



# EXMOOR

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## NATIONAL PARK

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24 November 2022

### EXMOOR NATIONAL PARK AUTHORITY

**To: All Members of the Exmoor National Park Authority**

A meeting of the Exmoor National Park Authority will be held in the **Committee Room, Exmoor House, Dulverton** on **Tuesday, 6 December 2022 at 10.00am.**

**Please Note:** The Authority is currently trialling a new meeting format to better manage Authority business, so Agenda items relating to the Authority's role as sole **local planning authority** for the National Park area, including determination of planning applications, will commence at **1.30 pm.**

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](mailto:jcoles@exmoor-nationalpark.gov.uk)).

The meeting will be **recorded**. By entering the Authority's Committee Room and speaking during Public Speaking you are consenting to being recorded. We will make the recording 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](http://www.exmoor-nationalpark.gov.uk)).

Sarah Bryan  
Chief Executive

## **A G E N D A**

The meeting will be chaired by Mr R Milton, Chairperson of the Authority.

### **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 meetings of the Authority held on 1 November 2022 (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.

6. **Charging for Exmoor National Park Authority Services 2023/24:** To consider the report of the Chief Finance Officer (Item 6)

7. **Progress Implementing the Corporate Plan 2022-23:** To consider the report of the Head of Strategy and Performance (Item 7)

8. **Exmoor National Park Authority Meeting Arrangements, Review of Standing Orders and Scheme of Delegation, and Review of Financial Regulations:** To consider the joint report of the Head of Strategy and Performance, Solicitor and Monitoring Officer and Chief Finance Officer (Item 8)

9. **Review of Exmoor National Park Authority Statement of Community Involvement:** To consider the report of the Head of Strategy and Performance (Item 9)

### **10. Personnel Update**

#### **Starters**

07/11/2022 – Caroline Cook, Communications Officer – permanent

07/11/2022 – Andrew Spiers, Planning Officer – permanent

14/11/2022 – Daniel Day-Robinson, Assistant Planning Officer – permanent

28/11/2022 – Bettina Broadway-Mann, Assistant Woodlands Officer – fixed term ending 31/03/2025

#### **Leavers**

13/11/2022 – Yvonne Dale, Planning Officer – resignation

23/11/2022 – Harry Britton, Seasonal Ranger – end of fixed term seasonal contract

30/11/2022 – Trevor Short, Planning Investigations Officer – resignation

### **11. Any Other Business of Urgency**

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**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 commence at 1.30pm and will be chaired by Mr S J Pugsley, Deputy Chairperson (Planning). If the Deputy Chairperson (Planning) is absent, the Deputy Chairperson of the Authority shall be preside.

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

<b>Agenda Item</b>	<b>Application No.</b>	<b>Description</b>	<b>Page Nos.</b>
12.1	62/41/22/001	Proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking / turning area with 6 no. parking bays, with a double EV charging point, recycling / waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment – Manor Farm, Lynton, Devon, EX35 6LD	1 – 16
12.2	6/27/22/118	Proposed variation of conditions 2 and 4 of approved application 6/27/16/102 for the installation of external Cedral fibre cement cladding in place of red cedar timber cladding – Keal Rise, Hawkcombe, Porlock, Minehead, TA24 8QW	17 – 26
12.3	6/42/22/109	Proposed erection of dormer to provide additional head height to existing bedrooms and associated works – East Hollowcombe, Hawkride, Dulverton, TA22 9QL	27 – 34
12.4	6/14/22/106	Application under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed erection of a Bronze Age Roundhouse for educational purposes to be used in conjunction with the Pinkery Centre	35 – 44
12.5	6/14/22/107	Application under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed construction of 2no. footbridges – Ashcombe Gardens and Plantation, Simonsbath, TA24 7SH	45 - 53

**13. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 13).

**14. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 6 January 2023 (am)).

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, 1 November 2022 at 10.00am in the Committee Room, Exmoor House, Dulverton.

#### PRESENT

Mr R Milton (Chairperson)  
Miss A V Davis (Deputy Chairperson)  
Mr S J Pugsley (Deputy Chairperson Planning)

Mrs L Blanchard	Mr A Milne
Mr M Ellicott	Mr J Patrinos
Mr D Elson	Mrs F Smith
Mr S Griffiths	Miss E Stacey
Mr J Holtom	Mr N Thwaites
Dr M Kelly	Dr S Warren
Mr M Kravis	Mrs P Webber
Mrs C Lawrence	Mr V White
Mr E Ley	Mr J Yabsley

Apologies for absence were received from Mrs F Nicholson

**68. DECLARATIONS OF INTEREST:** There were no declarations of interest

**69. CHAIRPERSON'S ANNOUNCEMENTS:** There were no Chairperson's announcements

#### 70. MINUTES

- i. **Confirmation:** The Minutes of the Authority's meeting held on 6 September 2022 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising

**71. PUBLIC SPEAKING:** See Minutes 82 and 83 for details of public speakers

#### 72. ALLOCATION OF LEGACY FUNDING

The Authority considered the report of the Head of Conservation and Access

**RESOLVED:** To approve the allocation of £300,000 of legacy funding in support of a bid to the National Lottery Heritage Fund.

#### 73. MEMBERSHIP OF NATIONAL PARKS ENGLAND

The Authority considered the report of the Chief Executive

##### The Authority's Consideration

The Committee were grateful that National Parks England had considered alternative annual subscription models but noted that unfortunately all options would require the Authority to pay increased subscriptions in the future.



Given the Authority's current financial situation and the fact that NPE had not been able to make the case for realistic levels of core funding for National Park Authorities, Members regrettably confirmed their agreement to withdraw from National Parks England.

However, the Authority Committee requested that an additional resolution be added to make clear that should a new model be found for a more collaborative, less costly way of supporting national working, Exmoor National Park Authority would be keen to be involved in those discussions.

**RESOLVED:**

- (1) To confirm the Authority's resignation from National Parks England.
- (2) To advise that Exmoor National Park Authority would be open to discussions should a new model be found for a more collaborative, less costly way of supporting national working

**74. REVISED BUDGET FOR 2022/2023**

The Authority considered the [report](#) of the Chief Finance Officer

**The Authority's Consideration**

The Authority understood that the revisions outlined in the report were a starting point and that, due to the reduction in the National Park Grant in real terms, and the current inflationary pressures, the ongoing business review would result in further changes when the Budget for 2023/2024 was set.

In relation to the service prioritisation process outlined in Section 6 of the report, Members were keen to ensure that the Authority began communicating clearly to the public the reasons for, and extent of, the reductions in service that would need to be made to achieve a balanced budget going forwards. The Committee also considered it essential that any public messaging clarified which services the National Park Authority was responsible for, and which services came within the remit of other neighbouring Local Authorities.

The Chief Executive confirmed that a communications programme would be launched in the next few weeks to inform both local and wider communities in the South West of the consequences of the funding shortfalls for National Parks.

**RESOLVED:**

- (1) To approve the revised Core Budget for 2022/23 as set out in Appendix 1 to the report.
- (2) To note the position regarding reserves as set out in Appendix 3 and the projected balance on the General Fund at 31 March 2023 of £300,000 and to approve the changes to reserves set out in section 5 of the report
- (3) To 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
- (4) To approve the receipt of the Rights of Way Accessibility grant.
- (5) To approve the underlying principles which will shape the business review in the short, medium and long term.

## 75. TREASURY MANAGEMENT MID-YEAR REPORT

The Authority considered the [report](#) of the Chief Finance Officer

**RESOLVED:** To note the Treasury Management Outturn for the first six months of the 2022-23 financial year.

The meeting closed for recess at 10.41 am and reconvened at 10.53 am

## 76. UK NATIONAL PARKS' CONFERENCE, EXMOOR 2022

The Authority considered the [report](#) of the Chief Executive

### The Authority's Consideration

The Authority Committee wished to convey their sincere thanks to all members of the staff team who had been involved in ensuring that the UK National Parks' Conference on Exmoor had been such a great success.

The Committee also thanked Dextra Group PLC (Conference sponsor) and Ordnance Survey (Study Tour sponsor) for their very generous support for the event. Members were delighted to learn that the sponsorship, combined with delegate fees and careful financial management had resulted in the event being cost-neutral for the Authority.

Those Members who had attended elements of the conference advised that they had received nothing but excellent feedback from other delegates regarding the overall format and content of the conference.

The meeting noted that decisions had been taken very early on in the planning process to ensure that the conference would be done differently, to ensure that it would support local businesses, whilst providing the opportunity to showcase Exmoor and support UK national working.

The Committee were keen to ensure that the key messages that came out of the conference should be taken forwards, particularly with regards to the need for National Park Authorities to have a stronger national voice.

**RESOLVED:** To note the content of the report.

**77. EXMOOR CONSULTATIVE AND PARISH FORUM:** The Authority received and noted the [meeting notes](#) from the Exmoor Consultative & Parish Forum meeting held on 15 September 2022.

**78. PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda.

**79. ANY OTHER BUSINESS OF URGENCY:** There was none

The meeting closed for recess at 11.48 am

**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)**

The meeting reconvened at 1.30 pm

Mr D Elson, Mr S Griffiths, Dr S Warren and Mrs P Webber left the meeting

## **APPEALS**

80. The Committee noted the **decision** of the Secretary of State for Levelling Up, Housing and Communities to allow the Appeal and grant planning permission for change of use of main building to single dwellinghouse at Martinhoe Manor, Woody Bay, Parracombe, Barnstaple, Devon, EX31 4QX

## **DEVELOPMENT MANAGEMENT**

81. **Application No: 62/41/22/001**  
**Location: Manor Farm, Lynton, Devon, EX35 6LD**  
**Proposal: Proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking / turning area with 6 no. parking bays, with a double EV charging point, recycling / waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment**

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

### **The Authority's Consideration**

It was proposed and agreed to hold a site visit to enable Authority Committee Members to gain a greater understanding of the scale of the proposed development and its impact on the surrounding landscape and scenic beauty of the National Park.

**RESOLVED:** To hold a site visit (the details of the site visit are set out in Minute 87 below).

82. **Application No: 6/27/22/118**  
**Location: Keal Rise, Hawkcombe, Porlock, Minehead, TA24 8QW**  
**Proposal: Proposed variation of conditions 2 and 4 of approved application 6/27/16/102 for the installation of external Cedral fibre cement cladding in place of red cedar timber cladding**

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

### **Public Speaking:**

- 1) Mr M Keal, Applicant – *statement read out on his behalf*
- 2) Mr T Burton, Planning Consultant

### **The Authority's Consideration**

It was proposed and agreed to hold a site visit to enable Authority Committee Members to gain a greater understanding of the impact of the use of the fibre cement weatherboarding upon the setting of the Conservation Area and the landscape and scenic beauty of the National Park.

**RESOLVED:** To hold a site visit (the details of the site visit are set out in Minute 87 below).

- 83. Application No: 6/27/22/112**  
**Location: The Culbone, Porlock, Minehead, TA24 8JW**  
**Proposal: Proposed replacement of 13no. windows and 3no. doors - Retrospective**

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

**Public Speaking:**

- 1) Ms C Sampson, Agent

**The Authority's Consideration**

The Authority Committee did not consider that any new material planning reasons had been put forward to suggest that the Committee's previous decision to refuse planning permission in relation to Application 6/27/20/105 should be overturned, nor the decision of the Planning Inspectorate who dismissed that application at appeal.

**RESOLVED:** To refuse planning permission for the reasons set out in the report.

- 84. Application No: 6/13/22/107**  
**Location: Exford Woodland Nursery, Exford, TA254 7PP**  
**Proposal: Application under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed erection of potting shed, covered store, ground mounted solar panels, planting beds and associated works**

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

**RESOLVED:** To grant planning permission for the reasons set out in the report.

On behalf of all Members, the Deputy Chairperson (Planning) thanked Yvonne Dale for her contribution towards the work of the Authority over the past 16½ years, during which time she had progressed from Planning Administration Assistant to becoming a fully qualified Planning Officer. Miss Dale was wished well in her new position.

- 85. Application No: 6/9/22/102DC**  
**Location: Varle Hill, Land by Cattle Grid – Easting 289029, Northing 132085**  
**Proposal: Discharge of condition 3 (written scheme of investigation) of approved application 6/9/21/107**

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

**RESOLVED:** To approve the details and discharge Condition 3 of planning permission 6/9/22/102DC.

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

1 November 2022

87. **SITE VISITS:** In respect of the decision taken in Minute 81 in relation to Planning Application No. 62/41/22/001 and Minute 82 in relation to Planning Application No. 6/27/22/118 to hold a site visit, it was **RESOLVED** that site visits be held on Friday, 2 December 2022.

The meeting closed at 3.08 pm

(Chairperson)

## EXMOOR NATIONAL PARK AUTHORITY

6 December 2022

### CHARGING FOR EXMOOR NATIONAL PARK AUTHORITY SERVICES 2023/24

#### Report of the Chief Finance Officer

**Purpose of the report:** To establish an updated charging strategy and to authorise changes to charging practice.

**RECOMMENDATIONS:** Exmoor National Park Authority is recommended to:

- (1) APPROVE the charging strategy for 2023/24 as set out in Section 2.
- (2) NOTE the charging policies and practice in operation.
- (3) AUTHORISE the changes to charging in rights of way, car parks and Planning.

**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 2015, 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 recommendations contained within this paper are assumed to lead to a relatively small increase in income to the Authority. However, there is the possibility that total income falls as a consequence of the changes, reputational damage if the recommended changes are perceived to be excessive or unfair and people could be put off visiting the park if they cannot afford the charges for parking. There is also the risk of missed opportunities for income generation if the rates are set too low with the consequent impact on funding services.

**Climate change response:** This report does not have an adverse impact on our ability to respond to Climate Change. It does not seek to encourage or discourage people travelling by car, merely to set the rate for parking at a rate that recovers more of the costs of providing that service.

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## 1. Introduction

- 1.1 In recent years the Authority has received £1.973m (2021/22), £1.255m (2020/21) and £1.300m (2019/20) outside of National Park Grant from a range of sources. This covers grants and contributions, as well as traded income. This paper covers those circumstances where the Authority has the discretion to set the charge for products and services.

- 1.2 The Authority does not regularly receive a paper that sets out charging policies and practices. The Authority does receive papers that consider changes to charging in areas that have greater profile or are perceived to be more contentious.
- 1.3 However, it is perceived to be good practice for there to be a regular statement that codifies charging positions and practices. This is the first time that this subject has been covered so there is additional narrative and context provided. In future years this information may be provided with a simple table within an appendix.
- 1.4 The other purpose behind this paper is related to the financial challenge that the Authority is facing. So, alongside the review of activities, structures and responsibilities, this also requires a closer look at income the Authority generates.
- 1.5 The report covers those areas of income where the Authority has discretion as to the charge that is set. The report lists relevant products and services and provides a brief narrative that sets out the approach. Where a formal policy is in operation these are given as an appendix.
- 1.6 This report covers in greater detail those areas of charging where we recommend a change to charging (Development Management and Car Parking).

## **2. Charging Strategy**

- 2.1 For a long time, the charges set by the Authority have borne little relation to the cost of delivering those services. It has become accepted practice to effectively subsidise discretionary services.
- 2.2 However, the financial environment has changed markedly over recent months and so it is time to consider a charging strategy that more accurately reflects the cost of delivering those services. As such the recommendation to the Authority is that charging move towards full cost recovery within the confines of market acceptability.

## **3. Charging Policies and Practice**

### **Archaeology & Historic Income**

- 3.1 We receive external funding for some projects and for formal Countryside Stewardship consultations (RPA standard fee). We currently do not routinely charge for services or events other than for the Archaeology Forum where we aim to cover costs. Donations to CareMoors for Exmoor are requested for most walks / talks / events.

### **Access & Recreation**

- 3.2 The Access & Recreation team undertake a range of activities related to the rights of way network for which there is the ability to charge. Path closures and the authorising of gates are not currently charged for, but sections 3.3 to 3.6 propose a new charging structure based upon the Somerset County Council practice. In other areas, charging is established, and this is based upon assumed full cost recovery. It is believed that the total potential increase because of these changes is up to £5k p.a.

### **Public Path Diversion Orders**

- 3.3 Public Path Orders can be made in the interests of the public (in which case there is no charge), in the interests of the landowner (which is charged fully to the

landowner) or in the interest of the public and the landowner in which case the fee is shared (at the discretion of the Access & Recreation Manager).

- 3.4 Cost will vary significantly based upon the officer time involved in each unique case but are normally around £1,500 to £2,000 for an unopposed order. These charges cover staff time, advertising costs, postal and printing costs and travel to site for visits and notices. Any costs for associated new infrastructure – gates, signs, bridges etc will be covered, shared or charged for at cost, depending upon the interests of the order (again this will be agreed at the discretion of the Access & Recreation Manager).

### **Temporary Public Path Closures**

- 3.5 Temporary closures for Public Rights of Way can be organised by ENPA to help protect public safety during land management operations such as tree felling or development and maintenance works.

Where closures are required for commercial purposes, the following charges will apply:

- 5-day Urgent Notices and 21-day Emergency Notices = £450.
- Six-month temporary traffic restrictions (TTRO) e.g. right of way closure £1,000
- Extension to TTROs will be charged at £500
- TTRO applications received outside of the standard 3 month notice period (Fast Track) will incur an additional cost of £200 and this would be in addition to the fee charged for processing the TTRO.

Some or all of costs may be waived where closures are required for non-commercial purposes at the discretion of the Access & Recreation Manager.

### **Authorising New Gates on Public Rights of Way (s147 HA 1980)**

- 3.6 A landowner must apply to ENPA (as agents for the Highway Authority) to be able to erect a new gate across a public right of way and these can only be permitted for stock control purposes as per Section 147 of the Highways Act 1980. There is a charge of £50 for one location, and an extra £10 for additional locations in the same locality. These charges also apply for applications for limitations under s115b Highways Act 1980. Historical gates or limitations can be authorised at no cost where necessary, and costs may be waived where it is in the interests of the public (at the discretion of the Access & Recreation Manager).

### **Other charges in relation to Public Rights of Way**

- 3.7 ENPA can sometimes assist with clearing obstructions to public rights of way that are the legal responsibility of landowners such as fallen trees, overhanging vegetation or clearance of landslips. Where agreed, these will be charged for on the basis of full cost recovery at the discretion of the Access & Recreation Manager.

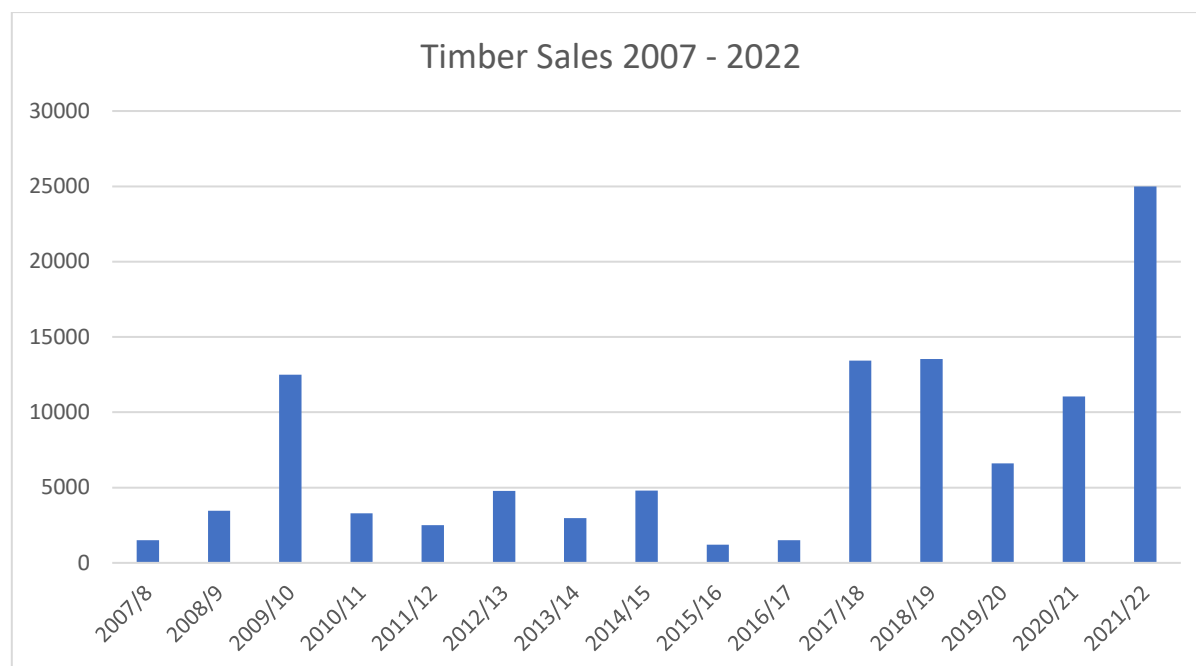
### **Woodlands Income**

- 3.8 We currently sell round-wood timber as part of our woodland management programme either as part of the cost of the externally commissioned work or via a public, competitive platform. Rates will vary as domestic and international market factors have an effect, but good quality timber presented properly will invariably find



a market. The local and regional firewood market remains very competitive but good quality timber for milling and construction also finds a ready market.

