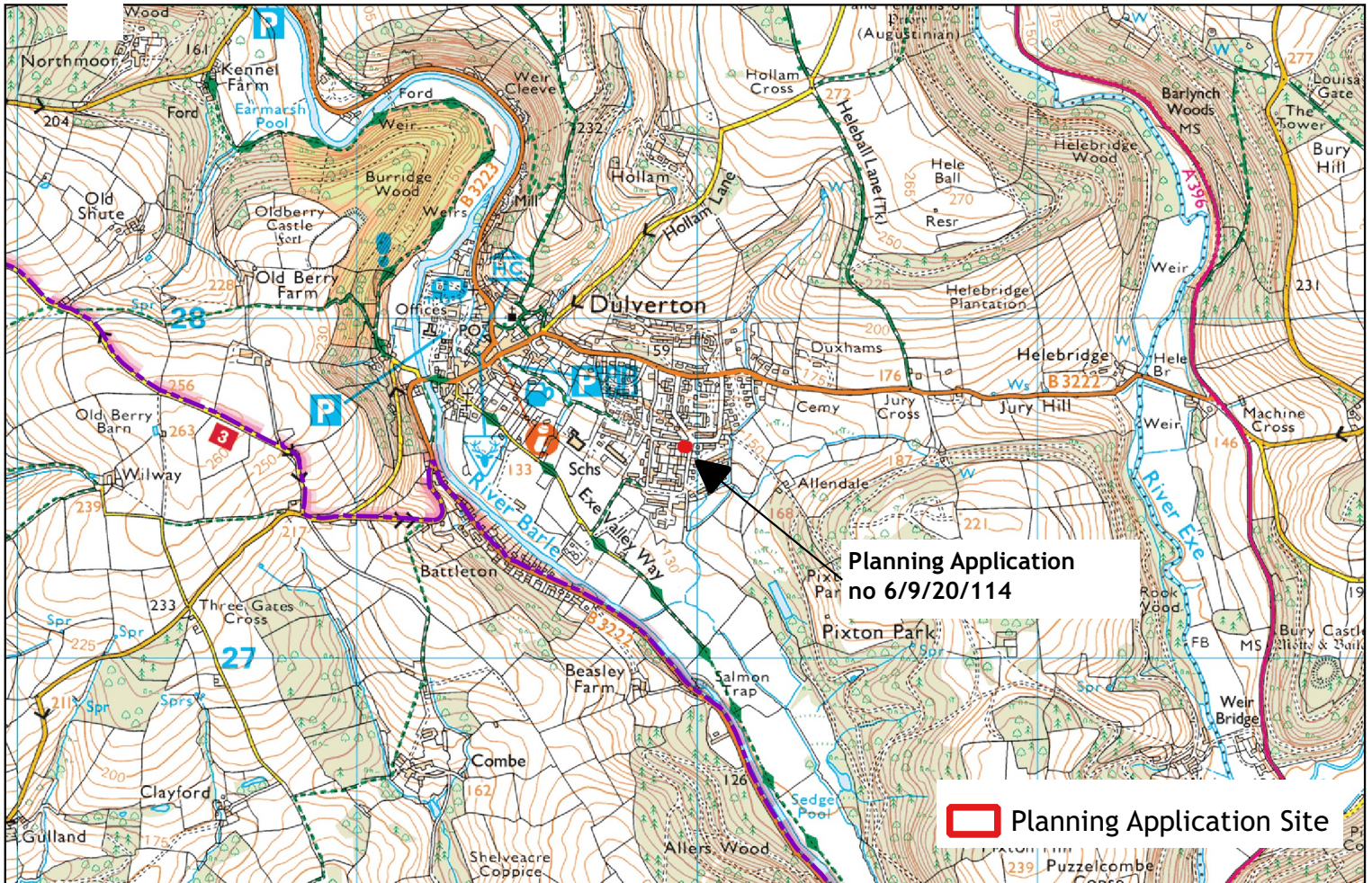
Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.



Site Map

Scale 1:1

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Overview Map

Scale 1:20000

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Committee Report

Application Number:	GDO 20/06
Registration Date:	16-Jul-2020
Determination Date:	10-Sep-2020
Applicant	Karl Tippett
Agent:	Mr. M Kelly, Planning Partnership Ltd
Case Officer:	Ben Gilpin
Site Address:	West Dean Farm, Trentishoe, Devon, EX31 4PJ
Proposal:	Prior approval for the proposed erection of agricultural building (31.99m x 13.72m).
Recommendation:	Prior Approval Approved
Reason for bringing before Authority Committee:	The agent of the application is a member of Exmoor National Park and in accordance with the Standing Orders should be considered by the Planning Committee.

Relevant History

None relevant

Site Description & Proposal

The site at West Dean Farm is circa 4.4km west of Parracombe and is positioned to the western corner of a field that forms part of the wider agricultural holding of 15.4 hectares (38 acres). The site itself is set to the north side of an existing hedgerow (that is topped with beech trees).

The building is to be used for storage of hay, agricultural machinery, and to provide shelter for livestock during inclement weather and at times of lambing / calving.

The corner of this field is approximately 1.5 metres lower than the ridge line that is to the north of the site (and still within the field).

Access to the site is to be via a 'twin-wheeled track', that is to be finished with stone chippings / gravel. To the left-hand side of this track, when travelling south to north, will be the existing hedgerow bank which is topped with beech trees. To the right-hand side of the track it is proposed to include a small 0.3m high that is to be grass seeded. The track would be approximately 220m long. Access between the fields would be through a section of existing grassed bank.

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The site itself is circa 210 metres north of the highway. The nearest neighbour to the site is 275 metres to the south east (Dean House).

The building is detailed as being approximately 32m long by 13.7m wide, and 3.6m to eaves with a maximum height of 5.6m to ridge. The external walls will be finished in timber with natural grey coloured fibre cement roof sheets. The submission details an internal wooden frame (as opposed to the more usual steel frame) with black rainwater goods. The roof will also have 14 translucent rooflights to allow natural light to permeate the inside of the barn. Vehicle access is proposed to the southern end of the building (facing the existing, and to be improved, beech topped hedgerow, with a singular 'pedestrian' door on the northern facing gable of the building).

The fall in the levels of the site are to be used to 'dig in' the building, with the barn set down 1.5 metres in height at the 'ridge point' of the field. To the eastern boundary of the proposed barn, using materials from the excavated section of the site, is to be a hedge bank (1.2 metres high, and 1.8 metres wide at base / 0.9 metres wide at the top), planted with trees of local provenance.

The site is in open countryside. The wider holding has no existing buildings. The site is 5.6km west of the edge of the Dark Skies Buffer Zone, and 6.2km west of the edge of the Dark Skies Core Zone.

The site has no public rights of way (PRoW) crossing the holding, with the nearest PRoW being Combe Martin Bridleway 22 (this is at 184m AOD, and the site is at 275m AOD, so is 91 metres below the site). The site is not visible from public rights of way. The site, and wider holding that forms West Dean Farm, is clearly used for agricultural cultivation and general farming (as evidenced at the time of the site visit).

Consultee Representations

DCC HIGHWAYS: No comments received

NDDC: No observations

KENTISBURY AND TRENTISHOE PARISH COUNCIL: No objection

Kentisbury and Trentishoe Parish Council wish to respond 'no objections'

COMBE MARTIN PARISH COUNCIL: Support

Combe Martin Parish Council supports planning application GDO 20/60 – West Dean Farm.

LANDSCAPE – ENPA:

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I have reviewed this application and would consider the location of an isolated new building in this prominent and elevated location is unlikely to result in a positive contribution to conserving or enhancing the character or visual quality of the National Park landscape in this location. At an elevation of approximately 277m AOD this will appear as skyline development from surrounding locations. It is unclear if the proposed building is to be accessed by any existing track or if a new one is proposed within the red line outlined on the application. Clarification is needed on this as this would appear to require the removal of a section of existing hedgerow potentially.

The size of the holding is relatively modest at 15.40ha and it would be of assistance to understand the maximum quantity of hay being produced by this size holding (presuming every field is producing hay) and why this needs to be accommodated on site in a location that is not closely related to the existing road access and network.

Further consideration should be given to the potential impacts of multiple skylights on the preservation of the quality of the dark skies of the National Park for this proposed location.

Given it is unrelated to any other farmstead or built development and in such a sensitive location, any application needs to fully address the impacts and I would suggest an appropriate landscape assessment (carried out by a suitably qualified specialist) is provided by the applicant to help inform further on this, if it considered that there is likely to be support in principle for it. This could also assist in the suitability of any proposed mitigation to soften any impacts rather than result in an uncharacteristic and unconnected section of new hedgebank.

ECOLOGY - ENPA: No objection subject to condition / advisory

The proposed development is to be located within the centre of a field grazed for pasture, with access provided via an existing field gate entrance. Therefore, there appears to be negligible impacts on site. I welcome the new hedgerow bank and would encourage the new hedgerow to be planted up with native species comprised of a minimum of 5 of the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle. The hedgerow should be coppiced and laid on reaching maturity and cut on a 3-year rotation thereafter. I would also suggest that 1 bat boxes and 1 bird boxes are installed on to the new building. Finally, in the event that any areas of existing hedgerow are to be cut back, or areas of tall ruderal herbs and scrub succession removed to facilitate the proposal, please attach the following informative: The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Representations

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1 x member of the public has commented, suggesting the inclusion of Barn Owl boxes (no formal objection).

Policy Context

The proposed building work is permitted development under Part 6 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In accordance with the requirements of this Order, the developer is required to give the Local Planning Authority 28 days prior notification of their intention to erect the building. The principle of development is accepted by virtue of the Town and Country Planning (General Permitted Development) Order 2015. Only matters of siting, design and external appearance of the building should be considered. The Local Planning Authority can request 'prior approval' of these details if they are not convinced by the scheme and can ultimately refuse permission.

In this instance prior approval was requested due to it being considered necessary to consider the siting, design and external appearance of the building.

The Exmoor National Park Local Plan 2011-2031 is a material consideration.

Planning Considerations

Background

As the agricultural unit exceeds 5 hectares, the proposed development is to be considered against the criteria and conditions relative to Class A, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In this instance it is determined the following is the case:

- The development is on a unit of 5 hectares or more being 15.4 hectares (38 acres) and involves works for the erection of a building which is reasonably necessary for the purposes of agriculture (principally the management and husbandry of circa 200 sheep that are on site) and has been designed for agricultural purposes;
- The proposal is not on a separate parcel of land less than 1 hectare in size, or for works to or for a dwelling, or a building;
- The cumulative floor space of the building is 438 square metres. Part 6, Class A, A.1 (e) does not permit the erection of a building that would exceed 1000sqm as calculated and described under Paragraph D.1 (2) (a). This states that an area calculated under this part 'comprises the ground area of any building (other than a dwelling) or any structure, works, plant or machinery, ponds or tanks within the same unit which area being provided or have been provided within the preceding 2 years and any part of which would be within 90m of the proposed development;

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- The building would be more than 25 metres from the metalled part of a trunk or classified road;
 - The building is not within 3km of the perimeter of an aerodrome;
 - The building is within 400 metres of a protective building, but there are no other suitable buildings or structures more than 400 metres distant, and the building element for livestock normally kept out of doors would be used when they require temporary accommodation in the building when they are sick or giving birth or newly born, and to provide shelter against extreme weather conditions;
 - The development is not in a site where development under Class Q or Class S has been carried out within the previous 10 years.

The material considerations of this application are limited to the siting, design and external appearance of the building. It is accepted that the building will qualify as a singular building not in close proximity to other buildings.

To be consistent in the decision-making process, relevant policies within the Local Plan will be considered.

Principle of development

While the application for prior approval does not require consideration against the local plan regarding the principle of development it is worth establishing that, as set out in Local Plan Policy SE-S4 (Agriculture and Forestry Development), it is considered that there is a clear functional need for the building in question, as the holding has no agricultural buildings to accommodate livestock and associated agricultural feed, storage and equipment.

Siting:

The siting of the proposed building has sought to utilise existing hedgerows and tree's, as well as the lay of the land that will allow the building to be set down into the ground (in part – the northern section of the building). From plans submitted the building would be set below the crown of the adjacent trees to the west and south, ensuring no clear lines of sight from those directions.

When viewed from the east, the fields eastern boundary, being an established and mature hedgerow that is topped with beech trees, would provide suitable screening. In addition, and to further screen the development, a secondary and new hedgerow is proposed to screen the eastern elevation of the barn. In addition to being set into the ground towards the northern end of the site, the hedgerow to the northern boundary of the field (and set to the other side of the ridge that is in the field) is proposed to be improved and enhanced with additional tree planting. This would further soften any lines of sight to the barn.

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When considering other publicly accessible locations, the site is not visible from PRow (the nearest being the Combe Martin Bridleway 22), and not visible from Trentishoe Down to the north.

With regards concerns relating to the impact of the scheme on the Dark Skies, and the known distance of the site from the buffer to the Dark Skies Core Area, it is considered the development would have a benign effect on the character of the Dark Skies area.

In response to the original comments from the Landscape Officer, the size of the building is such that it can secure winter fodder for existing livestock on the holding, provide the expected levels of shelter during times of inclement weather for the animals, as well as a secure environment for lambing (to minimise the loss of lambs to exposure that could result from open air birth).

The proposal would require the removal of a section of hedgebank, but the proposed landscaping that would be delivered would, in terms of additional tree and hedgerow planting, offset this loss. The form and position of planting and hedgebank creation seeks to follow the principles detailed in section 9 of the Exmoor NP Design Guide, as well as the requirements of Policy CE-D1 of the Exmoor NP Local Plan (in that the form of the landscaping proposed would protect and reinforce the character of the Moor in this location).

On the point of the access track, the Landscape comments query why the proposal could not be nearer the highway network. In this instance, officers consider that were the building to be nearer the highway it would have a greater visual prominence due to possible views from the south of the site. Furthermore, the fall of the land from north to south (from the site proposed to the highway), has resulted in the creation of wet and boggy ground near the existing gateway onto the highway.

For the reasons detailed above it is considered the siting of the barn would preserve the character and natural beauty of the Exmoor.

Design and External Appearance:

With regards the design and external appearance of the barn, it is considered that with the natural materials proposed in its construction, and suitable earthy tones of the timber finish and grey roofing, the appearance of the barn would be agricultural, in an agricultural environment (so not appearing as an incongruous addition to the landscape). The design is rudimentary and one that seeks to replicate the character of standard farm buildings seen elsewhere on Exmoor, using timber as the predominant material. This material is advocated as appropriate in section 4.4 of the Exmoor NP Design Guide.

The design has also sought to utilise the slight increase in land elevation to the north of the site, and set the building down into the ground, with the use of spoil to provide

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for the creation of hedgebank to the east of the building and the 0.3 metre high 'bund' that is to screen the access track. This use of high points of land to assist with screening accords with the advice printed in section 4.3 of the Exmoor NP Design Guide, as well as Policy SE-S4 of the Exmoor NP Local Plan (in that the topography of the site has been utilised to set the building down and so minimise disruption to natural lines and the lie of the land).

With the use of natural materials (wood) and those identifiable as agricultural (anthracite roofing), the external appearance appears very much as an agricultural building in an agricultural context. The effect of the external finish (so appearance) on the wider context is considered minimal with the finish of materials appearing subtle, with more natural hues that will help visually blend well with the surroundings (as opposed to the harsher lines of steel and concrete that can, on occasion, appear stark and at odds with the softer appearance of the hedgebanks, fields and trees that characterise this location).

Knowing that the development is of suitable materials and finish it is determined that the external appearance and design of the barn is considered acceptable.

CLIMATE EMERGENCY

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency. GP1 'Achieving National Park Purposes and Sustainable Development' Sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 'Climate Change Mitigation and Adaption' states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Furthermore, Policy CC-S5 'Low Carbon and Renewable Energy Development' seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and policy CE-S6 'Design and Sustainable Construction Principles' seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework requires that "the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources,

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including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the construction process and the sourcing of construction materials. The proposal would be required to meet modern building regulations. It is considered that the impact on the climate resulting from the construction of the proposed development, given its nature, materials proposed and scale, would not be such that a reason for refusal of Prior Approval should be given on these grounds.

Human Rights

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

One comment has been received from a member of the public. The comments stated the scheme did not provide nesting opportunities for protected species, and that the barn and access track would be visually apparent. The points raised relating to nest box provision do not relate to siting, design or external appearance so are not material to deliberations. The elements relating to the barn and access track and their potential effects on the landscape have been considered in this report.

It is considered that the proposed development is in accordance with the Class A, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is permitted development and having regard to the above observations, the proposed works are considered acceptable on the basis of the information provided in relation to siting, design and external appearance, and therefore prior approval is approved.

Recommendation

That prior approval is granted subject to the following condition:

1. The development hereby permitted shall be carried out strictly in accordance with the approved drawings numbered: 001A; 6356-01 Rev A; 002A; Existing and Proposed Screening (File No. 7 (Rev B)).

Reason: In the interests of clarity and to ensure the development is carried out as approved.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no additional external lighting shall be attached or installed at the application site without the prior written

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agreement of the Local Planning Authority. Any approved lighting shall then be installed and operated in accordance with an agreed lighting scheme.

Reason: To ensure the strict protection of European protected species and their foraging habitats and in accordance with ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure.

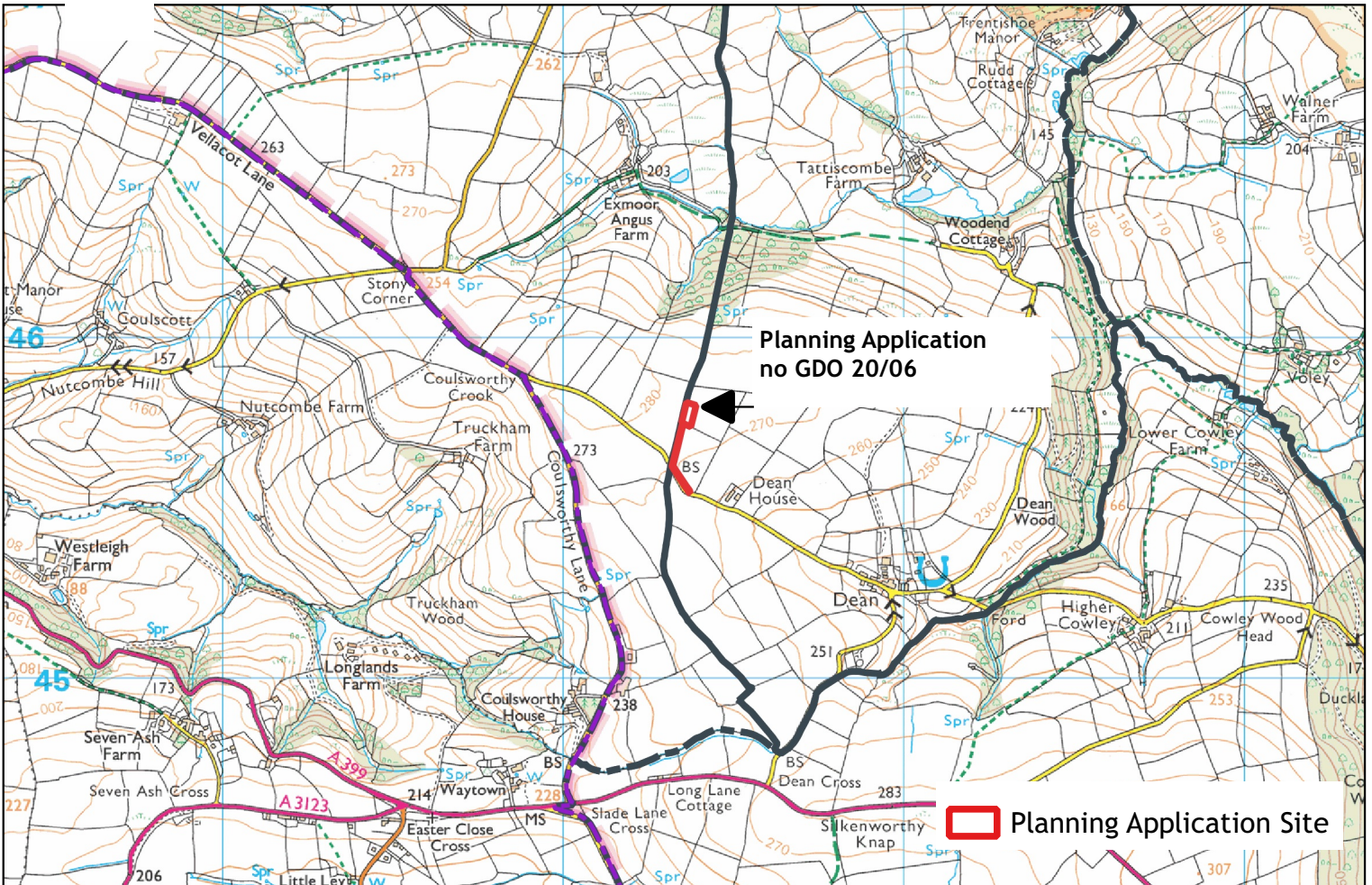
Informatives

1. The applicant is reminded that the development must be carried out within 5 years of the date of this application. As required by Schedule 2, Part 6, Class A.2 (2) (d) (vi) (bb) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)



Site Map
Scale 1:2500

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Overview Map
Scale 1:20000

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Committee Report

Application Number:	6/14/20/105
Registration Date:	23-Sep-2020
Determination Date:	11-Nov-2020
Applicant	Exmoor National Park Authority
Agent:	
Case Officer:	Kieran Reeves
Site Address:	Ashcombe Toilet, Simonsbath, Somerset, TA24 7SH
Proposal:	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the proposed repair and renovation of public toilet, together with the installation of car parking machine.
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	The application has been submitted by Exmoor National Park Authority in relation to land owned by the National Park Authority.

Relevant History

6/14/89/114 – Proposed extension to car park – Approved on 6th February 1990

6/14/85/101 – Proposed conversion of cowshed to public convenience and information display area – Approved on 5th March 1985

6/14/78/001 – Proposed erection of mobile public convenience and car parking for fifteen cars – Approved on 7th March 1978

Site Description & Proposal

Planning permission is sought for the renovation and repair of the public toilets building at Ashcombe and the installation of a pay and display machine to charge vehicles parking in the car park. Ashcombe consists of a public car park and a public toilets building. The site is situated on the northern edge of Simonsbath and is accessed via a single width access that also serve a number of residential properties. Whiterock Cottage adjoins the western side of the site and this is a community building that was subject to an application by the Authority in 2019 to carry out works involving partial demolition (reference 6/14/19/102).

The works to the public toilets building includes re-roofing the building, replacing windows and doors with new timber units, replacing timber cladding in the gables with

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new timber cladding, replacing rainwater goods, replacing non-conservation, non-flush fitting rooflights with conservation flush fitting rooflights, re-location of a bat dormer and the removal of a steel lean-to structure from the rear of the building.

The pay and display machine would be approximately 1.66 metres tall. It would be installed in the area adjacent to the toilets that is enclosed by low walls on two sides and a high wall on one side. A path would be formed to the machine and a timber screen would be erected to afford people using the toilets privacy from people using the machine. Signage for the machine is also proposed and this is considered under application reference 6/14/20/106.

At the time of writing this report the consultation period for this application has not expired as a 14-day period of re-consultation has been undertaken following the re-siting of the pay and display machine. It is due to expire on 23rd October and Members will be updated with any responses received that are submitted before the Committee meeting on 3rd November.

Consultee Representations

Exmoor Parish Council – Support the application but state the following:

1. Clear signage to the car park will be hugely important as the existing signs are not adequate. It will be especially important for there to be indicators when the Car Park is Full or Closed to prevent further traffic from entering a limited space.
2. The council has concerns about overspill parking and hope that ideas of a second parking area will be considered. They hope that it doesn't push more people to park outside of the car park (i.e on the bend by Pound Cottage and the Hotel or even on the roads).
3. There are concerns about the design of the machine not being in keeping with the beautiful surrounding area. Perhaps clad or encase the parts that don't need daily access? There is a feeling that it would be a shame to ruin the very natural feel down there.
4. The parish council are really pleased that the Toilet Block is going to be upgraded and made fit for purpose. People will be using the toilets and car park in the evenings if they are in the Old School for a function and so a few sensored outside lights would be a good thing to illuminate the toilets, car park and Old School to avoid injuries in the dark.

SCC Highway Authority – No observations

ENPA Wildlife Officer – Ashcombe Toilets and Stores was originally surveyed by Helix Ecology in 2014. Helix Ecology undertook update surveys, comprising a re-assessment of bat roost and nesting bird potential (9 June 2020) and two dusk emergence surveys (9 June and 17 July 2020). The results of the surveys were as follows:

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- Bats: The building is now used by the lesser horseshoe maternity colony that formerly inhabited Whiterock Cottage. Bat numbers have increased over those reported for Whiterock Cottage, although this may reflect easier survey conditions. Earlier surveys confirm the presence of three other roosts in Ashcombe Store used by this species: day roost outside the breeding season, feeding perch and night roost. The building is also used as three day-roosts for small numbers of brown long-eared bats (which use roof crevices and the roof void) and common pipistrelle bats (roof crevices).
 - Birds: There are limited features (wall cavities) with nesting potential on the exterior of the building, but no evidence of nesting was found. A barn owl was recorded roosting in Whiterock Cottage (under the covered scaffold) during works.

Recommendations

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to the planning permission if granted.

Bats

As bat roosts will be affected, and a lesser horseshoe, brown long-eared bats and common pipistrelle potentially harmed, the following is required to be conditioned in order that ENPA fulfils its legal duty of 'strict protection' of European protected species under the provisions of the Habitats Regulations 2017 (and the Crime and Disorder Act 1998)

- Works to the toilet block shall not in any circumstances commence unless the Local Planning Authority has been provided with a copy of the modified licence for Whiterock Cottage (2015-8698-EPS-MIT-4), which includes Ashcombe Toilet & Stores as a compensation site for the loss of the original maternity roost in Whiterock Cottage, incorporating the proposed plans and mitigation measures.

Reason: A pre-commencement condition in the interests of the strict protection of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure.

The following condition is also required to ensure that the LPA fulfils its legal duty of strict protection of European protected species

- Mitigation and compensation measure will follow those outlined within the Ashcombe Toilets and Store Bat and Bird survey report (Helix ecology, 2020), including:

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- 1) Appropriate timing of works to avoid the maternity period of May to August.
 - 2) Exclusion of the bat room ahead of works
 - 3) Relocation (or removal) of the existing bat dormer to prevent warm air being vented from the roost
 - 4) Modification of bat room window flight-access to increase security and reduce draught ingress
 - 5) Use of traditional bituminous type 1F slaters felt throughout
 - 6) Re-instate crevice roost features via ridge tiles and bat slates, and create access to north gable wall-top
 - 7) Created access to the roof void via slits in felt under a ridge tile and bat slate, and over the north gable wall

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure.

Bats and lighting

Due to the presence of foraging and commuting habitats for bats, there will be no artificial lighting of the trees or boundary vegetation. If external lighting is proposed, please attach the following condition:

- Prior to occupation, a “lighting design for bats”, following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure.

Birds

Due to the opportunistic nature of some passerine bird species please attach the following informative:

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- The developers and their contractors are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Biodiversity Enhancement (Net Gain)

As an enhancement measure, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted.

- The following will be integrated into the design of the buildings and site plans:
 - a) Installation of 1 x barn owl box on a tree in the vicinity of Whiterock Cottage. See the Barn Owl Trust's website for details of suitable designs (<http://www.barnowltrust.org.uk>).
 - b) Offset fascia boards by 15-20 mm to create suitable bat roost crevices between the fascia and the stone walls

Photographs of the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to occupation.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Provided the above conditions are applied as worded, I have no objection to this application.

Representations

Seven public representations have been received in relation to this application.

No objections are raised in relation to the proposed works to the Ashcombe toilets building but all representations received object to the proposed pay and display machine.

The reasons for objecting are the principle of charging to park at Ashcombe with the commercial justification being flawed, the impact on the character and appearance of the site with the introduction of a machine in an area that is free of such development, and the negative impact on the experience of Ashcombe resulting from having to pay for parking. Questions have also been raised about enforcing against unpaid tickets.

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An online petition against the installation of the pay and display machine to charge for parking at Ashcombe car park has been created and at the time of writing this report there are 728 signatures.

Policy Context

Exmoor National Park Local Plan 2011 – 2031

GP1 – General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 – Landscape and Seascape Character

CE-D1 – Protecting Exmoor’s Landscapes and Seascapes

CE-S2 – Protecting Exmoor’s Dark Night Sky

CE-S3 – Biodiversity and Green Infrastructure

CE-S6 – Design and Sustainable Construction Principles

CC-S1 – Climate Change Mitigation and Adaptation

AC-D2 – Traffic and Road Safety Considerations for Development

AC-S3 – Traffic Management and Parking

AC-D3 – Parking Provision and Standards

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

The main material planning considerations in this case are the principle of development, the design, scale and materials, and the impact on the landscape, wildlife, neighbouring amenity and highway safety.

Principle of Development

The application proposal consists of two parts – the renovation and repair of the public toilet building at Ashcombe and the introduction of a pay and display machine to start the charging of vehicles parking in the public car part at Ashcombe.

The proposal to renovate and repair the public toilet building would see the use and internal layout of the building remain as it currently is. The external works would be limited to replacing existing materials and features on the building. As such, these proposed works are considered to be compliant in principle with the Local Plan, subject to other material planning considerations being satisfied.

Officers note that there are objections to the principle of charging for parking in the car park at Ashcombe. These concerns are acknowledged but it is not the role of the planning system to consider whether charging for parking in car parks, or any service, is acceptable or not. The principle of charging is not a material planning consideration as the site would still remain in its current land use as a car park whether charging took place or not.

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Officers also cannot consider whether the proposed machine would make a profit or not as this is a business decision for Exmoor National Park Authority, not a planning decision.