- 3.9 Members approved a Timber Strategy in 2017 which proposed ways in which we could generate further income from timber sales. We have implemented several of the recommendations which have resulted in increased sales and income (see chart).
- 3.10 Softwood and hardwood timber is also supplied at nil cost to ENPA Workshop for internal use which saves a substantial amount on bought-in sawn timber.



### National Park Centres

- 3.11 We own National Park Centres to provide an opportunity to engage with members of the public and supply high quality products that are directly or indirectly related to the park. We apply a mark up to goods sold to support the work of the centres and to support local businesses with an aim of 40% margins on average. In the last 12 months we have achieved 39%, 44% and 47% at Dulverton, Dunster and Lynmouth respectively.
- 3.12 We also charge for use of facilities, particularly the film theatre and Louisa room (upstairs) at Lynmouth Pavilion on the following basis:
- Supported events - external providers using our facilities for activities that have a clear link to NP purposes. Currently charging Min of £20 per half day for use of upstairs room or £35 for film theatre OR 10% of ticket revenue – whichever is the greatest.
  - Dry hire - simple hire of space / facilities where there is no direct link to NP purposes. £35 / £55 per half day for Louisa room / theatre plus staff time if outside of usual hours.

### Advertising

- 3.13 From time-to-time advertising is sold – e.g., accommodation boards in National Park Centres, or in printed publications (e.g., Dark Sky Festival Programme). Pricing is set individually subject to the offer and costs involved.

## Sponsorship

- 3.14 On occasion we work with an external organisation to support an event or service. They look to attach their brand or good to our endeavours. These are individually negotiated and tend to target local firms and events, as opposed to the broader work of National Parks Partnership working nationally at scale.

## Events & Activities

- 3.15 In addition to our formal education programme the Authority organises a range of events and activities to deliver National Park purposes and engage the public in our work. Some of these are volunteer led and others are led by staff. For some, donations are sought, others have a fixed price.

## Group sessions

- 3.16 The Authority is often asked to provide sessions for groups outside of formal education visits – e.g., talks and/or guided walks or special interest groups / partners. Currently a slightly ad hoc approach is taken but with an understanding that a contribution to CareMoor equivalent at least to the staff time involved should be sought as a minimum in most cases.

## Education

- 3.17 The Schools Charging Policy and rates for non-residential schools is shown as Appendix A.

## The Pinkery Centre for Outdoor Learning

- 3.18 The Charging Policy for the Pinkery Centre is shown as Appendix B.

## Car Parking

- 3.19 The subject of Authority owned and or run car parks has recently been the subject of debate within the land visioning exercise run by the Head of Conservation and Access. The view of staff and Members has been to increase the investment in car parking to benefit visitors to the park and provide an increased source of revenue. Consequently, capital works have been undertaken in the Valley of Rocks, Ashcombe and Tarr Steps. Further works are planned also.
- 3.20 Total car parking income has increased over the last 5 years (see table below), but the income does not come close to the costs of running them. As such, and to implement the charging strategy stated in 2.2, we need to consider an alternative charging strategy.

Year	2017/18	2018/19	2019/20	2020/21	2021/22
Income	£61k	£59k	£65k	£62k	£91k
Cost	£-84k	£-91k	£-97k	£-99k	£-215k*

\*Includes capital improvements

- 3.21 Appendix C shows the charges currently in operation on the main non-Authority owned car parks within the National Park boundary based upon publicly available information. Apart from at Porlock Weir, you can see that the Authority is mostly, broadly in line with others for shorter stays, but for day visits, the charge appears

low. As such, new charges are suggested below. It is estimated that these could bring in another £5k - £10k per year. Alongside the changes shown below the Authority plan to introduce an annual car parking pass for all Authority owned car parks at a cost of £60 p.a.

Site	Current Charging	Future Charging
Valley of Rocks	Mirrors LLTC	Mirrors LLTC
Tarr Steps	£3 single charge	£3 for 3 hours £5 for + 3 hours
Blackmoor Gate	FOC	FOC
Brendon	£2 charge to Village Hall Committee*	
Ashcombe	£2 charge	£3 for 3 hours £5 for + 3 hours
Haddon Hill	Cairn	£3 for 3 hours £5 for + 3 hours Scheme to be developed.
Exford	FOC	Plan in motion. Will be submitted
Goat Hill Bridge	FOC	Planning a cairn

*\*We currently run the car park and public facilities in Brendon, but the Village Hall Committee claim the income on the car park.*

### **Development Management**

- 3.22 Charging in Development Management is a combination of the statutory and the non-statutory. The discussion here is around the charging rates for non-statutory services. Members will recall that we have recently moved to charging for the discharge of conditions and are receiving approximately another £6k p.a. as a consequence. The financial impact of the changes suggested below may be an additional £5k - £10k p.a. of income.

### **Pre- Application Charging**

- 3.23 Pre-application engagement offers significant potential to improve both the efficiency and effectiveness of the planning application process and improve the quality of planning applications, their likelihood of success and quality of decisions. Early engagement also allows all parties to work collaboratively and openly at an early stage to identify, understand and seek to resolve issues associated with a proposed development, including, where relevant, the need to deliver improvements in infrastructure and affordable housing. Furthermore, it allows for discussions regarding the possible mitigation of the impact of a proposed development,

including any planning conditions and assists in identifying the information required to accompany a formal planning application, thus reducing the likelihood of delays at the validation stage. We also offer informal Planning Officer advice as to whether planning permission would be required for certain developments.

- 3.24 Pre-application advice is currently provided without a fee and is a valued service by agents and applicants as a way of receiving early advice regarding the likelihood of support for proposals that require planning permission. However, given the increased financial pressures to deliver the current planning service it is considered necessary to now charge for some of our discretionary services that we currently provide.
- 3.25 Our current services include an officer's informal opinion as to whether works being proposed require planning permission. Should a formal determination be required as to whether planning permission is needed then this can be sought via a Lawful Development Certificate, which already attracts a fee via government set fee structures. We currently try to respond to such requests within 30 days.
- 3.26 Where planning permission is required, we also offer a pre-application service to assess whether development proposals would be acceptable. Officers then either organise a pre-arranged meeting at Exmoor House or on site. Other officers of the National Park Authority, for instance, tree and archaeology officers, are also contacted with draft proposals that cover their areas of expertise so that they can advise as to whether further information is needed and have early influence on proposals where required. Planning Officers also direct applicants to the appropriate Highway Engineers or Environment Agency officers. Planning Officers will also advise what level of information is required for an application should one be submitted.
- 3.27 Under Section 93 of the Local Government Act 2003, local planning authorities may charge for providing discretionary services. Where charges are made, they must not exceed the cost of providing the service. It is important that any charging does not discourage appropriate pre-application discussions. In this context, Exmoor National Park Authority need to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process.
- 3.28 In considering the level of charges to impose, we have used the Planning Advisory Service's guidance 'Calculating the cost of pre-application services'. The figures set out in this document date back to 2012 and therefore represent a very cautious payment regime and will not cover all the costs associated with the delivery of these services.
- 3.29 Furthermore, a bench marking exercise has been carried out with other National Parks and nearby District Councils to ensure the fees proposed are competitive and fair. The tables below show examples:

**Fig 1 – Benchmarking with other National Parks**

National Park	Do I need PP?	Do I Need pp non householder?	pre-app householders & minor (small scale)	Agricultural Development	Major development	All other non major Development?
North York Moors	£65 (£115 for S/V)	£80	£100 (£150 with S/V)	£80	£500 (1S/V, 1RES) 100PH	£230 (£280 with S/V)
Yorkshire Dales	£35	£35	£240	£240	£370-£750	£340-£600
Northumberland	£35	£35	£100 (1S/V - 1RES)		£500 (£125 specialist info)	£200 (£100 add info)
Lake District	Service suspended	fees unknown				
Peak District	£0	£0	£150	Unknown	£1,000	£250-£700
Dartmoor	Service suspended	fees unknown				
New Forest	£0	unknown	£265-£285	Exempt	25% of app fee	£500-£750
South Downs	£0	£0	£72-£360	£72	£900-£1800	£72-£360
Broads	free	free	free	free	free	free

**Fig 2 Benchmarking from Local Authorities**

Local Authority	Do I need PP?	Do I need pp non householder?	pre-app householders & Minor	Agricultural development	Major development	All other non major development?
South Somerset	£50	£50	£150	£360	£1,600	£720
Mendip	Unknown	Unknown	£150	Unknown	£650-£3600	£650-£3600
SWAT	£60	£60	£58-£87	Unknown	£750	£350
Sedgemoor	Unknown	Unknown	Unknown	£116-173	£2,160	£116-£173
North Devon	£50	£50	£80	£140-220	£900	£220-£500

3.30 The headings used in the tables above provide the basis for charging structure recommended for use going forward. It is hoped that this provides a simple and concise charging plan which will allow for applicants to clearly understand what they would need to pay. The table below offers our recommended charging strategy:

**Fig 3 Exmoor proposed charging**

Exmoor proposed charging schedule	Do I need PP?	pre-app householders Including Listed Buildings	All other non major development, Including Listed Buildings	Agricultural development	Major development	Advertisement
	£60	£100	£200	£100	£500	£100

3.31 It is anticipated that on the basis that during 2021 & 2022 we have received approximately 450 enquiries of varying types and based on the charging plan above it is anticipated that the revenue received would be approximately £5,000. The pre-application service would continue as currently provided. This would mean that applicants and agents would be able to submit plans of proposed development and officers would offer written advice, consult with internal specialists and direct applicants to external organisations and carry out site meetings as necessary.

As part of the above charging, it is important that we consider certain exemptions.

### 3.32 Exemptions

- Applications solely for the alteration and extension of an existing dwellinghouse or works in the curtilage of an existing dwellinghouse (other than the erection of dwellinghouse) for the purposes of providing means of access to or within it for a disabled person who is resident in in or proposing to take up residence in it.
- An application solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building or premises to which members of the public are admitted.
- Works requiring Listed Building Consent only.
- Works for demolition in a Conservation Area
- Advice regarding works to trees covered by a TPO or in a Conservation Area Hedge Removal
- If the application relates to a scheme for 100% Local Needs Affordable Housing the pre-application fee will be refunded in the event that a valid application is received in line with the pre-application discussions and the subsequent application is approved.

3.33 Alongside the above new charges related to pre-applications, it is also considered reasonable to update existing charges given that these have not been reviewed since 2017. Below are the current charges:

**Fig 4 ENPA existing charges**

**PLANNING HISTORIES/SEARCHES:**

	<b>Nett</b>	<b>VAT @20%</b>	<b>Gross</b>
Planning History from 1948 – today's date	£12.50	£2.50	£15.00
Planning History from 1974 - today's date	£7.50	£1.50	£9.00
Planning Search (Back to 1974 only) Con 29	£11.00	£2.20	£13.20

Each additional search question	£1.00	.20	£1.20
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**PHOTOCOPYING CERTIFICATES:**

	<b>Nett</b>	<b>VAT</b>	<b>Gross</b>
Planning Certificates including S106, TPOs, etc	1.00	0.20	£1.20

**GENERAL PRINTING/PHOTOCOPYING CHARGES:**

<b>Size</b>	<b>Nett</b>	<b>VAT</b>	<b>Total</b>
A4 – Single Sided	.10	.02	.12
A4 – Duplex	.20	.04	.24
A3 – Single Sided	.20	.04	.24
A3 – Duplex	.40	.08	.48
A2	1.00	.20	1.20
A1	2.00	.40	2.40
A0	4.00	.80	4.80

**Figure 5 New ENPA general charges**

<b>New ENPA Charges</b>	<b>Planning History Searches</b>	<b>CON 29 Searches</b>	<b>Additional Search Question</b>	<b>Copy of planning certificates, S106, TPO's etc</b>	<b>General printing/ photocopying charges (under 10 sheets)</b>	<b>General printing/ photocopying charges (over 10 sheets)</b>
	£40.00	£40.00	£5.00	£20	No charge	£1.00 per sheet

3.34 The above charges are proposed to better reflect the time spent by officers and the cost of producing the information. This said most of the charges are rarely used as most of the information is now available on our website.

### Schools Charging Policy and rates for non-residential schools 2022/23

#### Background

Exmoor provides a range of educational experiences ranging from free online resources, outreach visits to schools, supported fieldwork to Exmoor and residential stays at Pinkery Centre of Outdoor Learning.

We provide a professional, targeted range of learning experiences delivered by experienced education staff tailored to the needs of the schools that we work with.

We have always charged for residential visits and have charged for day visits for the last 10 years or so. This income is essential in supporting our work and subsidising the overall cost of our service to the Authority. Income generation is a key tool for us to maintain service in the face of reducing NP grant.

The aim of this policy is to be fair and equitable to all schools and their young people, while allowing us the flexibility to give extra support and or financial subsidy if we feel there is a genuine need. These charges should for consistency be applied by all ENPA (Exmoor National Park Authority) staff.

The current default - chargeable rates are as follows

- Full day (over 3 hours) - £180 per member of staff
- Half day (3 hours or under) - £100 per member of staff

Large groups that require multiple staff input will be charged accordingly - For example, 2 staff for a day = £360.

These charges apply by default for stand-alone visits to the school or out on-site visits to Exmoor - but pre-visits associated with charged outdoor trips are not usually charged.

#### Exceptions

These are the default charges, and our experience is that for most schools these charges do not create a barrier to their participation. If, however, we feel that in specific circumstances charges are likely to create a genuine barrier to engagement or be counter to our objectives to be broad and inclusive in our offer, then we may reduce or even waive these charges at our discretion – but the reason will need to be genuine and recorded and agreed with the Learning and Engagement Manager beforehand. Additional support may also be available - for example.

- Travel bursary may be available to help meet travel costs (ask L and E Manager)
- Additional pre- post visits may be offered to support the charged activity.



**Pinkery Schools Charging Policy 2023/24**

For bookings from April 1<sup>st</sup> 2023

**The main aims of the charging policy are to:**

- Maintain and increase income at least at the rate of inflation.
- Ensure that any changes in our charging policy do not have the effect of reducing the breadth of schools that can access our services and where possible supports schools with a higher percentage of disadvantaged young people.
- Provide transparency and fairness in our charging.

The charges below are a guide to support each school in designing a package for their budget and learning requirements. Please speak to the Centre Manager as often there are ways of delivering these two sometimes conflicting requirements. Our aim is to provide the transparency in how our prices are arrived at. From time-to-time discounts are made available according to various grant awarding bodies or operational reasons. In the first instance please ask the Centre Manager for quotes for bespoke packages.

<b>Cost Element</b>	<b>Standard Weeks – Summer Term to end of October</b> - based on minimum 25 children at £27.50 per night) + £100 first night surcharge	<b>Off Peak Discounted Weeks - November to end of March</b> (20% off) and based on minimum 15 children at £22 per night) + £100 first night surcharge
<b>Minimum Centre price per night. Includes sole use of the Centre, welcome, Exmoor talk and Pond walk.</b>	£687	£330
<b>Additional children</b>	£27.50 per night up to a maximum of 35*	£22 per night up to a maximum of 35*
<b>Staff</b>	Free	Free
<b>Day Visits(non-residential) use of Centre (group size up to 30) – limited availability</b>	£50 /day	£50/day

**Discounts**

Establishments staying for more than 5 nights in an academic year receive a 10% discount on accommodation costs\*\*

Children in receipt of Free School Meals will receive a 20% discount on accommodation charge per night (i.e. standard night charge reduced from £27.50 to £22 and off peak charge reduced from £22 to £17.60 - applied as a discount and expected to be passed on from school).

### **Exmoor National Park Staff Costs (per member of staff)**

- £180 per Education Delivery Day (over 3 hours) - required for certain activities both on and off site
- £100 per Education Delivery half day (3 hours or less)
- £100 per Education Delivery Evening (3 hours or less)
- The officer cost covers all Grade 1 activities (see appendices)

### **Equipment Costs**

- £40 per activity per day for ENP staff led activities (required for Grade 2 activities.)
- £100 per activity per day for off-site equipment at ENP led activities (Grade 3 activities)
- £50 per activity for own staff led activities on site (Grade 2 activities and teacher led grass sledging or low ropes) - proof of relevant experience required and own risk assessments and insurance needed.

### **Catering Costs**

Catering is available for your visit. As a guide, costs are approximately £3 breakfast, £3 packed lunch (self-made) and £8 evening meal. We can cater for your group's individual needs – for example halal or vegetarian only.

### **Bespoke packages**

If there are specific requirements for a day visit, please ask the Centre Manager and we will endeavour to meet your curricular or PSHE needs.

Specialist days can be arranged, and costs are available on request (I.e., art courses, mental health workshops, alternative provision days).

Centre day visits for a study base (I.e., revisions sessions, group outings etc. Based on Centre hire costs alone.

### **Provision off site with third party providers**

The Centre has contacts for water sports, coasteering, mountain biking etc.

\*Beyond 35 is not charged due to building layout and the compromises a group would need to make to accommodate the extras

\*\*Applies across all booking. However, if previous bookings have been completed and invoiced, then will only apply to additional bookings and cannot be backdated

<b>Grade 1 Activities</b>	River studies, guided walks, environmental studies, team building activities etc.
<b>Grade 2 Activities</b>	Mountain Boarding, Grass sledging, Low ropes, archery, bushcraft etc.
<b>Grade 3 Activities</b>	Climbing

## Comparative Parking Charges on Exmoor

LOCATION	OWNED BY	CHARGES
DUNSTER STEEP	SOMERSET WEST & TAUNTON COUNCIL	up to 2hrs £2.20, up to 4hrs £3.30, all day £5.50 (nb slightly cheaper rates in winter)
HORNER	NATIONAL TRUST	£5 all day
NUTCOMBE BOTTOM	FORESTRY ENGLAND	FOC
BOSSINGTON	NATIONAL TRUST	£5 all day
SELWORTHY	NATIONAL TRUST	FOC
PORLOCK CENTRAL	SOMERSET WEST & TAUNTON COUNCIL	up to 1hr £1.10, up to 2hrs £2.20, up to 4hrs £3.30, all day £5.50 (nb slightly cheaper rates in winter)
PORLOCK DOVERHAY	SOMERSET WEST & TAUNTON COUNCIL	up to 1hr £1.10, up to 2hrs £2.20 (maximum stay 2 hrs, and slightly cheaper rates in winter)
PORLOCK WEIR	PORLOCK MANOR ESTATE	1hr £1, 2hrs £2, 3hrs £3, 4hrs £4, 5hrs £5, 8hrs £6, 12hrs £8, 24hrs £12
WATERSMEET	NORTH DEVON COUNCIL (managed by LLTC)	1hr £1, 2hrs £2.20, 3hrs £3.30, 4hrs £4.40, 8hrs £5
LYNMOUTH ESPLANADE	NORTH DEVON COUNCIL (managed by LLTC)	1hr £1, 2hrs £2.20, 3hrs £3.30, 4hrs £4.40, 8hrs £5
LYNMOUTH LYNDAL	NORTH DEVON COUNCIL (managed by LLTC)	1hr £1, 2hrs £2.20, 3hrs £3.30, 4hrs £4.40, 8hrs £5
VALLEY OF ROCKS	NORTH DEVON COUNCIL (managed by LLTC)	1hr £1, 2hrs £2.20, 3hrs £3.30, 4hrs £4.40, 8hrs £5
HEDDONS MOUTH	NATIONAL TRUST	1hr £1, 2hrs £3, all day £5
COMBE MARTIN KILN	NORTH DEVON COUNCIL (managed by CMPC)	1hr £1.10, 2hrs £2.20, 3hrs £3.30, 4hrs £4.40, all day £5 (slightly cheaper rates in winter)
DULVERTON GUILDHALL	SOMERSET WEST & TAUNTON COUNCIL	1hr £0.80p, 2hrs £1.60, 3hrs £2.20, all day £5
MALMSMEAD	NATIONAL TRUST	1hr £1, 2hrs £2, all day £4

# ITEM 7

## EXMOOR NATIONAL PARK AUTHORITY

6 December 2022

### PROGRESS IMPLEMENTING THE CORPORATE PLAN 2022-23

#### Report of the Head of Strategy and Performance

**PURPOSE OF THE REPORT:** To inform Members about the progress made in implementing actions within the Corporate Plan for the period April - September 2022.

**RECOMMENDATION:** The Authority is recommended to:

- (1) NOTE the progress in implementing the Authority's key commitments set out in the Corporate Plan 2022-2023.
- (2) DELEGATE to the Finance and Performance Advisory Panel and Leadership Team further scrutiny of Authority performance across all the Corporate Plan actions for the next reporting period to 31 March 2023.

**Authority Corporate Plan:** The Corporate Plan outlines the priorities for the Authority for the period to March 2023 and how we will help to achieve the priorities in the *Exmoor National Park Partnership Plan*. It continues to closely follow Government priorities set out in the *25 Year Environment Plan*, and also indicates how the Authority will take forward the recommendations in the Landscapes Review.

**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 equality impact of the recommendations of this report has been assessed as follows:** There are no foreseen adverse impacts on any protected group(s). Engagement through the outreach work within the plan 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 recommendations of this report is as follows:** There are no implications for the Human Rights Act.

**Financial and Risk Implications:** No financial or risk implications have been identified. Performance management exerts a positive influence on financial and risk management.

**Climate Change Response:** Additional actions have been added to the Corporate Plan in response to the Climate Emergency Declaration

## 1. Introduction

- 1.1 The 2022-23 Corporate Plan was approved by the Authority in March 2022. It sets out the key priorities for the Authority for the period of the plan.
- 1.2 Performance is monitored quarterly by Leadership Team to ensure that the actions within the Corporate Plan are being achieved and, if necessary, to provide an opportunity for resources to be re-allocated or to review the proposed action. Oversight is provided by Members through the Finance and Performance Advisory Panel.
- 1.3 This current report before Members is a six-month review setting out progress against the Corporate Plan from 1<sup>st</sup> April to the 30<sup>th</sup> September 2022.

## 2. Corporate Plan at a Glance

- 2.1 The actions within the plan are grouped as follows:

<b>People</b>	<p><b>Exmoor for All:</b> Where everyone feels welcome</p> <ul style="list-style-type: none"> <li>• The Exmoor Experience</li> <li>• Well-managed Recreation and Access</li> <li>• Thriving Tourism built on Sustainability</li> </ul>
<b>Place</b>	<p><b>Inspiring Landscapes:</b> Diverse and beautiful, rich in wildlife and history</p> <ul style="list-style-type: none"> <li>• Celebrated Landscapes</li> <li>• Wildness and Tranquillity with Dark Night Skies, and Sensitive Development</li> <li>• Valued Historic Environment and Cultural Heritage</li> <li>• Rich in Wildlife</li> </ul>
<b>Prosperity</b>	<p><b>Working Landscapes:</b> Thriving communities and a vibrant local economy</p> <ul style="list-style-type: none"> <li>• Working Landscapes</li> <li>• Strong Local Economy</li> <li>• Thriving Communities</li> <li>• A Valued Asset</li> </ul>
<b>Monitoring and Research</b>	Improving our knowledge and understanding of Exmoor's special qualities
<b>Corporate Priorities</b>	<ul style="list-style-type: none"> <li>• Manage corporate finances and diversify income streams</li> <li>• Work with communities, businesses, and partners to deliver the National Park Partnership Plan and statutory purposes</li> <li>• Respond to the climate emergency and work towards becoming a carbon neutral National Park</li> <li>• Develop and maintain effective and efficient services</li> <li>• Manage the Authority's Estate and operations to support delivery of National Park purposes</li> </ul>

### **3. Performance Report - Overview**

- 3.1 Delivery of the Corporate Plan actions is being progressed against a background of changing national policy and direction and a challenging funding regime.
- 3.2 The Government published its response to the Landscapes Review in January 2022 which set out proposals to take forward a number of recommendations put forward by the review Panel led by Julian Glover. Many of the changes require changes to legislation, and the Government sought views via a consultation which ran between January and April 2022. Since then, Defra has been working on various proposals to implement the changes but this has been hampered by lack of legislative time, as well as changes in Ministers and priorities.
- 3.3 There is still uncertainty over other areas of Government policy which have a significant implication for delivery of the Corporate Plan actions, particularly in relation to the new Environmental Land Management schemes, although the Exmoor Farming in Protected Landscapes programme has continued to be successfully implemented, supporting farmers and land managers across the National Park.
- 3.4 Plans for substantial changes in planning and housing policy went through some turmoil following Ministerial changes, but there is more certainty with the latest Ministerial appointments, and the Levelling Up and Regeneration Bill continues to progress through Parliament.
- 3.5 Delivery of the Corporate Plan is also being impacted by the current budgetary pressures faced by ENPA. The Authority has experienced many years of decreasing financial support from central government. Since 2010/11 there has been a 40% reduction in National Park Grant. This was made worse by the award of a flat cash settlement for National Park Authorities for 2022/23 and the following 2 years, which in effect is a cut in grant given rising costs (particularly energy costs), inflation, and national pay awards. As a consequence, the Authority is now facing a funding deficit which will affect its ability to deliver some of the actions in the Corporate Plan as vacancies are held, and cost savings implemented. The funding gap for 2022/23 of around £80,000 has been found, but further savings will need to be found for following years and the Authority is undertaking a Business Review to look at options and determine the best strategy to meet future funding gaps. This will inevitably impact on future Corporate Plan delivery.
- 3.6 Despite these challenges, staff continue to take forward many of the actions in the Corporate Plan as Appendix 1 shows. In addition to the numerous successes marked in green, areas where progress was not on target are marked in amber, and actions in red include where progress is not being made due to funding cuts, particularly vacancies being held affecting staff capacity, and also unsuccessful funding bids.

**Clare Reid**  
**Head of Strategy and Performance**  
**November 2022**

**Hazel Malcolm**  
**Business Support Officer**

**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:**

- Exmoor National Park Authority Corporate Plan 2022/23
- Landscapes review (National Parks and AONBs): government response, January 2022
- Landscapes Review, Julian Glover, September 2019



## PROGRESS AGAINST CORPORATE PLAN ACTIONS 1<sup>ST</sup> APRIL TO 30<sup>TH</sup> SEPTEMBER 2022

### **PEOPLE. The Exmoor Experience: More people enjoy Exmoor, are inspired, get involved, and learn about its special qualities**

- We are now implementing new ways of recording schools including the percentage of pupils eligible for free school meals which will give us a better understanding of how broad and representative our schools provision is.
- Our Seed to Sawmill event held in August at Exford attracted around 300 visitors, with a variety of wood-themed activities and crafts on display, supported by our Young Rangers, working brilliantly alongside our more established volunteers.
- Volunteers have stepped up to provide expert reviews for the new Exmoor Classic series of walks this summer. Elsewhere, volunteer-led guided walks have helped engage with over 300 people this year, so far raising £400 for CareMoor
- There was great involvement from young people at this year's National Parks UK Conference. This included a presentation from two of our Young Rangers. Young Rangers also helped to welcome delegates on one of the study tours at Pinkery.
- In National Park Centres, year to date income is up 13% on the previous year.

### **PEOPLE. Well-managed Recreation and Access: Exmoor has a first-class rights of way network. Our paths, open access and recreational facilities are enhanced to offer more and better experiences for people who want to explore and enjoy the National Park**

- Additional weekend Ranger cover was used again this year to assist with checks at popular sites and public engagement and pop-up friendly family events. The summer was much less busy compared with the last 2 years.
- Despite storm Eunice and other challenges, we have maintained the public access network in excellent condition with our work on furniture, signs, surfaces and paring. New funding announced by DEFRA for disabled access improvements will provide some welcome investment (£93,000 over 3 years). Our path inspection programme has also been reduced to a 5-year frequency. This may have long term implications for network standards, but our Path Watcher volunteer programme will help minimise impacts.
- Exmoor NPA failed to recruit a Project Officer for the Family Friendly Cycle Trails project and this work is now all on hold due to budget pressures and staff reduction.
- Our Public Path Order work (diversions etc) has unfortunately had to be dramatically reduced due to staff reduction in the Access and Recreation Team.
- Planning permission was granted for Great Bradley Bridge, but we failed to recruit a Project Officer and this work is now all on hold due to budget pressures and staff reductions
- Steady progress is being made on a new range of self-guided Exmoor Classic walks; due to other pressures these will not be launched until spring 2023.



**PEOPLE. Thriving Tourism built on Sustainability: The tourism economy is vibrant, innovative, and growing, and celebrates Exmoor's distinctive character.**

- There has been a welcome increase in the provision of public transport options for visitors to Exmoor through the Exmoor coaster service operating between Minehead and Lynmouth, a new Sunseeker service from Ilfracombe to Lynmouth and enhanced service from Barnstaple (with new rail link) to Lynmouth. The winter Coaster service has also been confirmed. However it has generally been a quieter summer with many businesses struggling with increased costs (especially food and energy) and a lack of staff.
- The Young Chef competition went ahead on 2nd July and was attended by 7 finalists and their families, 10 local chefs and 6 stakeholders. This has been widely publicised via radio and printed media and two films are due to be released in Q3.

**PLACE. Celebrated Landscapes: The natural beauty, distinct character and diversity of Exmoor's landscapes are celebrated, conserved, and enhanced**

- The National Lottery Heritage Fund have asked for a funding application for work relating to the former royal forest and this is now in development involving consultations with staff, stakeholders, and partners.
- A winter tree planting programme has been completed as part of the restoration of the Ashley Combe designed landscape. Planning applications for two bridges are being progressed.
- A webpage encouraging people to engage with Exmoor's past and future landscapes through art is ready to go live in visitor centres.
- The Coastal Woodland Project has faltered due to an unsuccessful Landscape Recovery Bid. Instead, we are developing small scale projects to enhance and promote the history and current management of coastal woodlands.

**PLACE. Wildness and Tranquillity with Dark Night Skies and Sensitive Development**

- Plans have been completed for the 2022 Dark Skies festival to be delivered in Q3, with over 50 events planned, sponsorship secured and healthy advanced bookings.
- Work on a new design guide has commenced and the draft is progressing.

**PLACE. Valued Historic Environment and Cultural Heritage: Exmoor's historic environment is better understood, cared for, and protected. Its cultural heritage and rural traditions are valued for their place in telling Exmoor's story and shaping its future**

- All conservation area appraisals are now up to date. Plans for new conservation areas for Winsford and Simonsbath are progressing with public consultations undertaken.
- A pilot project to develop a local heritage list run by the South West Heritage Trust was completed at the end of September. An Assessment Panel for Exmoor is being set up to ratify the nominations of local heritage assets to be included on the list. This will be used in planning.

**PLACE. Rich in Wildlife: Exmoor is richer in wildlife. Habitats are in good condition, expanded, connected, and support a greater abundance of species**

- A revised draft of the Exmoor Nature Recovery Vision has been consulted on with representatives of the local farming community and is now in the final stages of editing before publication.

- Meetings have taken place with both Devon and Somerset Local Nature Partnership Teams working towards identifying opportunities for enhancing biodiversity and for developing the new statutory Local Nature Recovery Strategies.
- The More Meadows Project now has 41 contacts on its database, of both donor meadows and recipients, comprising 39 farmers/small holders, one community group and one school. 110kgs meadow seed was harvested in August from the donor farm near Simonsbath, which has now been dried, weighed and bagged up ready for distribution. The seed will enhance and restore over 22ha of grassland.
- The peatland restoration MIREs Partnership Historic Environment Officer recruitment has taken place ensuring continuity of advice for the programme.
- Work on Exmoor's Temperate Rainforest is progressing through survey work. Discussions with Natural England are positive and consent will be sought.

**PROSPERITY. Working Landscapes: Exmoor's land-based communities and businesses are supported to provide health food and good quality timber, and ensure that Exmoor's landscapes continue to be well managed and cared for**

- The Farming in Protected Landscapes programme was launched in July 2021 which will provide funding for farmers and land managers across the National Park as part of a new three-year Defra-funded grant programme. £310,000 of the £400,000 2022/23 budget has been allocated over 36 projects, with £90,000 remaining. Projects vary from small scale tree/hedge planting to supporting sale of nature friendly meat sales and more sustainable treatment of manure to facilitate regenerative farming.
- Informal liaison with shoot managers continues. There has been discussion with the Greater Exmoor Shoots Association regarding the impacts of Bird Flu which has very serious implications for wild bird populations and game shooting across Exmoor.
- Further work has been progressed on the Exmoor Woodland and Trees Strategy, with "National Tree Map" data obtained which will help with targeting and prioritising of tree cover expansion. Further discussions will be held with the Woodland and Forestry Advisory Group in November.
- Somerset County Council and District partners have appointed consultants to prepare a Woodland Strategy for Somerset as part of the three year 'Forest for Somerset' partnership.
- The National Trust in Norfolk have enquired about buying all of ENPA's 2022 Exmoor Pony colt foals for a good financial return and the ENPA Pony herd is in good health.

**PROSPERITY. Strong Local Economy: The local economy is more sustainable with increase innovation, entrepreneurship and improved economic prospects**

- A programme of business support was delivered, funded by the Community Renewal Fund including 10 workshops with 500 businesses engaged, and one-to-one support provided to 50 businesses. A three-part toolkit was developed on 'Working in Exmoor National Park', 'Good Tourism on Exmoor' and 'Sustainable Business on Exmoor'. These free interactive toolkits provide practical ideas and information to make the most of the opportunities afforded by the National Park for businesses. Each part of the guide brings together specific help and resources relevant to different businesses.

- Officers continue to look for long term options to accelerate delivery of the Rural Enterprise Vision. The Vision was also used to feed into the ‘Somerset Future’ consultation.

**PROSPERITY. Thriving Communities: Exmoor’s local communities are thriving with strong connections to the National Park**

- The review of the Exmoor National Park Local Plan 5-Year was completed by 5 July. A work programme and timetable for Local Plan implementation and delivery addressing points raised in the 5-Year Review process, was approved by the Authority on 2 August.
- Work is progressing on Exmoor specific guidance on biodiversity net gain in advance of it becoming a statutory requirement at the end of 2023.

**PROSPERITY. A Valued Asset: Exmoor is celebrated for the value it brings to the region and nationally**

- Exmoor hosted the National Parks UK Conference in September 2022. This was very well received, and was a great opportunity to showcase Exmoor, ENPA and all the work we do with partners. A summary report and film have been produced and will be published in Q3. Additional sponsorship for the study tours was secured to supplement the main sponsorship from a local business, allowing all costs and some staff time to be covered without additional Authority funding.

**MONITORING AND RESEARCH. Our knowledge and understanding of Exmoor’s special qualities is increased through monitoring and research to inform future decision making and delivery of our Ambitions**

- Officers are working with the Exmoor District Deer Management Society to collate all the figures and densities on deer numbers and a meeting will be held in October. This data will feed into the State of the Park report.
- A partnership between the NFU, Exmoor Hill Farming Network, Exmoor and District Deer Management Society, and ENPA successfully secured Defra funding to carry out a pilot project investigating the prevalence of Tb in deer within the Greater Exmoor area.
- The State of the Park Report is being drafted and discussions with Partnership Plan Groups are scheduled for Q3.
- Data gathering for the annual STEAM survey (2021), estimating visitor volume and value completed with publication of results due Q3.

**CORPORATE PRIORITIES. Manage Corporate finances and diversify income streams**

- Loss of dedicated Officer resource means that the focus for external funding has been on the National Lottery Heritage Fund bid, with limited progress in other areas. The external funding pipeline will be reviewed and updated Q3 in readiness for the forthcoming Rural Prosperity Fund and any other emerging opportunities.
- General donations to CareMoore are up by 15%. This excludes donations collected at National Park Centres, any legacies and donations for knotweed control which are collated at the end of the year. A new online giving platform has been investigated for implementation in Q3.

**CORPORATE PRIORITIES. Work with communities, businesses, and partners to deliver the National Park Partnership Plan and statutory purposes**

- Plans for the review of the Exmoor National Park Partnership Plan are being developed. These will be discussed with the Partnership Plan Groups and Chairs in Q3. A review of national guidance on National Park Management Plans is being undertaken by Natural England and Officers are feeding into this.

**CORPORATE PRIORITIES. Respond to the climate emergency and work towards becoming a carbon neutral National Park**

- The Pinkery decarbonisation and improvement programme has struggled to progress due to the wide range of works included. It has therefore been decided to focus on getting the biomass boiler installed, along with additional battery capacity, to ensure that the grant funding is not lost as these works need to be completed by April 2023. Other elements of the decarbonisation and improvement plans will be progressed in 2023/24 as budget allows.
- Replacement of the Fiesta pool car with an electric vehicle is being progressed
- The full report on the National Park carbon footprint has been delayed and is now expected in Q3.
- Plastic Free status was achieved May 22 - largely due to the hard work of Pete Hoyland working in a volunteer capacity. The group continues to work with partners to reduce single use plastic. Some highlights of this work include the development of a "beach toys store" at Minehead and increasing availability of free drinking water throughout the park - reducing the amount of plastic bottles needed.

**CORPORATE PRIORITIES. Develop and maintain effective and efficient services**

- There was good performance against planning targets in Q2, achieving 84% within timeframe or with extensions of time. Staffing pressures remain an issue but with some permanent replacement staff starting soon it is hoped that we can start to build on this good performance.
- There has been limited progress on updating the local list of requirements for validating planning applications given other pressures with members of the team leaving the Authority. It is hoped that this can be taken forward in Q3.
- The staff survey was completed and reported to Leadership Team. An external facilitator will discuss some of the conclusions in more depth through staff focus groups in Q3.
- There was a first meeting of the Equalities, Diversity and Inclusion Task Group this quarter. EDI training booked and being delivered in Q3.
- We have now begun work on the new web site having contracted our current supplier to build the site using a new framework. We hope to begin populating this with content during Q3.

**CORPORATE PRIORITIES. Manage the Authority's Estate and operations**

- A Rural Surveyor has been recruited. Work on the Estate Strategy will begin, as planned, in Quarter 3.

## EXMOOR NATIONAL PARK AUTHORITY

6 December 2022

### EXMOOR NATIONAL PARK AUTHORITY MEETING ARRANGEMENTS, REVIEW OF STANDING ORDERS AND SCHEME OF DELEGATION, AND REVIEW OF FINANCIAL REGULATIONS

#### Report of the Head of Strategy and Performance, Solicitor and Monitoring Officer and Chief Finance Officer

**Purpose of Report:** To make permanent the new order of business for Authority meetings, to consider proposed amendments to Standing Orders and the Scheme of Delegation, and to consider an updated version of the Authority's Financial Regulations.

**RECOMMENDATIONS:** The Authority is recommended to:

- (1) ADOPT the proposed amendments to Section 6 of Standing Orders in order to facilitate a permanent change to the order of business of Authority meetings.
- (2) ADOPT the proposed amendments to the Standing Orders and the Scheme of Delegation recommended by the Standards Committee (Appendix 1).
- (3) ADOPT the proposed amendments to the Financial Regulations recommended by the Standards Committee (Appendix 2).

**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 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 provision of the Localism Act 2011, particularly in relation to the declaration of relevant interests.
- Procurement Risk is often described as covering fraud, cost, quality and delivery risks. Updating and maintaining legally compliant procurement procedures is an important element in managing these risks.

## **1. Exmoor National Park Authority Meeting Arrangements**

- 1.1 It was agreed in February 2022 to trial an alternative order of business, whereby Authority meetings will commence at 10am and the Planning section of the meeting will commence at 1:30pm or on the rising of the Authority meeting if later. On two occasions during the trial period, the decision was taken to start the Planning meeting at 1pm to ensure better use of the time available. This was well communicated ahead of time to interested parties and was clearly stated on the Authority's website when the meeting papers were published.
- 1.2 Following discussions between the Chairperson and Members, it was felt by the majority that the new order of business was working well and enabled a more efficient management of agenda items and time. Therefore, it is proposed to make this change permanent.
- 1.3 To facilitate this permanent change, the Authority is asked to approve and adopt the following amendments to Section 6 of Standing Orders. If adopted, these changes will be made at the same time as the Standing Orders amendments recommended by the Standards Committee in Section 2 below.