Whether or not the Authority would enforce on unpaid tickets and how much a ticket would cost are also not planning matters.

Comments have also been made by members of the public that the installation of the pay and display machine would have a negative impact on the experience of visiting Ashcombe. Officers acknowledge that the need to pay at the site will impact on some people's enjoyment of the site but as with the above comments relating to the principle of charging, this is not a matter for the Local Planning Authority to have a decision over as the determination of this application is limited to typical material planning considerations.

As mentioned above, the use of the site as a public car park would remain as such after the proposed pay and display machine is installed. Given that it would have a directly ancillary and associated role to the use of the site as a car park, it is considered that the siting of such infrastructure within the car park would be acceptable in principle, subject to material planning considerations being satisfied.

Design, Scale and Materials

The proposed works to the public toilets building would not see an increase in the massing and bulk of the building and its current overall form would be retained. The works are to essentially replace existing materials and features on the building. The re-roofing works, replacement windows and doors, replacement timber cladding and replacement rainwater goods would all see the use of traditional materials that reflect and are sympathetic to the character and appearance of the building. The replacement rooflights would be an enhancement as conservation flush fitting rooflights would replace non-conservation rooflights that are not flush fitting. The removal of the lean-to structure attached to the rear of the building would also be of benefit to the character and appearance of the building. Overall, the proposed works to the public toilets building would be acceptable and policy compliant.

The proposed pay and display machine is a standard design and size for such a form of development and the materials that would be used in its construction are typical. It is difficult to install a machine which is of a "conservation style" as they are designed and built with practicality and functionality in mind. The Parish Council have supported the application but have suggested cladding the machine, but this is likely to impact on its functionality. The fact that the machine is designed with function over form is accepted, particularly in a car park setting, but the impact of this part of the proposed development on the landscape and visual amenity needs to be considered carefully.

Impact on Landscape

The works to the building would see the use of traditional materials that either match existing materials on the building or are an improvement, such as the replacement

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rooflights. As such, Officers consider that these proposed works would not cause material harm to the character and appearance of the landscape or visual amenity. The removal of the steel lean-to would benefit the landscape and visual amenity.

As set out above, the impact of the pay and display machine on the landscape and visual amenity of the site needs to be considered carefully as it does constitute a non-traditional form of development.

The machine was originally proposed in an open area between the car park and Whiterock Cottage. Officers raised concerns with this proposed siting as it was considered that it would be overtly noticeable due to it being sited away from any existing built form and it would compromise some key views towards Ashcombe Gardens and Whiterock Cottage from the car park.

The machine is now proposed in an area adjacent to the public toilets. The area is enclosed by the toilets building on one side, a high wall on one side and low walls on two sides. The high wall would form the backdrop of the machine when viewed from the public realm and it would screen it from Whiterock Cottages site to the west, thereby sufficiently conserving the setting of this building within the landscape. The benefit of providing this backdrop is that its stone face offers a dark tonal finish that would help the machine to assimilate with its surroundings much better than if it was erected in an open area of the car park. When accepting that such a machine would be seen in a car park and that there will be some form of landscape and visual impact from the proposed development, its siting in the visual context of existing built form and away from the open views over the landscape of Ashcombe prevents it from being an isolated form of development in what is a relatively undeveloped site. It also means that its impact on the landscape and visual amenity is reduced to a considerably lower level than the originally proposed site.

The comments regarding landscape harm that have been made by members of the public are noted but Officers conclude that this new siting for the machine creates a more acceptable scheme that is considered on balance to not cause a level of material harm to the character and appearance of the landscape or visual amenity that would warrant refusal of planning permission.

The path to the machine is not considered to cause material harm to the landscape or visual amenity as it would be largely screened from wider viewpoints by the walls around the area. In addition, it would be seen in the context of the existing stone paths that lead to the public toilets building. Subject to a condition requiring details/samples of the path surface to be agreed with Officers, the installation of the path is considered to be acceptable from a landscape perspective.

The application site is within the 1km Buffer Zone of the Exmoor Dark Sky Reserve's Core Area. Policy CE-S2 of the Local Plan states that *development proposals should seek to reduce light spillage and eliminate all unnecessary forms of artificial outdoor lighting in the National Park by ensuring that external lighting within the Dark Sky*

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Reserve Critical Buffer Zone is strictly controlled. The machine is relatively small scale and the illuminated parts are limited to a small screen and other small illuminating parts. No external lighting is proposed on the machine or around it. Officers consider that the illuminating parts of the machine would not be sufficiently bright to be noticeable in the wider landscape or cause harmful light spill. Subject to the attachment of a condition removing permitted development rights to install lighting on or around the machine and the toilets building, the proposed machine is not considered to cause material harm to the Exmoor Dark Sky Reserve.

Impact on Wildlife

Ecological surveys have been carried out in June and July 2020 by Helix Ecology, including assessment of bat roosts and nesting bird potential and two dusk emergence surveys.

The survey report confirms that the toilets building is used by the lesser horseshoe maternity colony that formerly inhabited Whiterock Cottage. Bat numbers have increased over those reported for Whiterock Cottage, although this may reflect easier survey conditions. Earlier surveys confirm the presence of three other roosts in the building used by this species: day roost outside the breeding season, feeding perch and night roost. The building is also used as three day-roosts for small numbers of brown long-eared bats (which use roof crevices and the roof void) and common pipistrelle bats (roof crevices).

In terms of nesting birds, the survey report confirms that there are limited features (wall cavities) with nesting potential on the exterior of the building, but no evidence of nesting was found. A barn owl was recorded roosting in Whiterock Cottage (under the covered scaffold) during works.

The Authority's Wildlife Officer has considered the findings in the report and it has been advised that as bat roosts will be affected, and a lesser horseshoe, brown long-eared bats and common pipistrelle potentially harmed, a condition requiring a copy of a bat licence is submitted to the Local Planning Authority prior to works commencing on the building is needed to ensure that the Local Planning Authority fulfils its legal duty of 'strict protection' of European protected species under the provisions of the Habitats Regulations 2017.

It is also recommended that a condition is attached that requires the works to the building to be carried out in accordance with certain mitigation and compensation measures, and a condition is also needed to seek prior approval of any external lighting scheme.

In terms of nesting birds, the Wildlife Officer has advised that due to the opportunistic nature of some passerine bird species, an informative is attached that draws the applicant's attention to the legal protection afforded to nesting birds.

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Lastly, the Wildlife Officer has recommended that a condition is attached requiring ecological enhancement measures to be carried out as part of the proposed development. This is in line with Government policy for the enhancement of biodiversity within development as set out in Paragraph 170(d) of the National Planning Policy Framework.

Officers consider that with the attachment of the recommended conditions and informative, the proposed development would not cause material harm to wildlife interests on site and it therefore complies with Policy CE-S3 of the Local Plan and Paragraph 170 of the NPPF.

Impact on Neighbouring Amenity

The nearest residential property to the application site is Ashcombe Cottage. The public toilets are situated approximately 33 metres from this neighbouring dwelling and the pay and display machine would be situated approximately 52 metres away.

As mentioned earlier in this report, the proposed works to the public toilets buildings would not involve increasing the massing and bulk of the building and its current overall form would be retained. In addition, the proposal does not include any new windows within the building. Having regards to these factors and taking into account the distance from the neighbouring property, it is considered that these works would not cause material harm to neighbouring amenity as a result of overbearing, loss of light or overlooking.

The pay and display machine would be relatively small scale when compared with the toilets building that it would be erected near to. The building would also act as a screen between the site of the machine and the neighbouring properties to the south east. It is also considered that the noise from the machine would be negligible and when having regards to the distance from neighbouring properties, it is judged that it would not cause a noise disturbance. Officers conclude that the proposed pay and display machine would not cause material harm to neighbouring amenity as a result of overbearing, loss of light or noise.

Impact on Highway Safety

The proposed development would not reduce the total number of parking spaces in the car park and it would not obstruct views when entering or leaving the site, or when egressing on to the public highway. As such, the proposed development is not considered to cause material to highway safety.

Comments have been made about people potentially parking on the public road rather than within the car park in order to avoid being charged for parking. The pay and display machine would not be installed to actively discourage or prevent people from parking within the car park, thereby forcing people to park on the road. As such, people deciding to park on the road would be a matter outside the control of the Local Planning Authority and would be an individual's choice.

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Other Matters

The application also makes reference to a timber screen being installed between the pay and display machine and the public toilets building in order to afford users of the latter sufficient privacy. Officers can advise Members that the screen being constructed from natural timber would ensure that it complies with Policy CE-S6 as a traditional material and its siting within the context of the existing built form at the site means that Officers are satisfied that it would not cause material harm to the landscape or visual amenity.

In May 2019 the UK government declared a climate emergency, Exmoor National Park followed this by declaring a Climate Emergency in October 2019. To help meet this challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency.

Policy GP1 of the Local Plan sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding. Policy CC-S5 seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and Policy CE-S6 seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

Paragraph 148 of the National Planning Policy Framework prescribes that the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

There would be an impact on the climate from the works to the toilets building and the sourcing of construction materials but it is noted that the works would utilise sustainable construction materials. It is considered that there would not be a material impact on the climate from these works going forward as the building would remain in its current use. Again, there would be a climate impact associated with constructing and installing the machine and there would be a need for electricity for it to function, but its small scale means that the overall climate impact would not be significant. Officers consider that the impact on the climate resulting from the proposed development would not be such that the application should be refused.

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Human Rights

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

The report sets out that the refurbishment and repair works to the Ashcombe toilets building are acceptable and policy compliant, particularly as sustainable construction materials would be used in the works.

There have been concerns and objections raised by members of the public in relation to the installation of the pay and display machine. Most of the comments made relate to the principle of charging for car parking at Ashcombe. These concerns are noted and understood by Officers but this is not a planning matter and is essentially a decision for the Park Authority as a whole, not the planning department.

The machine itself is designed with function over form but its position within a car park is considered to be acceptable and the re-siting of it next to the toilets building is considered on balance to not cause a material impact on the landscape or visual amenity that would warrant refusal on these grounds.

Overall, Officers conclude that the proposed development is on balance acceptable and it is recommended that planning permission be granted, subject to the attachment of appropriate planning conditions.

Please note that this recommendation is subject to the consideration of further comments that may be made on the application during the re-consultation period.

Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out strictly in accordance with the approved Location Plan and Parking Machine Plan, date stamped by the Local Planning Authority on 23rd September 2020, and approved drawing numbers DWG/WR003, DWH/WR004A and DWG/WRC006, date stamped by

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the Local Planning Authority on 9th October 2020, unless otherwise required by condition(s) below.

Reason: To ensure a satisfactory standard of development in the interests of amenity.

3. Works to the toilet block shall not in any circumstances commence unless the Local Planning Authority has been provided with a copy of the modified licence for Whiterock Cottage (2015-8698-EPS-MIT-4), which includes Ashcombe Toilet & Stores as a compensation site for the loss of the original maternity roost in Whiterock Cottage, incorporating the proposed plans and mitigation measures.

Reason: In the interests of the strict protection of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 (Biodiversity and Green Infrastructure).

4. The hereby approved works to the Ashcombe toilets building shall be carried out in accordance with the mitigation and compensation measures outlined within the Ashcombe Toilets and Store Bat and Bird survey report (Helix ecology, 2020), including:
 - 1) Appropriate timing of works to avoid the maternity period of May to August;
 - 2) Exclusion of the bat room ahead of works;
 - 3) Relocation (or removal) of the existing bat dormer to prevent warm air being vented from the roost;
 - 4) Modification of bat room window flight-access to increase security and reduce draught ingress;
 - 5) Use of traditional bituminous type 1F slaters felt throughout;
 - 6) Re-instate crevice roost features via ridge tiles and bat slates, and create access to north gable wall-top; and
 - 7) Created access to the roof void via slits in felt under a ridge tile and bat slate, and over the north gable wall.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 (Biodiversity and Green Infrastructure).

5. Prior to installation, details/samples of the surface for the path hereby approved as part of this planning application shall be submitted to, and approved in writing by, the Local Planning Authority. The surface of the approved path shall only be constructed in accordance with the approved details/samples and it shall be retained as such thereafter.

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Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the National Park landscape.

6. The hereby approved re-roofing works to the Ashcombe toilets building shall only be carried out re-using the existing natural slate roof tiles, or where this is not possible, new natural slate roof tiles that match the existing roof tiles in respect of size, shape, colour and texture. The roof of the building shall then be retained as such thereafter and any subsequent works to the roof shall be carried out in accordance with the requirements of this condition.

Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the building.

7. Any replacement windows and doors installed in the application building as part of this planning permission hereby granted shall only be constructed from natural timber. The application building shall be retained with natural timber windows and doors thereafter.

Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the building.

8. The hereby approved replacement rooflights in the application building shall only be of conservation design and they shall be fitted so that their outer face is flush with the outer face of the surrounding roof tiles. The replacement rooflights shall be retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the building.

9. The hereby approved replacement cladding in the gable of the application building shall only be constructed from natural timber and the application building shall be retained as such thereafter.

Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the building.

10. Any replacement rainwater goods installed on the application building as part of this planning permission hereby granted shall only be constructed from black coloured metal. The application building shall be retained with black metal rainwater goods thereafter.

Reason: In the interests of the satisfactory appearance of the development and to conserve the character and appearance of the building.

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11. Prior to first use of the pay and display machine hereby approved, the following ecological enhancement measures shall be carried out, unless otherwise agreed in writing with the Local Planning Authority:

- a) Install 1 no. barn owl box on a tree; and
- b) Offset the timber gable cladding by 15-20 mm to create suitable bat roost crevices.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in Paragraph 170(d) of the National Planning Policy Framework

12. Prior to the installation of any external lighting on or around the Ashcombe toilets building or the pay and display machine, a “Lighting Design for Bats”, following Guidance Note 8 - Bats and Artificial Lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with ENPA Local Plan: Policy CE-S3 (Biodiversity and Green Infrastructure), and in the interests of visual amenity and the protection of Exmoor’s dark night sky.

13. In the event that the use of the hereby approved pay and display machine ceases, the machine shall be removed from the site within six months of the cessation of charging for parking of vehicles.

Reason: To ensure the removal of a redundant structure in the interests of the conserving the character and appearance of the landscape and the visual amenity of the area.

Informatives

Positive and Proactive Statement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the

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agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

Conditions and Informatives and the Submission of Further Details

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

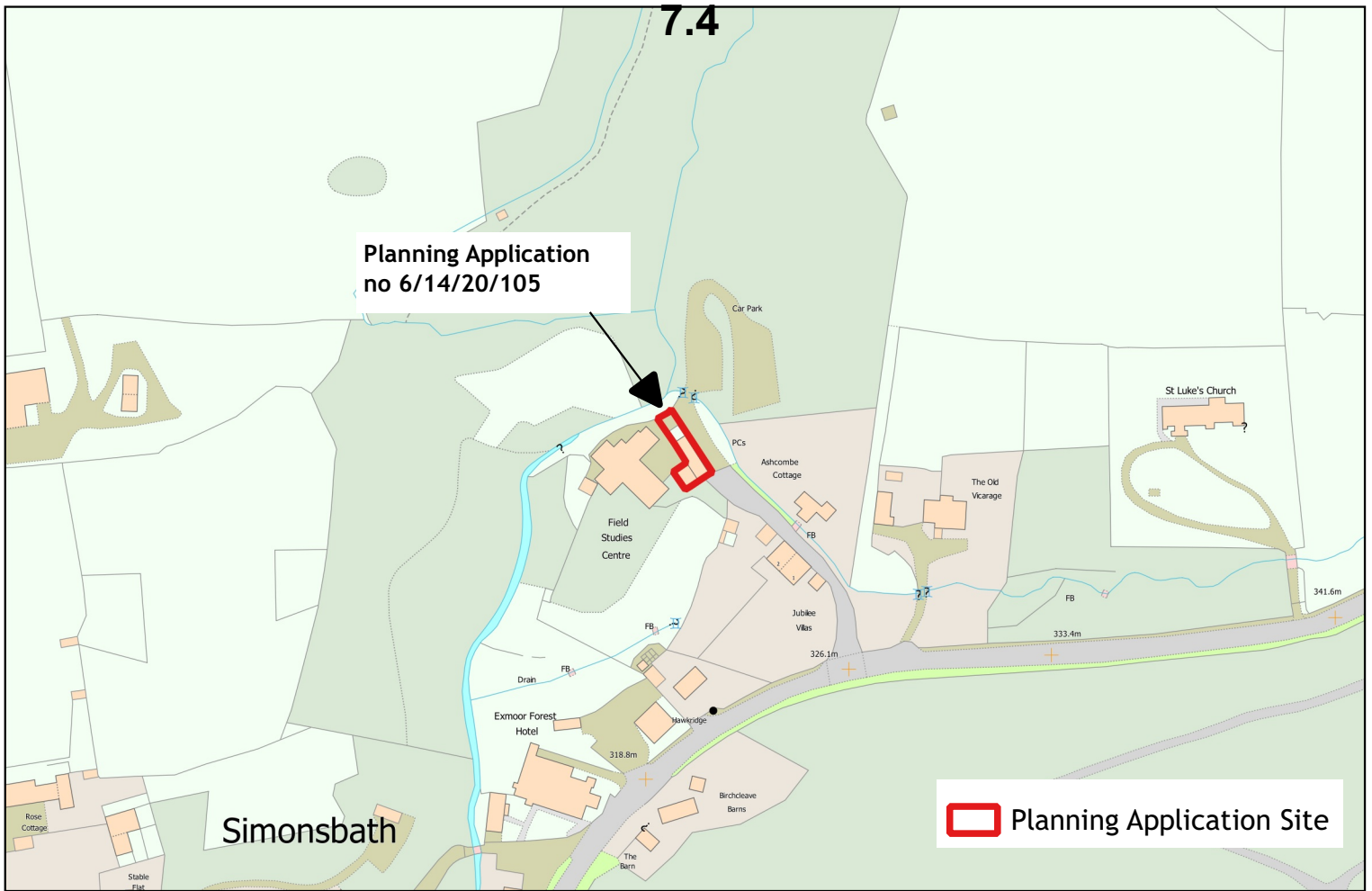
The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

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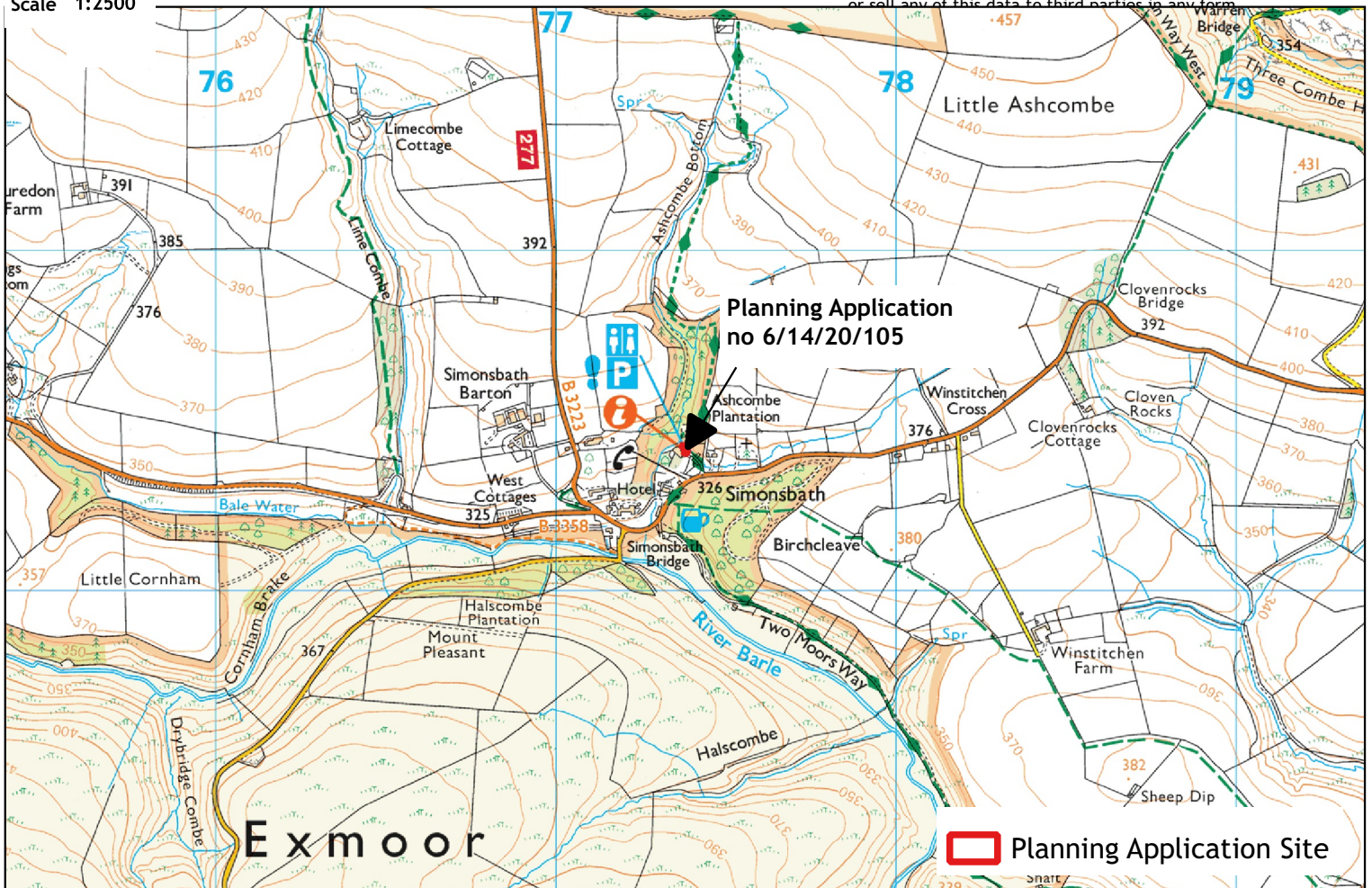
Advisory Note – Nesting Birds

The developers and their contractors are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.



Site Map
Scale 1:2500

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Overview Map
Scale 1:20000

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Committee Report

Application Number:	6/14/20/106
Registration Date:	24-Sep-2020
Determination Date:	11-Nov-2020
Applicant	Exmoor National Park Authority
Agent:	
Case Officer:	Kieran Reeves
Site Address:	Ashcombe Toilet, Simonsbath, Somerset, TA24 7SH
Proposal:	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for advertisement consent for the proposed installation of visitor information board and 4 no. pay and display signs. (Amended description)
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	The application has been submitted by Exmoor National Park Authority in relation to land owned by the National Park Authority.

Relevant History

6/14/89/114 – Proposed extension to car park – Approved on 6th February 1990

6/14/85/101 – Proposed conversion of cowshed to public convenience and information display area – Approved on 5th March 1985

6/14/78/001 – Proposed erection of mobile public convenience and car parking for fifteen cars – Approved on 7th March 1978

Site Description & Proposal

Advertisement consent is sought for the installation of five signs at Ashcombe car park. The car park is situated on the northern edge of Simonsbath and is owned by the National Park Authority. It consists of an upper level and a lower level that are accessed via a single width access, which serves a number of residential properties as well. On the western side of the car park is a toilet building that is the subject of a separate application for repairs (reference 6/14/20/105). The car park is used by walkers, visitors to Ashcombe Gardens and people using Whiterock Cottage.

Four of the signs are advertising or showing information in relation to the pay and display machine that is also the subject of application reference 6/14/20/105. A sign would be installed at the entrance to the car park, and two would be installed within

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the car park, all of which would advertise the need to pay for, and display, a ticket. The fourth pay and display sign would be installed near to the machine and would provide information on the parking charges.

The other proposed sign is a visitor information board. This sign would be installed on the edge of the car park and would consist of a sloped horizontal board on timber posts. The board would contain information, including history, on Ashcombe Gardens and Whiterock Cottage.

At the time of writing this report the consultation period for this application has not expired as a 14 days period of re-consultation has been undertaken following the re-siting of the pay and display machine. It is due to expire on 23rd October and Members will be updated with any responses received that are submitted before the Committee meeting on 3rd November.

Consultee Representations

Exmoor Parish Council – Support the application but state the following:

1. Clear signage to the car park will be hugely important as the existing signs are not adequate. It will be especially important for there to be indicators when the Car Park is Full or Closed to prevent further traffic from entering a limited space.
2. The council has concerns about overspill parking and hope that ideas of a second parking area will be considered. They hope that it doesn't push more people to park outside of the car park (i.e on the bend by Pound Cottage and the Hotel or even on the roads).
3. There are concerns about the design of the machine not being in keeping with the beautiful surrounding area. Perhaps clad or encase the parts that don't need daily access? There is a feeling that it would be a shame to ruin the very natural feel down there.
4. The parish council are really pleased that the Toilet Block is going to be upgraded and made fit for purpose. People will be using the toilets and car park in the evenings if they are in the Old School for a function and so a few sensored outside lights would be a good thing to illuminate the toilets, car park and Old School to avoid injuries in the dark.

SCC Highway Authority – No observations.

ENPA Public Rights of Way Officer – Public footpath DU5/23 runs immediately adjacent to the development site and coincides with the access to the car park. The public footpath also carries the promoted walking route, the Two Moors Way which is a popular and well used trail. Whilst the proposed development does not appear to have a direct impact on the right of way, the development would be very visible to those using the public footpath. During works, it is important that the public right of way remains unobstructed and available for use by the public at all times.

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Representations

No public representations received at the time of writing this report.

Policy Context

Exmoor National Park Local Plan 2011 – 2031

GP1 – General Policy: Achieving National Park Purposes and Sustainable Development

CE-S1 – Landscape and Seascape Character

CE-D1 – Protecting Exmoor’s Landscapes and Seascapes

CE-S6 – Design and Sustainable Construction Principles

CE-D5 – Advertisements and Private Road Signs

AC-D2 – Traffic and Road Safety Considerations for Development

The National Planning Policy Framework (NPPF) is also a material planning consideration.

Planning Considerations

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state that a Local Planning Authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development and other relevant factors. In relation to amenity, this includes the general characteristics of the locality, including the presence of any feature of historic, architectural or similar interest.

Paragraph 132 of the National Planning Policy Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed. It is also stated that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy CE-D5 of the Exmoor National Park Local Plan 2011 – 2031 states that “advertisements, and private road signs will only be permitted where it can be demonstrated that in the interests of amenity:

- a) the proposal represents a joint or community advertisement or sign; or the advertisement is located on, or is well related to the building that is used for the business or attraction; and
- b) there will be no adverse individual, cumulative, or sequential impact on landscape character and local distinctiveness of the locality; and
- c) the size, scale, colour and siting are appropriate and the materials and design are of a high standard which conserve or enhance the character and appearance of the area”.

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Further to this, Policy CE-D5 states that “the proposal should have no detrimental impact on public safety” and that “opportunities to enhance existing buildings or the landscape through consolidating, redesigning or removing existing advertisements / signage will be encouraged”.

It is clear from the above that the key considerations when determining an application for advertisement consent are the impact on amenities of the area and impact on public safety and highways from the installation of the proposed signage and any associated lighting.

There are five signs proposed through this application. Four of the signs relates to the charging for parking in association with the installation of the pay and display machine proposed under planning application reference 6/14/20/105. The other proposed sign is a visitor information board for Ashcombe Gardens and Whiterock Cottage.

As detailed earlier in this report, a pay and display sign would be installed at the entrance to the car park, and two more pay and display signs would be installed within the car park. The fourth pay and display sign would be installed near to the machine and would provide information on the parking charges.

If Members are minded to approve application reference 6/14/20/105 for the pay and display machine, then Officers consider that it is necessary to have sufficient signage to draw people’s attention to the new charging regime that would be applicable to the car park at Ashcombe.

The sign at the entrance would be attached to the low wall and would be of sufficient size for motorists to notice the need to pay for, and display, a ticket without being demonstrably noticeable or causing significant harm to visual amenity. The two signs in the car park would ensure that anyone who misses the first sign would be aware of the need to pay for, and display, a ticket. Again, these are small scale signs and one would be attached to an existing natural timber post that already has signs on it. The other would be installed on a new natural timber post in the corner of the upper car park. As previously stated, these three signs would not be large signs and they are more useful due to their recognisable colours that members of the public will recognise as pay and display signs rather than their size and physical prominence. Having regards to the fact that these three signs in the car park are small scale and are typical designs seen in public car parks, they are considered to be acceptable in respect of their impact on visual amenity.

The fourth pay and display sign would be attached to a timber screen that is also proposed under planning application reference 6/14/20/105. This sign will be seen in close association with the pay and display machine and the wider existing built form of the site. As such, this sign should not jar within the landscape and therefore it is considered that it would not cause material harm to visual amenity.

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Officers also consider that that there would not be an excessive amount of pay and display signs as a result of approving this application. There would be a sufficient amount to make people aware of the new charging regime for parking in Ashcombe car park.

The Parish Council have suggested that signs showing whether the car park is open, closed or full should be installed as well. However, the proposal before Members are the four signs as proposed and the application should be determined on whether these signs are acceptable and not whether there should be more signs.

The proposed visitor information board would be installed on the edge of the car park and it would not be adjacent to existing built form. However, its positioning is integral to users of the board being able to look at the specific features mentioned on the board while also looking at the board. This is reflected by its low and sloping form. This form also helps to prevent the board from interrupting key views from the car park towards Ashcombe Gardens and Whiterock Cottages. It is also important to note that although it is set away from existing built form, it would not be installed in a truly isolated position within the open countryside away from the car park itself. Having regards to the above, and that the posts of the board would be natural timber, which is supported under the Local Plan, the proposed visitor information board is not considered to, on balance, cause material harm to the landscape or visual amenity that would warrant refusal of the application.