### **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;
- (n) to consider reports and other business specified in the summons;
- (o) to receive the minutes of Committees;
- (p) 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.
- (q) 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;

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

## 2. Review of Standing Orders and Scheme of Delegation

- 2.1 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.
- 2.2 The Solicitor and Monitoring Officer conducted a review of Standing Orders to identify where amendments were required. Minor changes have been made to improve the efficient running of Authority business. Other changes are set out below.
- 2.2.1 Disciplinary Action: Section 32 has been amended to include procedures for dealing with any disciplinary action required for the Chief Executive (Head of Paid Service), the Monitoring Officer, and the Head of Finance (Chief Finance Officer).
- 2.2.2 Standing Orders for the Regulation of Contracts: Appendix 3 has been updated to reflect changes in procurement procedures following the UK leaving the European Union.
- 2.3 The changes to Standing Orders were discussed at the Standards Committee meeting on 8 November 2022 and they resolved to present the proposed amendments to the full Authority for adoption, in accordance with Section 17 of Standing Orders.
- 2.4 A tracked changed version of the Standing Orders and Scheme of Delegation is given in **Appendix 1**

### **3. Review of Financial Regulations**

- 3.1 At its meeting on 8 November 2022, the Standards Committee also considered an updated version of the Authority's Financial Regulations, which had last been updated 7 years ago.
- 3.2 The Authority's Financial Regulations are a key document within the structure of governance. They set out key responsibilities across the range of financial activities and establish overriding principles. In essence, Financial Regulations provide the framework for managing the financial affairs of the Authority.
- 3.3 The updated version of Financial Regulations is attached at **Appendix 2**.
- 3.4 There has been no change to the approach or underlying principles. This November 2022 has been updated for staff job titles, new legislation and due to changes in the audit procurement process. Sections relating to the cashing of Authority cheques and the use of 'income stationery' have been removed as they are no longer relevant. The requirement for section heads to keep a record of furniture and fittings worth over £1,000 has also been removed as it is no longer practicable.

**Clare Reid**  
**Head of Strategy and Performance**

**Andrew Yendole**  
**Solicitor and Monitoring Officer**

**Gordon Bryant**  
**Chief Finance Officer**

**November 2022**

**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:**

#### **Review of Standing Orders**

- Localism Act 2011
- Environment Act 1995
- The National Park Authorities (England) Order 2015





**EXMOOR NATIONAL PARK AUTHORITY**

# **STANDING ORDERS**

Adopted: 03 November 2020

*Exmoor National Park Authority – Standing Orders*  
• *Reviewed and Adopted: 03 November 2020*

**TABLE OF CONTENTS**

<b>INTRODUCTION</b>	4
<b>RECORDING OF MEETINGS:</b>	4
<b>STANDING ORDERS:</b>	4
<b>PART A: ORDERS APPLICABLE TO AUTHORITY MEETINGS</b>	<b>4</b>
1 MEETINGS OF THE AUTHORITY	4
2 APPOINTMENT OF CHAIRPERSON, DEPUTY CHAIRPERSON AND DEPUTY CHAIRPERSON (PLANNING)	5
3 CONDUCT OF MEETINGS	5
4 QUORUM	6
5 ATTENDANCE AT MEETING	6
6 ORDER OF BUSINESS	6
7 MINUTES	7
8 VOTING	8
9 MOTIONS	8
10 FORMAL QUESTIONS BY MEMBERS	9
11 DEBATE	10
12 RULES OF DEBATE	10
13 DISORDERLY CONDUCT DURING MEETINGS	12
14 MEETINGS TO BE OPEN TO THE PRESS AND PUBLIC	13
15 CONFIDENTIALITY	13
16 RESCISSION OF PREVIOUS RESOLUTION	13
17 WHEN STANDING ORDERS MAY BE SUSPENDED, REVOKED OR ALTERED	14
18 INTERPRETATION OF STANDING ORDERS	14
<b>PART B: ORDERS APPLYING TO COMMITTEES OF THE AUTHORITY</b>	<b>14</b>
19 APPOINTMENT OF COMMITTEES	14
20 QUORUM OF COMMITTEES AND SUB COMMITTEES	14
21 SPECIAL MEETINGS OF COMMITTEES AND SUB COMMITTEES	14
22 MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES ON WHICH THE AUTHORITY IS REPRESENTED	15
23 RIGHT TO ATTEND MEETINGS	15
<b>PART C: ORDERS APPLYING TO PREPARATION AND PUBLICATION OF AGENDAS AND REPORTS</b>	<b>15</b>
24 ITEMS OF BUSINESS	15
<b>PART D: GENERAL ORDERS APPLICABLE AT ALL TIMES</b>	<b>16</b>
25 CONDUCT OF MEMBERS	16
26 THE AUTHORITY'S SEAL	16
27 AUTHENTICATION OF DOCUMENTS	16
28 STANDING ORDERS TO BE GIVEN TO MEMBERS	16
29 INSPECTION OF DOCUMENTS	16
30 PUBLIC SPEAKING	17
<i>Exmoor National Park Authority – Standing Orders – Adopted 03 November 2020</i>	2

<b>PART E: STANDING ORDERS APPLYING TO THE CHIEF EXECUTIVE</b>	17
31 APPOINTMENT OF CHIEF EXECUTIVE	17
32 DISCIPLINARY ACTION	18
<b>PART F: STANDING ORDERS TO APPLY TO COMMITTEES AND SUB COMMITTEES</b>	<del>19</del>
<b>POWERS, DUTIES AND FUNCTIONS OF THE AUTHORITY MEETING</b>	<del>20</del>
<b>SCHEME OF DELEGATION</b>	<del>24</del>
<b>SCHEME OF DELEGATION TO COMMITTEES</b>	<del>25</del>
1. Appeals Committee	<del>25</del>
2. Final Accounts Committee	<del>25</del>
3. Standards Committee	<del>25</del>
<b>SCHEME OF DELEGATION TO THE CHIEF EXECUTIVE</b>	26
<b>STANDING ORDERS FOR THE REGULATION OF CONTRACTS</b>	31
PROCUREMENT PROCEDURES	32
SUSTAINABLE PROCUREMENT CHECKLIST	40
SUSTAINABLE BUILDING CHECKLIST	41

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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 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 one person is 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. In the event of an equality of votes between the final two remaining nominated persons, the matter shall be determined by lot.
- 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

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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.

3.6 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, 3.4 and 3.5 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 A record shall be kept of the names of each Member present at a meeting of the Authority.

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 or a non-registerable 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);

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- (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;
  - (n) 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;
  - (o) to consider reports and other business specified in the summons;
  - (p) to receive the minutes of Committees;
  - (q) 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 ~~As soon as reasonably practicable~~ after the Annual Meeting, 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.

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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.4(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

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- (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) Any decision to take disciplinary action against or to dismiss any employee of the Authority shall be in line with the Authority's Disciplinary Policy. In addition, the provisions of paragraphs (2) to (6) below apply to the Chief Executive (Head of Paid Service), the Monitoring Officer, and the Head of Finance (Chief Finance Officer), collectively referred to hereafter as the "Relevant Officers".
- (2) Any allegation which may lead to the dismissal of any of the Relevant Officers shall be considered by a committee appointed in accordance with Standing Order 19 (Appointment of Committees), hereafter referred to as the "Panel". The Panel shall include two independent persons as defined by The Local Authorities (Standing Order) (England) Regulations 2001 (No 3384).
- (3) No action may be taken by the Panel - except for suspension - relating to the dismissal of any of the Relevant Officers other than in accordance with The Local Authorities (Standing Order) (England) Regulations 2001 (No 3384) and as set out below. Any such suspension shall be on full pay and terminate no later than the expiry of two months from the day on which the suspension takes effect unless the Panel has directed that it may continue beyond that period.
- (4) In respect of the proposed dismissal of any of the Relevant Officers, the Panel may appoint an Independent Investigating Officer to examine the circumstances of the case and to advise the Panel on any action to be taken. That Panel will thereafter make a recommendation to the Authority for consideration, including any terms for cessation of employment; thereby enabling the Authority to have regard at the same time to the advice or views of the Panel established in accordance with The Local Authorities (Standing Order) (England) Regulations 2001 (No 3384) and the

**Deleted:** (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.

[outcome of the aforementioned investigation and any views from the Relevant Officer in question.](#)

[\(5\) The Panel shall meet at least 20 working days before any meeting of the Authority at which any proposed dismissal is to be considered.](#)

[\(6\) Where a Relevant Officer is being dismissed, such dismissal must be approved by the Authority following consideration of those matters and any views or advice from the Panel required under \*The Local Authorities \(Standing Order\) \(England\) Regulations 2001 \(No 3384\)\*, as set out in paragraph \(4\) above.](#)

## **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.

APPENDIX 1



**POWERS, DUTIES AND FUNCTIONS OF  
THE AUTHORITY MEETING**

Adopted: 03 November 2020

## **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.

APPENDIX 2



**SCHEME OF DELEGATION**

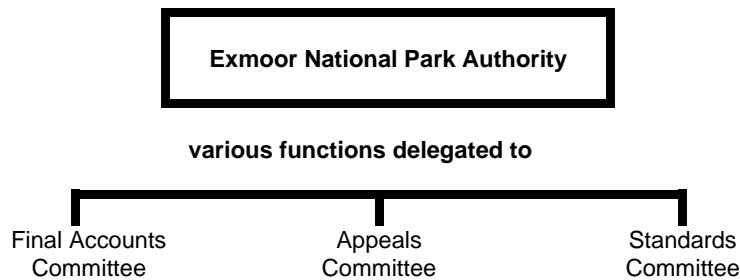
Adopted: 03 November 2020



## 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. [All members of the Committee must be present in order to provide a quorum.](#)

#### 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 the Authority receives (not just in relation to Member Code of Conduct) and matters referred to the Ombudsman.
  - (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 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 a planning reason 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 Chairperson (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.
- (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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APPENDIX 3



**STANDING ORDERS FOR THE REGULATION OF CONTRACTS**

Adopted 07 December 2021





**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 £20,000, Invite three organisations to submit written quotations;
  - Above £20,000 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 [Public Procurement](#) thresholds, invite four organisations to submit tenders;
  - Over [Public Procurement](#) 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 [2022](#) the sterling equivalents of [Public Procurement](#) thresholds ([inclusive](#) of VAT) are [£213,477](#) for supplies and services and [£5,336,937](#) for works. The [Public Procurement](#) 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.

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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 [Public Procurement](#) thresholds, organisations may be selected from a standing list. Where there is no standing list, and for contracts over [Public Procurement](#) 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 [Public Procurement](#) 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 £20,000 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 [Public Procurement](#) thresholds where there have been no selective invitations to quote or tender, and all tenders above the [Public Procurement](#) 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 [Public Procurement](#) thresholds, [a Find a Tender Service \(FTS\)](#) notice must also be placed and must follow [Public Procurement](#) requirements with particular regard to be given to the timescale for such tenders.

2.9 Any formal quotation (i.e. over £20k 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.  
[\[www.supplyingthesouthwest.org.uk\]](http://www.supplyingthesouthwest.org.uk)

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

2.11 Following advertisement of tenders above the [Public Procurement](#) 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.

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## 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 [Public Procurement](#) requirements. Any exceptions to using the Authority's e-tendering system must be approved by the CFO and/or CEO.

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## 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 £20k & up to £100k), save for any exceptions approved by the CFO/CEO.

For quotations below £20,000 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 £20k 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 £20k 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 £20,000, the appropriate Head of Service will determine whether or not to accept the quotation.

For contracts over £20,000, 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 £20,000 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 £20,000 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 [Public](#) Procurement Regulations shall be subject to exemptions contained within those Regulations.

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## 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 [Find a Tender Service](#) must also contain the right for the Authority to terminate the contract where:

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- (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 4.6 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 [public procurement law](#) which has been declared as such by [a court of competent jurisdiction](#).

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## 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 [Find a Tender Service](#) (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:-

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- 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 [Public Procurement](#) 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 [Find a Tender Service](#).

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## 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 [UK'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.

Deleted: European Commission's



## 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



## FINANCIAL REGULATIONS

*Reviewed October 2022*

### CONTENTS

<b>Section</b>	<b>Page</b>
1. Introduction	2
2. Financial Management	2
3. Financial Planning	5
4. Risk Management and Control of Resources	6
5. Systems and Procedures	7
6. Internal Audit	8
7. Income	9
8. Acquisition of Goods and Services	10
9. Payments to Employees and Members	11
10. Safeguarding Assets	11

## **Section 1 – Introduction**

- 1.1 Financial Regulations are required to enable the Authority to make arrangements for the proper administration of its financial affairs within the framework of the Local Government Act 1972.
- 1.2 The Chief Finance Officer shall be the responsible officer for the proper administration of the financial affairs of the Authority in accordance with Section 151 of the Local Government Act 1972 and all accounting procedures, systems and records of the Authority and its officers shall be determined by the Chief Finance Officer.
- 1.3 **The Authority's Work**

The long term priorities for the Authority are set out in the National Park Partnership Plan which is reviewed every 5 years. Each year, the Authority publishes a Business Plan with its forthcoming programme of work and a review of the previous year's achievements. Additionally, the Authority has a five year Medium Term Financial Plan which is updated annually.
- 1.4 Financial Regulations provide the framework for managing the financial affairs of the Authority and are required to be approved by the Authority. The regulations apply to every member and officer of the Authority and anyone acting on behalf of the Authority.
- 1.5 The Head of Finance and Operations is responsible for maintaining a continuous review of the financial regulations and advising the Authority of any additions or changes that need to be made. He/she is also responsible for reporting, where appropriate, breaches of the financial regulations to the Authority.
- 1.6 To conduct its business efficiently the Authority has approved a set of Standing Orders and Scheme of Delegation which set out the requirements for the regulation of meetings, proceedings and business for the Authority in accordance with all enabling powers.

## **Section 2 – Financial Management**

- 2.1 Financial Management covers all the financial accountabilities in relation to the running of the Authority including the policy framework and the budget.
- 2.2 The Authority is responsible for its internal constitutional arrangements and codes of conduct for member and officers and for determining the annual budget. The Authority is also responsible for the policy framework, including that for accountability and control, the budget and financial strategy for each financial year, and monitoring and improving performance.
- 2.3 The Authority is responsible for undertaking the review of service performance, including the best use of Resources.
- 2.4 The Authority has overall responsibility for internal audit and it has delegated the day to day responsibility for this to the Head of Finance and Operations. He/she consults the Authority as necessary on the content of annual audit plans of both the internal and external auditors. It reviews the internal auditors' annual report and the external auditors' governance reports and makes recommendations for appropriate further action. In addition, the Authority considers the outcomes of any fraud investigations and the action taken.
- 2.5 On behalf of the Authority the Final Accounts Committee approves the final Annual Statement of Accounts.

2.6 The Statutory Officers of the Authority are:

- **Chief Executive (National Park Officer)**

Head of the paid service and is responsible for the corporate and overall strategic management of the Authority and is referred to as the Chief Executive. He/she must report to, and provide information for, the Authority and its Committees. Also he/she is responsible for establishing a framework for the management direction, style and standards and for monitoring the performance of the Authority. In addition, he/she is also responsible together with the Solicitor and Monitoring Officer for the system of recording Authority decisions.

- **Chief Finance Officer (Head of Finance and Operations)**

Exercises the statutory duties in relation to the financial administration and stewardship of the Authority. The statutory responsibility cannot be overridden.

The statutory duties arise from:

- Section 151 of the Local Government Act 1972;
- Local Government Finance Act 1988;
- Local Government and Housing Act 1989;
- Local Government Act 2003; and
- Accounts and Audit (England) Regulations 2015.

- **Monitoring Officer**

Responsible for promoting and maintaining high standards of overall conduct and therefore provides support to the Standards Committee. Also responsible for reporting any actual or potential breaches of the law, or instances of maladministration to the Authority.

2.7 The Head of Finance and Operations is responsible for:

- the proper administration of the Authority's financial affairs and the production of the annual statement of accounts within statutory requirements;
- setting and monitoring compliance with financial management standards;
- advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;
- preparing the draft medium term financial plan which incorporates the annual budget, including capital spending;
- advising the Authority on the requirements to be observed in setting the annual budget; and
- treasury management.

2.8 Under Section 114 of the Local Government Finance Act 1988 the Head of Finance and Operations is required to specifically report to the Authority and the external auditor if the Authority or one of its officers:

- has made, or is about to make, a decision which incurs unlawful expenditure; or
- has taken, or is about to take, an unlawful action which has, or will result in a loss or deficiency to the Authority; or

- is about to make an unlawful entry in the Authority's accounts.
- 2.9 The Head of Finance and Operations is responsible for issuing advice to underpin the financial regulations which members, staff or others acting on behalf of the Authority are required to follow.
- 2.10 Section Heads are responsible for ensuring that all staff in their Sections are aware of their responsibilities under financial regulations and other internal regulatory documents and that they comply with them.
- 2.11 All members and staff have a general responsibility for taking reasonable action to provide for the care and security of the assets under their control and for ensuring that the use of these Resources is legal, is properly authorised and provides value for money.
- 2.12 In exceptional circumstances the Authority may approve the temporary waiver of any of the Financial Regulations.
- 2.13 The Leadership Team (LT) acts as the body in instigating policy proposals, considering Section Heads' proposals, ensuring the preparation of the medium term financial plan, the annual business plan and in directing and monitoring the performance of the Authority in applying the approved policies and plans.
- 2.14 Section Heads are responsible for:
- Directing the delivery of services in compliance with these Financial Regulations and Contract Standing Orders and in accordance with all statutory requirements, the Authority's approved policy and performance framework and their service budget allocations;
  - Developing and proposing policy changes for service delivery; and
  - Ensuring that they identify and agree with the Head of Finance and Operations the financial implications of all proposals for new spending.
- 2.15 The Head of Finance and Operations is responsible for providing monthly financial information to enable Section Heads to monitor effectively their cash limited budgets.
- 2.16 Section Heads are responsible within their own service areas for controlling income and expenditure against their cash limited budget and for monitoring their service delivery financial performance targets. Section Heads must take any action necessary to avoid exceeding their financial allocation and this may in exceptional circumstances include the seeking of additional budget allocation.
- 2.17 The Head of Finance and Operations is responsible for monitoring performance of Section Heads in controlling income and expenditure against their cash limited budget allocations and he/she must report details of variance on a regular basis to the Chief Executive.
- 2.18 The Head of Finance and Operations is responsible for carrying out a review, in conjunction with Section Heads, and presenting a revised budget to the Authority in November each year.
- 2.19 Section Heads are responsible for agreeing in year virements with the Head of Finance and Operations who is responsible for ensuring that the Authority keeps within its cash limited budget.
- 2.20 All requests for carrying forward under and over spendings on budget headings at the year end are to be agreed with the Head of Finance and Operations.



- 2.21 The Head of Finance and Operations is responsible for selecting appropriate accounting policies and for ensuring that they are applied consistently. In addition, the Head of Finance and Operations is responsible for determining the accounting procedures to be followed and the accounting records to be maintained within the Authority.
- 2.22 The Head of Finance and Operations is responsible for ensuring that the Annual Statement of Accounts is prepared within the statutory timescales and in accordance with the appropriate CIPFA's Code and other legal requirements for presentation to the External Auditor and after audit for approval by the Authority.
- 2.23 The Head of Finance and Operations is authorised to make such banking facilities and arrangements as he/she considers necessary. All arrangements with the Authority's bankers shall be made by the Head of Finance and Operations. The Head of Finance and Operations will approve and maintain a list of authorised signatories for all bank accounts. Additionally, the Head of Finance and Operations is authorised to make arrangements for credit cards and account cards as he/she considers necessary.
- 2.24 All investments of money under the Authority's control shall be made in the name of Exmoor National Park Authority.
- 2.25 All securities which are the property of or in the name of the Authority shall be held securely and must be accounted for by the Head of Finance and Operations.
- 2.26 No officer shall borrow or invest any money without the prior approval of the Head of Finance and Operations. Any borrowings shall be effected in the name of the Authority and must be fully accounted for by the Head of Finance and Operations.
- 2.27 The Chief Executive shall be responsible for ensuring that all standing orders, financial regulations, and any other financial instructions the Head of Finance and Operations may issue from time to time, are complied with by all employees of the Authority.

### **Section 3 – Financial Planning**

- 3.1 The Authority is responsible for:
- Preparing the medium term financial plan and recommending an annual budget to the Authority for approval; and
  - Approving the Annual Business Plan.
- 3.2 The Chief Executive is responsible for proposing the Business Plan initially for consideration by the Leadership Team before its submission to the Authority for approval.
- 3.3 The Head of Finance and Operations is responsible for ensuring that:
- a medium term financial plan covering a three year period, or such other period as may otherwise be determined, is prepared/updated on an annual basis for consideration initially by the Leadership Team and subsequently by the Authority; and
  - an annual budget is prepared for consideration initially by the Leadership Team and subsequently by the Authority.
- 3.4 Section Heads are responsible for ensuring that their financial plans reflect agreed service performance plans and their proposals for changes and are available for submission to the Leadership Team and the Authority as appropriate.

- 3.5 The Head of Finance and Operations is responsible for determining a process to identify on an annual basis the corporate financial position and any constraints which may limit the funding that is available for the period of the Medium Term Financial Plan. The process must also identify all opportunities for optimising funding arrangements without impacting adversely on the delivery of the Plans.
- 3.6 The Head of Finance and Operations is responsible for advising the Authority on the prudent level of reserves to be maintained.

#### **Section 4 – Risk Management and Control of Resources**

- 4.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all the Authority's significant operational risks. This should include the proactive participation of all those involved directly or associated with the planning or delivering of services.
- 4.2 The Authority is responsible for approving the Authority's risk management strategy and policy statement and, in addition, for ensuring that proper insurance arrangements are effected where appropriate.
- 4.3 The Head of Finance and Operations is responsible for preparing the Authority's Risk Management policy and Business Continuity and Disaster Recovery plans. He/she is also responsible for advising Section Heads of their responsibilities and for monitoring compliance.
- 4.4 Section Heads are responsible for complying with the risk management policy in respect of their service areas.
- 4.5 The Head of Finance and Operations is responsible for advising initially the Leadership Team and subsequently the Authority on any non-compliance by a Section Head with the approved risk management policy.
- 4.6 The Head of Finance and Operations is responsible for providing advice on and effecting the appropriate insurance arrangements and for dealing with all claims. Section Heads shall ensure employees using their own motor vehicles on the business of the Authority have insurance cover for business use.
- 4.7 Internal control is the system of control devised by management to help ensure the Authority's objectives are achieved in a manner which promotes economical, efficient and effective use of Resources and that the Authority's assets and interests are safeguarded.
- 4.8 The Head of Finance and Operations is responsible for advising Sections Heads on effective systems of internal financial control. These arrangements need to ensure that all statutory and corporate requirements and other relevant statements of best practice are met. They should ensure that public funds are properly safeguarded and used economically and efficiently, and in accordance with the statutory and other authorities that govern their use.
- 4.9 Section Heads are responsible for establishing, in line with that guidance, sound arrangements for planning, appraising, authorising, and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness in the use of Resources in the delivery of their service and the achievement of their financial performance targets.
- 4.10 The Accounts and Audit Regulations require every local authority to maintain an adequate and effective internal audit.

- 4.11 The Authority has delegated responsibility for the appointment of External Auditors to Public Sector Audit Appointments (PSAA) who undertook the national tender process. The basic duties of the external auditor are governed by Section 15 of the Local Government Finance Act 1982, as amended by Section 5 of the Audit Commission Act 1998 and the Code of Audit Practice.
- 4.12 The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, which have statutory rights of access. Such inspections are to be managed by the Head of Finance and Operations.
- 4.13 The Head of Finance and Operations is responsible for the development and maintenance of an anti-fraud, anti-corruption and money laundering policies.
- 4.14 Section Heads are responsible for ensuring that all financial records, physical assets and supporting documentation used in the provision of their services are properly maintained, securely held, and, in respect of physical assets, suitably recorded.
- 4.15 They must also ensure that sound contingency plans for the security of those assets and for the continuity of service provision in the event of a disaster or other major system failure are in place, and that those arrangements are regularly tested.
- 4.16 The Authority has adopted CIPFA's 'Code of Practice for Treasury Management in Local Authorities'.
- 4.17 The Head of Finance and Operations is responsible for presenting to the Authority an annual Treasury Management policy statement in line with statutory requirements and CIPFA guidance.
- 4.18 All money in the hands of the Authority is monitored and controlled by the Head of Finance and Operations acting as the officer designated for the purposes of Section 151 of the Local Government Act, 1972.
- 4.19 The Head of Finance and Operations has delegated responsibility for implementing and monitoring the treasury management policy statement. All executive decisions on borrowing, investment or financing shall be delegated to him or her, and he/she is required to act in accordance with statutory requirements and CIPFA Treasury Management advice and guidance.
- 4.20 The Head of Finance and Operations is responsible for reporting to the Authority at least twice a year on the treasury management activities and on the exercise of his/her delegated treasury management authority.
- 4.21 The Chief Executive is responsible for exercising overall management of staff.
- 4.22 The Head of Strategy and Performance is responsible for determining and monitoring adherence to staffing policies and procedures, and for ensuring that there is proper use of the evaluation, or other agreed system, for determining the remuneration of a post.

## **Section 5 – Systems and Procedures**

- 5.1 Sound systems and procedures are essential to form an effective framework of accountability and control.
- 5.2 The Head of Finance and Operations is responsible for the overall operation and maintenance of the Authority's form of accounts, the accounting and related systems, and all supporting financial records.

- 5.3 Section Heads are responsible for the proper operation of approved financial procedures within their own service area.
- 5.4 Section Heads must seek the prior approval of the Head of Finance and Operations to any proposed changes to the existing financial or related systems or to the establishment of any new financial or related systems which are / will be directly under their control.
- 5.5 Section Heads must ensure that, where appropriate, computer and other systems are registered in accordance with Data Protection legislation and that their staff are aware of their responsibilities under the Freedom of Information legislation.
- 5.6 The Head of Finance and Operations is responsible for approving procedures for the writing-off of uncollectable debts as part of its overall control framework of accountability and control.
- 5.7 The Head of Finance and Operations is responsible for making all payments for salaries and wages to all staff and other benefit payments to relevant former employees, and for the payment of allowances to members.
- 5.8 The Head of Finance and Operations is responsible for advising Section Heads on all taxation issues that affect the Authority in the light of statutory requirements and relevant guidance issued by the appropriate bodies.
- 5.9 The Head of Finance and Operations is responsible for maintaining directly, and for making all tax payments, receiving tax credits / refunds and for submitting tax returns by their due date as and when appropriate.
- 5.10 The Head of Finance and Operations is responsible for advising on the establishment and the operation of suitable accounting records and supporting procedures for trading accounts and business units.

## **Section 6 – Internal Audit**

- 6.1 In accordance with the Accounts and Audit Regulations, the Authority is required to undertake an adequate and effective internal audit of its accounting records and of its systems of internal control in accordance with the proper practices in relation to internal control. Internal audit effectively examines, evaluates and reports on the adequacy of internal control as a contribution to the proper economic, efficient and effective use of Resources. The work of internal audit is reviewed annually by the external auditor.
- 6.2 The Head of Finance and Operations shall arrange for the provision of an adequate and effective system of internal audit that complies with CIPFA's Code of Practice for Internal Audit in Local Government and the Institute of Internal Auditors' Standards and Guidelines.
- 6.3 The appointed internal auditor and the Head of Finance and Operations or his / her authorised representative shall have authority to:
  - access any Authority premises or land at all reasonable times, but where premises or land are in the control of a contractor or licensee such access shall be in accordance with the provisions of the contract;
  - have access to all records, documents and correspondence and control systems relating to any financial or other activity of the Authority which they consider relevant to audit;

- require and receive such explanations as are necessary concerning any matter under examination;
  - take such copies of any records, documents and correspondence as they consider necessary for the conduct of their work;
  - require any employee or member of the Authority to produce or account for cash, stores or any other Authority property under his/her control;
  - access, when required, records belonging to third parties, including those of contractors, so long as that access shall be in accordance with the provision of the contract; and
  - report directly to the Chief Executive or the Authority as appropriate.
- 6.4 Whenever any matter arises which involves, or is thought might involve, irregularities concerning cash, stores, records or other property of the Authority or any suspected irregularity in the exercise of the functions of the Authority, employees shall immediately inform their Section Head who shall forthwith notify the Head of Finance and Operations. The Head of Finance and Operations shall take such steps as he/she considers necessary by way of investigation and report.
- 6.5 Where a response to an audit report has not been given within a month or such other responsible period as may be determined or where any matters arising from internal audit remains unresolved after three months, to refer, after consultation with the Head of Finance and Operations, the matter to the Chief Executive.
- 6.6 All losses or irregularities must be reported to the Head of Finance and Operations by the relevant Section Head.
- 6.7 Internal audit shall report annually to the Authority on the internal audit work carried out, and the main issues arising from the internal audit activity undertaken during the period.
- 6.8 The Head of Finance and Operations shall prepare Strategic and Annual Audit Plans for approval by the Authority. In doing so the Head of Finance and Operations shall liaise with the External Auditor as necessary.

## **Section 7 – Income**

- 7.1 Each Section Head is responsible for the prompt and complete collection of their Section's income which should be collected at the time of service provision where practical.
- 7.2 The Head of Finance and Operations in consultation with Section Heads is responsible for ensuring that complete and accurate records are maintained of all moneys receivable and received by his/her section.
- 7.3 The Head of Finance and Operations in consultation with Section Heads must institute appropriate recovery action where income is not received by the due date.
- 7.4 The Chief Executive has the power to authorise the write-off of outstanding debts in excess of £2,500, (subject to 7.3 above) after having checked the Authority's indebtedness to the debtor. The Head of Finance and Operations has the power to authorise the write-off of outstanding debts up to £2,500
- 7.5 Any debts due from a single debtor to a total value £5,000 or more in any one financial year may only be written off on the authority of the Authority.

- 7.6 The Head of Finance and Operations shall maintain a record of all debts written off showing what attempted recovery action was taken and justification for non-recovery, and report annually thereon, to the Authority for information.
- 7.7 The Head of Finance and Operations shall ensure that secure and sound local arrangements exist for the ordering, receipt, custody and use of income stationery including accounts, receipts and tickets or their computer produced equivalents.
- 7.8 All money received by an officer on behalf of the Authority shall be banked without delay in an account approved by the Head of Finance and Operations.
- 7.9 No deduction shall be made from any income received without the specific approval of the Head of Finance and Operations.
- 7.10 The Head of Finance and Operations shall be notified of new sources of income or proposed change in procedures or systems of collecting income.

## **Section 8 – Acquisition of Goods and Services**

- 8.1 All goods and services to be procured in accordance with the Contract Standing Orders of the Authority and take account of the Authority's Procurement Policy.
- 8.2 Official orders shall be issued for all goods and services to be supplied to the Authority except where the Head of Finance and Operations has approved otherwise (e.g. recurring charges, periodic payments, petty cash purchases. All official orders are to be signed only by Section Heads or an officer approved by the Head of Finance and Operations.
- 8.3 All official orders shall be in a form approved by the Head of Finance and Operations.
- 8.4 Each order shall conform with any directions of the Authority with respect to negotiated purchasing agreements and other standardisation of goods and services.
- 8.5 All payments on behalf of the Authority for goods and services shall be made by the Head of Finance and Operations except where imprest accounts, credit cards, or account cards are used.
- 8.6 Each Section Head shall be responsible for ensuring that payments are only made:
- in respect of goods or services which are satisfactorily received; and
  - at the correct prices including all available discounts.
- 8.7 The Head of Finance and Operations or the Head of Strategy and Performance will certify all expenditure for payment.
- 8.8 The Chief Executive is entitled to make ex-gratia payments up to a maximum value of £2,500 to any one payee per annum for damage to or loss of property or for personal injury where such payment is calculated to facilitate or is conducive or incidental to the discharge of any of the functions of the Authority.
- 8.9 All payments shall be made as close as possible to the due date after taking into account the normal terms of trade with respect to promptness of payment, bearing in mind the need to be exemplary in the support of local traders and payees.
- 8.10 The Head of Finance and Operations may provide credit cards and account cards for purchases and approve a transaction limit at his/her discretion. The nominated card holder is responsible for the security of the card and for providing supporting documentation for each transaction made.

- 8.11 The Head of Finance and Operations may provide cash floats or establish imprest accounts of either cash or a bank account to enable nominated officers to become imprest holders for local purchases not exceeding £25 per transaction unless such higher limit is agreed by the Head of Finance and Operations. The imprest holder is accountable for the full amount of the imprest holding and is responsible for any deficiency.
- 8.12 Imprests cannot be used to pay salaries, wages (including payments for casual work) or expenses. Claims for reimbursement of imprest accounts should be submitted regularly.

## **Section 9 – Payments to Employees and Members**

- 9.1 The Head of Finance and Operations is responsible for determining and controlling the arrangements for the secure, accurate and complete payment of salaries, wages, benefits and allowances, reimbursements for travel, subsistence and other expenses, redundancy, compensation or other emoluments to existing and former employees.
- 9.2 Remuneration of employees, including pay, allowances, reimbursement of expenses, benefits in kind, redundancy and any other emoluments shall be made under arrangements approved by the Head of Finance and Operations who shall satisfy himself as to their security, soundness and reliability.
- 9.3 The Head of Finance and Operations shall be responsible for ensuring that remuneration of any kind to employees is in accordance with all statutory requirements as well as within the regulations and directions of the Authority.
- 9.4 All variations to scheme of remuneration of employees must be approved by the Authority and variations to the scheme of Members allowances approved by the Authority.
- 9.5 The Head of Finance and Operations must ensure that only appropriate officers have delegated power to certify payroll expenditure. The Head of Finance and Operations will maintain a record of such officers.
- 9.6 No officer shall certify expenditure for payment from which they might personally benefit.
- 9.7 The Head of Finance and Operations shall be responsible for the proper administration of the participation by the Authority in the Local Government Pensions Scheme as an admitted body to the Somerset County Council Pension Fund.

## **Section 10 – Safeguarding Assets**

- 10.1 Quantities of stock shall not be in excess of normal requirements unless there are sound financial or other reasons. The Head of Finance and Operations should be notified of any cases where quantities of stock have been, are, or are expected to be in excess of normal requirements.
- 10.2 Where the total value or estimated total value of stock in one or more stores exceeds £10,000 the Section Head in consultation with the Head of Finance and Operations shall maintain suitable and reliable records of items in store.
- 10.3 For all stocks meeting the criteria in 10.2 above, each Section Head shall ensure that independent and adequate periodic comparisons of physical stock against

records takes place. Any discrepancies should be properly investigated and reported to the Head of Finance and Operations.

- 10.4 Each Section Head shall furnish such information as the Head of Finance and Operations requires in relation to stores and other assets for financial accounting purposes.
- 10.5 Surplus materials, stores, plant, vehicles and equipment shall be disposed of by competitive tender or public auction unless the market value of the items including related transactions, is not significant (below £2,500), or the Head of Finance and Operations agrees to alternative arrangements.
- 10.6 Each Section Head shall maintain a record of all disposals of materials, stores, plant, land, vehicles and equipment including proceeds and destination.
- 10.7 Each Section Head is responsible for maintaining a proper record and the security at all times for all land, buildings, plant, vehicles, equipment, furniture, stock, stores, cash and other assets under his control.
- 10.8 Each Section Head shall maintain an inventory of each item of:
  - attractive equipment with a value in excess of £100 (mobile phones, cameras etc);
  - equipment with a value in excess of £1,000;
  - plant and machinery with a value in excess of £1,000; and
  - vehicles
- 10.9 All staff must take all reasonable steps to prevent or mitigate loss or damage to all Authority assets - equipment, plant, machinery, vehicles, furniture and fittings.
- 10.10 Each Section Head shall ensure that all inventories are examined against equipment etc. at least once per year, ensure items are in good condition, investigate any discrepancies and report the findings to the Head of Finance and Operations.
- 10.11 The Rural Surveyor shall make arrangements for the secure storage of title deeds and other legal documentation relating to land and property assets held by the Authority.
- 10.12 Officers responsible for any property (including monetary assets) not belonging to the Authority must:
  - Take all reasonable steps to prevent or mitigate loss or damage to that property; and
  - In any case of loss or damage or diminution in value, notify without delay their Section Head who shall forthwith notify the Head of Finance and Operations.
- 10.13 Each Section Head is responsible for ensuring that an up-to-date, complete and accurate record is maintained of all assets held by officers of his or her department on behalf of third parties. The Head of Finance and Operations has the same rights in respect of assets held on behalf of third parties as those detailed in Section 6 of these Financial Regulations -Internal Audit.



## EXMOOR NATIONAL PARK AUTHORITY

6 December 2022

### REVIEW OF EXMOOR NATIONAL PARK AUTHORITY STATEMENT OF COMMUNITY INVOLVEMENT

#### Report of the Head of Strategy and Performance

**Purpose of Report:** To consider updates to the Statement of Community Involvement (SCI) setting out how Exmoor National Park Authority intends to consult and engage the public and other stakeholders on future planning policy documents and planning applications.

**RECOMMENDATIONS:** The Authority is recommended to

- (1) ADOPT the updated SCI, noting the changes made including those following the ending of Coronavirus pandemic restrictions.
- (2) DELEGATE to the Chief Executive any amendments following member discussion and minor changes, factual updates or typographical corrections.
- (3) In the event that national Coronavirus pandemic restrictions are reintroduced which mean that the Authority's procedures for consultation and engagement cannot be followed, DELEGATE to the Chief Executive a temporary replacement of the proposed 2022 version of the SCI with the 2020 Interim Version and the reinstatement of the proposed 2022 version once these restrictions are lifted.

**Authority priority:** To meet the requirements of legislation, where applicable to National Parks, and conduct Authority consultation and engagement in line with good practice and statutory requirements.

**Legal and equality implications:** The Planning and Compulsory Purchase Act 2004 (section 18) requires local planning authorities to prepare a SCI. The ending of Coronavirus restrictions, has necessitated a review and update of the SCI.

**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 the Human Rights Act.

**Financial and risk implications:** The review of the SCI is considered to have minimal financial and risk implications. The report will be published on the Authority's website, and printed copies will only be made available on request.

**Climate response:** The proposed SCI is not considered to have implications for the climate. The SCI includes options for online consultation and engagement to reduce climate emissions.

## **1. Background**

- 1.1 Local planning authorities must review their SCIs every 5 years. The Authority therefore has a statutory duty to prepare and keep up to date a SCI setting out how the Authority will consult and engage the public and other stakeholders on future planning policy documents and planning applications.

## **2. Introduction**

- 2.1 The SCI was last updated in 2020, largely to reflect changes to the Authority's procedures during the pandemic. The 2020 version was therefore an 'interim version' with temporary changes in respect of its planning function for the Authority's decision-making and consultation methods during the pandemic. This included, for example, Authority meetings being held virtually, contacts with applicants and statutory consultees by email or phone, and changes to the way site notices were dealt with and site visits carried out.

- 2.2 The revised SCI is set out in Appendix 1. Other changes include:

- Noting the forthcoming transition from the existing Somerset District Councils and Somerset County Council to a unitary Somerset Council in April 2023;
- reference to Authority publications rather than specific titles;
- reflection of the potential for the Exmoor Parish and Consultative Form to meet virtually as well as face-to face;
- amendment of the reference to representation by the Authority on the Exmoor Panel – this does not preclude attendance by officers
- addition of 'by appointment' for in person meetings at Exmoor House about planning proposals;
- clarification that neighbour notifications by letter will be immediately adjoining residential neighbours;
- removal of references to Lynton and Porlock surgeries;
- simplification of the section on policy making, including local plans, recognising that the approach to consultation and engagement will vary according to the scope of the policies update. The Authority will set out more detail in a consultation and engagement plan;
- removal of 'identifying issues' consultations for Supplementary Planning Documents first included in the 2020 interim version. The requirement to consult on SPDs is still reflected in the SCI.

- 2.3 The SCI's effectiveness will be monitored through the Authority Monitoring Report.

## **3. Conclusions**

- 3.1 Members are recommended to note the contents and recommendations of this report and to adopt the SCI as the key document setting out how the Authority will involve, engage and inform local communities and stakeholders in relation to the determination of planning applications and the preparation of planning documents.