In terms of the impact on highway safety, none of the signs would hang over or physically obstruct a public highway or the public right of way that runs through the car park. The signs would also not obstruct any visibility splays used by motorists. None of the signs would be illuminated either, meaning that there would not be a light spill impact on visual amenity nor would any motorists be dazzled or distracted by lighting.

Human Rights

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conclusion

Officers conclude that the proposed five signs would not cause material harm to visual amenity or the landscape, nor would they compromise highway safety, and they are therefore compliant with local and national planning policy. It is therefore recommended that advertisement consent is granted, subject to the attachment of appropriate conditions.

Please note that this recommendation is subject to the consideration of further comments that may be made on the application during the re-consultation period.

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Recommendation

Approve subject to the following conditions:

1. The advertisement hereby approved shall be installed strictly in accordance with approved drawing number DGW/WRC007, date stamped by the Local Planning Authority on 24th September 2020, and the approved Proposed Site Plan and drawing numbers DWG/WRC001, DWG/WRC/09, DWG/WRC/010 and DWG/WRC/011, and date stamped by the Local Planning Authority on 9th October 2020, unless otherwise agreed by condition(s) below.

Reason: To ensure a satisfactory standard of advertisement in the interests of amenity.

2. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land).

Reason: Standard condition under the provisions of the Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. No advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport.

Reason: Standard condition under the provisions of the Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any advertisement must be maintained in a condition that does not impair the visual amenity of the site.

Reason: Standard condition under the provisions of the Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any advertisement hoarding or structure is to be kept in a condition which does not endanger the public.

Reason: Standard condition under the provisions of the Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.

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Reason: Standard condition under the provisions of the Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The posts of the hereby approved interpretation board and the pay and display sign in the upper car park shall only be constructed from natural timber, and shall be retained as such thereafter. Any subsequent post replacements shall accord with the requirements of this condition.

Reason: In the interests of the satisfactory appearance of the development upon completion.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the signs hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: In the interests of visual amenity and highway safety, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

Informatives

Positive and Proactive Statement

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.

Monitoring of Development

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted

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at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

Conditions and Informatives and the Submission of Further Details

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Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis.

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

Advisory Note – Public Rights of Way

Public rights of way should be open (easy and safe to use) at all times.

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users. If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g. path closure application) should be taken in advance of any works. If this is likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible
- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the surface should be reinstated.

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- Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way. Separate legal steps are needed for this
 - The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do so
 - Parking on the public right of way may be deemed to constitute an obstruction
 - Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)
 - New furniture (e.g. gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

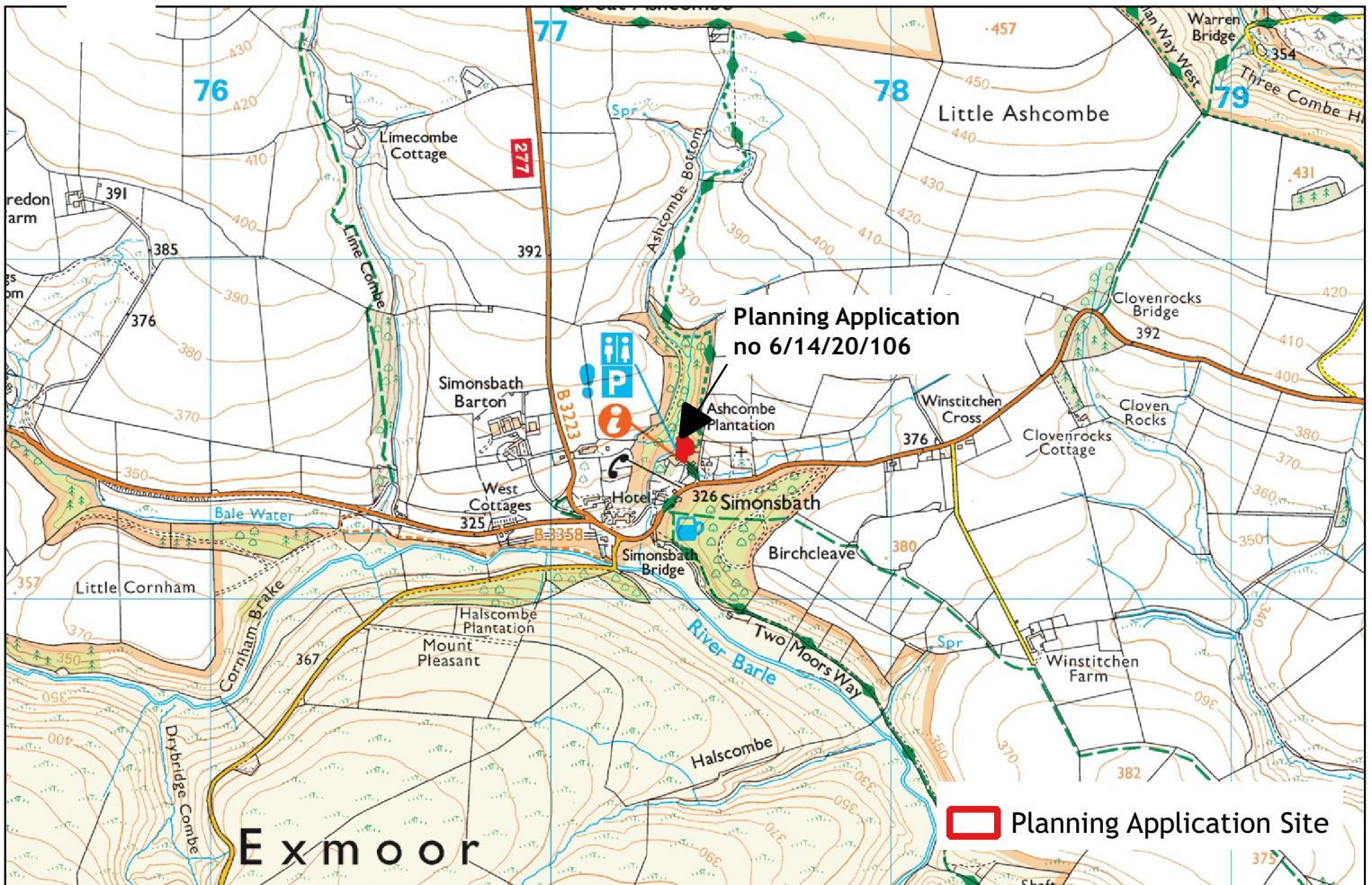
Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other considerations such as the impact on the maintenance requirements of the right of way.

Planning Application
no 6/14/20/106

Planning Application Site

Site Map
Scale 1:2500

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Exmoor

Planning Application Site

Overview Map
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Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/26/20/111LB	Mr B Harper - Listed Building Consent for internal oak beam repair and insertion of steel flitch plate T-section beam, together with removal and replacement of associated decayed oak floor joists. (Listed Building Consent) - Oatway Cottage, Roadwater, Watchet, Somerset, TA23 0QY	Approved with Conditions 16-Oct-2020
62/43/20/002	Mr. P Miles, The Lynton & Barnstaple Railway Trust - Proposed demolition of the existing temporary tearoom granted under planning permission reference 62/43/11/003 (varied by reference 62/43/14/006) and its replacement with a permanent timber tearoom building in the same location. (Full) - Woody Bay Station, Parracombe, Barnstaple, EX31 4RA	Withdrawn 20-Oct-2020
6/9/20/113	Mark Brindle, Maniac Films - Proposed modifications to existing ancillary store and workshop (Householder) - 26, LADY STREET, DULVERTON, TA22 9DA	Approved with Conditions 21-Oct-2020
6/23/20/101	Ms K SHIELDS - Proposed erection of a white PVCu conservatory to the rear of the property. (Householder) - 2 , Pond Orchard, Monksilver, TA4 4JB	Approved with Conditions 29-Sep-2020
WTCA 20/08	Mr J Stampfer - Works to trees in Conservation Area Crown reduction T1 ,remove T2 to ground level and T3 crown thin and formative pruning to Chinese juniper (amended description). (WTCA) - PENCOMBE HOUSE, PARRACOMBE, BARNSTAPLE, EX31 4PE	Approved 05-Oct-2020
62/50/20/011LB	Mr & Mrs Grob - Listed Building Consent for alterations to studio (part retrospective). (Listed Building Consent) - COURT PLACE FARM, PARRACOMBE, BARNSTAPLE, EX31 4RJ	Approved with Conditions 24-Sep-2020
62/50/20/010	Mr & Mrs Grob - Proposed alterations to studio (part retrospective) (Householder) - COURT PLACE FARM, PARRACOMBE, BARNSTAPLE, EX31 4RJ	Approved with Conditions 24-Sep-2020
6/9/20/111	Mr P Brown - Proposed replacement of four timber windows with four new double glazed timber windows. (Full) - 17 High Street, Dulverton, TA22 9HB	Approved with Conditions 29-Sep-2020

Application decisions delegated to the Chief Executive

Ref and Grid Ref	Applicant & Location	Decision and Date
6/27/20/114	Mr Rupert Martin - Proposed resubmission of planning application reference 6/27/19/110 for a single storey extension. (Amended description) (Full) - The Culbone, Porlock, Minehead, TA24 8JW	Approved with Conditions 20-Oct-2020
6/9/20/110	Mr Ralph Nicholson - Lawful development certificate for the existing use of main house as large-scale self-catering holiday let (Sui Generis). (CLEUD) - Northmoor House, Dulverton, TA22 9QG	Approved 29-Sep-2020
6/26/20/109	Ms T Stevens - Lawful Development Certificate for the existing stationing of a caravan for the purpose of human habitation (amended description). (CLEUD) - ORCHARD VIEW, RODHUISH, MINEHEAD, TA24 6QZ	Refused 23-Sep-2020
6/27/20/112	Ms. Sarah Brice - Proposed single storey extension to the side of the dwelling together with associated works (resubmission of withdrawn application 6/27/20/104). (Householder) - Ivybank, Doverhay, PORLOCK, MINEHEAD, TA24 8LL	Approved with Conditions 19-Oct-2020
6/26/20/108	Mr. Gerald Cole - Proposed retention of agricultural field access. Retrospective. (Full) - Land at Batallers Lane (Easting: 303652, Northing: 139546), North of Lower Roadwater	Refused 07-Oct-2020
6/42/20/104	Verity - Proposed rear first floor extension (resubmission of withdrawn application 6/42/19/105) (Householder) - Hobbs Cottage, Withypool, Minehead, TA24 7QP	Approved with Conditions 02-Oct-2020
6/26/20/103	Mr S Winter - Proposed removal of timber structures, together with extension to garage. (Householder) - Stamborough House, Old Cleeve, Somerset, TA23 0RW	Approved with Conditions 13-Oct-2020
6/35/18/101	Mr & Mrs P Jobin - Proposed amalgamation of two holiday lets to form one extended family dwelling. (Full) - Windwhistle Farm, Treborough, Somerset	Withdrawn 01-Oct-2020

EXMOOR NATIONAL PARK AUTHORITY

3 NOVEMBER 2020

REVIEW OF STANDING ORDERS

Report of the Head of Strategy and Performance

PURPOSE OF THE REPORT: To agree proposed amendments to Standing Orders and the Scheme of Delegation, including the Functions of the Standing Committee.

RECOMMENDATIONS: The Authority Committee is recommended to:

- (1) Approve and adopt the proposed amendments to the Scheme of Delegation to Committees in paragraph 2.4.
- (2) Approve and adopt the proposed amendments to Standing Orders and the Scheme of Delegation in Appendix 1.
- (3) Approve the proposed work programme for the Standards Committee in paragraph 3.1.

Authority Priority: To meet the requirements of legislation where applicable to National Parks and conduct Authority business in line with good practice and the 7 principles of public life.

Legal and Equality Implications: Section 65(4) Environment Act 1995 – provides powers to the National Park Authority to “do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to-

- (a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]
- (b) the carrying out of any functions conferred on it by virtue of any other enactment.”

The Localism Act 2011 requires the Authority to promote and maintain high standards of conduct. The Coronavirus Act 2020 make allowances for changes to the way Authorities conduct their business due to the pandemic, until 7 May 2021.

The equality impact of the recommendations of this report has been assessed as follows: There are no foreseen adverse impacts on any protected group(s).

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendations of this report is as follows: There are no implications for Human Rights Act.

Financial and Risk Implications: Reputational and other risks including criminal liability could arise should Members fail properly to comply with the provisions of the Localism Act 2011, particularly in relation to the declaration of relevant interests.

1. INTRODUCTION

- 1.1 The Authority has a statutory duty to promote and maintain high standards of conduct by Members and co-opted Members of the Authority. The Code of Conduct promotes the arrangements that ensure the public interest is put first, in line with the 7 principles of public life, and in particular that Members demonstrate transparency about their disclosable pecuniary interests and personal interests.
- 1.2 Standing Orders provide the framework for the proper management of Authority business. It is accepted good practice to periodically review the key principles and documents that guide Authority standards and conduct to ensure they remain up to date and fit for purpose.
- 1.3 In recent months, Members and officers have raised a number of queries and issues regarding the current Standing Orders relating to how the conduct of Authority business is undertaken. Further practical issues were identified as the Authority moved to virtual meetings by video-conference as a result of the Covid-19 pandemic.
- 1.4 In addition, the Auditors in their Annual Governance Statement (November 2019), recommended that the Standards Committee more actively monitor compliance with the Code of Conduct, and training of Members, and receive periodic reports on these matters. It was noted that, as there has not been any issues relating to non-compliance of the Code of Conduct, nothing has been formally reported to the Standards Committee.
- 1.5 A Members' working group was therefore established and met in July 2020 to review the Standing Orders and Scheme of Delegation, and the Auditor's recommendations regarding Standards Committee functions. The Standards Committee considered the proposed amendments at its meeting on 24 September 2020, and recommended that these be brought to the Authority for adoption.

2. REVIEW OF STANDING ORDERS AND SCHEME OF DELEGATION

- 2.1 Date of Annual Meeting. This will be the first meeting held after 31 May to comply with Regulations and the Coronavirus Act 2020.
- 2.2 Chairing Meetings (Standing Orders Conduct of Meetings Section 3). In relation to Planning items, Standing Orders need to make provision for who should Chair Planning items if the Planning Chairperson and Deputy Chairperson are not available. The proposal is to allow the Authority Chairperson to take over, or a vote to elect a Chairperson for the meeting from the Members present. This is currently allowed for Authority items.
- 2.3 Motions and Rules of Debate (Standing Orders Sections 9 and 12). The Standards Committee considered the way motions and amendments are dealt with. It was agreed that the current Standing Orders were in line with standard practice and therefore no amendments were required to the Motions and Rules of Debate. Further training for Members on this was delivered on 13 October 2020.
- 2.4 Standards Committee (Scheme of Delegation to Committees). The working group considered the recommendations of the Auditors and the Independent Chairperson's comments regarding Member Conduct. They proposed that the functions and duties of the Standards Committee be amended to include:
 - Reviewing Standing Orders before amendments are recommended to the Authority
 - Consideration of Member training requirements including Standing Orders as well as Code of Conduct

- Considering general complaints as well as complaints against Members
- Reviewing the Annual Governance Statement in advance of signature by the CEO & Chairperson of Authority

2.5 Delegated Powers for Planning Items (Scheme of Delegation Section 7). Proposed changes are to ensure that there are planning reasons for bringing items to the Authority rather than dealing with them under delegated powers, where the statutory consultee such as a Parish Council has a contrary view to officers.

Emergency Powers. (Scheme of Delegation to the Chief Executive). At the moment, the Chief Executive does not have the power to act in emergency situations without first taking the matter to the Authority. This created difficulties at the start of Covid-19 lockdown when no business could be conducted without an Authority meeting. Proposed amendments to provide emergency powers to the Chief Executive will enable essential business to continue and will bring the Authority in line with other public bodies, who already have these provisions. In any circumstances where these emergency powers are used, they will be done in consultation with the appropriate Chairperson(s) and a full report of the action taken shall be made to the next meeting of the Authority or the appropriate Committee or Sub-Committee.

2.6 A tracked changed version of the Standing Orders and Scheme of Delegation is given in **Appendix 1**.

3. STANDARDS COMMITTEE FUNCTIONS

3.1 The Standards Committee considered the recommendations from the Auditors regarding more proactive monitoring of the Code of Conduct and member training. If the proposed changes to Standing Orders regarding Standards Committee Functions are agreed, the Standards Committee would hold at least two meetings per year, to consider the following:

- Annual review of Standing Orders
- Annual review of Code of Conduct, including actions to address any repeat infringements
- Review of the Annual Governance Statement in advance of signature by the Chief Executive and Chairperson of the Authority
- Identification of relevant member training requirements
- Overview of ENPA complaints and compliments
- Review of national standards arrangements and good practice

3.2 An annual report of the Standards Committee activities will be produced.

Clare Reid
Head of Strategy and Performance

Judy Coles
Corporate Support Officer

October 2020

Background papers on which this report, or an important part of it are based, constitute the list of background papers required by Section 100 D (1) of the Local Government Act 1972 to be open to members of the public comprise:

- Localism Act 2011
- Coronavirus Act 2020



EXMOOR NATIONAL PARK AUTHORITY

STANDING ORDERS

For Adoption 03 November 2020

~~Adopted 04 December 2018~~

~~Revised 01 October 2019~~

Exmoor National Park Authority – Standing Orders

- ~~For Adoption 03 November 2020~~ ~~Adopted 04 December 2018~~
- ~~Revised 01 October 2019 – Standing Orders for the Regulation of Contracts only~~

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INTRODUCTION

The Standing Orders set out below are for the regulation of the meetings, proceedings and business of the Exmoor National Park Authority in accordance with all enabling powers.

RECORDING OF MEETINGS: The official record of any meeting is the minutes, in accordance with Standing Order 7.

In the interests of openness and transparency, it is the Authority's policy to record (audio and/or video) all Authority meetings and meetings of its Committees and Sub Committees for that part of a meeting that is open to the public and the press. The Chairperson of the meeting has the discretion to terminate or suspend recording.

STANDING ORDERS:

PART A: ORDERS APPLICABLE TO AUTHORITY MEETINGS

1 MEETINGS OF THE AUTHORITY

- 1.1 **Number of Meetings:** In every year, the Authority shall hold one Annual Meeting and at least nine other meetings for the transaction of general business.
- 1.2 **Dates of Meetings:** The meetings of the Authority shall be held on dates determined by the Authority. The Chief Executive (National Park Officer) in consultation with the Chairperson shall have authority to change the date of any meeting of the Authority if in their opinion such change is necessary for the convenient and/or efficient dispatch of Authority business.
- 1.3 **Calendar of Meetings:** Each year the Authority shall approve a calendar of meetings of the Authority and its Committees and Sub Committees.
- 1.4 **Date of Annual Meeting:** The Annual Meeting of the Authority shall be the first meeting held after ~~30 June~~ 31 May in any year.
- 1.5 **Time of Meetings:** The meetings of the Authority shall start at 10.00am or at such other time as the Authority shall determine. The Chief Executive in consultation with the Chairperson shall have authority to change the time of any meeting of the Authority if in their opinion such change is necessary for the convenient and/or efficient dispatch of Authority business.
- 1.6 **Venue of Meetings:** All meetings of the Authority shall be held at Exmoor House, Dulverton or at such other place as the Chairperson shall determine.
- 1.7 **Summons for a Meeting:** Not less than five clear working days before a meeting of the Authority, the Chief Executive shall issue a public notice of the time and place of the meeting and a summons to attend the meeting shall be posted to the usual place of residence of every Member of the Authority, or at some other address as notified by a Member.

The summons for any extraordinary meeting shall set out the agenda for that meeting. Failure to serve a summons on any Member of the Authority shall not affect the validity of any meeting. No business shall be transacted at a meeting of the Authority other than that specified in the notice of that meeting. The proceedings of the Authority shall not be invalidated by any vacancy or defect in appointment of any Member.

- 1.8 **Extraordinary Meetings:** An extraordinary meeting of the Authority may be called at any time by the "Appropriate Person" meaning the Chairperson, or if that office is vacant, the Deputy Chairperson or if that office is also vacant, the Chief Executive.

In addition, the Appropriate Person shall call an extraordinary meeting of the Authority upon receipt of a written request for that purpose specifying the nature of the important or urgent business signed by five Members of the Authority. Should the Appropriate Person not call an extraordinary meeting within seven days of receipt of the request, any five Members of the Authority may call an extraordinary meeting of the Authority.

2 APPOINTMENT OF CHAIRPERSON, DEPUTY CHAIRPERSON AND DEPUTY CHAIRPERSON (PLANNING)

- 2.1 At the Annual Meeting of the Authority, the Chief Executive shall preside over the first item of business to elect a Chairperson of the Authority. The second item of business shall be to elect a Deputy Chairperson. The third item of business shall be to elect a Deputy Chairperson (Planning).
- 2.2 Where more than two persons are nominated for the position of Chairperson or Deputy Chairperson or Deputy Chairperson (Planning) a vote will take place. If, following the vote, there is not a clear majority in favour of one person, the name of the person having the least number of votes shall be struck off the list. A fresh vote shall then be taken and so on, until a majority of votes is given in favour of one person. Nominees shall be entitled to vote for themselves. The voting may take place by ballot if the Authority so determines.
- 2.3 The Chairperson, Deputy Chairperson and Deputy Chairperson (Planning) shall be elected for a period not exceeding one year but on ceasing to hold office at the end of their elected term shall be eligible for re-election unless six successive terms have been served from 2012.
- 2.4 The Chairperson, Deputy Chairperson or Deputy Chairperson (Planning) may at any time resign their office by notice in writing delivered to the Chief Executive.
- 2.5 A person shall cease to hold office as Chairperson or Deputy Chairperson or Deputy Chairperson (Planning) upon ceasing to be a Member of the Authority.
- 2.6 If a vacancy in the office of Chairperson or Deputy Chairperson or Deputy Chairperson (Planning) shall arise, the vacancy shall be filled by the Authority's election of one of its Members at the next Authority meeting.
- 2.7 Where a casual vacancy in the office of Chairperson or Deputy Chairperson or Deputy Chairperson (Planning) is filled the person then elected shall hold office until the next Annual Meeting of the Authority.

3 CONDUCT OF MEETINGS

- 3.1 At a meeting of the Authority the Chairperson shall preside.
- 3.2 If the Chairperson is absent from a meeting of the Authority, the Deputy Chairperson of the Authority shall preside. If both the Chairperson and Deputy Chairperson of the Authority are absent, the Deputy Chairperson (Planning) shall preside.
- 3.3 If the Chairperson and both Deputy Chairpersons of the Authority are absent, the Members of the Authority present at that meeting shall choose a person from their number to preside as Chairperson for that meeting.
- 3.4 At a meeting of the Authority, the Deputy Chairperson (Planning) shall preside over agenda items that relate to the Authority's role as sole local planning authority for the area of Exmoor National Park. If the Deputy Chairperson (Planning) is absent the

Deputy Chairperson of the Authority shall preside. If both the Deputy Chairperson (Planning) and Deputy Chairperson are absent, the Chairperson of the Authority shall preside

3.5 If the Chairperson and both Deputy Chairpersons of the Authority are absent, the Members of the Authority present at that meeting shall choose a person from their number to preside as Chairperson for that meeting.

3.56 Any powers or duty in relation to the conduct of a meeting assigned to the Chairperson by these Standing Orders may be exercised by any person presiding at a meeting in accordance with Standing Order 3.3 and 3.4 above.

4 QUORUM

4.1 Except where authorised by statute or otherwise specifically determined by the Authority, no business shall be transacted at a meeting of the Authority unless at least one-third of the whole number of Members of the Authority are present; and of those present at least one is a local authority Member and at least one is a Member appointed to the Authority by the Secretary of State. *Note: the quorum for a meeting of the Authority of 22 Members is 8.*

4.2 If, during any meeting of the Authority, the Chairperson, after counting the number of Members present, declares there is not a quorum present, the meeting shall forthwith end and any business shall stand adjourned to a date fixed by the Chairperson or if a date is not fixed, to the next meeting of the Authority.

5 ATTENDANCE AT MEETING

5.1 Every Member attending a meeting of the Authority shall certify their attendance by signing their name in the attendance book.

5.2 A Member shall tender an apology to the office of the Chief Executive before the date of a meeting that they are unable to attend.

5.3 If a Member fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Authority, they shall cease to be a Member of the Authority unless the failure was due to some reason approved by the Authority before the expiry of that period. Attendance as a Member at a meeting of any committee or sub-committee, joint committee, joint board, advisory committee or other body by which for the time being the functions of the Authority are being discharged shall be deemed to be attendance at a meeting of the Authority.

5.4 A member shall disclose any disclosable pecuniary interest or personal interest they have in any matter coming before the Authority. This is notwithstanding the fact that such interests may already be entered in the Register of Interests. A member shall not participate in any discussion of, vote on, or discharge any function related to a matter in which they have declared a disclosable pecuniary interest and they shall withdraw from the meeting for the duration of the consideration of that matter.

6 ORDER OF BUSINESS

6.1 Subject to any statutory requirements, the order of business at every meeting of the Authority shall normally be as follows:

- (a) at the Annual Meeting only in every year, to appoint the Chairperson of the Authority; the Deputy Chairperson and the Deputy Chairperson (Planning);
- (b) to choose a person to preside if the Chairperson and both Deputy Chairpersons are absent;
- (c) to deal with any business required by statute to be done before any other business;
- (d) Chairperson's announcements;
- (e) to approve and sign as a correct record the Minutes of the last meeting of the Authority;
- (f) to consider any matters arising from the Minutes of the last meeting of the Authority
- (g) to deal with any business expressly required by statute to be done;
- (h) to introduce any business which by reason of special circumstances the Chairperson, after consultation with the Chief Executive, is of the opinion should be considered as a matter of urgency **AND** then to resolve when such business should be ordered on the Agenda;
- (i) to dispose of business (if any) remaining from the last meeting;
- (j) to receive any public speakers in accordance with Standing Order 30;
- (k) to consider recommendations of Committees;
- (l) to consider motions in the order in which notice has been received;
- (m) to consider questions from Members of which notice has been given in accordance with Standing Order 10;
- (o) to consider applications, enforcement issues and other reports in relation to the Authority's functions as sole local planning authority for the area of Exmoor National Park;
- (p) to consider reports and other business specified in the summons;
- (q) to receive the minutes of Committees;
- (r) to consider any business which is the subject of any resolution passed under Standing Order 14.1 to exclude the press and public for reasons of confidential or exempt information as defined by Section 100A of the Local Government Act 1972.

6.2 The order of business at any meeting of the Authority (other than business set out in Standing Order 6.1(a), (b) and (c)) may be varied either at the Chairperson's discretion or by a resolution passed on a motion duly moved, seconded and put without debate.

7 MINUTES

7.1 The minutes recording the decisions of each meeting of the Authority shall be signed at the next suitable meeting of the Authority. The minutes shall be taken as read and the person presiding shall put the question '*May the minutes of the meeting held on the X day of Y be approved as a correct record?*'

7.2 There shall be no discussion upon the minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been resolved, the Chairperson shall sign the minutes.

- 7.3 A signed copy of the approved Minutes of every meeting of the Authority shall be entered in a book and kept securely. Any minute purporting to be so signed shall be received in evidence without further proof.
- 7.4 Any question on the accuracy of the minutes of a Committee or Sub Committee shall stand referred to the next meeting of the Committee or Sub Committee and shall not be discussed at the meeting of the Authority.
- 7.5 Until the contrary is proved, a meeting of the Authority the minutes of which have been made and signed in accordance with these Standing Orders shall be deemed to have been duly convened and held, and all the Members present at the meeting shall be deemed to have been duly qualified.

8 VOTING

- 8.1 Every motion shall be determined by a show of hands unless otherwise decided by a majority of the meeting.
- 8.2 All motions shall be decided by a majority of the Members of the Authority present and voting at that meeting.
- 8.3 On the requisition of any Member of the Authority supported by four other Members, the voting shall be recorded to show how each Member present and voting gave their vote for or against the motion or who abstained from voting.
- 8.4 On the Chairperson putting a motion to the vote, no further discussion on it shall take place.
- 8.5 If immediately after a vote is taken any Member so requests, a record shall be kept in the Minutes of that meeting whether that Member cast their vote for or against the motion or abstained from voting.
- 8.6 In the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.
- 8.7 A Member shall be eligible to vote only if they have been present for the entirety of the agenda item concerned including any presentation by officers, any representations by members of the public and any subsequent member debate.

9 MOTIONS

- 9.1 **Scope of Motion:** Every motion shall be relevant to some matter in relation to which the Authority has power or duties or which affects Exmoor National Park. Notice of every motion (other than those set out in 9.2 below) shall be given in writing and set out in the Summons in accordance with 9.3 and 9.4 below.
- 9.2 **Motions moved without notice:** The following motions and amendments may be moved without notice:
- (1) appointment of the Chairperson of the meeting at which the motion is made;
 - (2) motion relating to the accuracy of the minutes;
 - (3) that an item of business specified in the summons has precedence;
 - (4) reference to a Committee;

- (5) appointment of a committee or Member thereof occasioned by an item mentioned in the summons to the meeting.
- (6) to vary the order of business;
- (7) for leave to be given to withdraw a motion.
- (8) to amend a motion;
- (9) to refer the motion to a committee or sub-committee;
- (10) receipt of reports or adoption of recommendations of committees or Officers and any consequent resolutions;
- (11) "that the question be now put";
- (12) "that the Authority (or committee) proceeds to the next item of business";
- (13) "that the debate be now adjourned";
- (14) "that the Authority (or committee) do now adjourn";
- (15) authorising the sealing of documents;
- (16) to exclude the public in accordance with Standing Order 14
- (17) "that the Member be not further heard" (Standing Order 13);
- (18) "that the Member leave the meeting" (Standing Order 13);
- (19) the suspending of Standing Orders in accordance with Standing Order 17;
- (20) to give the consent of the Authority where the consent of the Authority is required by these Standing Orders.

9.3 **Notices of Motion:** Notice of every motion (other than those set out in 9.2 above which may be moved without notice) shall be given in writing and signed by the Member or Members giving the notice and delivered to the Chief Executive at least ten working days before the date of the next Authority meeting. Upon receipt, it shall be dated and numbered in the order received and entered into a book open to inspection.

9.4 **Motions to be set out in Summons:** The Chief Executive shall set out in the summons for every meeting of the Authority all motions of which notice has been received, unless the Member when giving such notice intimated in writing that they proposed to move it at some later meeting, or has since withdrawn it in writing.

9.5 **Motion Not Moved:** If a motion which is set out in the summons is not moved either by a Member who gave notice of it or by some other Member on their behalf it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.

10 FORMAL QUESTIONS BY MEMBERS

10.1 A Member may:

- (a) ask any question relating to the business of the Authority provided written notice is received at the office of the Chief Executive at least ten working days before an Authority meeting;
- (b) with the permission of the Chairperson, put any question relating to urgent business, but a written copy of such question shall be delivered to the Chief Executive on the day of the meeting and prior to its commencement;

- (c) every question shall be put and answered without discussion and no provision shall be made for asking supplementary questions;
- (d) any person to whom a question is put may decline to answer;
- (e) every question put and the reply shall be recorded in the minutes of the meeting.

11 DEBATE

- 11.1 All discussion and debate in a meeting of the Authority or any committee or sub committee shall be conducted in accordance with the Rules of Debate set out in Standing Order 12.
- 11.2 For the purpose of conducting the business of meetings in an informal manner, it shall be open to the Chairperson to allow debate that does not comply with the formalities of Standing Order 12.
- 11.3 The Chairperson may determine to bring the meeting and its procedures into full and strict conformity with the Rules of Debate under Standing Order 12 and such determination shall be final.

12 RULES OF DEBATE

- 12.1 **Discussion of a Motion or Amendment:** A motion or amendment shall not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 9.3, the Chairperson may require the matter to be put in writing and handed to the Chairperson before it is discussed or put to the meeting.
- 12.2 **Seconders' Speech:** When seconding a motion or amendment, a Member may reserve the right to speak until later in the debate by declaring an intention to do so.
- 12.3 **Speaking in Debate:** A Member when speaking shall address the Chairperson. If two or more Members indicate a wish to speak, the Chairperson shall call one to speak and other Members shall then await their opportunity to speak. While a Member is speaking, the other Members shall refrain from speaking unless raising a point of order.
- 12.4 **Content and Length of Speeches:** A Member shall direct their speech to the motion under discussion or to a personal explanation or to a point of order. No speech may exceed five minutes except with the consent of the Chairperson.
- 12.5 **Speaking More Than Once:** A Member who has spoken on any motion shall not speak again while it is the subject of debate, except:
 - (a) once on an amendment moved by another Member;
 - (b) if the motion has been amended since they last spoke, to move a further amendment;
 - (c) if their first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which they spoke was carried;
 - (d) in exercise of a right of reply;
 - (e) on a point of order;
 - (f) by way of explanation of some material part of their speech which appears in the course of the debate to have been misunderstood.

- 12.6 **Amendments to Motions:** An amendment shall be relevant to the motion and shall be:
- (a) to refer a matter to a Committee for consideration or reconsideration; or
 - (b) to leave out words; or
 - (c) to insert or add words; or
 - (d) to leave out words *and* insert or add others; or
 - (e) to propose deferral to allow a site visit
- but such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority, or of introducing a substantially new proposal.
- 12.7 **Discussion of Amendments:** Only one amendment may be moved at a time. No further amendment shall be moved until the amendment under discussion has been disposed of.
- The Chairperson may permit two or more amendments to be discussed together (but not voted on together) if they are of the opinion that this course would facilitate the proper conduct of Authority business.
- If an amendment is not carried, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 12.8 **Alteration of Motion:** A Member may, with the consent of the Authority indicated without discussion, alter a motion of which they have given notice, or with the consent of their seconder, alter a motion that they have moved if in either case the alteration is one that could be made as an amendment.
- 12.9 **Withdrawal of Motion or Amendment:** A motion or amendment may be withdrawn by the mover with the consent of the seconder and of the Authority, which shall be signified without discussion. No Member may speak upon the amendment after the mover has asked permission for its withdrawal, unless such permission has been refused.
- 12.10 **Right of Reply:** The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. The reply shall be strictly confined to answering previous speakers and shall not introduce any new matters into the debate. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment but shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on that amendment.
- 12.11 **Motions which may be moved during debate:** When a motion is under debate no other motion shall be moved except the following:
- (a) to amend the motion;
 - (b) that the question be now put;
 - (c) to adjourn the debate;
 - (d) to proceed to the next item of business;
 - (e) to adjourn the meeting;
 - (f) a motion under Standing Order 14 to exclude the public;
 - (g) that the Member be not further heard (Standing Order 13);
 - (h) that the Member leave the meeting (Standing Order 13).

- 12.12 **Closure Motions:** A Member may move without comment at the conclusion of a speech of another Member: "That the Authority proceed to the next item of business", "That the question be now put", "That the debate be now adjourned" or "That the Authority do now adjourn", on the seconding of which the procedure shall be as follows:
- (a) on a motion "to proceed to the next item of business", unless in the Chairperson's opinion the matter before the meeting has been insufficiently discussed, the Chairperson shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
 - (b) on a motion that "the question be now put", unless in the Chairperson's opinion the matter before the meeting has been insufficiently discussed, the Chairperson shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion their right of reply before putting the motion to the vote;
 - (c) on a motion "to adjourn the debate or the meeting", if in the Chairperson's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, the Chairperson shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion.

- 12.13 **Points of Order and personal explanation:** A Member may raise a point of order or a matter of personal explanation and shall be heard forthwith.

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the way in which they consider it has been broken.

A personal explanation shall be confined to some material part of a former speech by them that appears to have been misunderstood in the present debate.

The ruling of the Chairperson on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

- 12.14 **Respect for the Chairperson:** Whenever the Chairperson speaks during a debate, any Member then speaking shall immediately stop and the Authority shall be silent.

13 DISORDERLY CONDUCT DURING MEETINGS

- 13.1 If in the opinion of the Chairperson, any Member engages in misconduct by persistently disregarding the ruling of the Chairperson, or by behaving irregularly, improperly or offensively, or by willfully interrupting or obstructing the business of the Authority, the Chairperson or any other Member may move "that the Member named be not further heard". Such motion if seconded shall be put and determined without discussion.
- 13.2 If the Member named continues such misconduct after a motion under paragraph 13.1 has been carried, the Chairperson shall either move "that the Member named do leave the meeting" which shall be put and determined without seconding or discussion; or shall adjourn the meeting for a period as in their discretion is considered expedient.
- 13.3 In the event of a general disturbance which in the opinion of the Chairperson renders the due and orderly dispatch of business impossible, in addition to any other power vested in him, the Chairperson may, without the question being put, adjourn the meeting of the Authority for such period and to such place as their discretion considers expedient.

13.4 If a member of the public interrupts the proceedings at any meeting the Chairperson shall warn them. If they continue the interruption, the Chairperson shall order their removal from the Authority Room. In the case of general disturbance in any part of the Authority Room open to the public the Chairperson shall order that part to be cleared.

14 MEETINGS TO BE OPEN TO THE PRESS AND PUBLIC

14.1 Every meeting of the Authority or any Committee or Sub Committee shall be open to the press and public except in the following circumstances:

- (a) the press and public shall by resolution be excluded from a meeting during an item of business when in view of the nature of the proceedings or the business to be transacted, it is likely that if members of the public were present, confidential information as defined in s100A(3) of the 1972 Act would be disclosed to them in breach of the obligation of confidence;
- (b) the press and public may by resolution under s100A(4) of the 1972 Act be excluded from a meeting during an item of business when in view of the nature of the proceedings or the business to be transacted, it is likely that if members of the public were present there would be disclosure to them of exempt information, as defined in s100I of the 1972 Act.
- (c) if any matter arises at a meeting of the Authority or any Committee or Sub Committee as to the appointment, promotion, dismissal, salary, pension, conditions of service or conduct of any Officer, or where persons are being considered for an appointment with the Authority, a motion under Section 100A(4) of the 1972 Act to exclude the public shall be moved forthwith by the Chairperson and put without debate.

14.2 Unless the Chairperson shall direct otherwise, upon the conclusion of any item of business taken following a resolution under Standing Order 14.1, Members shall immediately return to the Chief Executive or their nominee all reports, documents and papers relating to that item, for secure disposal as confidential waste.

15 CONFIDENTIALITY

A Member or Officer of the Authority shall not:

- (a) disclose any information or matter which has been reported to or debated by the Authority or any Committee or Sub Committee and which is confidential information within the meaning of s100A of the 1972 Act; or
- (b) without the express permission of the Authority, disclose any information or matter which is identified as exempt information following a resolution pursuant to s100A of the 1972 Act to exclude the public from the meeting.

16 RESCISSION OF PREVIOUS RESOLUTION

No motion to rescind or reverse any substantive resolution passed by the Authority within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless notice thereof in pursuance of Standing Order 9.3 bears the names of at least six Members of the Authority. When the Authority has disposed of any such motion or

amendment, it shall not be open to any Member to propose a similar motion within a further period of six months.

17 WHEN STANDING ORDERS MAY BE SUSPENDED, REVOKED OR ALTERED

- 17.1 These Standing Orders shall only be capable of variation, amendment, revocation, replacement or other alteration at a meeting of the Authority and upon notice of motion specifying the alteration proposed to be made.
- 17.2 Except for those Standing Orders derived from statutory authority, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved. A motion to suspend Standing Orders shall not be moved without notice unless at least one half of the Members of the Authority are present.

18 INTERPRETATION OF STANDING ORDERS

The decision of the Chairperson on all points of procedure, order and interpretation of these Standing Orders shall be final and shall not be challenged at any meeting of the Authority.

PART B: ORDERS APPLYING TO COMMITTEES OF THE AUTHORITY

19 APPOINTMENT OF COMMITTEES

- 19.1 At the Annual Meeting of the Authority, the Authority shall appoint such Standing Committees and may at any time appoint such other committees, sub-committees, working panels or other groups necessary to discharge the functions of the Authority.
- 19.2 After the Annual Meeting and on the same day the Authority shall convene a meeting of each Standing Committee to elect a Chairperson and Deputy Chairperson from amongst the Committee's members where such appointments are not prescribed under the Scheme of Delegation.
- 19.3 All meetings of Committees or Sub Committees shall be summoned by the Chief Executive.

20 QUORUM OF COMMITTEES AND SUB COMMITTEES

- 20.1 Except where authorised by statute or otherwise specifically directed by the Authority, no business shall be transacted at a meeting of any Committee or Sub Committee unless at least one third of the whole number of the Committee or Sub Committee is present. In no case shall the quorum of a Committee or Sub Committee be fewer than three Members to include at least one local authority member of the Authority and at least one member appointed to the Authority by the Secretary of State.
- 20.2 For the purposes of calculating the quorum, if the number of the Committee or Sub Committee is not divisible by three, the quorum shall be one-third of the lowest number above the number of the Committee or Sub Committee that is divisible by three.

Note:

The quorum of a meeting of the Standards Committee of 5 Members is 3.

The quorum of a meeting of the Final Accounts Committee of 5 Members is 3.

21 SPECIAL MEETINGS OF COMMITTEES AND SUB COMMITTEES

- 21.1 The Chairperson of a Committee or Sub Committee, or the Chairperson of the Authority may call a special meeting of a Committee or Sub Committee at any time.
- 21.2 A special meeting may also be called on the request of the majority of the whole number of the Committee or Sub Committee, delivered in writing to the Chief Executive but in no case shall fewer than three Members request a special meeting. The summons to the special meeting shall set out the business to be considered.

22 MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES ON WHICH THE AUTHORITY IS REPRESENTED

- 22.1 In relation to all Committees, Sub-Committees, Joint Committees on which the Authority is represented, and Sub-Committees of such Joint Committees:
Membership shall consist both of Local Authority Members of the Authority and of at least one Member appointed to the Authority by the Secretary of State.
- 22.2 The division of the membership between Local Authority Members and Members appointed by the Secretary of State shall as nearly as possible be in the same proportions as the composition of the Authority itself.
- 22.3 The quorum shall include at least one Local Authority Member of the Authority and at least one Member appointed to the Authority by the Secretary of State.
- 22.4 Standing Orders 22.1-22.3 above shall not apply to advisory committees appointed under s.102(4) or 4(A) of the Local Government Act 1972 to advise on any matter relating to the discharge of their functions. Any such committee may consist of such persons appointed for such term as may be determined by the appointing authority(ies).

23 RIGHT TO ATTEND MEETINGS

- 23.1 Any Member shall have the right to attend any meeting of a Committee or Sub Committee of which they are not a member and may receive the relevant papers. However, they shall not be entitled to speak at that meeting except with the consent of the Chairperson; neither shall they have any right to vote.
- 23.2 The right to attend shall also apply in relation to meetings not open to the press and public but shall not apply to a meeting of the Authority Appeals Committee.

PART C: ORDERS APPLYING TO PREPARATION AND PUBLICATION OF AGENDAS AND REPORTS

24 ITEMS OF BUSINESS

- (1) An item of business may not be considered at a meeting of the Authority or a Committee or Sub Committee unless either:
- (a) a copy of the agenda including the item is open to inspection by members of the public at least five clear working days before the meeting or, where the meeting has been convened at shorter notice, from the time the meeting is convened; or
 - (b) by reason of special circumstances that shall be minuted, the Chairperson of the meeting after consultation with the Chief Executive, is of the opinion that it should be considered as a matter of urgency.

- (2) Reports that relate to items of business from which the public will be excluded for reasons of confidential or exempt information as defined by Section 100A of the Local Government Act 1972 shall be identified accordingly and marked 'not for publication'.
- (3) The Agenda and reports for every meeting of a Committee or Sub Committee shall be available to every Authority Member.

PART D: GENERAL ORDERS APPLICABLE AT ALL TIMES

25 CONDUCT OF MEMBERS

- 25.1 All members shall observe the Authority's Code of Conduct.
- 25.2 All members of the Authority must give the Authority a written undertaking that in performing their functions they will observe the Authority's Code of Conduct for the time being. Any member who fails to give the undertaking shall be precluded from taking part in Authority business.

26 THE AUTHORITY'S SEAL

(The Authority's seal is an adhesive and stamped disc attached to deeds and documents).

26.1 Sealing of Documents

The Common Seal of the Authority shall not be affixed to any document unless the matter has been authorised by a resolution of the Authority, Committee or Sub Committee or by an Officer to whom the Authority has delegated its powers in this behalf.

26.2 Attestation of Sealing

The Seal shall be attested by the Chief Executive or the Solicitor & Monitoring Officer or an officer duly authorised by the Chief Executive, and an entry of every sealing of a document shall be made and consecutively numbered in a sealing register kept by the Corporate Support Officer.

27 AUTHENTICATION OF DOCUMENTS

Where any document will be a necessary step in legal proceedings or shall be a legal agreement, contract, notice, or order under hand on behalf of the Authority it shall (unless any other enactment requires or authorises or the necessary delegated authority shall have been given to some other person) be signed by the Chief Executive or in their absence by a person duly authorised by the Chief Executive.

28 STANDING ORDERS TO BE GIVEN TO MEMBERS

A printed copy of these Standing Orders shall be given to each Member of the Authority by the Chief Executive upon their appointment to the Authority.

29 INSPECTION OF DOCUMENTS

- 29.1 Every Member has the right to inspect all documents and any other information in the possession or under the control of the Authority necessary to discharge their function as a Member. Requests for information that go beyond that scope shall be addressed to the Chief Executive who will decide in consultation with the Solicitor & Monitoring Officer whether it is appropriate to provide that information.

30 PUBLIC SPEAKING

At Meetings of the Authority or its Committees or Sub Committees other than any committee or sub committee dealing solely with issues relating to exempt information (Standing Order 14.1): -

- (a) An item for public speaking shall be included on the agenda of Authority, Committee and Sub Committee meetings. Questions of a general nature relevant to the business of the Authority can be made under this agenda item. Any questions specific to an agenda item can be posed when that item is considered, subject to the discretion of the person presiding at the meeting.
- (b) For the purposes of this standing order “public speaking” shall mean the asking of any question, the making of any statement or the presentation of any petition in relation to any item relevant to the business of the Authority.
- (c) Persons wishing participate in the public speaking item of the meeting must inform the Chief Executive or their representative by 4pm on the working day before the meeting, and provide a brief summary (of no more than 300 words) of the matter or matters to be raised. This may be done by email, in writing or by dictating over the telephone.
- (d) The Chairperson of the Authority, Committee or Sub Committee will invite those who have given prior notice to speak at an appropriate time. The public speaker may speak for up to 2 minutes or longer at the Chairperson’s discretion.
- (e) There will be no debate on any matters raised at public speaking. A question may be answered at the time or deferred for consideration when the relevant agenda item is reached. If an answer cannot be provided on the day, a written reply will be offered. The Chairperson may allow a supplementary question wherever they think this is reasonable and appropriate.
- (f) Unless the Chairperson directs otherwise, the total time allowed for public speaking will not exceed 10 minutes per agenda item.
- (g) Where there are a large number of speakers concerned with the same subject matter, at the Chairperson’s discretion those concerned may be asked to nominate one of their number to speak on their behalf. In such cases the Chairperson will allow the speaker up to 5 minutes to speak.

PART E: STANDING ORDERS APPLYING TO THE CHIEF EXECUTIVE

31 APPOINTMENT OF CHIEF EXECUTIVE

- (1) In this standing order the post of Chief Executive is also a reference to the holder of the post of Head of the Paid Service designated under s.41(1) of the Local Government & Housing Act, 1989 and to the post of National Park Officer as designated under the Environment Act 1995.
- (2) Where the Authority proposes to appoint its Chief Executive, and it is not proposed that the appointment be made exclusively from among its existing officers, they shall
 - (a) draw up a statement specifying:-
 - (i) the duties of the officer concerned, and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
 - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
 - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request; and
 - (d) consult Natural England.
- (3)
 - (1) Where a post has been advertised as provided in standing order 31(2)(b) the authority shall:
 - (a) interview all qualified applicants for the post, or
 - (b) select a short list of such qualified applicants and interview those included on the short list.
 - (2) Where no qualified person has applied, the Authority shall make further arrangements for advertisement in accordance with standing order 31(2)(b).
- (4) Every appointment of a Chief Executive shall be made by the Authority after consultation with Natural England and in accordance with paragraph 3(14) of the Authority's Scheme of Delegation (Personnel).

32 DISCIPLINARY ACTION

- (1) No disciplinary action (within the meaning of Part II of the Local Authorities (Standing Orders) Regulations 1992) in respect of the head of the Authority's paid service, except action described in paragraph (2), may be taken by an authority, or by a committee, sub-committee, or any other person acting on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under regulation 3 of those Regulations.
- (2) The action mentioned in paragraph (1) is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

PART F: STANDING ORDERS TO APPLY TO COMMITTEES AND SUB COMMITTEES

- 33** The Standing Orders **PART A** numbered 1.3, 1.5, 1.7, 3, 4.2, 5, 6.2, 7.1, 7.2, 7.3, 8, 9.2, 13, 14, 16, 17 and 18 and **PART D** numbered 25-30, with any necessary modification, apply to all Committee and Sub Committee meetings and Standing Orders 11 and 12 may be applied by the Chairperson, Deputy Chairperson or Deputy Chairperson (Planning) or other person presiding at any time during a meeting at their discretion.



POWERS, DUTIES AND FUNCTIONS OF THE AUTHORITY MEETING

For Adoption 03 November 2020
~~Adopted 04 December 2018~~

POWERS, DUTIES AND FUNCTIONS OF THE AUTHORITY MEETING

1. The Authority meeting shall exercise all the powers, duties and functions of the Authority, that are not specifically delegated to a Committee or Sub Committee.
2. Any arrangements made by the Authority for the discharge of any of its functions by a Committee or Sub Committee or an officer shall not prevent the Authority meeting from exercising those functions.
3. For the avoidance of doubt the following powers, duties and functions are specifically reserved to be exercised by the Authority meeting:
 - (1) The approval of the Standing Orders for the conduct of the business of the Authority.
 - (2) Election of the Authority Chairperson, Deputy Chairperson and Deputy Chairperson (Planning).
 - (3) The appointment of Members to Committees, Sub committees and Advisory Groups.
 - (4) The appointment of Members or officers to outside bodies.
 - (5) The approval of the Members' Code of Conduct and relevant Protocols.
 - (6) The approval of the strategies, policies, plans and programmes that guide the Authority in the discharge of its powers and duties.
 - (7) The adoption of the National Park Management Plan under the Environment Act 1995.
 - (8) The determination of any matters which have been referred for decision by any Committee or Sub Committee of the Authority.

Planning

- (9) Functions in relation to the Authority's role as sole local planning authority for the area of the National Park under Section 67 of the Environment Act 1995 including: planning control, development planning, work arising from preparation of local plans and the duty to cooperate, neighbourhood planning, responding to consultations on national policy and changes to the legislative framework of the planning system.
- (10) No member of the Authority appointed for the first time shall take up their seat at an Authority meeting until they have undergone a programme of training in the planning system approved by the Authority. All Members are required to attend a minimum of two obligatory Planning/Development Management Training sessions in a 24-month period. Failure to do so will mean that a Member is ineligible to participate in that part of an Authority meeting concerned with the Authority's functions as the sole local planning authority for the area of the National Park until such time as they have attended such a training session.
- (11) Functions in relation to footpaths and bridleways under the Town and Country Planning Acts, the Highways Acts, the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act, 2000 and other legislation conferring order-making functions on the Authority.
- (12) As hazardous substances authority, functions under the Planning (Hazardous Substances) Act 1990.
- (13) To delegate to the Chief Executive such of the Authority's planning functions as it considers desirable and expedient and to keep such delegation under review.

Personnel

- (14) In accordance with Standing Order 31, to appoint a suitable person to be National Park Officer who is referred to as the Chief Executive.
- (15) Subject to (16) and (17) below, to exercise all personnel functions including administration, recruitment, training, discipline (including dismissal), determination of wage and salary scales, conditions of service and welfare of all full and part-time staff, health & safety at work and the legislation relating to industrial relations and pensions.
- (16) For the purposes of the hearing and determining of disciplinary grading and other appeals arising under the relevant conditions of service in respect of all the Authority's staff, an Appeals Committee shall be constituted as specified in paragraph 1 of the Scheme of Delegation to Committees.
- (17) The Chief Executive is responsible for the appointment of all Authority staff save that in relation to the appointment of officers for the posts of Heads of Service and the Solicitor and Monitoring Officer, a panel of members shall be established who will, with the Chief Executive, interview appropriate candidates and tender advice to the Chief Executive. A panel established for this purpose will normally comprise the Chairperson and Deputy Chairperson.
- (18) Without prejudice to the functions of the Chief Executive under s.4 of the Local Government & Housing Act, 1989 to consider matters of an organisational and administrative nature.

Finance

- (19) To regulate and control the Authority's finances including balances and any capital or reserve funds, to prepare the annual budget, to consider and approve the annual forecast, estimates and budget, and to be responsible for borrowing transactions and the investment of funds.
- (20) To oversee the application of the Local Government Pension Scheme and the regulations made thereunder.
- (21) To ensure adequate insurance arrangements are made and to oversee risk management arrangements.
- (22) To administer the Members' Allowances Regulations and related matters.
- (23) To arrange for the audit both internal and external of the Authority's accounts.
- (24) To make arrangements for the proper administration of the Authority's financial affairs as required by Section 151 of the Local Government Act 1972.

Performance Management

- (25) To ensure proper arrangements are in place for securing economy, efficiency and effectiveness
- (26) To monitor and improve performance against the criteria for sustainability
- (27) To ensure the business planning and performance framework is clearly set out together with the arrangements for monitoring, review and revision.
- (28) To ensure compliance with the Code of Corporate Governance and to consider the Annual Governance Statement.

Land and Property

- (29) To consider all matters relating to the Authority's land and property including any matter relating to the Authority's land and property referred to it by the Chief Executive and to make appropriate decisions.
- (30) To carry out an annual review of the Authority's land and property including in appropriate cases detailed reviews of particular sites or individual sites and to make appropriate decisions.



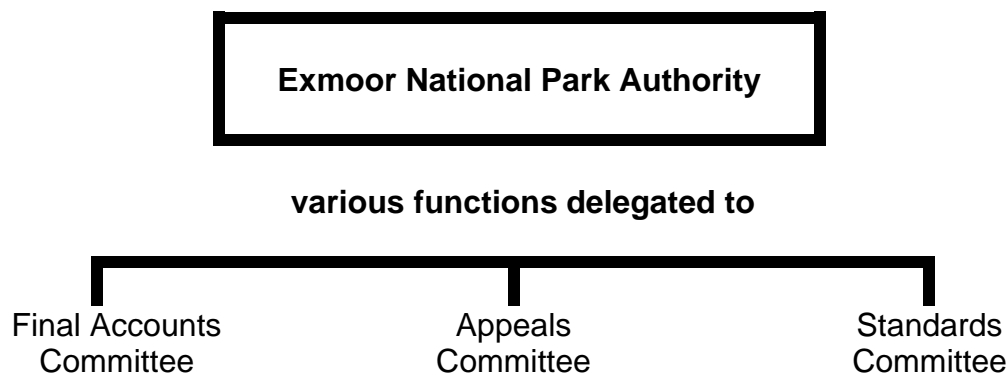
SCHEME OF DELEGATION

For Adoption 03 November 2020
Adopted 04 December 2018

SCHEME OF DELEGATION TO COMMITTEES

Exmoor National Park Authority originally adopted this scheme of delegation of functions to Committees at its meeting on 3 March 2015.

The Authority's Committee structure is illustrated below:



1. Appeals Committee

Membership

- 1.1 The Committee shall comprise 3 members of the Authority, of whom at least one shall be a local authority member and at least one shall be a member appointed to the Authority by the Secretary of State. The members shall be chosen by the Chief Executive in consultation with the Chairperson and Deputy Chairperson of the Authority.

Functions

- 1.2 The Committee shall hear and determine all disciplinary and other appeals arising under the relevant conditions of service for all the Authority's staff.

2. Final Accounts Committee

Membership

- 2.1 The Committee shall comprise at least 5 Members of the Authority, of whom at least one shall be a local authority member and at least one shall be a member appointed to the Authority by the Secretary of State. The Members shall be the Chairperson of the Authority (who shall preside at meetings) and the Deputy Chairperson of the Authority and at least 3 Members chosen by the Authority. At least 3 Members of the Committee must be present in order to provide a quorum, of whom at least one shall be a local authority member and at least one shall be a member appointed to the Authority by the Secretary of State.

Functions

- 2.2 Annually to receive and approve the annual Statement of Accounts in accordance with statutory deadlines.

3. Standards Committee

Membership

- 3.1 The Committee shall comprise 5 members of the Authority, of whom at least one shall be a local authority member and at least one shall be a member appointed to the Authority by the Secretary of State. At least 3 Members of the Committee must be present in order to provide a quorum, of whom at least one shall be a local authority member and at least one shall be a member appointed to the Authority by the Secretary of State.

Functions

- 3.2 The general functions of the Standards Committee are:

- (1) To promote and maintain high standards of conduct by members and officers.
- (2) To advise the Authority on the adoption and revision of a Code of Conduct pursuant to Section 27(2) Localism Act 2011.
- (3) To assist members to observe the Code of Conduct.
- (4) To consider and determine complaints against members under the Code of Conduct.
- (5) To determine the action(s), if any, to be taken where the Committee has determined that a member has failed to comply with the Code of Conduct.
- (6) To review Standing Orders and consider amendments before they go to the Authority.
- (7) To keep an overview of general complaints (not just in relation to Code of Conduct) and matters referred to the Ombudsman.
- (5)(8) To review the Annual Governance Statement in advance of signature by the Chief Executive and Chairperson of Authority

- 3.3 Without prejudice to the general functions above the Standards Committee shall have the following specific duties:

- (1) To monitor the operation of the Code of Conduct and Standing Orders.
- (2) To advise, ~~train~~ and arrange to train members on matters relating to the Code of Conduct and Standing Orders.
- (3) To promote high standards of conduct within the Authority, through observation, advice and training.
- (4) To monitor complaints alleging non compliance with the Code of Conduct and general complaints.
- (5) To hear and determine allegations of non compliance with the Code of Conduct, as requested by the Solicitor & Monitoring Officer.
- (6) To consider and advise on other matters relating to conduct, ethics and propriety as requested by the Solicitor & Monitoring Officer.
- (7) To consider dispensations other than where so many members have disclosable pecuniary interests in a matter that it would impede the transaction of business.

ADVISORY PANELS AND WORKING GROUPS

The Authority also operates a number of deliberative and advisory panels and working groups in relation to its various functions. None of these panels and working groups has a decision making function. All matters arising from the work of these bodies that requires a decision will be brought to the Authority or an appropriate Committee or Sub Committee by the Chief Executive.

SCHEME OF DELEGATION TO THE CHIEF EXECUTIVE

The Authority originally adopted this scheme of delegation of functions to the Chief Executive at its meeting on 3 March 2015. These were reviewed and adopted in its meeting of 03 October 2017.

1. The Chief Executive is authorised to act on behalf of the Authority in relation to any matters subject to the following over-riding provisions:
 - (1) The overall policies approved by the Authority or any of its Committees or Sub-Committees.
 - (2) Standing Orders including those regulating contracts.
 - (3) Financial regulations.
2. Without prejudice to the above delegation, the Chief Executive is expected in appropriate cases to:
 - (1) Maintain a close liaison with the Authority's Chairperson and/or the appropriate Committee Chairperson or Sub-Committee Chairperson (or in their absence the Deputy Chairperson).
 - (2) Consult as necessary with any member who is known to have a specific, local or specialist interest in matter.
 - (3) Consult with the Authority's Monitoring Officer and/or Section 151 Officer.
 - (4) Consult with the relevant officer of any local authority whose service area is likely to be affected by the exercise of delegation.