**Clare Reid**  
**Head of Strategy and Performance**  
**November 2022**

**Ruth McArthur**  
**Policy & Community Manager**

## Appendix 1

### DRAFT Exmoor National Park Statement of Community Involvement (SCI) 2022

If you have any queries or questions relating to this document, please get in touch with the Policy & Community Team using the contact details below:

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## Contents

<a href="#"><u>Introduction</u></a> .....	3
<a href="#"><u>Areas of Responsibility</u></a> .....	4
<a href="#"><u>Commitment to Engagement</u></a> .....	5
<a href="#"><u>Community Involvement in Planning</u></a> .....	6
<a href="#"><u>Resources</u></a> .....	7
<a href="#"><u>Publicity Networks</u></a> .....	7
<a href="#"><u>Community Involvement in Practice</u></a> .....	10
<a href="#"><u>Statement of Intent</u></a> .....	10
<a href="#"><u>Methods of Community Involvement</u></a> .....	11
<a href="#"><u>Planning Applications</u></a> .....	12
<a href="#"><u>Plan Making and Policy Updates</u></a> .....	14
Consultation Register.....	18
How we will use your Information .....	19
Appendix A Neighbourhood Plans	20

## INTRODUCTION

1. This 'Statement of Community Involvement' (SCI) sets out how Exmoor National Park Authority intends to consult and engage the public and other stakeholders on future planning policy documents,<sup>1</sup> and planning applications.
2. It is not intended to set out rigid procedures or fixed processes but rather to describe our approach and suggest appropriate ways in which people and communities may be involved at different stages. We will use this SCI as a guide in preparing planning policy and considering planning applications.

### **Overarching Aims for Community Involvement in the Planning of Exmoor**

**Exmoor National Park Authority aims to ensure**

- 1. that all those with an interest in the National Park have the opportunity to submit their views in relation to planning matters, and**
- 2. that consultations are structured to facilitate active involvement and are tailored to the type of planning document involved subject to the constraints of the planning system, resources, deadlines and circumstances beyond the control of the National Park Authority**

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<sup>1</sup> Includes Local Plans as defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 section 6, Supplementary Planning Documents, and neighbourhood planning documents.

## AREAS OF RESPONSIBILITY

3. Exmoor National Park Authority is an ‘all-purpose’ planning authority, responsible for land use planning for the whole of Exmoor National Park. This Statement of Community Involvement (SCI) will affect all planning matters in the National Park (including minerals and waste planning).
4. In Somerset, Somerset West and Taunton Council and Somerset County Council (replaced, from April 2023, by a unitary Somerset Council) are responsible for all local government functions except for planning in the part of the National Park within Somerset. In the Devon area of the National Park, North Devon District Council and Devon County Council are responsible for all local authority functions except for planning in the part of the National Park within Devon.
5. The National Park Authority is comprised of 22 members. This includes appointees of the Secretary of State who provide specialist National Park expertise and perspectives, representatives of local parish council interests; and nominated representatives of North Devon District Council, Devon County Council and Somerset West and Taunton Council and Somerset County Council (from April 2023 representatives from existing Somerset councils will be from Somerset Council).
6. Unlike local councils, the Authority represents not just the locality, but the area as a National Park. This means that, in addition to the local interests of, for example, local residents, businesses and landowners; those from elsewhere but with an interest in National Parks, or the special qualities of Exmoor must also be engaged and their views taken into account.
7. Exmoor National Park was designated as a National Park in 1954 under the National Parks and Access to the Countryside Act 1949. The purposes of National Park designation as amended by the Environment Act 1995 are:
  - To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park area
  - To promote opportunities for understanding and enjoyment of the National Park’s special qualities
8. Exmoor National Park Authority was established as an independent authority in 1997 under provisions set out in the Environment Act 1995. The Act sets out two primary duties for the Authority:
  - To do anything which is calculated to facilitate, or is conducive to, the accomplishment of the National Park purposes. For example, the rights of way network is managed and maintained by Exmoor National Park

Authority which has delegated powers from Devon and Somerset County Councils.

- To seek to foster the social and economic well-being of local communities in the National Park.

### Values

9. Our values are reflected throughout the work of the Authority and are:

**Sustainability:** using resources responsibly, cost effectively and efficiently and providing a model for more sustainable ways of working

**Customer focus:** being responsive to the needs of the public, partner organisations and each other and going the extra step to engage people in our work

**Respect:** treating everyone, both within and outside the Authority, with respect and providing equality of opportunity for all

**Improvement:** actively seeking ways to improve our services and performance, seeing problems as challenges not obstacles in an environment that encourages people to be flexible and innovative

**Professionalism:** providing a high quality, professional service based on high standards and excellent communications

**Team Work:** working together to achieve the Authority's objectives, supporting colleagues and committing to achieving the Authority's vision

### **COMMITMENT TO ENGAGEMENT**

10. Exmoor National Park Authority promotes better awareness and engagement amongst local communities and other interested parties to have a say in the planning and sustainable development of Exmoor National Park and how the Authority itself undertakes its responsibilities.
11. This Statement of Community Involvement complements the Authority's broader commitment to improving engagement. The Exmoor National Park Partnership Plan 2018 – 2023<sup>2</sup> sets out a long-term visions and ambitions for Exmoor National Park and was developed in consultation with partner organisations, communities, visitors and businesses. The NPA facilitates the

<sup>2</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/key-documents>

Plan, but it relies on partners to help deliver the ambitions in it. Partnership groups and delivery partners are listed on the Authority's website.<sup>3</sup>

12. The Authority continues to build upon its long tradition of partnership working to fulfil its aims and obligations under the planning system. Participation is encouraged through fora and groups, such as the Exmoor Consultative and Parish Forum.
13. The Authority's Equality Statement<sup>4</sup> also sets out the approach to working with our partners in line with the Equality Act 2010, in seeking opportunities to eliminate discrimination and advance equality of opportunity between people who share a protected characteristic under the Act and those who do not.

## COMMUNITY INVOLVEMENT IN PLANNING

14. The Authority adopted its first Statement of Community Involvement in 2006. This Statement of Community Involvement replaces the previous version updated in 2015 and the interim version, addressing changes in response to the Covid pandemic, adopted in 2020. It fulfils the statutory requirement in Section 10A of the 2012 Local Plan Regulations (as amended in 2017) that Statements of Community Involvement must be reviewed every five years.
15. The Localism Act 2011 reformed the way local plans are prepared; this led to the introduction of the Town and Country (Local Planning) (England) Regulations 2012 and the publication of the National Planning Policy Framework (NPPF). It also introduced Neighbourhood Planning. This SCI specifies the support and advice available from the Authority to Neighbourhood Planning Groups wishing to make a Neighbourhood Development Plan in line with the requirement for planning authorities to support neighbourhood planning.<sup>5</sup>
16. The Duty to Cooperate places a legal duty on local planning authorities and public bodies to engage constructively on an ongoing basis to maximise the effectiveness of preparing local plans in relation to cross boundary strategic matters such as those relating to the housing market, travel to work areas, river catchments and ecological networks.

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<sup>3</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/partnership-working#:~:text=Exmoor%20National%20Park%20Authority%20works%20in%20partnership%20with,the%20conservation%20and%20enhancement%20of%20the%20distinctive%20>

<sup>4</sup> Exmoor National Park Authority – Equality Statement - <http://www.exmoor-nationalpark.gov.uk/about-us/key-documents>

<sup>5</sup> The Neighbourhood Planning Act 2017



17. The planning system continues to place a strong emphasis on consultation with everyone involved in planning – that is, how land will be used, conserved, developed or improved. The NPPF states: Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.<sup>6</sup>
18. In the past, exercises such as the ‘Your Future Exmoor’ events attended by the National Park’s communities, have shown that people have a real interest in the National Park and the planning policies and decisions that will affect the area and its communities. Their input influenced the preparation of the 2017 Local Plan and demonstrated that public involvement in planning for Exmoor can make a real difference.

## RESOURCES

19. A wide range of Authority staff and members are engaged in the various partnership work outlined and can contribute to engagement of the relevant groups with the Authority’s planning service. Specialist Authority staff also contribute to the development of planning policy or comment on planning applications.
20. The **Development Management Team** assists the community and other stakeholders with their involvement in planning applications. It is supported by customer support, monitoring and Planning Investigations staff who are able to provide general advice and information on planning applications.
21. The **Policy and Community Team** is responsible for the Authority’s planning policy function which includes preparation and consultation on local development documents, strategic planning matters, neighbourhood planning and planning policy monitoring. They are able to advise on local planning documents and opportunities to engage in shaping them.

## PUBLICITY NETWORKS

22. The Authority uses a wide network for the dissemination of planning information, particularly in relation to plan-making. Documents are made available on the Authority’s website and people/organisations on the Authority’s contacts database and Parish/Town Councils and Parish Meetings are emailed at key stages when planning policy documents become available for consultation or adoption.

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<sup>6</sup> MHCLG (2021) National Planning Policy Framework, paragraph 16c

23. The Authority will ensure that local planning policy documents (and copies of strategic environmental assessment documents) are available for inspection at Exmoor National Park Authority's Head Office at Exmoor House, Dulverton and online on the National Park Authority website. Copies of documents related to plan making may also be made available during opening hours at:
- National Park Centres at Dulverton, Dunster and Lynmouth;<sup>7</sup>
  - Local libraries such as those at Minehead, Porlock, Lynton, Dulverton, Combe Martin and Barnstaple;
  - Local Information Points - these include a number of village shops and tourism outlets which have an agreement with Exmoor National Park Authority to provide basic information about their immediate location and services offered by the Authority;
  - Other local community services (including shops and public houses).
24. Many of these outlets are available to display consultation material through the goodwill of the businesses or other organisations concerned. The Authority will continue to use such networks on an informal basis or to deposit leaflets outlining planning matters.

#### **National Park Authority Publications**

25. Authority publications may be used to draw attention to forthcoming consultations (where publication dates make this possible) and the recent publication of local development documents. The timescales involved preclude reference to planning applications.

#### **Other Opportunities for Engagement**

26. The Exmoor Consultative and Parish Forum provides a mechanism for consultation and involvement of key local stakeholders on the Authority's activities. The Forum, which may be facilitated through either virtual or face-to-face meetings, comprises representatives from the Exmoor parish/town councils, a number of organisations, including statutory agencies, local authorities, non-governmental organisations and other groups from, or with an interest in, Exmoor National Park. Details of the chair and vice chair of the Forum are on the Authority's website.<sup>8</sup>
27. The Forum receives updates on the Authority's activities which can include preparation of local development documents, and it has the opportunity to

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<sup>7</sup> [Exmoor - National Park Centres](#)

<sup>8</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/committees/exmoor-consultative-and-parish-forum>

provide input and comment on their content and processes. Members are able to question the Authority and its officers on local planning documents and significant planning applications.

28. In addition to this Forum and the representation by five parish council Members of the Authority itself, great emphasis is given by the Authority to its involvement with parish and town councils of the National Park. In terms of planning, they are routinely consulted on all planning applications within their respective parishes and local development documents. The Exmoor Panel (or its successor) brings together parish and town councils in the National Park.
29. The Authority provides training to the Parish/Town Councils on planning matters, including planning applications, and provides information and updates on the preparation of local planning documents.

### **Equality**

30. Under the provisions of the Equality Act 2010, the Public Sector Duty requires public authorities to have due regard for equalities considerations when exercising their functions.
31. When consulting on planning documents, it is also important that the protected characteristics of the Equalities Act are taken into consideration; ensuring that all groups of people have the opportunity to access relevant material and are able to participate.
32. In relation to planning applications, a combination of site notices, online information and face-to-face meetings means that we have a variety of methods to help ensure that the public are informed about proposals in their local area.

## COMMUNITY INVOLVEMENT IN PRACTICE

### EXMOOR NATIONAL PARK AUTHORITY GUIDING PRINCIPLES FOR COMMUNITY INVOLVEMENT IN PLANNING

The following principles will determine the Exmoor National Park Authority's approach to engaging the community in informing the determination of planning applications and in preparing planning policy documents:

- Openness, fairness and impartiality
- Maximising opportunities for constructive engagement of relevant communities and undertaking joint consultations where appropriate
- Balancing the resources available for the Authority's responsibilities
- Reaching out to those who have not previously been involved in planning matters
- Ensuring information is clear and avoiding jargon
- Providing feedback on the changes made as a result of consultation
- Recognition that the Authority must act within its powers and responsibilities laid out in legislation

### STATEMENT OF INTENT

33. The Authority will publicise planning applications, invite comments on them, and take such comments into account when it makes decisions on them.
34. The Authority will consult on planning policy updates. Consultation will reflect formal regulations and will use a range of methods according to the scope of the policy update, as well as local circumstances and the subject matter. Any comments received will be considered when the Authority is making decisions as to whether to modify planning documents or in designating a neighbourhood area. Interested parties will be able to request to be consulted on future local planning documents and will be advised when the document's preparation reaches the appropriate stage.
35. The Authority will review its arrangements and methods of community involvement as part of the Authority Monitoring Report. This will include an assessment of the effectiveness of these arrangements and consideration of change as a result of suggestions received or emerging examples of good practice.

## METHODS OF COMMUNITY INVOLVEMENT

36. Community involvement can take a wide variety of forms, and each has its advantages and disadvantages. As engagement and participation approaches evolve, it is likely that the methods and practices employed by the Authority will also change. The Authority will use a variety of approaches and will attempt to ensure that these are carried out in a form and/or at times and places convenient to local communities and other stakeholders. The selection of consultation methods will be informed by the guiding principles for community involvement and will balance considerations such as the potential to engage a significant portion of groups most affected or interested, minimise consultation fatigue as much as possible, and take into account any preferences indicated by communities themselves and the availability of resources.

37. Examples of the methods that may be employed include:

- Distribution of documents including availability on the Authority's website, and opportunity to respond via a form, a letter or e-mail;
- Availability of planning officers by phone to discuss proposals or issues;
- Web-based / digital consultation to enable participation on plans and policies via discussion, comments and mapping;
- Surveys which might involve questionnaires, interviews or similar;
- Public exhibitions where informative posters and other material are displayed, and planning officers are in attendance to discuss matters with individual members of the public;
- Drop-in sessions, workshops (where members of the public have the opportunity to engage in group debates and practical exercises);
- Meetings (where the public and community leaders have an opportunity to address the meeting and also put questions to planning officers and other key players) as appropriate.

38. Publicising consultations through:

- emails/letters,
- press releases<sup>9</sup> and Authority publications;
- social media.

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<sup>9</sup> If an article appears in the press, on the radio or on a news or interest website the content of the article or broadcast is at the discretion of the media organisation

## **PLANNING APPLICATIONS**

39. The nature of the National Park and the type of development generally occurring within it sets the context for this part of the Statement of Community Involvement. As a relatively remote and sparsely populated rural area, with mainly scattered small settlements, the pace of development is, for the most part, modest.

### **Major Planning Applications and Applications of Wider Interest**

40. The National Planning Policy Framework (NPPF) presumes against major development within the National Park.<sup>10</sup> As a consequence, there are likely to be few developments of large scale or significant impact. However, this is a matter of planning judgement. The Local Plan includes a Major Development policy which provides an interpretation of major development in the context of the NPPF, which will not necessarily be consistent with the Development Procedure Order definition of major development for the categorisation of planning applications.<sup>11</sup> The environmental quality and national status of Exmoor also means there are individuals and organisations across the country that have a legitimate interest in how this national asset may be affected, and any implications for the wider family of National Parks.
41. Such applications are likely to include most developments which are ‘major’ applications, but also may well include applications which do not technically meet this definition of ‘major’ including those defined by the Local Plan policy for major development.
42. For major planning applications and those applications where Exmoor National Park Authority judges, on the basis of the nature of the application, or the expression of the relevant communities, that an application would have significant implications or interest for the local, or relevant regional or national, community, the National Park Authority will pursue a flexible and pragmatic approach with regard to engaging the community such as:
- notifying both local communities and the wider range of parties including those with a national interest in the National Park, to enable public involvement in the assessment of proposals;

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<sup>10</sup> MHCLG (2021) National Planning Policy Framework, para. 177

<sup>11</sup> The formal definition of ‘major development’ (for the purposes of consultation on planning applications) is set out in The Town and Country Planning (Development Procedure) (England) Order 2010, and includes – minerals development (i.e. mining, etc.); waste development; housing development of more than 10 units or 0.5 hectares; new building(s) with floorspace 1,000 sqm or more; development of land 1 hectare or more.

- continuing to provide, as resources permit, pre-application advice to potential applicants. We encourage pre-application discussions with planning officers.
- encouraging those promoting a development to consult any individuals or communities who may be affected by their proposals to ensure that concerns can be considered and addressed by the applicant before any application is made. Where a Planning Performance Agreement (PPA) is in place, the applicant is required to ensure that pre-application consultation has been undertaken effectively.<sup>12</sup>

### **Other Planning Applications**

43. The generally limited amount and size of development, and the small size of the settlements, tend to mean that local communities and individuals are understandably interested and concerned about the potential impact of developments that would be regarded as relatively modest in other contexts.
44. The NPA will continue to provide, as resources permit, pre-application advice to potential applicants. We encourage pre-application discussions with planning officers, even for minor schemes, in order to assess whether the principle of development is acceptable and to identify any potential issues that can be resolved prior to the submission of an application. Note that this will not normally include public consultation by the Authority, as this will take place when (or if) a planning application is actually made.
45. All potential applicants are encouraged to discuss their proposal with anyone likely to be affected by or interested in their application in advance of proposals being finalised and an application submitted. The planning case officer or other planning officer will be available at reasonable notice to discuss or explain the proposal by telephone or via email if that is considered appropriate or in person at Exmoor National Park Authority's offices in Dulverton by appointment.
46. In addition, the Authority will:
  - publish a weekly list of new applications which will be available on the Authority's website
  - make planning applications available for inspection at the Exmoor National Park Authority's offices in Dulverton and on the Authority's website;

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<sup>12</sup> Exmoor National Park Authority – Planning Performance Agreement Charter

- Display, or arrange for a site notice to be displayed at the site (or nearest highway in the case of sites with no highway frontage);
- advertise relevant applications in the local newspaper;
- notify immediately adjoining residential neighbours by letter;
- notify the relevant town/parish council or parish meeting, statutory consultees and other bodies likely to be interested in the application based on their individual requirements;
- allow consultees at least 21 days to submit initial representations;
- where an application is presented to the Exmoor National Park Authority for its decision the applicant, supporter, objector or other interested parties have the right to request to speak to a meeting of the Authority for a maximum of two minutes before the decision is made (recording of meetings are available at our website)
- publish decisions on planning applications on the Authority's website [www.exmoor-nationalpark.gov.uk/planning](http://www.exmoor-nationalpark.gov.uk/planning)

### **Getting in Contact about Planning Applications**

Unless you have been advised who the case officer is, in the first instance please contact:

Email: [plan@exmoor-nationalpark.gov.uk](mailto:plan@exmoor-nationalpark.gov.uk)

Write to: Planning Team  
Exmoor National Park Authority  
Exmoor House, Dulverton  
Somerset TA22 9HL

## **PLAN MAKING AND POLICY UPDATES**

### **Local Plans**

47. Local Plans (together with neighbourhood plans) form the 'development plan' for each local planning authority. All decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. Local Plans can contain development strategies, detailed policies, supporting text and maps.
48. Local Plans and Supplementary Planning documents must be prepared in accordance with the relevant regulations in force at the time which include the legal requirements for the stages when a plan should be consulted on



and who should be consulted.<sup>13</sup> Planning guidance sets out specified procedures including for consultation. These include preparation of a local development scheme, statement of community involvement, a sustainability appraisal, habitat regulations assessment and examination by an independent planning inspector.

49. Legally, local plans are subject to a review process every five years to determine whether they need reviewing. If evidence from this review indicates that an update of any adopted Exmoor National Park Local Plan policies is needed, the Authority will publicise our intention to start a Local Plan policy update on our website. Other methods may also be used such as through Authority publications, press releases, social media, emails/letters and updates through the Authority's networks and at fora/meetings.
50. The scope of any policies update may vary from a small-scale partial update of specific policies through to a full update which could potentially result in the production of a new local plan.
51. This will then inform the Authority's approach to consultation and engagement. The approach will need to reflect formal regulations. As part of any policies update, the Authority will prepare a consultation and engagement plan which expands on the approaches set in the Statement of Community Involvement.
52. We will consult on the sustainability appraisal scoping report which sets out the sustainability appraisal objectives. The Sustainability Appraisal (incorporating a 'Strategic Environmental Assessment') provides an analysis of the potential impact of the proposals (or options) in terms of the environmental, social, and economic dimensions of sustainability. As such it provides an important tool informing the selection and balancing of the contents of the local development document. Comments will be invited on both the local plan and the sustainability appraisal which will evolve alongside it and for consultations on supplementary planning documents as appropriate.
53. The range of consultees and the most appropriate methods of involvement / consultation will be considered as part of a consultation and engagement plan. We will consult statutory organisations (specific consultation bodies) including Councils, infrastructure providers and Government bodies as legally required or otherwise appropriate, as well as Town / Parish Councils, Parish Meetings, and those on the Authority's register which is maintained to include contact details of any person or organisation who has expressed an

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<sup>13</sup> Town and Country Planning (Local Plan) (England) Regulations 2012

interest in being notified about updates/reviews of the Local Plan (see para 66). This may also include local businesses, voluntary and other organisations (including those identified as general consultation bodies) and the general public. The intention is to ensure that there are opportunities for a wide range of local and national organisations / the public to input into the plan's development.