NB: *Before exercising any delegated power the Chief Executive must consider whether the decision to be made is of such a nature that it ought to be referred for decision to the Authority or to the appropriate Committee or Sub-Committee.*

3. Any power conferred upon the Chief Executive may be exercised by an authorised officer in accordance with any specific directions of the Chief Executive. In the absence of the Chief Executive, any authorised member of the Leadership Team or the Solicitor and Monitoring Officer may exercise those functions delegated to the Chief Executive.

4. Personnel

- (1) The Chief Executive is authorised to act in relation to the appointment, dismissal, discipline and determination of all other matters relating to the employment of staff and the conditions upon which they are employed as are specified in the Personnel Policies and Procedures.
- (2) The Chief Executive may authorise staff to exercise such powers of entry, inspection and survey of land, buildings or premises and may issue any necessary evidence of this

authority as may be appropriate for the execution of their duties and in respect of which the Authority has power.

5. Land and Property

The Chief Executive is authorised to:

- Acquire or renew any interest in or over land including buildings where the purchase price does not exceed £20,000 or the annual rental does not exceed £10,000.
- Dispose of or grant an interest in or over land including buildings provided that the consideration is the best that can reasonably be obtained in all the circumstances.
- In exceptional circumstances and in furtherance of National Park purposes, the Chief Executive is authorised to:
 - Dispose of an interest in or over land including buildings for a consideration less than the best that can reasonably be obtained in all the circumstances where the estimated best obtainable value is less than £5,000.
 - Grant an interest in land including buildings for a consideration less than the best that can reasonably be obtained in all the circumstances where the estimated best obtainable value is less than £2,500.

This delegation includes transfers, leases, licences, easements and wayleaves.”

6. Legal and Procedural

The Chief Executive is authorised to:

- (1) Serve statutory notices to ascertain the legal interest of any person in land.
- (2) Institute, defend or settle legal proceedings in the name of the Authority or an individual Officer of the Authority at Common Law or under any enactment, statutory instrument, order or byelaw conferring functions upon the Authority or in respect of functions undertaken by them and to lodge an appeal against any such decision. For the avoidance of doubt this authority shall extend to the taking of all procedural steps, including the service of notices, statutory or otherwise, counter-notices and Notices to Quit.
- (3) Authorise Officers of the Authority to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 223 of the Local Government Act 1972 and to appear on behalf of the Authority at any inquiries, tribunal or other body responsible for matters affecting the Authority.

7. Planning

- (1) The Chief Executive is authorised to act for the Authority on all matters which relate to its role as Local Planning Authority.
- (2) These delegations are subject to the following provisions:
- (3) The Chief Executive shall not act under these delegated powers to determine an application submitted to the Authority if:
 - (i) A statutory consultee (e.g. parish/district council, highway authority, Environment Agency) has a view contrary to the recommendation of planning officers, accompanied by planning reasons and which is received within the consultation period, excepting in relation to applications for the following (which shall be delegated decisions):

- Certificates of proposed or Existing Lawful Use and Development
 - Hedgerow Removal Notices
 - Tree Applications – TPOs and Conservation Area Proposals
 - Advertisements
 - Prior Notification and Prior Approval applications
 - Non-material and Minor Material Amendment applications
 - Householder applications (unless a parish/town council expresses a view contrary to the recommendation of planning officers)
 - Discharge of planning conditions
- (ii) A Member of the Authority makes a request in writing that the application be considered by the Authority. Such requests must be accompanied by sound ~~a~~ planning reasons and if such reasons are not present the Deputy Chairperson of the Authority and the Deputy Chairperson (Planning) acting together, or if either of them is absent together with the Chairperson of the Authority may decline a member's request. For the avoidance of doubt, applications for certificates of proposed or existing lawful use and development are always delegated to the Chief Executive as they involve legal rather than planning issues.
- (iii) A Member of the Authority is personally involved in the application.
- (iv) The application relates to land or property of a member of the Planning or Leadership Team or a member of that team is personally involved in the application.
- (v) The application is submitted by the National Park Authority.
- (vi) The Chief Executive or a member of the Leadership Team, in consultation with the Chief Executive, considers that the application ought more properly to be referred to the Authority for decision (e.g. where there are a significant number of local objections or where matters raise particularly controversial or complex policy considerations).

(4) In relation to paragraph 7 (3) (i) above, where a statutory consultee has a view contrary to the recommendation of planning officers, the Head of Planning, in consultation with the Deputy Chair (Planning), shall determine whether the view is accompanied by a planning reason, and therefore whether or not the provisions for the delegation of planning decisions applies.

~~(4)~~(5) For the avoidance of doubt, the Chief Executive shall be able to act under delegated powers in respect of responding to consultations and or requests from other planning authorities, bodies, groups and Government Departments, unless the issues raised are of such significance that in the view of the Chief Executive they should be considered by the Authority. The Chief Executive may delegate responses to consultations or requests to the appropriate member of the Leadership Team or the Solicitor and Monitoring Officer.

8. Grants and Loans

The Chief Executive is authorised to make or refuse grants and loans in all circumstances where the Authority has power so to act. In the exercise of this delegated power, the Chief Executive will:

- (1) Act in accordance with the overall policies and any scheme approved by the Authority or any of its committees and sub-committees.
- (2) Consult appropriately with any member of the Authority.

(3) Maintain a register of all decisions made.

9. Footpaths and Bridleways

The Authority's functions in relation to footpaths and bridleways (including arrangements for the creation of permissive paths) under the Town & Country Planning Acts, the Highways Acts, the Wildlife & Countryside Act 2000 and other legislation conferring order making functions on the Authority (including those delegated from Devon and Somerset County Councils), are delegated to the Chief Executive. The Chief Executive shall in appropriate cases:

- (1) Circulate information to all Members at the time of consultation prior to making any Order.
- (2) Consult with the Head of Conservation and Access
- (3) Consult with the appropriate officer of any other local authority who has an interest in the matter.

The Chief Executive shall ensure that any action in relation to order-making procedures and those relating to the creation of permissive paths shall be reported to the Authority at the earliest opportunity.

10. Notwithstanding the provisions of the above delegations, the Chief Executive may, in consultation with the Authority's Chairperson or the Chairperson of the appropriate Committee or Sub-Committee (or in their absence the appropriate Deputy Chairperson of the Authority or Deputy Chairperson of the appropriate Committee or Sub-Committee), make a decision in respect of any functions within the Authority's powers, duties and responsibilities which for reasons of urgency cannot be delayed until the next ordinary meeting of the Authority or relevant Committee or Sub-Committee.

In each such case a full report of the action taken shall be made to the next meeting of the Authority or the appropriate Committee or Sub-Committee.

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STANDING ORDERS FOR THE REGULATION OF CONTRACTS

For Adoption 03 November 2020

~~Adopted 04 December 2018~~

~~Revised 01 October 2019~~



PROCUREMENT PROCEDURES

1 General

- 1.1 These procedures apply to all orders and contracts issued by the Authority for the carrying out of works, the supply of goods and services and the acquisition and disposal of assets. These procedures must be read in conjunction with the Sustainable Procurement Policy, Financial Regulations, Standing Orders, the Scheme of Delegation, the Minimum Standards for Tenders and Contracts and any other procurement guidance notes issued by the Chief Financial Officer (CFO).
- 1.2 “Officer” means any person holding office under the Authority, employed or seconded by the Authority, working under a Service Level Agreement or contract, or working for the Authority in any paid or unpaid capacity.

2 Quotation and Tendering Procedures

- 2.1 The minimum required numbers of tenders or quotations to be invited from appropriate contractors for a given estimated value of contract (net of VAT) are:
- Up to £2,500 (£5,000 for works) officers are not obliged to seek more than one quotation but staff may still choose to, to seek the most competitive price and demonstrate best value;
 - Above £2,500 (£5,000 for works) and up to £10,000, Invite three organisations to submit written quotations;
 - Above £10,000 and up to £100,000, Invite three organisations to submit written formal quotations submitted by a specified date and time and based on a written specification and evaluation criteria (referred hereafter as “formal quotation”);
 - Above £100,000, and up to EU thresholds, invite four organisations to submit tenders;
 - Over EU thresholds, invite organisations to submit tenders in accordance with the requirements of the Public Contract Regulations.

The values are for single items or groups of items, which must not be disaggregated artificially.

From 1 January 2018 the sterling equivalents of EU thresholds (net of VAT) are £181,302 for supplies and services and £4,551,413 for works. The EU thresholds are changed on 1 January of each even-dated year. The CFO will advise Heads of Service of these changes.

- 2.2 Where quotations apply, they should be sought from suitable contractors through open competition or can be selected from a standing list if one exists.

- 2.3 Where formal quotations are required, and if there is no standing list, formal quotations may be sent directly to a minimum of three organisations who have been selectively invited to bid, without recourse to open advertisement of the opportunity, or they may be selected through open competition.
- 2.4 Where tenders are required, Officers have a choice of tendering procedures. For contracts up to EU thresholds, organisations may be selected from a standing list. Where there is no standing list, and for contracts over EU thresholds, appropriate advertisement must be undertaken inviting suitable organisations to express an interest in tendering. Alternatively, a suitable Framework Agreement can be used (see para 3.2 below). Tenders may be received from either all who respond to an advertisement (open competitive tendering) and, for contracts over EU thresholds, from a selection of suitable contractors who have expressed an interest and who are invited by the Authority to tender (selective tendering). The number of tenderers to be invited to tender will depend on the particular market and the individual project procurement strategy.
- 2.5 If selection is to be from standing lists, arrangements for standing list compilation, maintenance, review and use must be approved in advance by the CFO.

Procurement Notification Process

- 2.6 Officers planning to carry out any procurement exercise with a value of £10,000 or more must submit an electronic procurement notification form to the Devon Procurement Service (DPS). This will be used to create an initial entry on the PNF Register held on the Sharepoint site.

Appropriate Advertising

- 2.7 Tenders up to the EU thresholds where there have been no selective invitations to quote or tender, and all tenders above the EU thresholds, will be advertised on the Authority's e-tendering system. Any opportunities that are advertised on the Authority's e-tendering system must also be advertised on the government's Contract Finder website (if they are over a value of £25k).
- 2.8 For services, supplies and works where the total contract value, including any options to extend the initial term of the contract are expected to exceed EU thresholds, an OJEU notice must also be placed and must follow EU procurement requirements with particular regard to be given to the timescale for such tenders.
- 2.9 Any formal quotation (i.e. over £10k up to £100k) following the open competition procedure will be advertised on the Authority's e-tendering system. Any opportunities that are advertised on the Authority's e-tendering system must also be advertised on the government's Contract Finder website (if over £25k). Officers will consult with the CFO and or DPS to determine if further advertising in relevant local newspapers and trade publications is also required.
- 2.10 Officers will ensure that the e-tendering system website address is publicised appropriately within the quotation/tender documentation. [www.supplyingthesouthwest.org.uk]

Selective Tendering (i.e, above £100k)

- 2.11 Following advertisement of tenders above the EU thresholds for goods and services (whether in relation to goods, services or works), invitations shall be sent to the prospective tenderers who are best qualified to bid.

Invitation to Tender (i.e, above £100k)

- 2.12 Every invitation to tender must specify that the Authority's e-tendering system will be used to issue and receive tender documentation. The invitation must state the date and time by which the tender must be received by the e-tendering system and that the tender will be held in the secure area of the e-tendering system and cannot be accessed until after the deadline. Adequate time must be allowed for the preparation and return of tenders ensuring compliance where appropriate with EU requirements. Any exceptions to using the Authority's e-tendering system must be approved by the CFO and/or CEO.

Invitation to Quote (i.e. up to £100k)

- 2.13 The Authority's e-tendering system must be used for a formal quotation (i.e. over £10k & up to £100k), save for any exceptions approved by the CFO/CEO.

For quotations below £10,000 the e-tendering system may be used but in either case the invitation must state the place, date and time by which the quotation must be returned. Adequate time must be allowed for their preparation and return.

Certification notice by Tenderers

- 2.14 Tenderers shall certify and give undertakings that:

- the tender is genuine and intended to be competitive;
- they have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person*;
- they have not done and will not do, at any time before the time and date specified for the return of the tender, any of the following:
 - inform any person* the amount or approximate amount of the proposed tender, except where the confidential disclosure of the approximate amount of the tender was necessary to obtain insurance premium or other quotations necessary for tender preparation;
 - enter into any agreement or arrangement with any other person* with the aim of preventing tenders being made or as to the amount of another tender or the conditions on which the tender is made;
 - offer to pay or give or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the Authority any of the actions specified and described in this section;
 - cause or induce any person to do any of these things.

* outside the consortium if a consortium tender

Receipt, Custody and Opening of Tenders and Formal Quotations

- 2.15 The Authority's e-tendering system will record the date and time of receipt of all tenders and formal quotations.

Quotations below the £10k threshold may be received and opened by the Project Officer/Team.

Formal quotations between £10-£100k (received via the e-tendering system) may be received and opened by the Project Officer/Team, once the closing date has passed.

Tenders over £100k (received via the e-tendering system) will require the opening and verification an officer who must be independent to the procurement taking place. All the submissions will then be released to the Project Officer/Team to continue with the process. The verifier will enter information about the submissions received into the tender register.

- 2.16 Tenders (over £100k) and any formal quotation (over £10k up to £100k) not received via the Authority's e-tendering system (as a result of an exception approved under paragraphs 2.12 or 2.13 or 2.21) shall be opened at one time and in the presence of at least two officers who shall be independent from the procurement. A record will be made of all tenders or formal quotations received, showing the date and time of opening and the bidder's name and the value in the tenders register. Any tender or formal quotation received after the specified time shall be recorded as such but must not be considered.

Contractor Vetting

- 2.17 Officers who procure the service of a contractor are responsible for checking the competency of that contractor to undertake the work. This may include evidence of relevant qualifications, financial stability, their Health & Safety policy, risk assessments and method statements, data protection and security arrangements, for example.

All such assessments must be made before any commitment is made or contract awarded and shall be in conformity with the Authority's Contractor Vetting Policy.

Acceptance of Single Quotation or Tender Received (See also paragraph 2.21)

- 2.18 This section deals with situations where either a single quotation or tender is received. For contracts up to £10,000, the appropriate Head of Service will determine whether or not to accept the quotation.

For contracts over £10,000, the CFO and the Head of Service shall jointly consider whether or not, in their professional judgement, best value would be obtained. The following provisions shall then apply: -

- (a) where the estimated value of the contract is between £10,000 and £100,000 if in their view best value would be obtained then the Head of Service will consult with the CFO and the CEO (the latter being able to accept the formal quotation). If in the view of the CFO and CEO value for money would not be obtained, or if there is any doubt, the procurement exercise should either be repeated or the matter referred to the Authority for consideration and decision.

- (b) where the estimated value of the contract is over £100,000 the matter must be referred to the Authority for consideration and decision, taking into account the views of the CEO, CFO and Head of Service as to whether to accept the tender or repeat the procurement exercise.

Financial Provision for Contracts

- 2.19 Where tenders or quotations received vary from the approved estimate, the procuring officer must identify the funding for any increase. Where the increase is up to £30,000, the funding must be approved by the CEO in consultation with the CFO before awarding the contract. Approval of the Authority must be obtained, before awarding the contract, where the variation exceeds £30,000.

Maintaining the Contracts Register

- 2.20 Upon the award of a contract with a value of £10,000 or more, the Officer will update and complete the entry in the Contracts Register in the e-tendering system. If the e-tendering system not used for the procurement, a record of the award will still be made in the contracts register on the e-tendering system. For contracts awarded over £25k, a record will also be entered on Contracts Finder (via the e-tendering system).

Exemption from the Tendering and Formal Quotation Process

- 2.21 Where the subject matter of a contract is of a specialised nature with only one or a limited number of possible contractors or where exceptional circumstances have arisen, the Officer shall submit a written report requesting an exemption from normal tendering or formal quotation rules to the CEO/CFO/Leadership Team for authorisation for the exemption.

Tenders subject to the European Procurement Regulations shall be subject to exemptions contained within those Regulations.

3 Particular Types of Contract

Acquisition (and Leasing) of Land, Buildings, Vehicles, Plant and Equipment

- 3.1 In order to ensure compliance with Financial Regulations and capital rules, all acquisitions made shall be in accordance with the Authority's Financial Regulations and Scheme of Delegation. Officers must consult with the CFO in the first instance; Authority approval may be required before embarking on this type of procurement.

Framework and Joint Procurement Arrangements

- 3.2 Framework Agreements set up by government offices or other public bodies may be used after consultation with the CFO/DPS. Call off contracts under a Framework Agreement will be governed by the terms of the Framework Agreement. Framework Agreements may also be established by Officers, in accordance with these Procedures (however prior advice must be sought from DPS).

- 3.3 Joint procurement arrangements with other local authorities or public bodies may take place where they represent best value. The CFO and DPS must be consulted before the start of the procurement of all such proposed arrangements especially if the Authority intends to act as the lead authority.

Disposal of Assets

- 3.4 All vehicles, plant, furniture, equipment or other goods shall be disposed of in accordance with the Authority's Financial Regulations, Scheme of Delegation and Disposals Policy. Officers should consult with the CFO in the first instance.

4 Contracts

Contents of Contract

- 4.1 Officers shall obtain the advice of the Authority's Legal Service on the contract terms to be agreed, including the Authority's terms and conditions of contract.
- 4.2 Every contract shall be in writing or confirmed in writing and shall specify:
- (a) the work, materials, supplies or services to be provided;
 - (b) the quality standards and or service specification to be adhered to;
 - (c) the price to be paid, with a statement of discounts or other deductions;
 - (d) the time or times within which the contract is to be performed;
 - (e) the procedures for variations, termination, or penalties for non-compliance, or security for the due performance of any contract including liquidated damages where works are not completed in the time specified;
 - (f) invoicing and payment arrangements as specified by the CFO;
 - (g) that the Authority shall pay valid and undisputed invoices within a 30 day period, consider and verify invoices in a timely fashion and impose a contractual obligation on the contractor to ensure that they abide by these conditions in relation to their own sub-contractors; and
 - (h) such other terms and conditions as are deemed necessary after having taken advice from the Authority's legal service provider.
- 4.3 Contracts (with Terms and Conditions) shall be signed (except where the seal of the Authority is to be applied) in accordance with the Authority's Financial Regulations and Scheme of Delegation.

Cancellation of Contracts

- 4.4 All written contracts shall contain a clause enabling the Authority to cancel the contract and recover from the contractor the amount of any resulting loss if:
- (a) the contractor has offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for:
 - (i) doing or not doing, or for having done or not done, any action in relation to the obtaining or execution of the contract or any other contract with the Authority;
 - (ii) showing or not showing favour or disfavour to any person in relation to the contract or any other contract with the Authority.

- (b) the same things have been done by any person employed by the contractor or acting on his behalf (whether with or without the knowledge of the contractor);
- (c) in relation to any contract with the Authority the contractor or any person employed by him or acting on his behalf has:
 - (i) given any fee or reward the receipt of which is an offence under Section 117(2) of the Local Government Act 1972;
 - (ii) committed an offence under the Bribery Act 2010.

4.5 Every contract that has been tendered via the Official Journal of the European Union must also contain the right for the Authority to terminate the contract where:

- (a) there has been a modification of the contract which falls outside one of the permitted categories specified in Regulation 72 of the Public Contracts Regulations 2015 and which are summarised at paragraph 4.5 below;
- (b) the contractor should have been excluded on mandatory grounds under Regulations 57(1) and /or 57(2) of the Public Contracts Regulations 2015;
- (c) the contract should not have been awarded in view of a serious infringement under European Law which has been declared as such by the Court of Justice.

Variation of Contracts

4.6 All orders given to a contractor directing them to vary, in any respect, the subject of the contract must be in writing, signed by the authorised officer (in accordance with the Scheme of Delegation).

For variations of contracts Officers must first seek advice from the Authority's Legal Service. Written agreement must be obtained, before variation orders are issued, from the CEO (in consultation with the CFO) if the total value of the (originally) accepted tender will be exceeded by more than £1,000 and up to £30,000 and by the Authority for any amounts exceeding £30,000.

In addition to the above requirements, where a contract has been tendered via the Official Journal of the European Union (i.e. a contract above the relevant value threshold), a variation to the original contract terms will trigger a new procurement process unless it falls within one of the following permitted changes:-

- Modifications that are clearly provided for in the original procurement and contract documents; or
- Necessary modifications where a change of contractor cannot be made due to economic or technical reasons and would cause significant inconvenience or substantial duplication of cost and does not result in an increase in price of more than 50% of the original contract value; or
- Modifications to deal with unforeseen circumstances where the modification does not alter the overall nature of the contract and does not result in an increase in price of more than 50% of the original contract value; or
- Modifications to deal with a new contractor replacing the original contractor where the replacement is due to corporate restructuring and the new contractor meets the pre-qualification criteria and there are no other substantial amendments to the contract; or

- Modifications that are not substantial. The following will be considered substantial modifications:
 - modifications that render the contract materially different in character;
 - modifications that could have resulted in a different outcome in the procurement;
 - modifications which shift the economic balance in favour of the contractor;
 - modifications which extend the scope of the contract considerably; and
 - where a new contractor replaces the old contractor other than in the circumstances permitted above.
 - Low value modifications where the value attributable to the modification falls below the relevant EU threshold **and** is less than 10% of the initial contract value for supplies and services or 15% for a works contract.

Heads of Service must seek the approval of the Authority's Legal Service in relation to any proposed variation of a contract which has been tendered via the official Journal of the European Union.

Payment for Contracts for Building or Civil Engineering Work

4.7 Each certificate for payment must show:

- (a) contract sum (usually tender total);
- (b) value of work to date;
- (c) total amount of certificates previously paid;
- (d) amount of the certificate;
- (e) retention amount (if any);
- (f) value of price fluctuations;
- (g) Value Added Tax (if any).

Monitoring of Contracts

4.8 Officers must monitor all contracts and report any significant exceptions to normal progress and cost variations to the CFO and Leadership Team. Significant exceptions include delay or advance in expenditure by more than £1,000 compared with expectations within a financial year and any critical delay in meeting target completion dates.

Relationships with Contractors

4.9 Officers who undertake procurement, engage, supervise or have an official relationship with contractors and have had, or currently have, a private or domestic relationship should declare it to their Line Manager, the CFO and the Monitoring Officer. An assessment will be made to ascertain the nature of the relationship and whether that Officer can continue to have any further involvement in the procurement or contract. Orders and contracts must be awarded on merit by fair completion and no favour will be shown to any person or businesses, especially those run by or employing relatives, partners or friends.

SUSTAINABLE PROCUREMENT CHECKLIST

1. Procurement is to be carried out in an environmentally responsible manner by working to:

- Reduce the number of goods and services procured by cutting down on waste and repairing or reusing existing goods;
- Purchasing products and services that use fewer natural resources in production and distribution and promote Fairtrade products;
- Take account of whole-life costs, quality, environmental impacts and other benefits and not just the initial price;
- Purchasing products that can be recycled or disposed of with minimal environmental damage;
- Buy the most energy-efficient products where they give value for money, taking account of whole-life costs, using the European Commission's mandatory energy-labelling scheme;
- Purchasing locally where possible, to reduce the impact of transport, as long as the criteria above are met; and
- Promote equality and do not discriminate on the grounds of gender, disability and race.

while complying with the law, including presiding procurement rules/international agreements on trade.

2. Before procuring any goods or services, consideration will be given as to whether consumption can be reduced by reusing or repairing existing materials and goods or whether alternative procedures can be put in place to remove the need to buy goods and services.

3. Procurement decisions are to be based on environmental criteria along with other major factors such as value for money, quality and whole life costs. The Authority will assess whether goods and services:

- Are durable, reusable, refillable or recyclable;
- Contain reused, recycled or renewable raw materials;
- Are energy and resource efficient;
- Use minimum packaging and encourage waste reduction;
- Are non (or minimum) polluting;
- Are locally produced;
- Are free from ozone depleting substances, solvents, volatile organic compounds and other substances damaging to health and the environment;

- Are from certified sustainable sources;
 - Cause minimal damage to the environment in their production, distribution, use and disposal; and
 - Are on the most competitive terms having regard for Best Value.
4. The criteria by which environmental impact can be taken into account during tender evaluation to be included in tender documentation.

SUSTAINABLE BUILDING CHECKLIST

- ✓ **Sustainable**
- ✗ **Less desirable**
- **Neutral**

General

Repair or recycle if possible rather than buying new, but if you do have to buy something please check the list.

Other guides, such as the ENPA Design Guide give specific detailed advice for design aspects of building works.

1. **Timber**
 - ✓ Forest Stewardship Council Certified Timber or equivalent
 - ✓ Recycled
 - ✓ Known local source (check with Woodland Team)
 - ✗ Tropical hardwoods
 - ✗ Unknown source/non FSC

If possible use UK hardwoods rather than softwoods – this encourages planting and management of broadleaved woodland. Many hardwoods (notably oak and chestnut) do not need paints and stains to preserve them when used externally. *Most softwoods do.*

2. **Roofing**
 - Slate
 - ✓ - Recycled and local
 - ✓ - Delabole
 - ✓ - Welsh
 - ✗ - Chinese / Brazilian / other non UK sources
 - ✓ Thatch (also turf / bracken / heather)
 - ✓ Timber shingles (FSC)
 - ✓ Clay tiles
 - ✗ Artificial tiles / concrete
3. **Walls / Structure**
 - ✓ Local stone, cob, brick (preferably recycled / local)
 - ✓ Lime mortar and plaster
 - ✓ Timber cladding (FSC)
 - ✓ Green oak framing
 - ✓ Straw (bales)
 - Concrete blocks

4. **Windows**
 - ✓ FSC Timber
 - ✗ UPVC

5. **Paint / Finishes**
 - ✓ Lime wash
 - ✓ Lime plaster
 - ✓ Lime mortar
 - ✓ Natural/environmentally friendly paints (eg some of Farrow and Ball range)
 - ✓ Distemper (internal)
 - ✓ Natural oils / waxes such as linseed
 - ✗ Varnishes / chemical stains

6. **Gutters / downpipes**

Direct rainwater into ground rather than drains if possible. Salvage and repair cast iron, copper or lead

7. **Flooring**
 - ✓ Local / recycled / FSC timber
 - ✓ Wool carpet
 - Concrete

8. **Insulation**
 - ✓ Wool
 - ✓ Recycled paper
 - ✓ Double / triple glazing
 - ✓ Shutters
 - ✓ Thick curtains

9. **Energy Efficiency / Renewables**
 - ✓ Lights – low energy bulbs
 - Heating systems
 - ✓ Solar
 - ✓ Wood fuel
 - ✓ Hydropower
 - Energy Efficiency / Renewables *continued***
 - ✓ Windpower
 - ✓ Combined heat and power
 - ✓ Photo-voltaics
 - ✓ Condensing boilers
 - ✗ Electric (unless supplied by renewables)
 - ✗ Oil
 - ✗ Gas

10. **Electrical / Plumbing**
 - ✗ PVC
 - Non PVC wire, copper or PE piping
 - ✓ Water saving taps / flush systems

11. **Landscape Works**

Paving

- ✓ FSC Timber
- ✓ Local stone
- ✓ Woodchip bark
- ✓ Local river aggregate/cobbles (if approved source)
- ✓ Hoggin
- ✓ Grass
- Concrete, tarmac, block paving

External Structures (as above)

Soft landscape

- ✓ Locally sourced
- ✓ Natives
- ✓ Edible fruits

Weed Control

- ✗ Herbicides
- ✓ Biodegradable mulch mats
- ✓ Organic mulches

Soil Ameliorants

- ✗ Peat
- ✓ Farmyard manure
- ✓ Compost

Fencing

- ✓ FSC hardwood timber

EXMOOR NATIONAL PARK AUTHORITY

3 November 2020

REVISED BUDGET FOR 2020/21

Report of the Chief Finance Officer

Purpose of the report: To report on the budgetary review that has been carried out at the end of the first half of the year and to agree the financial strategy for the remainder of the year.

RECOMMENDATIONS: Exmoor National Park Authority is recommended to:

- (1) APPROVE the revised Core Budget for 2020/21 as set out in Appendix 1.
- (2) NOTE the position regarding reserves as set out in Appendix 3 and the projected balance on the General Fund at 31 March 2021 of £300,000 and APPROVE the changes to reserves set out in section 5.
- (3) AUTHORISE the Chief Executive and Chief Finance Officer to make such adjustments as are necessary to keep within the overall budget and with the objective of transferring underspends that arise to reserves.

Authority Priority: Achieve – Getting best value from our resources and improving our performance - Finance and Performance – Financial Management.

Legal and Equality Implications: Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), Sections 1-39

Accounts and Audit (England) Regulations 2011, Part 2 (Financial Management and Internal Control)

The equality and human rights impact of the recommendations of this report have been assessed as having no adverse impact on any particular group or individual.

Financial and Risk Implications: The revised budget is in line with the resources made available to the Authority for 2020/21. Budgeting and financial arrangements are in place to control and ensure spending is kept in line with the revised budget with a General Fund balance available to meet any unforeseen eventuality.

Climate Change Response: Changes to allocations and approvals suggested within the report will have no adverse impact on the climate.

1. INTRODUCTION

1.1 The net budget for 2020/21 was based on the notified National Park Grant (NPG) for the year of £3,211,500. This did not contain any inflationary change from the previous year and 5% of this (£160,577) was funded from a DEFRA Biodiversity fund. For 2020/21 we received a one-year settlement.

1.2 The budget that was formulated and approved for 2020/21 was:

	£
Core Budget	2,942,100
Contributions to Reserves	175,000
Top Sliced Programmes	74,400
Small Grants Scheme	20,000
Total	<u>3,211,500</u>

- 1.3 The Authority's 2020/21 budget was set at the meeting on 3 March 2020. This was a month behind previous years as the National Park Grant notification was not received from DEFRA until the end of February. When the budget was set funds were found for pressures arising in the Land and Property Estate, to meet the costs of removing trees impacted by Ash Die-Back and to support the work of the Exmoor Hill Farming Network. Other schemes had to be removed as the final settlement from DEFRA did not include any inflationary uplift.
- 1.4 When the Authority closed the accounts for 2019/20 in July there was a further opportunity to rebalance resources and fund pressures. At this point the impact of the pandemic was becoming clearer also. To the Authority the financial impact was assessed as most likely to be felt at the Outdoor Education Centre at Pinkery, car parking and retail sales at the National Park Centres. Government support was received for the National Park Centres and for Pinkery and additional funds were also put aside for the anticipated deficit there. The Authority also established a Covid Response Fund to assist social and community groups with the immediate impact of the pandemic.

2. KEY THEMES WITHIN THE REVISED BUDGET

- 2.1 The approach when recommending the revised budget is to review the Core Budget, contributions to reserves and top-sliced programmes to ensure that resources can be reallocated between pressures and underspends arising in year.
- 2.2 The key themes this year are the direct and indirect consequences of the pandemic, service pressures in Planning and delivering balanced, ongoing budgets.

3. REVIEW OF THE CORE BUDGET

- 3.1 A detailed review of all the core budget headings has been carried out based on the organisational management arrangements of the Authority. The results of this review are contained in Appendix 1, which compares the revised budget with the original budget for the year.
- 3.2 The original budget for the year is based upon estimated or anticipated income and expenditure. The revised budget is able to adapt for actual in year financial developments. As such it reflects known changes.
- 3.3 The revised budget this year reflects the final pay award for staff and members (2.75% rather than the 2% estimated), staff vacancies and historically low levels of travel claims and fuel usage. Planning and car parking income have held up very well in the circumstances. £50,000 of savings being generated have been directed to meet service pressures in Planning. This will fund additional professional support and fixed term staffing.

3.4 Some underspends may still accrue within Information and Interpretation management and the NPCs. Some additional opening has been planned for the NPCs to support local businesses and engage with the large number of visitors that we are enjoying. The Revised Budget presented does not foresee other significant under or overspends for the remainder of 2020/21. Should these arise at year end, recommendation 3 provides the mechanism whereby the Chief Finance Officer and Chief Executive use the General Fund and reserves to meet any overspend and receive underspend to supplement reserves for future spending periods.

4. REVIEW OF TOP- SLICED PROGRAMMES, PARTNERSHIPS AND CONTRIBUTIONS TO RESERVES

4.1 When the revenue budget for the year was set, the top sliced element ('Programmes') was agreed at £74,400, £20,000 was set aside for small grants and £175,000 was added to reserves.

4.2 Appendix 2 sets out the current position of the Programmes, Partnerships and Contributions to Reserves Budget. The only change at this time is to show the anticipated use of deficit funding set aside for the Outdoor Education Centre that was agreed within the 2019/20 outturn.

4.3 Whilst a number of projects are underway and a reasonable proportion of the available Programmes budget is committed at the time of writing, it is likely that the full budget will not be spent by 31 March 2020. The treatment of underspends will be considered as part of the year end processes.

5. REVIEW OF RESERVES AND CAPITAL SPEND

5.1 From a starting point for the year of £2,885,118 and with approvals currently at £3,084,518, projections for the current and the forthcoming two-year period are shown in Appendix 3.

5.2 Members are asked that the Spend to Save reserve be renamed the Modernisation Reserve to reflect the fact that it may be used for more than income generation or to reduce costs. The intention is that the reserve can be used to update, improve or achieve efficiencies.

5.3 The Headwaters of the Exe project ended on 31st March. Now that the final balances have been settled, there is an opportunity to allocate the remaining funds. This budget paper recommends the transfer of £18,731 to the Environmental Resilience reserve and £10,000 to the Modernisation Reserve. For the former, this will help to match fund investments in nature recovery, reduce our carbon footprint and support the Climate Emergency declaration.

5.4 Members are also asked to agree to the transfer of £110,000 from the Contingency Reserve to the Modernisation Reserve to fund the existing redundancy process. (See also section 6).

5.5 Within the current year Woodside Bridge has been established, the final touches to White Rock Cottage are being completed and the new agricultural building has been commissioned for Driver Farm. The Authority has also been asked to approve funding for capital improvements to the Ashcombe and Valley of Rocks car parks.

5.6 Members will observe that reserves will undergo further review and updating as part of the development of the 2021/22 Medium Term Financial Plan and revenue budget. This will be presented to the Authority for their Business Planning Workshop and formally to the National Park Authority meeting in February or March.

5.7 The projected balance of approximately £300,000 on the General Fund Reserve is consistent with the Medium Term Financial Plan. This is the balance held to meet any unforeseen or exceptional items of expenditure and to provide working capital and is the equivalent of one month's operating costs.

6. FINANCIAL OUTLOOK

6.1 The setting of the revised budget also provides the opportunity to reflect on the Authority's longer-term financial position and deliver savings or adjust priorities if the need or desire is there.

6.2 The original budget for the year, without any NPG inflationary increase, was balanced by removing certain top sliced items within Programmes and Partnerships. If more time had been available to consider alternative options, then the Authority could have considered other ways of delivering the saving such as reducing costs in the core budget. On an ongoing basis to maintain financial resilience the Authority requires sufficient flexibility within Programmes and Partnerships that one-off pressures and priorities can be funded.

6.3 It has also been very unclear whether or not the biodiversity money received from DEFRA within this year's settlement would continue in future years. If this was to end, then the Authority would need to deliver a 5% reduction in funding. It now appears that funding equivalent to the Biodiversity pot will continue in future and be built into the funding base. (However please note paragraph 6.7 re future funding).

6.4 Due to the fact that the Authority did not receive an inflationary increase for 2020/21 and because there was the possibility that we were having to deliver an additional 5% cut to funding, the Authority began a Voluntary Redundancy Process in August. This was the first time in recent years that this had been undertaken and was the first that we did not have external funding support. The initial results of the VR process were that a number of staff expressed an interest.

6.5 LT now had the opportunity to consider and propose an alternative staffing structure based upon opportunities within existing staff vacancies and the VR expressions of interest. Key factors in considering a new staff structure were the impact upon National Park Purposes, maintaining skills and experiences and the ability to deliver Corporate Plan priorities. This process also provided the opportunity to make staff permanent that are currently employed on a fixed term contract. LT are currently considering alternatives and formally consulting on possible changes.

6.6 It is anticipated that these changes will relieve financial pressure and provide time and capacity to react to other challenges that will arise.

6.7 We do not know what the National Park Grant figure will be in future years, what the funding period will be nor do we know what the staff pay award will be. Further structural changes may be necessary when we set the forward year budget also.

6.8 However the Authority has a record in adapting to challenging financial environments and meeting obligations that arise while continuing to engage, conserve and deliver excellent services.

Gordon Bryant
Chief Finance Officer
October 2020

Section	Budget Heading	2020/21 Original Budget £	2020/21 Revised Expenditure £	2020/21 Revised Income £	2020/21 Revised Budget £	Variance between 20/21 Revised and 20/21 Original
Support to Land Managers	Access & Recreation	139,200	169,900	-27,500	142,400	-3,200
	Archaeology & Historic Environment	77,400	77,600	-1,200	76,400	1,000
	Field Services	276,300	299,300	-23,000	276,300	0
	Conservation Advice & Support	282,300	288,800	-4,000	284,800	-2,500
	Rangers	129,400	147,400	-18,000	129,400	0
Support to Land Managers Total		904,600	983,000	-73,700	909,300	-4,700
Support services to the Community	Development Management	316,400	452,400	-86,000	366,400	-50,000
	Sustainability & Economy	77,900	66,700	0	66,700	11,200
Support services to the Community Total		394,300	519,100	-86,000	433,100	-38,800
Support to National Park Users	Education & Volunteers	62,800	63,800	-1,000	62,800	0
	National Park & Information Centres	152,300	281,800	-129,500	152,300	0
	Information & Interpretation Management	219,300	188,900	0	188,900	30,400
	Pinkery	0	124,200	-54,200	70,000	-70,000
	Visitor Facilities	31,400	91,400	-60,000	31,400	0
Support to National Park Users Total		465,800	750,100	-244,700	505,400	-39,600
Corporate & Customer Support	Legal Support	65,000	65,000	0	65,000	0
	Strategy & Performance	327,800	298,800	0	298,800	29,000
Finance and ICT Services	Finance and ICT Services	367,900	392,600	-20,000	372,600	-4,700
Land and Property Services	Land and Property Services	17,400	279,800	-252,000	27,800	-10,400
Support Services Total		778,100	1,036,200	-272,000	764,200	13,900
Corporate Management	Corporate Management	133,500	145,600	0	145,600	-12,100
	Historic Pensions Contributions	138,000	138,000	0	138,000	0
	Corporate Subscriptions	32,000	32,000	0	32,000	0
	Members	95,800	84,500	0	84,500	11,300
Corporate Management Total		399,300	400,100	0	400,100	-800
Total Core Budget		2,942,100	3,688,500	-676,400	3,012,100	-70,000

APPENDIX 2

EXMOOR NATIONAL PARK AUTHORITY ANALYSIS OF PROGRAMMES, PARTNERSHIPS AND CONTRIBUTIONS TO RESERVES

	2020/21
ORIGINAL BUDGET	<u>269,400</u>
Contributions to Reserves	
Woodlands	60,000
Corporate Equipment & Vehicle Replacement	50,000
Estates Reserve - Protection to Adits and Mines	40,000
Estates Reserve - Condition Maintenance work Driver Farm	10,000
Internship and Trainee Fund	15,000
	<u>175,000</u>
Top sliced Programmes	
Anticipated Pinkery Overspend	- 70,000
Tourism	20,000
Hill Farm Network	19,000
Contribution to Pinkery overspend	15,000
Naturally Active in Later Life	5,000
Website Development	5,000
SERC/DBRC Bio-records	5,000
STEAM	4,000
Joint committee	1,400
	<u>4,400</u>
Partnership Fund - small grants scheme	20,000
Revised 2020/21 Programmes & Partnership Fund	<u>199,400</u>

**EXMOOR NATIONAL PARK AUTHORITY
ANALYSIS OF RESERVES**

	Balance 31/03/20	2020/21 Budget Allocations	2020/21 In year budget transfers	Current Balance	Transfers (from) Reserves 2020/21	Transfers (from) Reserves 2021/22	Transfers (from) Reserves 2022/23	Projected Balance 31/03/23
	£	£	£	£	£	£	£	£
REVENUE EARMARKED RESERVES								
Support to Land Managers								
Ashcombe Garden Restoration	10,000			10,000	-5,000	-5,000		0
Mire - Archaeology	29,758			29,758	-15,000	-14,758		(0)
Headwaters of the Exe	28,731		-28,731	(0)				(0)
Heritage Projects	52,109			52,109	-40,000			12,109
Deer Monitoring Study	13,424			13,424				13,424
Woodland Mgt Reserve	50,784	60,000		110,784	-60,000	-30,000		20,784
External Funding Bids	23,274			23,274				23,274
Rights of Way	259,663			259,663	-100,000	-40,000	-40,000	79,663
Simonsbath Project Delivery	32,792			32,792	-32,792			0
Landscape Conservation Grant Scheme	11,244			11,244	-11,244			(0)
Support to National Park Users								
Caremoor For Exmoor	15,016			15,016	-7,500			7,516
National Park Centres spend to save	17,336			17,336				17,336
Get Involved Programme	38,676			38,676	-30,000	-8,676		(0)
Toilet Upgrade Programme	15,000			15,000				15,000
Health & Well-being	22,771			22,771	-20,000	-2,771		(0)
Engagement & Outreach	15,911			15,911				15,911
Support to the Community and Business								
Development of Planning Service	41,257			41,257	-20,000			21,257
Conserv Area Appraisals & Neighbourhd Plan	12,283			12,283				12,283
Dunster Action Plan	21,189			21,189				21,189
Strategy & Performance								
Environmental Resilience	20,000	0	18,731	38,731	-18,000	-20,000		731
IT and Web Development	92,175			92,175	-15,000	-30,000		47,175
Corporate Equipment & Vehicle Replacement	159,425	50,000		209,425	-60,000	-50,000	-75,000	24,425
Planning Policy	145,356			145,356				145,356
Research & Development	41,701	0		41,701				41,701
Modernisation (<i>Spend to Save</i>)	86,106		120,000	206,106	-120,000			86,106
Internship and Trainee Fund	43,533	15,000		58,533	-10,000			48,533
Authority Estate	226,428	50,000		276,428	-150,000	-100,000		26,428
	1,525,940	175,000	110,000	1,810,940	-714,536	-301,205	-115,000	680,199
PROGRAMMES & PARTNERSHIPS								
Programmes - fixed term	326,236	4,400		330,636	-150,000	-50,000		130,636
Partnership Fund/ small grants scheme	59,256	20,000		79,256	-30,000	-30,000		19,256
Programmes & Partnership Earmarked - County	90,000			90,000				90,000
	475,492	24,400	0	499,892	-180,000	-80,000	0	239,892
GENERAL FUND AND CONTINGENCIES								
General Fund	325,494			325,494				325,494
Contingency Fund - General (pf uncommit)	458,193		-110,000	348,193				348,193
Contingency Fund - Legal	100,000			100,000				100,000
	883,686	0	-110,000	773,686	0	0	0	773,686
TOTAL RESERVES	2,885,118	199,400	0	3,084,518	-894,536	-381,205	-115,000	1,693,777

EXMOOR NATIONAL PARK AUTHORITY

3 November 2020

TREASURY MANAGEMENT MID-YEAR REPORT

Report of the Chief Finance Officer

Purpose of Report: To report to members on Treasury Management Performance for the first six months of the 2020-21 financial year.

RECOMMENDATION: The National Park Authority is recommended to NOTE the Treasury Management Outturn for the first six months of the 2020-21 financial year.

Authority Priority: Achieve by providing core services; getting best value from our resources and improving our performance.

Legal and Equality Implications: Local Government Act 2003, Parts 1-3 (Capital Finance, Financial Administration and Grants), Sections 1-39

Accounts and Audit (England) Regulations 2011, Part 2 (Financial Management and Internal Control)

The equality and human rights impact of the recommendations of this report have been assessed as having no adverse impact on any particular group or individual.

Background Papers: -

- The Local Government Act 2003 (LGA 2003)
- The CIPFA Treasury Management in the Public Services: Code of Practice and Cross-
- Sectoral Guidance Notes Revised Edition 2017 (CIPFA TM Code).
- The CIPFA Prudential Code for Capital Finance in Local Authorities: Revised Edition
- 2017 (CIPFA Prudential Code)

Financial and Risk Implications: The implications are identified throughout the report.

Climate Change Response: It has been assessed that this report does not have an adverse impact on our ability to respond to climate change.

1. INTRODUCTION

1.1 The Treasury Management Strategy for 2020-21 is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (Revised 2017), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that the Authority is informed of Treasury Management activities at least twice a year.

- 1.2 CIPFA published new versions of the Prudential Code for Capital Finance in Local Authorities (Prudential Code) and the Treasury Management Code of Practice. MHCLG also published revised Investment Guidance which came into effect from April 2018. This report gives a summarised account of Treasury Management activity and outturn for the first half of the year, and ensures the Authority is embracing Best Practice in accordance with CIPFA recommendations.
- 1.3 During the reporting period, Somerset County Council (SCC) has managed Treasury Management activities under an agreed Service Level Agreement. Investments were made on the basis of aggregating funds in order to maximise the benefits for both bodies (including using SCC's "Comfund"). Accounting arrangements were in place to divide the interest gained (and charged) between the Authorities.
- 1.4 The Authority delegates responsibility for the implementation and monitoring of its treasury management policies and practices, and the execution of administration of treasury management decisions, to me as Chief Finance Officer.

2. INVESTMENT ACTIVITY

- 2.1 A total of £11,649 has been earned in Comfund gross interest in the first six months of the year on an average balance of £2.94m (£15,238 on £2.97m for the same period 2019-20). Comfund administration charges were £233, giving net income of £11,416 for the period.
- 2.2 The average revenue balance has decreased slightly when compared to the same period last year, from £302k to £287k. The average Comfund investment reduced by £34k from £2.97m for the same period 2019-20 to £2.94m this year. The benefit of using Comfund over revenue has been £14,167 for the year-to-date.
- 2.3 The combined return of Comfund and Revenue has been 0.72% on an average balance of £3.22m. When compared to the market, this represents a return 48 basis points in excess of the average 6-month LIBID figure for the year-to-date on an investment with an effective average duration of 2 weeks. The table below highlights these figures:-

	Balance on 31/03/2020 £000	Rate as at 31/03 %	Balance on 30/09/2020 £000	Rate as at 30/09 %	Average Balance for period £000	Average Rate for period %
Revenue Balances	-41	0.00	36	0.00	287	0.00
Comfund Balances	2,800	0.91	2,800	0.67	2,937	0.79
Total Balances	2,759	0.92	2,836	0.66	3,224	0.72

- 2.4 The Guidance on Local Government Investments in England gives priority to security and liquidity and the Authority's aim is to achieve a yield commensurate with these principles.
- 2.5 As mentioned in 1.3, SCC has managed Treasury Management activities under an agreed Service Level Agreement. Investments were made on the basis of aggregating funds in order to maximise the benefits for both bodies (including using

SCC's "Comfund"). The current arrangement strategy of lending all surplus funds to SCC represents an investment that is virtually free from risk of counterparty default, as SCC is the only counterparty.

2.6 Security of capital remained SCC's main investment objective. Current SCC approved deposit counterparties are listed below. Those used during the first half of the year are denoted with a star.

Bank or Building Society			
Australia & NZ Bank	*	Lloyds Bank	*
Bank of Montreal		National Australia Bank	
Bank of Nova Scotia		National Westminster	*
Bank of Scotland		Nationwide BS	
Barclays Bank Plc		Nordea Bank	
Canadian Imperial Bank of Commerce		OP Corporate Bank	
Close Brothers Ltd		Oversea-Chinese Banking Corp	
Commonwealth Bank of Australia		Rabobank	
DBS Bank Ltd	*	Royal Bank of Scotland	
DZ Bank	*	Santander UK	*
Goldman Sachs Inv Bank	*	Standard Chartered Bank	*
Handelsbanken Plc	*	Toronto-Dominion Bank	
HSBC Bank	*	United Overseas Bank	
Landesbank Hessen-Thüringen			
Sterling CNAV Money Market Funds			
Goldman Sachs		Insight	*
Deutsche MMF		Aberdeen Standard	*
Invesco Aim	*	LGIM	*
Federated Prime Rate	*	Insight	*
JP Morgan	*	SSGA	*
Other Counterparties			
Debt Management Office		Other Local Authorities (28)	*
CCLA Property Fund	*		

2.7 During the period SCC has continuously monitored counterparties, and all ratings of proposed counterparties have been subject to verification on the day, immediately prior to investment. Other indicators taken into account have been:-

- Credit Default Swaps and Government Bond Spreads
- GDP and Net Debt as a Percentage of GDP for sovereign countries
- Likelihood and strength of Parental Support
- Banking resolution mechanisms for the restructure of failing financial institutions i.e. bail-in
- Share Price
- Market information on corporate developments and market sentiment towards the counterparties and sovereigns

- 2.8 **Counterparty Update.** For all the economic turmoil, there were minimal credit rating changes during the period; however, in April, Fitch Ratings applied a Negative outlook to most UK Banks, and S&P followed suit in May, and also included several European and Australian Banks. Fitch did downgrade Rabobank and ANZ from AA- to A+, S&P did likewise with HSBC. Moody's reduced Nationwide from Aa3 to A1.
- 2.9 There continues to be much uncertainty around the extent of the losses banks and building societies will suffer due to the impact from the coronavirus pandemic and for the UK institutions on the list there is the added complication of the end of the Brexit transition period on 31st December and what a trade deal may or may not look like.
- 2.10 Credit default swap spreads were elevated in March and April as lockdowns occurred and economies suffered. Since then, levels have eased over most of the period but with a certain amount of volatility. At the end of the period, levels were roughly 65% of those at the beginning of April.
- 2.11 While the UK and Non-UK banks on SCC's Advisor's counterparty list remain in a strong and well-capitalised position, the duration advice on all these banks was cut to 35 days for new deposits in mid-March.
- 2.12 As duration has been reduced on new bank lending, rates in the 35-day term have reduced in line with LIBID, and bank rates have nearly all been below those offered by instant access Money Market Funds (MMFs). In order to place deposits for longer maturities, and to pick up a better yield, more deposits have been placed with UK Local Authorities. This too has been difficult, as the deluge of money from Central Government has increased liquidity and reduced the number of Local Authorities looking to borrow money. At times there have been no Local Authorities looking to borrow, and this has kept rates suppressed.

3. THE ECONOMIC BACKGROUND

- 3.1 The spread of the coronavirus pandemic dominated during the period as countries around the world tried to manage the delicate balancing act of containing the virus while getting their populations and economies working again. Government initiatives continued to support the UK economy, with the furlough scheme keeping almost 10 million workers in jobs, and grants and loans being made to businesses.
- 3.2 GDP growth contracted by a massive 19.8% in Q2 2020 (Apr-Jun) according to the Office for National Statistics (ONS), pushing the annual growth rate down to -21.5%. Construction output fell by 35% over the quarter, services output by almost 20% and production by 16%. Recent monthly estimates of GDP have shown growth recovering, with the latest rise of almost 7% in July, but even with the two previous monthly gains this still only makes up half of the lost output.
- 3.3 The headline rate of UK Consumer Price Inflation (CPI) fell to 0.2% year/year in August, further below the Bank of England's (BoE) 2% target. The ONS' preferred measure of CPIH which includes owner-occupied housing was 0.5% y/y.
- 3.4 In the three months to July, the unemployment rate increased from 3.9% to 4.1% while wages fell 1% for total pay in nominal terms and 1.8% in real terms. Despite only a modest rise in unemployment over the period, the rate is expected to pick up sharply in the coming months as the furlough scheme ends in October. On the back of this, the BoE has forecast unemployment could hit a peak of between 8% and 9%.

- 3.5 The BoE maintained Bank Rate at 0.1% and its Quantitative Easing programme at £745 billion. The potential use of negative interest rates was not ruled in or out by BoE policymakers, but then a comment in the September Monetary Policy Committee (MPC) meeting minutes that they were having a harder look at its potential impact than was previously suggested took financial markets by surprise.
- 3.6 Equity markets continued their recovery, with the Dow Jones climbing to not far off its pre-crisis peak. Performance was driven by a handful of technology stocks including Apple and Microsoft, with the former up 75% in 2020. The FTSE 100 and 250 have made up around half of the losses seen at the height of the pandemic in March. Central bank and government stimulus packages continue to support asset prices, but volatility remains.
- 3.7 Ultra-low interest rates and the flight to quality continued, keeping gilts yields low but volatile over the period with the yield on some short-dated UK government bonds remaining negative. The 5-year UK benchmark gilt yield started and ended the June–September period at -0.06% (with much volatility in between). The 10-year gilt yield also bounced around, starting at 0.21% and ending at 0.23% over the same period, while the 20-year rose from 0.56% to 0.74%. As gilt yields have a direct correlation to Public Works Loan Board (PWLB) the downward drift in PWLB borrowing rates for most durations can be seen in Tables 2 and 3 in Appendix A.
- 3.8 London Interbank Bid (LIBID) rates based on the Intercontinental Exchange London Interbank Offered Rate (LIBOR) fixings show that there was significant downward movement in rates from April to the end of September, with most periods up to 1 year ending in negative territory. With the BoE MPC actively considering the effects of implementing a Negative Interest Rate Policy (NIRP) the outlook has remained to the downside. All periods closed on or close to year-to-date lows and the 1-month, 3-month, 6-month, and 12-month LIBID rates had reduced by 0.19%, 0.51%, 0.63%, and 0.68% respectively, and ended the period at -0.08%, -0.06, -0.04%, and 0.03% respectively over the period.
- 3.9 Rates from banks to Local Authorities have followed LIBID rates down with several now offering negative rates (charging for having our money). The effect that economic conditions had on money market rates during the period, can be seen in Table 1, Appendix A.

4. DEBT MANAGEMENT

- 4.1 The Authority is currently debt free. Any potential borrowing is driven by the capital plan. There are no plans that would necessitate borrowing during the remainder of 2020-21 or in the foreseeable future.

5. COMPLIANCE WITH PRUDENTIAL INDICATORS

- 5.1 The Authority has no borrowing, and all lending remains at a maximum of one month duration, therefore all Prudential Indicators remain at zero. For completeness of reporting, and in line with the CIPFA code, the Authority can confirm that it has complied with its Prudential Indicators for 2020-21. Those agreed by Full Authority and actual figures as at 30th September are included below:-

	2020-21	As at 30-09-20
	£thousand	£thousand
Authorised limit (borrowing only)	100	0
Operational boundary (borrowing only)	100	0

Maturity structure of borrowing

	Upper Limit	Lower Limit	As at 30-09-20
Under 12 months	100%	0%	0%
>12 months and within 24 months	0%	0%	0%
>24 months and within 5 years	0%	0%	0%
>5 years and within 10 years	0%	0%	0%
>10 years	0%	0%	0%

	2020-21 £thousand	As at 30-09-20 £thousand
Prudential Limit for principal sums invested for periods longer than 365 days	0	0

Credit Risk Indicator

SCC has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating / credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk (in conjunction with Arlingclose) and will be calculated quarterly.

Credit risk indicator (to be below target)	Target	Actual
Portfolio average credit rating (score)	A (6)	AA- (4.04)

CIPFA no longer recommends setting upper limits on fixed and variable rate exposures, so these are no longer calculated for this paper.

6. OUTLOOK FOR QUARTERS 3 & 4

- 6.1 The scale of the economic shock to demand, on-going social distancing measures, regional lock downs and reduced fiscal support will mean that the subsequent pace of recovery is limited. Early signs of this are already evident in UK monthly GDP and PMI data, even before the latest restrictions.

This situation will result in central banks maintaining low interest rates for the medium term. In the UK, Brexit is a further complication. Bank Rate is therefore likely to remain at low levels for a very long time, with a distinct possibility of being cut to zero. Money markets have priced in a chance of negative Bank Rate.

- 6.2 Bank Rate is expected to remain at the current 0.10% level and additional monetary loosening in the future most likely through further financial asset purchases (QE). While the central case for Bank Rate is no change from the current level of 0.1%, further cuts to Bank Rate to zero or even into negative territory cannot be completely ruled out.

Gilt yields are expected to remain very low in the medium term. Shorter-term gilt yields are currently negative and will remain around zero or below until either the Bank of England expressly rules out negative Bank Rate or growth/inflation prospects improve.

Downside risks remain in the near term, as the government reduces its fiscal support measures, reacts to the risk of a further escalation in infection rates and the Brexit transition period comes to an end.

A table of forecast rates to September 2023 is shown below: -

	Dec 20	Mar 21	Jun 21	Sep 21	Dec 21	Mar 22
Upside Risk	0.00	0.00	0.00	0.15	0.15	0.15
Base Rate	0.10	0.10	0.10	0.10	0.10	0.10
Downside Risk	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50

	Jun 22	Sep 22	Dec 22	Mar 23	Jun 23	Sept 23
Upside Risk	0.15	0.30	0.30	0.30	0.30	0.30
Base Rate	0.10	0.10	0.10	0.10	0.10	0.10
Downside Risk	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50

7. SUMMARY

- 7.1 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during the first six months of 2020-21. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

8. OTHER ISSUES

- 8.1 Revision to PWLB Lending Rates: On 9th October 2019 HM Treasury, without warning, imposed a 1% premium on all loans from the PWLB making it relatively expensive. Market alternatives are available; however, the financial strength of individual authorities will be scrutinised by investors and commercial lenders, and there can be substantial up-front costs.

The Chancellor's March 2020 Budget statement included significant changes to Public Works Loan Board (PWLB) policy and launched a wide-ranging consultation on the PWLB's future direction. £1.15bn of additional "infrastructure rate" funding at gilt yields plus 0.60% was made available to support specific local authority infrastructure projects for England, Scotland and Wales for which there is a bidding process.

The consultation titled "Future Lending Terms" allows stakeholders to contribute to developing a system whereby PWLB loans can be made available at improved margins to support qualifying projects. It contains proposals to allow authorities that are not involved in "debt for yield" activity to borrow at lower rates as well as stopping

local authorities using PWLB loans to buy commercial assets primarily for yield. The consultation also broaches the possibility of slowing, or stopping, individual authorities from borrowing large sums in specific circumstances.

The consultation closed on 31st July 2020 with the announcement and implementation of the revised lending terms expected in the latter part of this calendar year or early next year.

- 8.2 Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to continue to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield.
- 8.3 The Authority's objective when investing money remains to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

Gordon Bryant
Chief Finance Officer
October 2020

Appendix A

Money Market Data and PWLB Rates

The average low and high rates correspond to the rates during the financial year-to-date, rather than those in the tables below.