54. A range of consultation methods may be used including through the Authority's website, emails/letters, press releases and Authority publications, and use of social media and drop-in sessions / workshops and meetings as appropriate and as resources permit. In line with the Government's intention to increase digital participation, opportunities to submit comments online or electronically will be made available wherever possible.
55. The Local Development Scheme (LDS) is a project timetable which gives information and detail about the preparation and review of local plan documents and supplementary planning documents in the National Park. The LDS is useful for anyone involved in the plan-making process as it sets out when each document is available for formal consultation. The LDS is available online on the Exmoor National Park Authority website.<sup>14</sup>
56. Following consultation, once we have had an opportunity to consider all responses, the comments received, or a summary of them and an indication of how they have been addressed, will be published on the website. This may be published alongside subsequent stages of consultation.<sup>15</sup> Comments at any drop-in sessions will be summarised. Whilst all comments received will be taken into account, it should be noted that we cannot always act upon each one as, in addition to varying views often being put forward, wider considerations must also be taken into account such as national policy and legislation.
57. The final publication of the submission Local Plan gives the public an opportunity to make formal representations to a Planning Inspector on the soundness and legal compliance of the local plan ahead of the independent examination. Those who responded to a consultation and Town / Parish Councils / Meetings will be notified of the adoption of new planning policy documents.

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<sup>14</sup> [Exmoor - Local Development Scheme \(exmoor-nationalpark.gov.uk\)](https://www.exmoor-nationalpark.gov.uk)

<sup>15</sup> This excludes any comments made at Submission stage which will be considered through the Local Plan Examination by an independent Planning Inspector.

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

58. These have a lesser status than local plan documents. They give further detail in relation to policies which are already in the development plan (e.g. the Local Plan) and should help applicants make applications or aid infrastructure delivery. We will formally consult statutory bodies, Town / Parish Councils / Meetings and local stakeholder / interest groups on a draft version as appropriate. Earlier informal consultation arrangements may be held depending on the subject matter and resources available. Possible methods of involvement / consultation may include use of the Authority's website, emails/letters, press releases and Authority publications, and social media and drop-in sessions workshops and meetings as appropriate. A formal examination by a Planning Inspector is not required.
59. The Authority may also produce technical planning guidance/advice which is not subject to consultation because it covers topics of a technical and factual nature.

### **Neighbourhood Planning<sup>16</sup>**

60. Neighbourhood development plans, neighbourhood development orders and community right to build are all elements of neighbourhood planning. Once a neighbourhood development plan is brought into force it becomes part of the development plan for the neighbourhood area.
61. Neighbourhood Development Plans (NDPs) are prepared by local communities for their own Parishes or areas with the support and advice from the Local Planning Authority. NDPs are produced by a Neighbourhood Planning Group. This could be formed by a Town or Parish Council, or where there is no recognised council, a Neighbourhood Forum.
62. Local planning authorities are required to set out their policy for discharging their duty to give advice or assistance to qualifying bodies to facilitate proposals for neighbourhood development plans (NDPs) or neighbourhood development orders (NDOs), including proposals for the modification of NDPs.<sup>17</sup>
63. They are required to support qualifying bodies in the production of their plans and are ultimately responsible for formally incorporating the eventual plan into their statutory planning framework.

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<sup>16</sup>This advice and assistance also apply to Neighbourhood Development Orders and Community Right to Build Orders.

<sup>17</sup> Regulation 4(a) of the [Neighbourhood Planning Act 2017 \(Commencement No 3\) Regulations](#) brought section 6 of the act into force

64. Exmoor National Park Authority will act as the lead local planning authority for Neighbourhood Plan Areas wholly within the Exmoor National Park boundary. Where a Neighbourhood Plan Area falls partly within the National Park and partly within a neighbouring local planning authority (LPA) area, the NPA will liaise with the LPA with the expectation being that the LPA with the main settlement or majority of population within its boundary will act as lead.
65. The role of the Authority is to offer advice and assistance and to take the draft plan through a consultation and examination stage and on to final adoption. Additional information is set out in Appendix A of this document. In addition, any draft plan or order will need to be subject to a public referendum. As the National Park Authority is not an Election Authority (i.e. it does not hold elections or referenda) responsibility for any referendum will rest with the relevant district council.

### **Consultation Register**

66. If you wish to be notified about the preparation of local planning documents (local plans), planning policy, neighbourhood plans or supplementary planning documents, your details will need to be held on the consultation register. These details are only used for planning policy consultations and held in accordance with the General Data Protection Regulations.

To ensure that your details are logged on our system please contact us by:

Emailing: [localplan@exmoor-nationalpark.gov.uk](mailto:localplan@exmoor-nationalpark.gov.uk)

Writing to: Policy & Community Team  
Exmoor National Park Authority  
Exmoor House  
Dulverton  
Somerset  
TA22 9HL

### **How we will use your information**

The Authority is registered with the ICO and processes data in accordance with the Data Protection Act 2018 and The General Data Protection Regulation (EU) 2016/679 (GDPR). The information you share with us in relation to planning policy consultations will be retained on a file and/or electronic database indefinitely for the purpose of providing background evidence for decisions made.

The Local Government (Access to Information) Act 1985 requires that all representations must be available for public inspection (which includes the Press). Comments received will usually be acknowledged, and will be placed on file, on our database and published on our website with your name and the organisation you represent. Personal contact details may be used to provide updates in relation to any representation you may make or notify you of any future consultations, if appropriate. Anonymous submissions cannot be taken into account.

You should not include any personal information in your comments that you would not wish to be made publicly available or make any discriminatory comments. Personal contact information (address, telephone number and email) will not be published. We reserve the right to withhold any comments or parts of comments that are offensive or defamatory. By submitting your comments, you are confirming they are your personal views and you agree to accept legal responsibility for your comments and accept that they will be publicly available.

## Appendix A – Neighbourhood Plans

A1. The roles and responsibilities of the National Park Authority and where it will offer support and advice are set out in the table below.

Stage	The National Park Authority will...
Designation of a Neighbourhood Plan Area	<ul style="list-style-type: none"> <li>• Explain the Neighbourhood Plan process</li> <li>• Check that the designation of area application is valid and complete</li> <li>• Publicise designation of area application</li> <li>• Designate the area as a Neighbourhood Area where it meets the relevant conditions</li> </ul>
Draft Plan Preparation	<ul style="list-style-type: none"> <li>• Foster an open and collaborative approach to the development of the NDP. The Neighbourhood Planning Group will carry out consultation for a minimum of 6 weeks on the early stages of the NDP. A Consultation Statement must then be submitted to the Exmoor National Park Authority along with the draft NDP indicating what consultation has been carried out and how it has informed the preparation of the draft NDP.</li> <li>• Offer advice and support, for example on meeting basic conditions, consideration of the need for environmental assessments, suitability of supporting evidence and consultation statement, compatibility with national planning guidance and Local Plan policies.</li> <li>• Share existing information and evidence base work held by the Local Planning Authority, as appropriate and subject to any data protection or confidentiality issues.</li> <li>• Provide an indicative housing provision figure if requested by the qualifying body</li> <li>• Provide constructive comments on the emerging plan and other supporting documents (e.g. Basic Condition Statement) prior to formal submission.</li> </ul>

Stage	The National Park Authority will...
Submission to Local Planning Authority	<ul style="list-style-type: none"> <li>• Validate, check and publicise the submission for a minimum of 6 weeks. As a minimum, the documents will be published on website and comments invited from prescribed statutory bodies and those who have previously indicated an interest.</li> </ul>
Examination	<ul style="list-style-type: none"> <li>• Appoint the examiner and publish all required documents</li> <li>• Make arrangements for any hearing, publicity, notification and make documents available on website as directed by the examiner</li> <li>• Undertake modifications to the NDP as recommended by the examiner</li> <li>• Publish a decision statement on the Authority's website</li> </ul>
Referendum	<ul style="list-style-type: none"> <li>• Inform the electoral authority (EA) as soon as possible of the likely timescale for referendum.</li> <li>• Work with the EA to ensure that the timings and resourcing of referendum are reasonable, clearly understood and agreed in advance.</li> <li>• Meet the reasonable costs of the referendum.</li> </ul>
'Made'	<ul style="list-style-type: none"> <li>• Publish the decision statement on website, advising that the document is now 'made' and forms part of the local plan.</li> <li>• Send a copy of the decision statement to the Neighbourhood Planning Group and advise any person who asked to be notified that the NDP has been made.</li> </ul>

# 12.1



## Committee Report

Application Number:	62/41/22/001
Registration Date:	04-Jan-2022
Determination Date:	16-Feb-2022
Applicant	Mr. D James, Brean Beach Holiday Parks Limited
Agent:	Mr. P Terry, Glampitect Ltd
Case Officer:	Curtis Badley
Site Address:	Manor Farm, Lynton, Devon, EX35 6LD
Proposal:	Proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking / turning area with 6 no. parking bays, with a double EV charging point, recycling / waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment.'
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	In accordance with the Scheme of delegation as the Officer recommendation of approval is contrary to the Town Council view

This application was deferred at the previous meeting (1 November 2022) of the Planning Committee to enable Members to carry out a site visit which took place on the 2 December 2022. There has been no material change in circumstances to the proposal and therefore the report and the Officers recommendation remain as before.

### Relevant History

**62/41/20/022** Lawful development certificate for the proposed use of land all year round as a camping site. Approved - 03/01/2021

**62/41/21/036** Proposed erection of decking area for use as base for single bell tent. Approved with Conditions - 01/12/2022

**62/41/82/007** Revised layout of camping and caravan site and relaxation of Condition No 2 of Planning Permission No 62/41/81/007 and relaxation of Section 52 agreement attached to application No 62/41/77/011 to allow shop and licensed recreation room to be open to the general public - Approved - 04/21/1982



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## Site Description & Proposal

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Lynmouth Holiday Retreat (also known as Channel View Caravan Park) is a caravan site that accommodates tented camping, touring caravans and campervans and also hosts holiday chalets. The caravan park operates from Manor Farm which is located just over 1km south of Lynmouth and to the Northeast of Barbrook.

The application site extends westwards from the existing holiday facilities and overlooks the Lynn Valley. The total land area measures just over 4.5 hectares, with the site comprising an area of scrubby / grassland less than 0.2 hectares (half an acre). The boundaries are formed of mature hedgerows with individual trees which separate the site from the A39 and West Lyn Road to the East and South and with West Lyn Farm and the open fields to the North and West.

The site benefits from an existing grant of planning permission in 1982 (reference: 62/41/82/007) for the siting of tents for recreational purposes, without any limitations on the number or layout of tents, or the time of year or period of time per calendar year that tents can be erected. The site also benefits from a Certificate of Proposed Lawful Development in 2020 (reference: 62/41/20/022) which confirms that use of site for the siting of tents for recreational purposes all year round would not constitute a material change of use.

The application seeks planning permission for the operational development associated with the erection of five timber and canvas 'glamping safari tents' with a permeable parking / turning area and an upgraded underground wastewater / drainage treatment plant at Lynmouth Holiday Retreat, Manor Farm.

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## Consultee Representations

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**Lynnton and Lynmouth Town Council** objects to the application for the following reasons:

The proposal site is in an area that has not been used for camping and is fenced-off scrub, and not related to existing buildings - see policy RT-D10, 8.75 and 8.78. The following we do not feel are policy compliant:

- Policy RT-D5, referencing paragraph 8.45;
- Policy CE-S2 – light from footpaths and fixed tents;
- Policy CE-D1 – impact on landscape and seascape; and
- Policy RT-D9 – does not comply with paragraph 8.64 drainage and 8.67 parking.

**Exmoor National Park Authority Wildlife Conservation Officer:**

Welcomes the intention to conserve biodiversity on site and create an overall positive impact on the natural environment, but raises concern over the potential impact of the

## 12.1

works on existing habitats on site. The Officer notes that whilst the applicant has stated that the siting of tents will not require removal of grass or topsoil except for the footings, it is not clarified how many footings will be needed. In addition, there is mention of some levelling of the ground, there will be gravel drainage around each tent base, footpaths and an area of parking which will all presumably require removal of the current vegetation and topsoil. Looking at the photographs that have been helpfully provided, whilst it is not clear what works are intended for each area shown, the site appears to comprise areas of rough grassland and scrub which provide potential for protected species including reptiles and badger, for example. As such, I recommend an ecologist visits the site and a PEA is undertaken to assess the habitats present, potential for and evidence of protected species and assess the likely impacts of the proposals.

Whilst there has been consideration to limiting lighting in the design, which is welcomed, there is no indication of lighting on the tents.

The proposed planting of shrubs and trees, and the siting of bird and bat boxes is welcomed as biodiversity enhancement.

The Officer suggests that if permission is granted (once we have clarified the concerns raised above), then a condition is applied requiring submission of a biodiversity enhancement plan showing the proposals, detailing the species and boxes proposed.

**The ENPA Future Landscapes Officer** advises that during pre-app consultation, additional information was recommended to be submitted that would provide an accurate indication of the tree positions and canopy spreads on the western / north-western boundary, in order to assess the proximity of the tents to the trees and the potential impact on them as these are key screening trees. This information has not been provided.

The Officer has commented on the original application, which was for 9 safari tents (it is now 5); and notes that the site slopes steeply to the north-west. The submitted information shows platforms for the safari tents projecting out from the slope and supported on posts. The elevation of the tents and the raised platforms would make them more prominent. There will still be significant amount of excavation required for foundations and services.

The tents will be visible from the nearby Station Hill to the west, seen across the valley on higher ground, particularly along the section near the old Station House. The existing trees provide some screening but the tents will be very noticeable. The tents would also be visible from the A39 to the south-west, more so in winter. The existing static caravans can be seen in these views and touring caravans will be visible when the site is open.

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If planning consent is granted, I would request that the lighting is conditioned to minimise impacts on the night sky and the colour of materials to ensure they are as recessive as possible. I would also prefer to see some mitigation planting, especially to more visually open boundaries, and tree planting within the site.

No other consultee representations received.

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## Representations

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Three representations have been received from members of the public which do not object to the proposed scheme but do raise concern with respect to the additional road traffic to and from the site. These comments note that campsite traffic gets directed (by SatNav) down Lyn Lane and West Lyn Road, a single-track, with difficult bends which are unsuitable for caravans and camper vans.

The comments note that there is currently a 'Lynmouth Retreat' sign at the junction of Lyn Lane and the A39, from the Hillsford Bridge direction but it is small, faded and difficult to view. The representations request that the authority considers making improved signage to and from the site part of the permission, especially from the Hillsford Bridge direction.

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## Policy Context

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Exmoor National Park Local Plan 2011 – 2031 (including minerals and waste policies)

GP1	Achieving National Park Purposes and Sustainable development
CE-S1	Landscape and Seascape Character
CE-D1	Protecting Exmoor's landscape and seascape
CE-S2	Protecting Exmoor's Dark Night Sky
CE-S3	Biodiversity and Green Infrastructure
CE-S4	Cultural Heritage and Historic Environment
CE-S6	Design & Sustainable Construction Principles
AC-D1	Transport and Accessibility Requirements for Development
CC-S1	Climate Change Mitigation and Adaption
RT-D5	Tented camp sites
RT-D9	Alternative camping
RT-D12	Access Land and Rights of Way
CC-S6	Waste Management
CC-D5	Sewerage Capacity and Sewage Disposal
CC-S7	Pollution

Lynnton and Lynmouth Neighbourhood Plan 2013

# 12.1

Policy P1	Overall objectives
Policy ENV1	Location of development and enhancement of local environment
Policy E1	Local economy
Policy E10	Parking
Policy S2	Improving existing services and facilities

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

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## Planning Considerations

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The key issues are the principle of development, landscape and visual impact, and biodiversity.

### Principle of development

Policy GP1 of the Local Plan sets out criteria for achieving National Park Purposes and Sustainable Development. These include criteria that seek to protect the amenities of local residents and conserve or enhance the quiet enjoyment of the National Park.

Policy RT-D4 allows the creation of non-serviced holiday accommodation as part of diversification for rural land-based businesses through the conversion of a building that is well related to an existing grouping of buildings.

RT-D5 allows small extensions to tented camp sites where there would be no harm to environment and includes criteria with respect to permanence.

RT-D9 allows small-scale, low impact alternative camping accommodation where the units would:

- only be used for the purposes of holiday accommodation;
- be small-scale in terms of area and number of units and will not require additional permanent residential accommodation to manage the site;
- have a net floor space of each unit is less than 25sqm and not connected to a foul drainage system;
- achieve high quality sustainable design and demonstrate that the siting and landscaping strongly relate to the landscape and historic character of the area;
- be appropriate to the setting
- have low environmental impact through limited physical connection with the ground by ensuring that any hard-standing and site works are minimal to complement the natural topography and landscape character of the area; avoiding extensive alteration to ground levels and fencing;
- need for additional facilities is clearly demonstrated and commensurate with the level of anticipated need, are provided within an existing building or as a modest extension to existing facilities; and

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- where the need for additional parking is demonstrated, provision should reflect the minimum level of need.

Policy requires that there are no adverse impacts on sensitive habitats and wildlife.

Policy stipulates that conditions will be attached to any permission to ensure that the site will be occupied and managed in a manner that will not harm the local area. Opportunities should be taken to enhance the restoration of the site that will support biodiversity and green infrastructure.

Policy P1 of the Lynton and Lynmouth Neighbourhood Plan (NP) supports sustainable development that will enhance the self-reliance of the local community and economy and underpins the assets of the community.

Policy ENV1 states that previously developed sites within the existing extent of the settlements of Lynton, Lynmouth and Barbrook are the preferred locations for development.

Policy E1 supports economic development where it would not have a significant harmful impacts on the local community or prevent them meeting their needs, significant harmful impacts on visitors and visitor attractions and facilities; and proposals should not have significant harmful impacts on the natural and historic environment of the area or the built environment of the settlements.

Policy S2 supports proposals for the improvement of existing services and facilities and the provision of new services and facilities of use to the community will be supported, provided that the proposals would not have significant harmful impacts on the amenities of residents or on other neighbouring uses.

The National Planning Policy Framework (NPPF) (paragraphs 84 and 85) supports the conversion of existing buildings in rural areas where the development is sensitive to its surroundings.

On the 1st March 2021, a Lawful Development Certificate was granted for the use of the land (and additional land that is outside the planning application area) all year round as a camping site. On the basis of this certificate (reference: 62/41/20/022) which contains the area of the proposed works, a change of use of the land is not being considered and only the operational development being undertaken on site.

The proposed development is five timber and canvas 'glamping safari tents' set on wooden decks with internal space of 25m<sup>2</sup>. They would use composting toilets and water facilities would be dispersed through a soakaway. It is the view of the Planning Officer that the proposal is acceptable in principle, specifically in terms of the degree of permanence and noting the scope of the Lawful Development Certificate. Consideration is required with respect to other material considerations; in particular the impact on the setting and landscape character.

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The application also seeks planning permission to upgrade the existing water treatment that serves the campsite. A minor extension to an underground tank is proposed to improve the quality and robustness of the system and this is acceptable in principle in the context of these policies.

## **Design**

The development would involve the creation of a formal vehicle access into the site at its southeast boundary, extending westwards from the existing camp site. A permeable surface would be provided at the southern end of the site. Parking for six cars, including two EVs would be located here along with recycling / waste collection facilities. From this area permeable tracks would lead to each of the five canvas glamping safari tents. Three tents would be in the immediate vicinity, with a further two in the western most field. An existing post and rail fence would be modified to enclose the southern area and a gate would provide pedestrian access into the western field.

The tents would be sites on wooden decks and limited levelling would be required to create suitable footings. The internal space of each tent would be 25m<sup>2</sup> and have a maximum height of 4m. Each tent would include space for two beds, a sink, cooking hobs and a compost toilet; as well as a shower and sink that would be dispersed through a gravel soakaway. The tents would be installed adjacent to ground levels and at varying levels relative to each other. Broken ground would be re-instated (turfed where required); and suitable shrubbery planted around any required decking to demarcate the tents and provide additional screening. Further, the design of the site has been considered so that if the development was removed, the site could be returned to its former nature due to the un-intrusive nature and construction methods of the tents.