Table 1: Bank Rate, Money Market Rates (LIBID Rates based on Intercontinental Exchange LIBOR rates)

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid
01/04/2020	0.10	-0.06	0.00	0.11	0.45	0.59	0.71	0.48
30/04/2020	0.10	-0.07	-0.03	0.08	0.47	0.56	0.70	0.42
31/05/2020	0.10	-0.07	-0.06	-0.03	0.10	0.25	0.44	0.25
30/06/2020	0.10	-0.07	-0.06	-0.03	0.02	0.17	0.30	0.18
31/07/2020	0.10	-0.07	-0.06	-0.03	-0.04	0.04	0.19	0.10
31/08/2020	0.10	-0.08	-0.07	-0.07	-0.06	-0.01	0.11	0.10
30/09/2020	0.10	-0.08	-0.08	-0.08	-0.06	-0.04	0.03	0.07
Average	0.10	-0.07	-0.05	0.00	0.13	0.24	0.37	0.22
Maximum	0.10	0.08	0.10	0.16	0.56	0.62	0.77	0.51
Minimum	0.10	-0.08	-0.08	-0.08	-0.07	-0.05	0.02	0.01
Spread	0.00	0.16	0.18	0.24	0.63	0.67	0.76	0.50

Table 2: PWLB Borrowing Rates – Fixed Rate, Maturity Loans

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2020	129/20	2.12	2.30	2.76	2.75	2.61	2.54
30/04/2020	168/20	2.09	2.27	2.62	2.59	2.43	2.34
31/05/2020	206/20	1.98	2.19	2.61	2.62	2.50	2.43
30/06/2020	250/20	1.94	2.18	2.63	2.64	2.55	2.47
31/07/2020	296/20	1.87	2.11	2.60	2.64	2.56	2.48
31/08/2020	336/20	2.02	2.37	2.90	2.96	2.91	2.81
30/09/2020	380/20	1.94	2.22	2.71	2.75	2.68	2.59
	Low	1.87	2.11	2.57	2.56	2.40	2.33
	Average	2.00	2.24	2.69	2.71	2.61	2.52
	High	2.19	2.39	2.93	3.00	2.94	2.85
	Spread	0.32	0.28	0.36	0.44	0.54	0.52

Table 3: PWLB Borrowing Rates – Fixed Rate, Equal Instalment of Principal (EIP) Loans

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2020	129/20	2.10	2.12	2.32	2.60	2.76	2.80
30/04/2020	168/20	2.06	2.09	2.28	2.51	2.63	2.64
31/05/2020	206/20	1.98	1.98	2.21	2.47	2.61	2.65
30/06/2020	250/20	1.93	1.94	2.19	2.48	2.63	2.67
31/07/2020	296/20	1.88	1.87	2.13	2.43	2.60	2.65
31/08/2020	336/20	1.95	2.04	2.39	2.72	2.91	2.97
30/09/2020	380/20	1.92	1.94	2.24	2.54	2.71	2.76
	Low	1.85	1.87	2.13	2.43	2.57	2.60
	Average	1.98	2.00	2.26	2.54	2.70	2.74
	High	2.16	2.20	2.41	2.75	2.94	3.00
	Spread	0.31	0.33	0.28	0.32	0.37	0.40

EXMOOR NATIONAL PARK AUTHORITY

3 November 2020

EXMOOR NATURE RECOVERY VISION

Report of the Head of Conservation and Access & the Wildlife Conservation Officer

Purpose of the report: To present the Exmoor Nature Recovery Vision to Members for adoption by the Authority.

RECOMMENDATION: The Authority is recommended to:

- (1) ADOPT the Vision document which outlines how Exmoor can respond to the current joint nature and climate emergencies.
- (2) AGREE to delegate responsibility to make any changes to the draft Vision to the Chief Executive, in consultation with the Chairperson and Deputy Chairperson, taking on board Member comments.

Authority Priority: Rich in Wildlife; Working Landscapes; The Exmoor Experience; Work with communities, businesses and partners to deliver the National Park Partnership Plan and statutory purposes.

Legal and Equality Implications: *Section 65(4) Environment Act 1995* – provides powers to the National Park Authority to “do anything which in the opinion of the Authority, is calculated to facilitate, or is conducive or incidental to-

(a) the accomplishment of the purposes mentioned in s. 65 (1) [National Park purposes]

(b) the carrying out of any functions conferred on it by virtue of any other enactment.”

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, where: “Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

The Environment Bill (2019) is establishing legally binding targets for the protection of biodiversity, water, air and waste, which will require mechanisms for target setting, evidence gathering and monitoring of achievements including the production of a Local Nature Recovery Strategy.

The equality impact of the recommendation(s) of this report has been assessed as follows: There are no foreseen adverse impact on any protected group(s). Engagement through any outreach work within the vision is designed to have a positive impact on protected groups.

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows: There are no implications for the Human Rights Act.

Financial and Risk Implications: There are no financial or risk implications to the National Park Authority resulting from the adoption of the Exmoor nature recovery vision. The delivery of the vision will be achieved by working in partnership with stakeholders to deliver positive change for nature that may be supported through externally funded Environmental Land Management Schemes or other sources of funding. The vision will help guide funding applications which the NPA may apply for to help take forward nature recovery projects both on land it owns and to support the delivery on land in private ownership.

Climate Response: This paper is a key next step following the Authority's declaration of a climate emergency. The recommended vision outlines a future Exmoor that will contribute to tackling the climate change through achieving a healthy, natural environment across Exmoor.

1. INTRODUCTION

- 1.1 **'Working Together for a Nature-rich National Park'** is a vision for nature recovery on Exmoor (see Appendix 1).
- 1.2 This vision sets out key elements required to deliver nature recovery, carbon capture and flood resilience within the National Park and its wider setting. It supports positive change across wider landscapes and across boundaries, with benefits to land, air, and the freshwater and marine environments
- 1.3 Delivery of the vision will require a step-change in our approach to nature conservation. It will require testing out of ideas, different delivery models and a range of funding options working with all landowners, local communities and partner organisations to deliver transformative change.
- 1.4 This visioning work will underpin the requirement on local authorities to deliver Local Nature Recovery Strategies set out in the current Environment Bill (if adopted). It is also responding to the recommendations in the Glover Review particularly around how National Parks should form the backbone of Nature Recovery Networks, joining things up within and beyond their boundaries.

2. THE VISION

- 2.1 **'Working Together for a Nature-rich National Park'** has been developed by the Nature Conservation Advisory Panel which is one of the Partnership Plan groups, comprises 25 members and has a wide representation from statutory and voluntary nature conservation organisations and representatives from farming, woodland and riparian interests. There has been wide consultation on the document with the other Partnership Plan groups, through a Members' Forum and with the Exmoor Hill Farming Network. The document includes a Vision Statement (see Page 1 of Appendix 1) which summarises our aspiration for how nature recovery should be delivered on Exmoor.
- 2.2 ***Our Vision statement:***

Exmoor's farmers, land managers, conservationists, communities and public bodies will work together to deliver *'a Nature-rich Exmoor National Park'* which is great for wildlife and great for people:

- Exmoor’s rich mosaic of wildlife habitats are enhanced, extended and integrated into a network of nature-rich hubs, with blurred edges between them, and corridors linking them together.
- Wildlife is abundant and thriving and can easily move across the landscape and adapt to a changing climate.
- Exmoor’s farmed landscape remains productive with farmers ensuring nature thrives whilst still producing food and other public goods.
- People living in and visiting the National Park are connected to nature. They understand and are inspired by Exmoor’s special wildlife and are actively engaged in its conservation.

2.3 We have used specially commissioned illustrations to clearly show the elements of change within the vision (see page 3 of Appendix 1) and how these will fit within the Exmoor landscape and to facilitate discussion. The first illustration shows a ‘nature in decline’ landscape where management practices shown will lead to a further decrease in nature whilst the ‘nature recovery’ landscape shows a landscape where nature can thrive and increase and natural processes can be allowed to run their course.

2.4 The illustrations are not intended to show the state of nature now, compared to a future state of nature, as this will vary across the National Park with some areas already nature-rich. Instead, they show what elements of land management might contribute to a decline in biodiversity, and what would achieve a nature rich environment. The purpose of the illustrations is to provide a prompt for discussions with land managers, communities and partners to help show what action can be taken to support nature recovery and make a positive contribution to biodiversity. Farming and food production are very much part of this vision, but it is one where farmers are producing nature as well as food, and other public goods such as clean air and water, reducing flood risk, or storing carbon in soils.

3. WHY WE NEED A VISION

3.1 One of the two statutory purposes of National Parks is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area

3.2 Exmoor National Park Authority has declared a climate emergency. This vision shows how Exmoor can play its part in tackling the joint nature and climate emergency that we now face, caused by human activity.

3.3 We cannot have a healthy climate without thriving nature, from trees and peat sequestering carbon to pollinating insects regenerating our plants including food crops. 56% of native British species have declined over the last 50 years. 31% have strongly declined – meaning either that they’ve halved over the period monitored or are likely to halve in the next 25 years.

3.4 Exmoor was designated a National Park in 1954, for its outstanding landscape beauty and wildlife. At the time there was great concern at the loss of such wild places within the UK and recognition of their importance for future generations. Since then the UK has seen a catastrophic decline in its natural resources driven by human activities, for example, 98% of all wildflower meadows in the 1950’s have been lost.

- 3.5 Progress for nature recovery is still far too slow in the UK and in many cases is still going in the wrong direction. In 2010 the Government's land-mark report *Making Space for Nature* unequivocally set out nature's decline in the UK and the four principles of bigger, better more and joined that we urgently needed to apply. In 2019 UK government's self-assessment said it has not met two-thirds of targets (14 out of 20) agreed at the Convention on Biological Diversity (CBD) in Nagoya, Japan, also in 2010. We are now at a tipping point where both policy and practice has to rapidly reverse this decline if we are to combat climate change and have any hope of passing a legacy of nature to future generations.
- 3.6 Although there are still large areas of habitats on Exmoor, even where land is designated, 85% of this land is currently not in favourable condition and in the wider countryside nature is still declining. Some species are in danger of localised or wider extinctions.
- 3.7 Driven by the joint climate and nature emergency, the Agriculture Bill sets out the principles of 'public money for public goods' as the basis for future farm support, delivered through the emerging Environmental Land Management Scheme (ELMS). 'Working Together for a Nature-rich National Park' will give Exmoor's landowners the vision on which to hang their ELMS applications and the best chance of remaining strong, viable businesses supporting the social fabric and economy of Exmoor.

4. TARGETS SET IN THE NATURE RECOVERY VISION

- 4.1 We have set ambitious targets in the vision which are grouped into two timeframes in order to drive timely delivery and then maintain momentum.

4.1.1 By 2030 we will work together to as a minimum:

- (i) **Bring 95% of existing wildlife areas into 'favourable condition', providing the core of our 'nature-rich hubs' (38% of the National Park)**
- (ii) **Create or restore an additional 4,500 ha of priority habitat as 'nature corridors and buffers', especially to expand and link the nature-rich hubs and to create a web of connectivity (6.5% of the National Park)**
- (iii) **Establish 11,500 ha of 'nature-friendly farming areas', where land is managed working with nature rather than against it to run a profitable business (17% of the National Park).**
- (iv) **Create 7,000 ha of 'nature recovery opportunity areas' where nature and natural processes are allowed to take their course. In these wilder areas land will be allowed to recover, healthy soils and clean water will be restored, and wildlife will recolonise (10% of the National Park).**

4.1.2 There is a single overarching target proposed for 2050:

By 2050, Exmoor National Park will be a climate resilient, nature-rich core area supporting nature recovery in the wider countryside. At least 75% (or 51,750ha) of the area of the National Park will be in nature-rich condition, with the remaining areas providing networks and corridors for wildlife to move through and beyond its boundaries.

5. DELIVERING THE VISION

- 5.1 This is a vision, not a delivery plan. Every parcel of land on Exmoor is starting from a different place and will benefit from different actions. Land managers may need to adjust management techniques as part of an iterative process to achieve the desired outcomes. Initiatives at a community-led scale may be a very effective way to deliver for nature recovery while at the same time enabling people to re-connect more with nature. The delivery of the vision for nature recovery should be cross-cutting across communities and parishes and make a difference for nature on farmland, community spaces, gardens, road verges, churchyards, schools and other open spaces.
- 5.2 By setting out a clear vision of the future we hope to unite all parties to work together, ensuring nature thrives across the whole of Exmoor and our land locks away carbon. Without a vision we cannot know whether the actions we take today are the best ones to take.
- 5.3 Potential delivery mechanisms include the following:
 - 5.3.1 Shaping and focusing the future direction of ELMS including Defra's Tests and Trials to ensure nature recovery is at its core and supporting the principle of public payments for public goods.
 - 5.3.2 Working with partners, landowners and local communities to investigate funding opportunities, put together bids and deliver projects to deliver landscape-scale nature recovery initiatives.
 - 5.3.3 Demonstration projects on ENPA owned land, working with our tenants, showing exemplary management on the land that the Authority owns
- 5.4 The vision encompasses and supports the recommendations of the Somerset and Devon Pollinator Action Plans.

6. NEXT STEPS

- 6.1 Following adoption, the text of the Vision document will be finalised, incorporating any agreed amendments, and a designed version produced. A plain English summary leaflet is also planned. A formal launch of the document will take place in the Spring 2021 with partners.

Rob Wilson-North
Head of Conservation and Access

Ali Hawkins
Wildlife Conservation Officer

19 October 2020

Background papers on which this report, or an important part of it are based, constitute the list of background papers required by Section 100 D (1) of the Local Government Act 1972 to be open to members of the public comprise:

Appendix 1 - ***Working Together for a Nature-rich National Park – the Vision for Nature Recovery on Exmoor***

Appendix 2 - [**Somerset Pollinator Action Plan**](#)

Appendix 3 - [**Devon Pollinator Action Plan**](#)

DRAFT

***‘Working Together for a Nature-rich National Park’,
the Vision for Nature Recovery on Exmoor***

(Foreword by Robin Milton and Sarah Bryan to be added)

This is a call to action for everyone who loves Exmoor’s special wildlife. Exmoor’s landscapes have been created through the interaction of people and nature over centuries which has created a diverse mix of habitats and species and the natural beauty that so many people treasure. But Exmoor has not been immune to the wider declines in wildlife seen over the last few decades. We all need to act now to turn this tide, and to provide the tools and resources for farmers, conservationists, and communities to help nature return to all parts of the National Park. Together, we can make a difference, and deliver an even more nature-rich National Park.

Our Vision Statement

Exmoor’s farmers, land managers, conservationists, communities and public bodies will work together to deliver ‘a Nature-rich Exmoor National Park’ which is great for wildlife and great for people:

- **Exmoor’s rich mosaic of wildlife habitats are enhanced, extended and integrated into a network of nature-rich hubs, with blurred edges between them, and corridors linking them together.**
- **Wildlife is abundant and thriving and can easily move across the landscape and adapt to a changing climate.**
- **Exmoor’s farmed landscape remains productive with farmers ensuring nature thrives whilst still producing food and other public goods.**
- **People living in and visiting the National Park are connected to nature. They understand and are inspired by Exmoor’s special wildlife and are actively engaged in its conservation.**

By 2050, Exmoor National Park will be a climate resilient, nature-rich core area supporting nature recovery in the wider countryside. At least 75% (or 51,750 ha) of the area of the National Park will be in nature-rich condition, with the remaining areas providing networks and corridors for wildlife to move through and beyond its boundaries.

Achieving the Vision

In order to achieve this Vision, we have set some targets to deliver over the next 10 years.

By 2030 we will work together to as a minimum:

- 1. Bring 95% of existing wildlife areas into ‘favourable condition’, providing the core of our ‘nature-rich hubs’ (38% of the National Park)**
- 2. Create or restore an additional 4,500 ha of priority habitat as ‘nature corridors and buffers’, especially to expand and link the nature-rich hubs and to create a web of connectivity (6.5% of the National Park)**
- 3. Establish 11,500 ha of ‘nature-friendly farming areas’, where land is managed working with nature rather than against it to run a profitable business (17% of the National Park).**
- 4. Create 7,000 ha of ‘nature recovery opportunity areas’ where nature and natural processes are allowed to take their course. In these wilder areas land will be allowed to recover, healthy soils and clean water will be restored, and wildlife will recolonise (10% of the National Park).**

What does nature recovery look like on Exmoor?

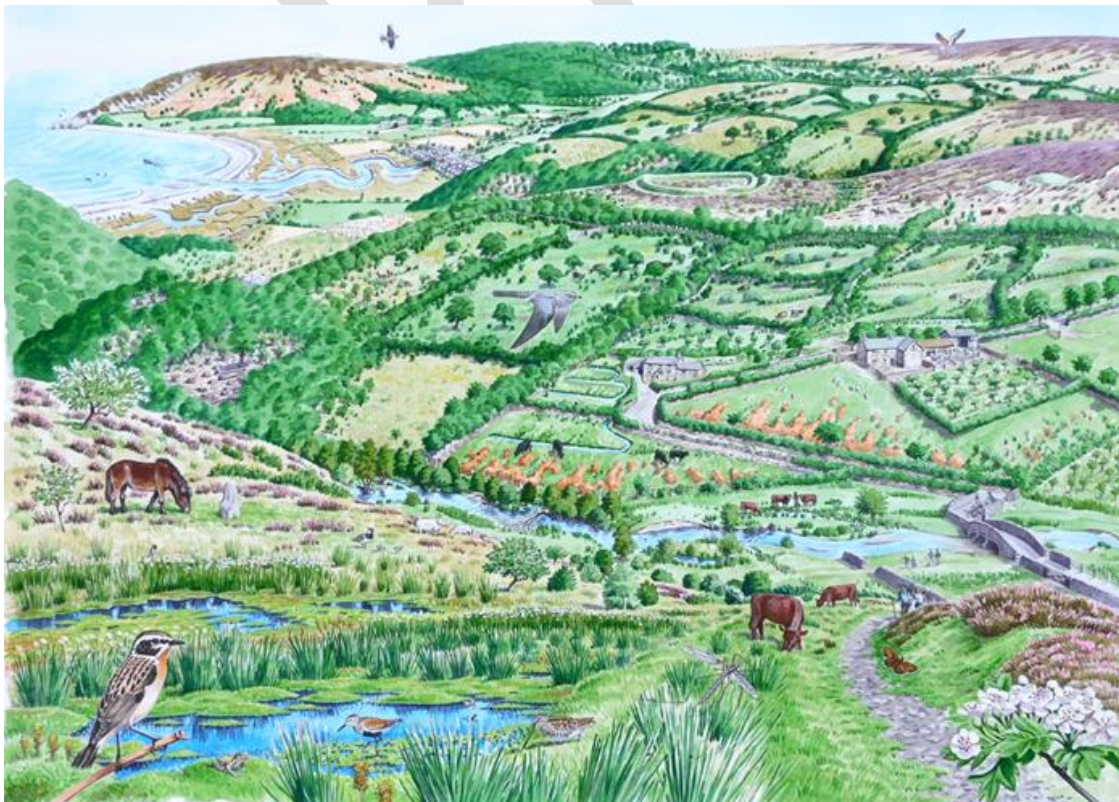
We have created illustrations which have been specially commissioned to show the potential for nature recovery on Exmoor and how this fits within the Exmoor landscape. They are illustrative only to facilitate discussion and to give an idea of the transformative step-change that is needed to bring about nature recovery at a landscape scale. The first illustration shows a ‘nature in decline’ landscape where management practices shown will lead to a further decrease in nature whilst the ‘nature recovery’ landscape shows a landscape where nature can thrive and increase and natural processes can be allowed to run their course.

The illustrations are not intended to show the state of nature now, compared to a future state of nature, as this will vary across the National Park with some areas already nature-rich. Instead, they show what elements of land management might contribute to a decline in biodiversity, and what would achieve a nature rich environment. The purpose of the illustrations is to provide a prompt for discussions with land managers, communities and partners to help show what action can be taken to support nature recovery and make a positive contribution to biodiversity. Farming and food production are very much part of this vision, but it is one where farmers are producing nature as well as food, and other public goods such as clean air and water, reducing flood risk, or storing carbon in soils.

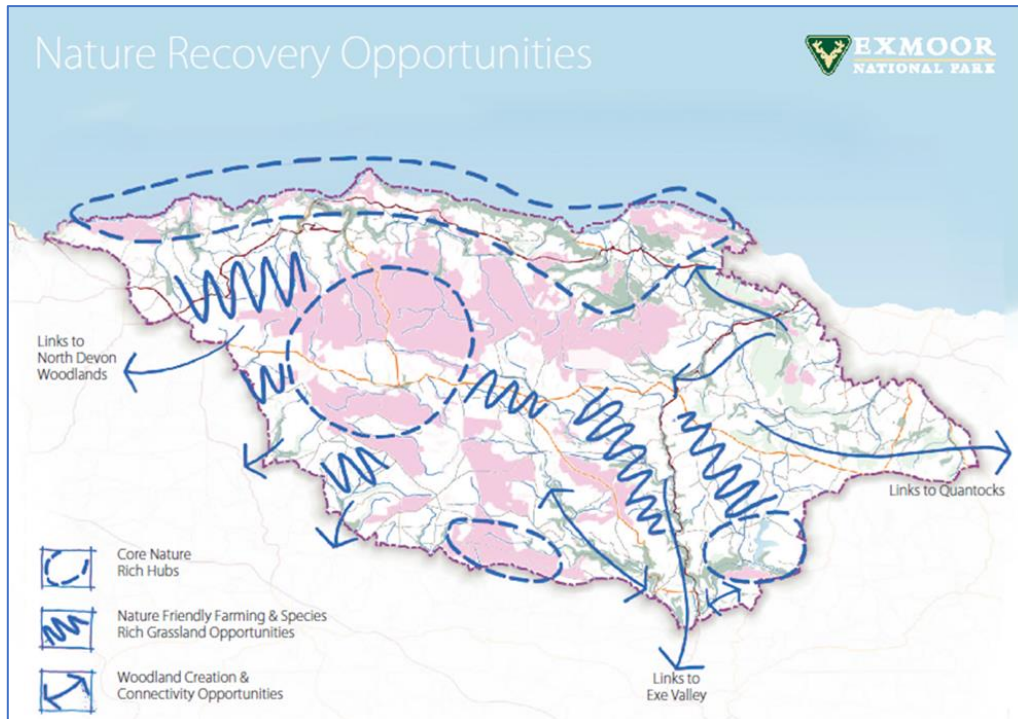
'Nature in decline' landscape



Nature Recovery landscape



To deliver the Vision, we aim to create large-scale nature-rich hub areas such as those shown indicatively on the map below with adjacent areas of well linked nature corridors and connectivity, nature-friendly farming areas, and nature recovery opportunity areas. **(Please note this is a draft map only)**



Purpose of the Vision

This is a partnership vision which has been prepared by the Nature Conservation Advisory Panel, which leads on taking forward the wildlife aspects of the Exmoor Partnership Plan, to look at how Exmoor can respond to the current nature and climate emergencies.

What is it?

- It's our partnership response to how we see Exmoor being able to contribute to solving the ecological emergency and is inextricably linked to addressing the climate crisis.
- It's an ambitious framework to bring about nature recovery, carbon capture and climate resilience within the National Park and its wider setting, testing out ideas, different delivery models and a range of funding options, both on land we have direct influence over and working with willing landowners to deliver transformative change.
- It identifies how the National Park can use its influence to make changes beyond its borders and make positive change across wider landscapes, with benefits to land, air, and freshwater and marine environments.

- It reflects the Glover Review and demonstrates how Exmoor can help deliver ‘National landscapes as the backbone of Nature Recovery Networks’.
- It delivers the Lawton principles of ‘more, bigger, better and joined up’.
- It helps to achieve the 25 Year Environment Plan priorities, including recovering nature and enhancing the beauty of landscapes, using and managing land sustainably and connecting people with the environment.
- It outlines how land managers on Exmoor can directly contribute towards developing a Nature Recovery Network through Environmental Land Management Schemes targeted at delivering for nature or through other innovative opportunities. It suggests ways that everyone living on Exmoor can make a difference to nature recovery, for example, through community-led, parish initiatives.

Who is it for?

- It’s for the whole National Park, not just the National Park Authority.
- It’s for our partners and stakeholders. The vision can only be achieved if we work together to deliver it. This involves a wide range of partners who all have an important role to play.
- It’s for Exmoor’s landowners and managers, to provide them with a clear framework as to how we can deliver nature recovery whilst symbiotically continuing to manage land in a way which allows people to enjoy a sustainable way of life and businesses to thrive.
- It’s for the people who live and work here. Everyone can make a contribution to nature recovery even on a small scale such as wildlife friendly gardening, through engaging in locally led initiatives to enhance nature and ensuring wildlife is not adversely affected by developments.
- It’s for the wider public – engaging with nature provides huge health and wellbeing benefits.
- It’s for Exmoor’s neighbours, enabling a joined-up approach that works well beyond the National Park boundaries, providing benefits for the wider landscapes and communities of Devon and Somerset.

Introduction

Nature in the UK is declining at a catastrophic rate and this decline is sadly happening even in protected areas such as National Parks¹. To reverse this decline and enable nature's recovery, we need to create more opportunities for nature to thrive across the National Park and out into adjoining areas including other protected areas such as AONBs and the wider landscape in other local authority areas. This requires a step-change in our approach, which means a complete transformation of the level of nature restoration that occurs. This requires a landscape-scale approach that creates diverse, interconnected habitats, working with natural processes wherever possible. As part of *Working Together for a Nature-rich National Park*, we will create new priority habitats, make our existing wildlife sites bigger and better, and join up these nature-rich areas. **By 2050, we want to see 75% or 51,750ha of the area of the National Park in nature-rich condition.**

Exmoor is one of the UK's 15 National Parks, protected for the nation as one of the jewels in the crown of our beautiful countryside, a breathing space for all to connect with nature and each other, learn about the past and find inspiration for a sustainable future. **National Parks should form the backbone of nature recovery.** They are the core of existing high value nature, and yet they have not been immune from the declines in wildlife suffered across the country and have not fared well. Exmoor's mosaic of habitats including heath, blanket bog, ancient woodlands, species-rich grassland, rivers and streams and high quality marine habitats are often fragmented, disconnected and surrounded by intensively managed agricultural land of lesser value to wildlife. However, the diversity of nature in a relatively small place provides a strong core from which to build, expand and connect, delivering nature recovery, climate resilience and wider environmental benefits such as cleaner water and healthier soils.

The state of nature in the UK and Exmoor

According to the State of Nature 2019, 56% of native British species have declined over the last 50 years. Of this figure, 31% have strongly declined – meaning either that they've halved over the period monitored or are likely to halve in the next 25 years². Most of the large areas of habitats on Exmoor are designated as Sites of Special Scientific Interest (SSSIs) and current figures from Natural England show that 85% of this land is currently not in favourable condition, and in the wider countryside nature is still declining. This leaves wildlife reliant on these threatened habitats and with few alternatives in the wider countryside some species are in danger of localised or wider extinctions.

¹ Council for National Parks, (2018) *Raising the bar: improving nature in our National Parks*.

² Hayhow DB, Eaton MA, Stanbury AJ, Burns F, Kirby WB, Bailey N, Beckmann B, Bedford J, Boersch-Supan PH, Coomber F, Dennis EB, Dolman SJ, Dunn E, Hall J, Harrower C, Hatfield JH, Hawley J, Haysom K, Hughes J, Johns DG, Mathews F, McQuatters-Gollop A, Noble DG, Outhwaite CL, Pearce-Higgins JW, Pescott OL, Powney GD and Symes N (2019) *The State of Nature 2019. The State of Nature Partnership*.

Nationally, the main causes of decline have been attributed to land use change especially agricultural intensification, pollution, habitat fragmentation, climate change and the effect of invasive species (as well as plant and animal disease)³.

On Exmoor, for example, moorland management problems have changed in recent years, from widespread overgrazing when there were production subsidies to the challenges of undergrazing and illegal burning. Fluctuating livestock prices have been a factor as well: if prices are low it is not worth the added workload of keeping stock on the moor, but if they are high it is not worth the risk. Livestock diseases such as bovine tuberculosis have also influenced the use of moorland, especially when it is common land. Commons tend to pose particular problems concerning rights and responsibilities.

In addition, there has been a marked reduction in the traditional management of woodlands and hedgerows for various reasons, including the high cost of skilled labour.

After the Second World War (WWII), farmers were encouraged by grants and subsidies to reclaim land and maximise production. More recently, they have been given various incentives to farm according to environmental prescriptions, but typically these have changed every few years according to different objectives. Mosaics of different habitats have been penalised under recent agricultural support schemes, whereas distinct areas of land-use that are easy to classify have been encouraged. Most agri-environment schemes have not been tailored sufficiently to areas such as Exmoor, and they haven't encouraged long-term planning towards clear objectives. Biodiversity and sustainable land management have often suffered as a result. The National Park has seen further changes in land-use with the increase in commercial shoots, new agricultural buildings and land used for equestrian purposes.

The National Park covers just under 69,300ha and an estimated 38% of it is recognised as UK priority habitat. Exmoor holds a range of habitats such as heath, blanket bog and western oak woods, which are internationally rare, with 19,300 ha of the National Park, including 131 kilometres of rivers and streams, specially designated by UK and European law to protect its distinctive wildlife. About 12,600 ha of that area has been selected by Government under the European Habitats Directive as a Special Area of Conservation. However, some of these sites are not in good condition. For instance, 85% of Sites of Special Scientific Interest (SSSIs) on Exmoor are in 'unfavourable' or 'unfavourable recovering' condition compared to an average across England of 61%.

More than 97% of the UK's wildflower meadows have been lost since WWII². On Exmoor we estimate that we have less than 2500 ha of unimproved grassland left. This has seen the decline of species such as the hornet robber-fly and butterflies like the marbled white.

Pearl-bordered⁴ and marsh fritillary⁵ butterflies are now extinct within the National Park. The red squirrel was once a common sight in our woodlands just a couple of generations

³ *Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, May 2019*

⁴ Butterfly Conservation, Butterflies of the New Millennium database.

⁵ Plackett, J (2016). The Two Moors Threatened Butterfly Project Final Report. Butterfly Conservation report S16-13.

ago... the hard winter of 1947 saw the last red squirrel disappear as grey squirrels began to increase rapidly in numbers⁶.

Exmoor is still an important stronghold for birds like whinchat and cuckoo which are declining nationally, with cuckoos having been almost lost from lowland Devon in recent decades⁷. However, birds such as the curlew are now at the edge of extinction on Exmoor⁸ and other species such as yellowhammer, willow tit and greenfinch have seen a big drop in numbers across the National Park⁹.

Salmon numbers have plummeted due to the loss of spawning habitat, barriers to fish passage, the impact of invasive species plus issues affecting them further downstream and further out to sea.¹⁰

As a consequence of climate change we are likely to experience hotter, drier summers, and warmer, wetter winters. An increase in the incidence of extreme weather events such as severe flooding and drought is also likely to occur, and sea levels will rise. Drier summers may cause mires to dry out leading to the erosion and shrinkage of peat stores which will have knock-on impacts on wildlife and carbon storage. There will also be a decline in soil health and the loss of critical habitats and species including as a result of a rise in pests and diseases. There is a need for mitigation through carbon sequestration and adaptation through increasing ecosystem resilience, habitat creation and restoring natural landscape functions.

What do we need to do to achieve a Nature-rich National Park?

We need a step-change in our approach to wildlife conservation, from trying to hang on to what we have to one of large-scale habitat restoration and recreation, underpinned by the re-establishment of ecological processes and ecosystem services at a landscape scale for the benefits of both people and wildlife.

In order for wildlife to thrive we need to establish a coherent and resilient ecological network. This means a suite of high quality wildlife sites, with connections between them so that species can move or adapt. We need to create more space for nature and natural processes, make our existing network of wildlife sites bigger and better and ensure that they are all joined up¹¹. We have a suite of priority habitats and natural spaces, some of which are designated, that can act as a starting point. We urgently need to expand this network learning from best practice, to deliver change at a landscape scale.

⁶ Exmoor Natural History Society, species checklists.

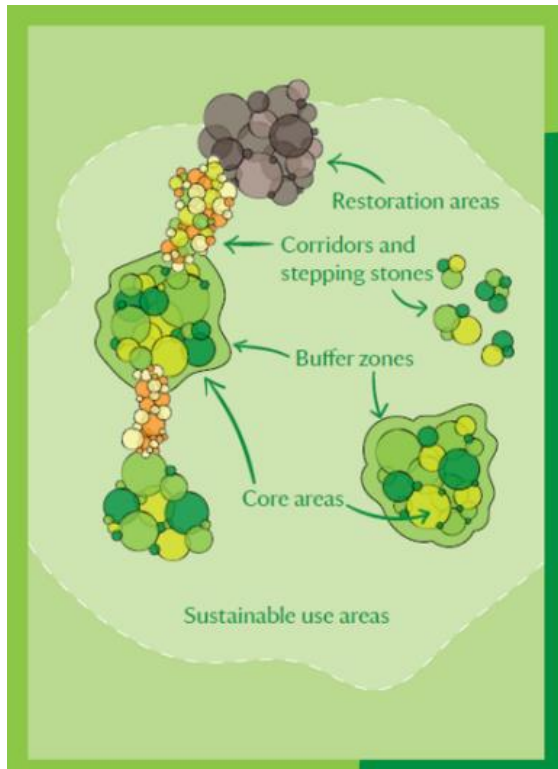
⁷ Beavan SD & Lock JM (eds) 2016. Devon Bird Atlas 2007-2013. Devon Birds, Cornworthy, Devon.

⁸ Sim IMW, Stanbury AJ, Tomankova I and Douglas DJT. 2016. Changes in moorland and heathland bird abundance in south-west England in relation to environmental change. *Bird Study* 63:4, 543-553.

⁹ Exmoor Natural History Society dataset.

¹⁰ Exe Salmon Action Plan, http://aquaticcommons.org/11124/1/Exe_SAP_final.pdf

¹¹ Lawton, J.H., Brotherton, P.N.M., Brown, V.K., Elphick, C., Fitter, A.H., Forshaw, J., Haddow, R.W., Hilborner, S., Leafe, R.N., Mace, G.M., Southgate, M.P., Sutherland, W.J., Tew, T.E., Varley, J. & Wynne, G.R. (2010) Making Space for Nature: a review of England's wildlife sites and ecological networks. Report to Defra.



More – create new wildlife sites to make more space for nature

Bigger – increase the size of existing sites

Better – protect what we have got and improve the quality of wildlife sites by better habitat management

Joined – create wildlife corridors or stepping stones to connect and buffer wildlife sites and more nature-friendly farming in the wider environment.

The Exmoor National Park Partnership Plan has an ambition for wildlife which is *‘Exmoor is richer in wildlife. Habitats are in good condition, expanded, connected and support a greater abundance of species’*¹².

Exmoor supports an important wealth of species including around 200 Exmoor Priority Species¹³. It is vital we make a network of habitats that is as resilient as possible to safeguard or recover these species. As a result of climate change we may have to accept some change in species composition with the possible loss of some species but potential gain of others. Making these sites more robust for nature will also have huge benefits for climate mitigation in terms of carbon storage, preventing the loss of peatland and soil carbon, while also delivering wider environmental benefits such as flood risk management and clean water.

We need to ensure that Exmoor’s wildlife is in good condition, well connected and resilient so that we can pass on the richness and diversity of habitats and species to future generations. We need to ensure that nature recovery is led by natural processes and is inextricably linked to delivering positive change that will help with the climate emergency.

Following the ‘Lawton’ principles of ‘more, bigger, better and joined up’ we have a vision for achieving nature recovery on Exmoor:

¹² Exmoor National Park Authority (2018) Exmoor National Park Partnership Plan 2018- 2023 (2018)

¹³ Exmoor National Park Authority (2014) Exmoor Wildlife Research and Monitoring Framework

Exmoor's farmers, land managers, conservationists, communities and public bodies will work together so that by 2030 we have helped to deliver 'a Nature-rich Exmoor National Park' which is great for wildlife and great for people:

- **Exmoor's rich mosaic of wildlife habitats are enhanced, extended and integrated into a network of nature-rich hubs, with blurred edges between them, and corridors linking them together.**
- **Wildlife is abundant and thriving and can easily move across the landscape and adapt to a changing climate.**
- **Exmoor's farmed landscape remains productive with farmers ensuring nature thrives whilst still producing food and other public goods.**
- **People living in and visiting the National Park are connected to nature. They understand and are inspired by Exmoor's special wildlife and are actively engaged in its conservation.**

The challenge is to find a way for farmers and landowners across Exmoor to have a sustainable future whilst delivering for nature recovery and climate change. Locally led community and parish initiatives can also make a huge difference to nature recovery.

How will we achieve this?

On Exmoor, we will start with those in our communities who are keen and willing to lead the way, setting examples and best practice for others to follow. Large landowners such as the National Park Authority and National Trust own around 12,000 ha (17.5%) of land in the National Park, but even if this land were in good condition for nature, this only represents a small area of the National Park. We have identified a number of other landowners with adjoining land who have similar objectives and aspirations, and we have built strong relationships with the farming community through the Exmoor Hill Farming Network. New Environmental Land Management Schemes need to offer a clear future for delivering for nature recovery whilst enabling farmers and landowners to thrive. Together we have a real chance to deliver transformative, landscape scale nature recovery, bringing conservationists and other specialists, landowners and local community together to deliver real change.

We will connect with people: involving communities, schools, volunteers in defining what they want nature recovery to look like and helping to deliver the solutions. We will use our nature recovery illustration as a tool to engage with people about what nature recovery is and looks like. Creating nature rich places that inspire, connect and encourage people to get involved. We will work closely to identify opportunities to deliver more for nature through community and parish-led initiatives and encouraging everyone to make a difference even at a small scale.

We will trial new solutions: Exmoor's remoteness, land ownership and strong partnership of conservation organisations and landowners provides opportunities to **trial and test nature recovery**, to increase the resilience and recovery of our wealth of species including species reintroductions, to explore ways to enable SSSIs to function as robust and adaptable ecosystems which can withstand climate change, or test out novel habitat enhancement techniques and build on our successful track record of delivery. Exmoor is one of the lesser-visited National Parks and does not suffer from the scale of visitor pressure that other National Parks are experiencing.

We will continue to promote the use of traditional breeds of livestock to help deliver the vision and use them to carry out vital conservation management recognising that breeds such as the Exmoor pony, Devon red cattle and Exmoor horn sheep have excellent qualities of hardiness and resilience.

We realise that we cannot continue to segregate the themes biodiversity, landscape and cultural heritage if we are to address the ecological and climate emergencies. They are all underpinned by natural process and adaptive land management and it is only by working together, across these topics, that nature recovery and climate action will be achieved recognising natural beauty and cultural heritage are integral elements of National Park purposes.

We will not work in isolation to deliver nature recovery but closely with other initiatives outside the National Park, linking closely to deliver the ambitions of the Local Nature Partnerships and their development of Nature Recovery Networks. We will also work with other partners such as the AONBs and catchments partnerships so that the benefits will be felt further down in the catchments.

We will deliver an ambitious programme to bring about nature recovery, carbon capture and flood resilience within the National Park, testing out ideas, different delivery models and a range of funding options, both on land we have direct influence over and working with willing landowners to deliver transformative change and benefits to land, air, and freshwater and marine environments.

What delivery mechanisms will we use?

A key to this delivery will be working through the new Environmental Land Management Scheme (ELMS), where farmers and landowners will be financially supported to produce benefits for nature, climate and other ecosystem services. We have an excellent gateway through the Exmoor Hill Farm Network to provide information, support and training to those who want to pursue new opportunities for nature-led initiatives.

Currently farmers and land managers find themselves at a crossroads with support in the form of Basic Payment Scheme payments coming to an end and new ELMS being developed with input from Defra's Tests and Trials. It is vital that through support from ELMs and through seeking other alternative sources of income through diversification, that land

management businesses which are contributing to nature recovery on Exmoor remain economically viable.

Working Together for a Nature-rich National Park will seek opportunities through national initiatives such as the government's *Nature for Climate Fund*, the Environment Agency's Natural Flood Management programmes and national initiatives such as the National Parks' *Net Zero for Nature* initiative. It will seek to become recognised as an exemplary and innovative Nature Recovery Area.

We will look for opportunities through the planning process to deliver Biodiversity Net Gain¹⁴ both from within the National Park, although recognising that our level of development is very small, and from adjacent areas where development pressures may be higher such as parts of West Somerset and North Devon. Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before.

We will seek new funding opportunities where we can work collaboratively to deliver for wildlife, climate and people. The National Park offers huge opportunities to not only deliver for nature but for health and wellbeing and it has an excellent track record of delivering at a local level by working with local communities and parishes. Through *Working Together for a Nature-rich National Park*, there will be more opportunities for people to reconnect with nature, inspiring everyone to enjoy, understand and cherish Exmoor.

How will we measure success?

We have set SMART¹⁵ targets for the next 10 years in order to set us on a clear trajectory of recovery for nature. The targets for creation of new areas for nature are based on the EU Biodiversity Strategy 2030¹⁶ which suggests that we need to transform at least 30% of Europe's lands and seas into nature-rich areas, enabling us to build on the existing nature-rich hubs. To support this, the Wildlife Trusts are calling for at least 30% of our land and sea to be connected and protected for nature's recovery by 2030. Making more space for nature to become abundant once again will give our struggling wildlife the chance to recover and also restore beautiful wild places - places that store carbon and help to tackle the climate crisis. Given that Exmoor is one of the UK's protected areas, our targets are deliberately ambitious to achieve at least 30% of *additional* areas for nature which will add to the 38% of existing nature-rich areas.

Beyond that 10 years we need to continue that trajectory but we are not setting these as specific habitat objectives but rather a wider aspiration for natural process-led delivery.

¹⁴ Defra (2019) Biodiversity Net gain Summary of responses and government response

¹⁵ SMART stands for 'specific, measurable, achievable, realistic, and timely'.

¹⁶ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS (2020) EU Biodiversity Strategy for 2030 Bringing nature back into our lives COM/2020/380 final

Working with landowners and managers to recover nature and natural processes, by 2030 we will as a minimum:

- 1. Bring 95% of existing wildlife areas into 'favourable condition', providing the core of our 'nature-rich hubs'.** Where this is not possible, we will examine the reasons for failure and develop plans to either reach favourable condition in the following 5 years or revisit the designation criteria to ensure they are valid for the future (for example, if designated for features that are no longer supported, either look at reintroductions or work with Natural England to amend the designation to suit new conditions and target species or features). This includes 19,300 ha of SSSIs and SACs and 7230 ha of Local Wildlife Sites which together represents 38% of the National Park.

This will require a dynamic approach which is outcome-led and may require bringing conservation objectives up to date. We need to ensure that these areas are managed in a way which allows adaptation to climate change and builds in resilience whilst safeguarding our special species.

- 2. Create or restore an additional 4,500 ha of priority habitat as 'nature corridors and highways',** especially to expand, link and buffer existing sites and to create a web of connectivity which equates to 6.5% of current National Park area.

- 1,500 ha of species-rich grassland
- 50% of woodlands are managed for nature with all deadwood retained and in the remaining 50% of woodlands at least 50% deadwood is retained
- 2080 ha of new woodland or wood pasture – to achieve 17% woodland cover across the National Park
- 500 ha of new/restored wetlands/mires
- 100 km of new hedgerows planted
- 100 km of wooded corridor/shelter belt >20M wide
- Deliver benefits for the marine environment and on the coast such as Porlock Marsh by reducing diffuse pollution
- Deliver actions that restore or facilitate natural processes within at least 3 river catchments, including the rivers Exe (including Barle), Horner and Hawkcombe Water and Lyn

- 3. Establish 11,500 ha of 'nature-friendly farming areas',** where land is managed working with nature rather than against it to run a profitable business (17% of the National Park). Currently 56% of the National Park is farmland (38,600ha) but only an estimated 2500ha of this is unimproved species-rich grassland with many areas supporting few benefits for wildlife.

There is a huge opportunity here to get more of this land into a condition where it is delivering more for nature and climate whilst still being agriculturally productive. Based around a low input, regenerative system, this could include

allowing areas to be ‘roughened up’, better hedgerow management, avoiding any artificial inputs such as pesticides and fertilisers, minimal cultivations, creating margins for pollinators, allowing scrub and trees to establish and protecting riparian corridors.

This may involve looking at new opportunities for developing silvipastoral and wood pasture systems and seeking to create a range of habitats supported in a connected network, working with natural processes and linking to the Nature Recovery Network.

New Environmental Land Management schemes must provide a key mechanism for this, paying landowners and managers to deliver nature and other public goods. Other opportunities should also be sought to deliver innovative delivery options. The expectation is for a clear and long-term change, not just funding small short-term tweaks.

This will assist in the delivery of the Devon and Somerset Local Nature Partnership’s Nature Recovery Networks and Pollinator Actions Plans¹⁷ and directly contribute to initiatives like Buglife’s *B-Lines*. B-Lines are a series of ‘insect pathways’ running through our countryside and towns, along which a series of wildflower-rich habitat stepping stones are restored and created. This will provide large areas of new habitat benefiting not only bees and butterflies, but also a host of other wildlife by providing better connectivity to nature-rich hubs.

- 4. Create 7,000 ha of ‘nature recovery opportunity areas’** where nature and natural processes are allowed to take their course. In these wilder areas land will be allowed to recover, healthy soils and clean water will be restored and wildlife will recolonise (10% of the National Park).

Flower-rich pastures, wetlands, scrub and woodland will be given space to regenerate. Rivers and their catchments will be managed sensitively, allowing time and space for natural processes and associated wildlife to establish. Large grazing animals will ensure these landscapes are in a dynamic state, which is diverse and constantly changing – the same results that roving herds of aurochs would have had in times gone by. In addition, these landscapes will be producing other high quality products which are the National Park’s life support systems – clean air, fresh water, and productive and healthy soils.

Natural processes may include natural succession, natural grazing, predation, natural movement of species and habitats, natural evolution of watercourses, and nature-driven fluctuations, all working together with wider environmental influences, such as underlying hydrology, geology and soil. Ensuring there is space, time and a sound understanding of the natural environment is essential if we want to see the benefits this approach brings. There will be space to take a

¹⁷ Devon County Council (2017) Devon County Council Pollinators’ Action Plan, Somerset County Council (2018) Somerset County Council Pollinator Action Plan.

harvest of key products such as timber and also high quality meat from livestock which will be a secondary by-product and not driving the system. Species such as pine martin, red squirrel and beaver may recolonise these landscapes. A current example includes work on the National Trust's West Exmoor's Estate.

By 2050 'Working Together for a Nature-rich National Park' aims to have at least 75% (or 51,750ha) of the area of the National Park in nature-rich condition, with the remaining areas providing networks and corridors for wildlife to move through and beyond its boundaries. Exmoor National Park will be a climate resilient, nature-rich core area supporting nature recovery in the wider countryside.

How will this help deliver the Government's agenda?

National Parks can help the Government fulfil its ambition for the UK to have the best natural environment in the world, and for us to leave the planet in a better condition for future generations. In doing this this, *Working Together for a Nature-rich National Park* will:

- Deliver the Lawton principles of more, bigger, better and joined up
- Achieve 25 Year Environment Plan priorities, including recovering nature and enhancing the beauty of landscapes, using and managing land sustainably and connecting people with the environment
- Take forward Glover proposals, particularly 'landscapes alive for nature and beauty':
 - National landscapes as the backbone of Nature Recovery Networks
 - Strengthened management plan to lead nature recovery and respond to climate change
 - A central place for ELMS
- Directly contribute to finding solutions to the climate and ecological emergency
- Deliver Biodiversity Net Gain and biodiversity offsetting
- Deliver key targets in the proposed Environment Bill
- Ensure that natural processes are at the core of nature recovery
- Have huge benefits for the health and wellbeing agenda

Find out more: Website – Wildlife illustrations with toolkit with examples

Weblink to ENPA page.

Contact details.

Nature recovery illustrations were painted by wildlife artist Richard Allen

Case studies of good projects happening already (these will be scattered throughout the document in boxes with photos – others will be included in final document including some farmer/landowner case studies)

Exmoor Mires Partnership

The Exmoor Mires Partnership is a carefully planned restoration programme targeted at over 3000 ha of moorland. Part of South West Water's [Upstream Thinking](#) Catchment Management Programme, which enables issues at source in the catchment to be addressed rather than investing in storage and treatment works further down the river.

The Exmoor Mires Partnership is working with landowners and moorland users to re-assess the way bogs are regarded and managed. With the support of this partnership, hundreds of kilometres of old ditches and abandoned peat cuttings are being blocked up, gradually restoring their ecological and hydrological functions. The end result will be wetter, healthier peatlands, which supply a wide range of ecosystem services.

All the Moor Butterflies

The All the Moor Butterflies Project (2017-2020) improved the fortunes of some of Exmoor's rarest butterfly species, whilst also offering opportunities for new and existing audiences to get involved with their conservation.

The project worked with 146 landowners across 201 sites on Exmoor, Dartmoor and Bodmin Moor. Project staff carried out 841 site visits, giving advice to landowners and farmers to help them care for the rare butterflies and moths on their land. The project focused on two key areas on Exmoor: Heddon Valley, home of the high brown fritillary butterfly, and the Holnicote Estate; one of only four strongholds for the heath fritillary in the country.

Plantlife's Building Resilience in South West Woodlands Project

The Heritage Lottery Fund (HLF) has awarded Plantlife £433,700 to deliver emergency management that will safeguard some of our most rare and threatened lichen communities in the Atlantic woodlands of Devon, Somerset and Cornwall. Plantlife will work closely with project partners, woodland owners, farmers and local communities to explore ways in which we can make them more resilient to change, better understood and fully celebrated as part of the region's natural heritage.

Exmoor Non-Native Invasive Species Project

The Exmoor Non-Native Invasive Species Project is helping to control the spread of invasive non-native species on Exmoor through trialling innovative approaches and working with local communities and volunteers to tackle species such as Japanese knotweed, Himalayan balsam, montbretia, skunk cabbage and signal crayfish. The Project is a partnership of Exmoor National Park Authority, National Trust, Environment Agency, Natural England and Nicky Green Associates and is funded through a Water Environment Grant through the European Agricultural Fund for Rural Development and Defra. The total annual cost of invasive non-native species to the British economy is estimated at approximately £1.7 billion and is one of the five major threats to the state of nature.

The Headwaters of the Exe Project

The Headwaters of the Exe is working with farmers and land managers to ensure good water quality in the upper catchment of the River Exe. It forms part of South West Water's [Upstream Thinking](#) programme, with funding from South West Water and the Exmoor National Park Authority. The project is currently being delivered by the Farming and Wildlife Advisory Group SouthWest working closely with Exmoor National Park Authority and the Exmoor Hill Farming Network.

Riverlands

Riverlands is a partnership project between the National Trust and Environment Agency that seeks to reverse the decline in river catchment health and associated biodiversity. The aim is to revive five of the UK's most precious rivers, including the Porlock Vale Streams on the Holnicote Estate creating rivers and catchments that are clean, healthy and rich in wildlife and inspiring people to connect with nature.

Working in collaboration with others, the driving principle of the project is working with natural processes to improve ecosystem function, build catchment resilience for challenges such as climate change and deliver outcomes that benefit both people and nature.

Beaver re-introduction

Through the Riverlands project the National Trust is trialling two enclosed releases of beavers on the Holnicote Estate. Beavers are native to the UK and would have once been an important part of the ecosystem, before they were hunted to extinction in the UK during the 16th Century. They are nature's water engineers and create remarkable, complex wetland habitats that benefit a wide range of wildlife and could form an important role in reversing declines in nature. There is also increasing evidence that beavers can play a role in helping manage flood risk, helping with drought resilience and improving water quality.

Exmoor's Ambition Test and Trial Project

The Exmoor's Ambition Test and Trial to help Defra design the new Environmental Land Management Scheme has been underway since Autumn of 2019. The aim of the trial is to devise and test a Natural and Cultural Capital Register to reflect the range of benefits to the public that are produced on Exmoor's land holdings. The Project will also be working with farmers to find out what changes they might be willing to make to help with nature recovery, combatting climate change and other targets from the Government's 25 Year Environment Plan, and also how they could work together to bring about change on a landscape scale. Crucially, it will look at what payment levels would be appropriate to reward farmers for the public goods that are essential to deliver this Nature Recovery Vision.

DRAFT

EXMOOR NATIONAL PARK AUTHORITY

3 November 2020

VALLEY OF ROCKS ENPA CAR PARK IMPROVEMENTS

Report of the Head of Conservation and Access

Purpose of the report: To set out proposed improvements and upgrading works to the ENPA owned car park and public open space facilities in the Valley of Rocks.

RECOMMENDATION(S): The Authority is recommended to:

- (1) AUTHORISE an overall scheme of improvement works to the existing car parking and public open space facilities (this scheme will also be dependent on a subsequent planning application).
- (2) APPROVE the release of £80,000 from the unallocated balance within the Estates Reserve to facilitate the implementation of improvement works.

Authority Priority: Support delivery of the Exmoor National Park Partnership Plan – This proposal will both connect people with places and further a sustainable future; it will also further our aspiration of ‘Exmoor for All’ through well managed recreation and access.

Achieve best value from our resources and improve our performance – Corporate Priority – manage the Authority’s Estate and operations to support delivery of National Park Purposes.

Legal and Equality Implications: It is considered there will be no adverse impacts on any protected groups.

Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation(s) of this report is as follows: There are considered to be no human rights issues in relation to this report.

Financial and Risk Implications: The financial and risk implications of the recommendations of this report have been assessed as follows:

- (i) Proposed improvement and upgrading works as outlined in this report are estimated at up to £80,000.
- (ii) The financial cost of this scheme can be mitigated and offset by the increased income to be derived. For illustration only, the receipts from this carpark for the three months up to September 2020 were £9,000. The scheme will provide additional all year round parking capacity on the site and a second parking machine.

Climate Change Response: This proposal includes the infrastructure for electric vehicle charging points at ENPA’s Valley of Rocks carpark. It also includes a greening plan which will identify where nature can be enhanced within the site and also implement more sustainable routine management of the carpark itself.

1. INTRODUCTION / BACKGROUND

- 1.1 This proposed improvement scheme at the ENPA Valley of Rocks car park forms part of the wider set of proposals for our carparks being developed under 'Land Visioning' on the ENPA estate. This was first outlined to the Authority in the 'Income Generation and Charging for Services' paper by the Chief Executive, which was approved in September 2020 (<https://www.exmoor-nationalpark.gov.uk/about-us/meetings-agendas-reports/exmoor-national-park-authority/08-sep-2020/ar-enpa-08.09.20-Item-10.pdf>). Land Visioning proposes that our carparks are improved so that they become well managed 'gateways' to Exmoor National Park; that they should celebrate the locations that they service, provide high quality, up to date information, are better managed, have improved facilities and appropriate, modern charging systems. All of these things will make them better places to visit and easier to use by visitors and local people alike. The 'Income Generation and Charging for Services' paper described how schemes for each carpark would be brought forward individually for consideration. This proposal for the Valley of Rocks carpark follows the Ashcombe carpark scheme which was approved in September 2020.
- 1.2 The ENPA carpark is situated at the eastern end of the Valley of Rocks and is highly popular and well used (as is a nearby carpark that is owned and administered by Lynton & Lynmouth Town Council; that facility was improved under the Heart of Exmoor Scheme around 10 years ago). The ENPA carpark currently provides informal parking, public toilets, public open space, as well as direct access to public rights of way including the south west coast path. However, it provides no information for visitors and requires investment to improve the vehicular access across the site.
- 1.3 The proposals seek to upgrade and extend existing informal parking areas within the site to enable greater year-round use of the site for parking, as well as making proper provision for additional seasonal parking. The proposals will also improve the welcome to Exmoor National Park by providing site specific interpretation and signage for this key destination including a circular walk, information about National Parks and about CareMoor. In addition, there will be provision for electric vehicle charging points to be installed in the future and a plan for 'greening' the carpark site.

2. SITE CONTEXT

- 2.1 This site, a former camping and caravan site, was originally acquired by ENPA in order to safeguard it from future inappropriate development and in order to achieve National Park purposes in the Valley of Rocks.
- 2.2 Valley of Rocks is a much-loved landscape of immense natural and cultural significance. It is identified in the Exmoor National Park Local Plan as an area of 'Important Open Space – Recreation', the carpark site is surrounded by a Site of Special Scientific Interest (SSSI) being designated for the geological and geomorphological importance of the valley; it is of rich historic environment interest being occupied by the remains of extensive Bronze Age field systems and settlements.
- 2.3 The ENPA carpark measures approximately 160 metres by 60 metres, extending to nearly one hectare (see Appendix 1). It currently comprises a meandering narrow road which winds through the site between the entrance and exit. There are

informal grass amenity spaces and small-scale informal parking areas to the perimeter of the access road. Parking provision for 10-12 vehicles is available on existing rough stone surfaced areas with the larger informal grass area providing ad hoc seasonal parking through the summer months for up to approximately 60 cars. This area is also used simultaneously for picnicking and other recreation. There is a pay and display system in operation with a single cash parking machine on the site and parking charges are collected as part of the wider Lynmouth & Lynton Town Council parking provision.

- 2.4 There is no existing signage or interpretation material within the site.
- 2.5 The existing signage at the entrance to the site is small scale and requires updating to provide clear information to the site user.

3. PROPOSED WORKS

- 3.1 The current carpark layout reflects its previous use as a campsite. It does not provide a coherent layout for an informal carpark and the roadway is potholed and sub-standard; therefore the present scheme seeks to improve the overall layout and facilities at the site for the benefit of its users and mindful of the extreme sensitivity of the surrounding landscape. Over the past 12 months three options have been drawn up for this scheme and subsequently considered by officers. A preferred scheme is being progressed and it is this outline scheme which is now brought forward for consideration by the Authority.
- 3.2 The proposed works at the Valley of Rocks site include:-
 - improving the existing roadway through resurfacing and repairs
 - providing compacted stone surfaced parking areas adjacent to the roadway
 - the provision of information and interpretation material on site
 - the replacement of the existing cash machine with a contactless one
 - the provision of an additional contactless parking machine
 - installing the infrastructure for electric vehicle charging points
 - renewing signage at the entrance and exit areas of the site
 - providing picnic seating within the grassed area
 - better provision for informal parking in the peak summer months
 - formulating a plan and initiating a scheme for 'greening' the carpark site for the benefit of nature and the wellbeing of users of the carpark
- 3.3 The intention is to carry out the proposed works in phases during 2021. The essential initial works will be done in the spring and subsequent phases completed by the autumn.
- 3.4 The scheme has been discussed with the Clerk of Lynmouth & Lynton Town Council and a request has been made for ENPA to present and discuss the scheme in more detail with the LLTC Property Committee during November, if the Authority approves the current proposal in principle. Following that a public consultation will be carried out on the outline proposals providing the opportunity for people to express their views and help to shape the detail of the scheme.

- 3.5 The proposal, if approved in principle by the Authority, will require planning permission to be obtained for the detail of the carpark improvement scheme at a later date. Full plans and specifications for the works will form part of this application.
- 3.6 The current level of charging for car parking at ENPA's Valley of Rocks carpark is not being reviewed as part of this scheme.

4. BUSINESS CASE

- 4.1 The scheme comprises essential repair works to the roadway as well as improvements. The overall cost of the works is estimated at up to £80,000, which will be taken from the unallocated balance with the Estates Reserve. The estimated future annual income at the site is £20,000-£25,000, and so the cost of the scheme will be recovered within approximately 4 years. The scheme offers significant improvements to users (who are mainly visitors to Exmoor): better information, a picnic area, a better and safer parking area and a modern, safer way of paying. The scheme will also contribute to ENPA's aspirations in terms of climate change mitigation through the infrastructure for electric vehicle charging points and in terms of green recovery through a 'greening plan' for the site which will identify nature enhancements and where grass management can be improved.

Rob Wilson North
Head of Conservation and Access
October 2020



Scale 1:1000

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EXMOOR
NATIONAL PARK

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