It is considered that the proposed operational development does not involve an adverse change in the intensity of use or activity of the Site that has already been permitted and allowed as demonstrated in the lawful development certificate for all year-round use as a camping site.

## **Landscape**

The Exmoor National Park Future Landscapes Officer has commented upon the application and notes the natural slope of the north-west field to which the safari tents are proposed to be sited. In this position the tents on raised platforms would be visible from the nearby Station Hill to the west and would be visible across the valley on higher ground, particularly along the section near the old Station House. The Officer has noted that existing trees provide some screening, but the tents would be very noticeable. The Officer also notes that the tents would also be visible from the A39 to the south-west, which is accentuated in the winter and that the existing static

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caravans and touring caravans can also be seen within these views and will be visible when the site is open.

The proposed development has been amended from the originally submitted scheme, reducing the number of tents in the more visible northwest field to two. The three other tents are to be sited in the more secluded southern field. The proposed tents are proposed to be embedded into the natural slope of the landscape and would be made of a khaki / green colour which is considered to be more recessive in the landscape compared with the backdrop of white caravans which can utilise this field all year round as previously outlined within the Lawful Development Certificate.

As part of the application proposals, additional planting is proposed in order to enhance the existing natural screening available on site and verdant character of the surrounding area. In addition to this planting of shrubbery between the proposed tents is considered to break up the form of each unit and this in combination with the planting and maintenance of meadow grass is considered to enhance the natural landscape opportunities on site – minimising the grassed lawn areas. In consideration of the potential use of the site as year-round tented accommodation and the low number of natural-coloured tents interspersed with planting, the proposed development is considered to preserve qualities of the surrounding landscape setting. The proposal is therefore unlikely to create an adverse impact upon the surrounding area on this basis.

### **Ecology**

Policy CE-S3 requires that the conservation and enhancement of wildlife and habitats be given great weight and that development likely to cause harm to legally protected species or lead to the loss of damage to their habitats will not be permitted, unless this can be mitigated or then offset.

A Preliminary Ecological Assessment (PEA) has been submitted with the application. The site area comprises of amenity grassland, an area of dense bracken and ruderals with a small area of scrub. These habitats and the surrounding hedgerow provide opportunity for foraging and commuting bats and reptiles as well as some suitability for nesting and foraging birds and small mammals. It is considered that suitable recommendations have been made in Section 5 of the PEA report including sensitive lighting and precautionary methods of work with respect to reptiles and these recommendations have been secured by way of condition in addition to further informatives relating to the legal protection afforded to bats and birds.

The site has been identified as an opportunity for wildlife enhancement which has been illustrated within the application drawings which show the installation of a bird box and bat box as well as a native hedge bank. A condition has been attached which seeks the erection of at least four bat boxes and six bird boxes in suitable locations on mature trees on or adjacent to the site. It is noted that these should ideally be constructed from long-lasting material such as woodcrete. It is therefore considered

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that appropriate biodiversity enhancement can be secured as part of this application and the proposed development is considered to meet the requirements of Policy CE-S3 and of the NPPF.

Policies CE-S1, CE-D1 and CE-S2 seek to protect the landscape and Exmoor's Dark Night Sky from inappropriate development. The proposed lighting scheme has been omitted to protect the dark sky and tranquillity of the surrounding area. A condition is applied that no additional lighting is installed without the express consent of the ENPA to ensure these qualities are retained.

### **Highways And Parking**

Policy AC-D1 and Policy AC-D2 of the Local Plan and Policy E10 of the Neighbourhood Plan require that the design and details of highway works are appropriate in scale to the development and contribute to the conservation or enhancement of the area; and do not prejudice highway safety.

The proposed extension of the existing holiday site proposes direct pedestrian access to the five safari tents. Vehicle parking for six cars is made available close to the entrance to the site, within a permeable parking area and turning circle. Two of these spaces afford access to an electric car charging point and a further of these spaces has greater clearance for better accessibility. In addition to car parking, cycle parking is also provided within this area. The site is accessible from the existing sites internal road network and would share the primary road entrance with the existing holiday site onto the A39. In consideration of the spaces provided, limited number of glamping safari tents installed and linkage to the existing internal road network and access, the proposal is not considered to create an adverse impact upon highway safety or parking. The proposal is therefore considered to accord with policies AC-D1 and Policy AC-D2 of the Local Plan and policy E10 of the Neighbourhood Plan.

Two representations have, been received expressing concern with respect to the extra road traffic to and from the site and the directions provided by SatNav down Lyn Lane and West Lyn Road which are single-track and possess difficult bends unsuitable for caravans and camper vans. Whilst these comments are acknowledged and it is noted that there may be insufficient directional signage available within the vicinity of the site, the application site area is limited and excludes the surrounding road layout and land adjacent to the A39. Any proposed signage would therefore be outside of the consideration and control of this planning application, and it is also noted that further consents may be required to erect signage relating to highways.

### **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



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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 152 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. However, the limited form and construction type as well as the ongoing use as low-scale tourist accommodation is considered to weigh in favour of the proposal.

The provision of charging points for two Electric Vehicles and a cycle rack encourages more sustainable transport options and creation of a new drainage system and recycling centre is considered to benefit and suitably service the new accommodation. Officers consider that the impact on the climate resulting from the construction and ongoing use of the proposed development would not create an adverse impact upon the climate

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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.

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### **Conclusion**

The proposed development comprises an upgrade, including extension, of an existing sewerage system; and the siting of five safari tents. The proposals are considered to meet the requirements and objectives of the Local Plan given the context of a Lawful Development Certificate, which allows year-round camping across the whole application area.

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Specifically, the tents would provide low impact holiday accommodation that meets the permanence tests of Policies RT-D5 and RT-D9. The proposal is considered to be acceptable subject to conditions attached below which seek to protect the night sky, the landscape and to secure biodiversity enhancement.

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## Recommendation

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Approve with 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 plans stamped by the Local Planning Authority as:

- Location plan (Reference 210821-01-01 Revision A) (ENPA stamped 4<sup>th</sup> January 2022, File No.1)
- Proposed Site Layout Plan (Reference: 210821-01-03 Revision D) (ENPA stamped 28<sup>th</sup> April 2022, File No.11)
- Landscape Plan (Reference 210821-01-10 Revision E) (ENPA stamped 18<sup>th</sup> October 2022, File No.16)
- Drainage Plan (Reference 210821-01-04 Revision E) (ENPA stamped 28<sup>th</sup> April 2022, File No.13)
- Elevations and Floor Plans (Reference 210821-09-01 Revision A) (ENPA stamped 4<sup>th</sup> January 2022, File No.4)

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

3. The proposed glamping safari tents hereby approved shall only be used in association with the camping facilities at Lynmouth Holiday Retreat (also known as Channel View Caravan Park). It shall not be used for any other purposes.

Reason: To ensure that the development is used for the purpose that has been applied for, in the interests of protecting the landscape, neighbouring amenity and highway safety.

4. The units hereby permitted shall not be occupied until suitable parking spaces have been provided in accordance with the Proposed Site Layout Plan (Reference: 210821-01-03 Revision D) (ENPA stamped 28<sup>th</sup> April 2022, File No.11). These spaces and access shall be properly consolidated and surfaced

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and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: To ensure safe and suitable off-street parking space is provided, in accordance with Policy AC-D3 of the Development Plan.

5. The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a separate unit of accommodation. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year.

Reason: To ensure that the development is only used and occupied as short let holiday accommodation and to prevent the creation of an unjustified separate dwelling in the Exmoor National Park, in accordance with Policy RT-D9 of the Development Plan.

6. The owner/operator of the holiday accommodation hereby approved shall maintain an up-to-date register of the names and main home addresses of all occupiers and shall make this register available to the Authority for inspection upon request.

Reason: To ensure that the development is only used and occupied as short let holiday accommodation and to prevent the creation of an unjustified separate dwelling in the Exmoor National Park, in accordance with Policy RT-D9 of the Development Plan.

7. The development hereby approved shall be carried out in accordance with the recommendations made in Section 5 of the Preliminary Ecological Appraisal Report prepared by Orbis Ecology including sensitive lighting and precautionary methods of work with respect to reptiles.

Reason: To enhance wildlife and habitats on site.

8. The development hereby approved shall be carried out in accordance with the approved planting and shall be maintained hereafter as set out within the associated Landscaping Plan (Reference 210821-01-10 Revision E) (ENPA stamped 18th October 2022, File No.16)

Reason: To improve the visual amenity of the surrounding area and enhance wildlife and habitats on site.

9. At least six integrated bird boxes and at least four bat boxes shall be erected in suitable locations on mature trees on or adjacent to the site. These should ideally be constructed from long-lasting material such as Woodcrete.

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Reason: To enhance wildlife and habitats on site.

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## Informatives

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### 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](mailto:plan@exmoor-nationalpark.gov.uk).

### Positive and Proactive Statement

This Authority has a pro-active approach to the delivery of development. Early preapplication 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.

### Conditions and Informatives and the submission of any 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

## 12.1

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.

### **Nesting Birds**

The developer 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 work must stop until the young have fledged and advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

### **Bats and Roosting Birds**

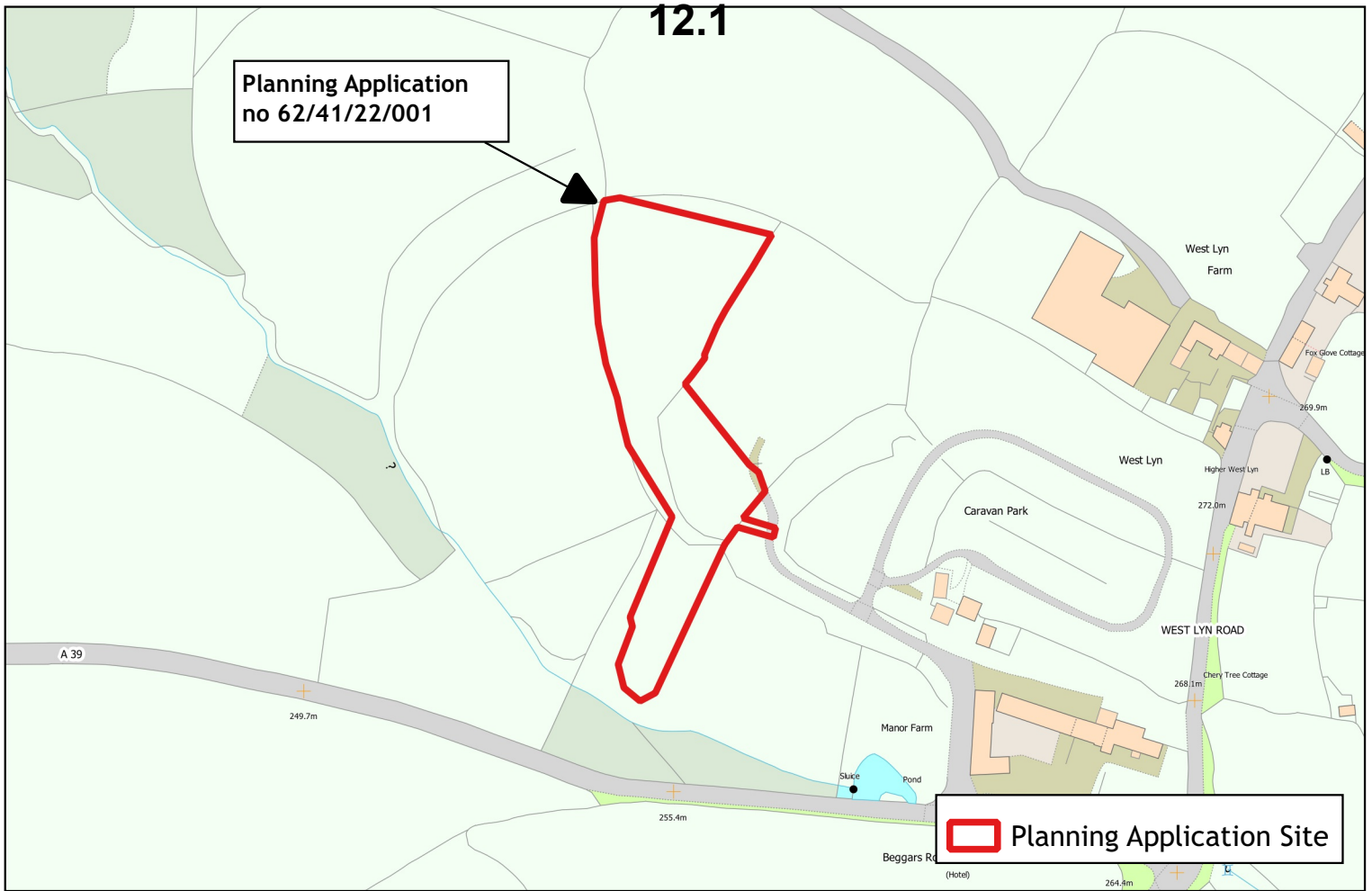
The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

### **Building Regulations**

If this development involves any building or engineering works, it is the applicant's responsibility to ensure that any consent under the Building Regulations is also obtained before work begins. For further advice contact North and Mid Devon Building Control Partnership on 01884 234974 or by email to [mail@nmdbuildingcontrol.co.uk](mailto:mail@nmdbuildingcontrol.co.uk)

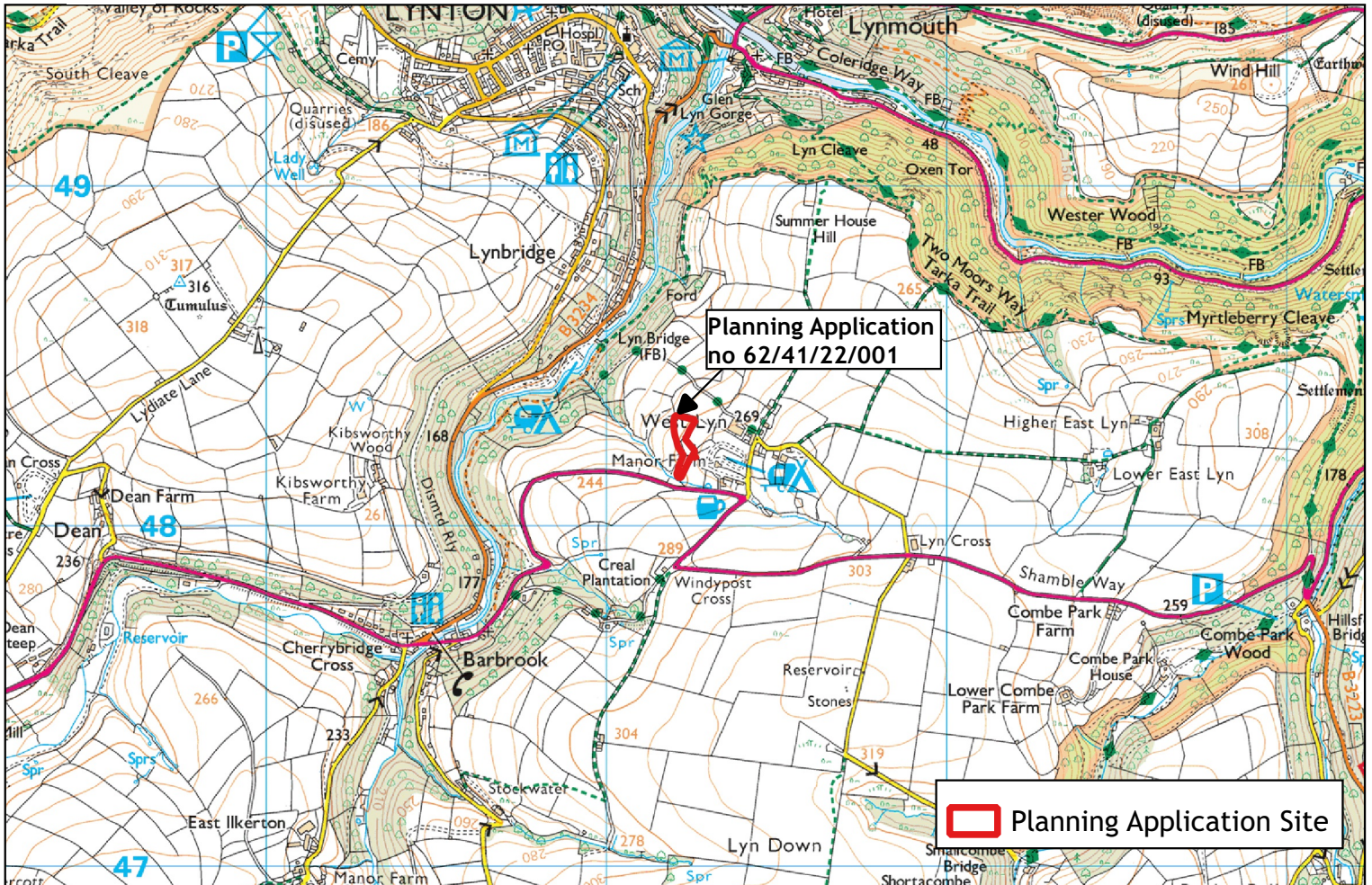


Planning Application  
no 62/41/22/001



Site Map  
Scale 1:2,500

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Overview Map  
Scale 1:20,000

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**12.1**

## 12.2



### Committee Report

Application Number:	6/27/22/118
Registration Date:	22-Sep-2022
Determination Date:	03-Oct-2022
Applicant	Mr & Mrs Keal
Agent:	Mrs. L Crossman, Louise Crossman Architects
Case Officer:	Chris Tivey
Site Address:	KEAL RISE, HAWKCOMBE, PORLOCK, MINEHEAD, TA24 8QW
Proposal:	Proposed variation of conditions 2 and 4 of approved application 6/27/16/102 for the installation of external Cedral fibre cement cladding in place of red cedar timber cladding.
Recommendation:	Refuse.
Reason for bringing before Authority Committee:	Porlock Parish Council have a view that is contrary to the recommendation of Officers and support the proposal.

### Relevant History

**6/27/16/102** - Proposed self-build affordable home with an internal floor area less than 90m<sup>2</sup> and with exterior excavation and in-fill work to create a new access route and driveway together with further information for temporary accommodation that will be occupied whilst the work to the main property is undergone and removed immediately after. As per amended information 13.05.16. (Full).  
Approved 01/09/2016.

### Site Description & Proposal

The application site lies to the western side of Parson's Street, in Hawkcombe, Porlock and once comprised part of the former gardens of the adjacent property to the south known as 'Hawcombe House'. The site slopes steeply up in a westerly direction, with a leat running through the site in an approximate north-south alignment. The area of the site to the east of the leat runs broadly parallel to, and just outside of, the boundary of the Porlock Conservation Area.

Planning permission was granted in 2016 for a self-build affordable home in 2016, subject to the imposition of conditions. The permission permitted the erection of a two storey dwelling, cut into the sloping site and was proposed to be finished with timber cladded elevations under a slate roof with timber windows and doors. The dwelling is substantially complete.



## 12.2

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Condition 2 of the planning permission required compliance with the approved plans, whilst condition 4 was concerned with external finishing materials and reads as follows:

“The construction of the walls and roof of the dwelling, hereby approved, shall be in accordance with the sample natural slate and sample cedar wall cladding submitted on 22/08/2016 in support of the application and shall remain in accordance with the approved materials thereafter, unless otherwise agreed in writing by the Local Planning Authority”.

The reasons for the imposition of both conditions was “For the avoidance of doubt and to make sure the development accords with the approved plans”; and “In the interest of visual amenity, the character and appearance of the development, and adjacent Conservation Area” respectfully.

The application under Section 73 of the Town and County Planning Act 1990 (as amended) which is before Members seeks non-compliance with both of these conditions, to enable the retrospective use of Cedral fibre cement cladding in place of red cedar timber cladding to the elevations of the building. The shade proposed is from the manufacturer’s ‘Earth Range’ C03 Grey Brown RAL 1019.

In support of their application, the applicants state that in 2020/21 when construction of the dwelling was sufficiently progressed to consider installation of the cedar cladding, this was found to be significantly more expensive and difficult to obtain due to Covid and supply issues than anticipated. Consequently, it was decided to progress with the use of fibre cement cladding know as ‘Cedral’ which is a composite material made from cement, water and cellulose fibres with a grained finish to appear as wood. The manufacturer stipulates that Cedral Lap Fibre Cement Weatherboard is a low maintenance, rot resistant, factory painted, fire resistant cladding board.

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### **Consultee Representations**

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**Porlock Parish Council** – Support the proposal, but also state that they are concerned that the material, as it ages, will not mature to the same colour that would most likely been evident in the case of the timber cladding. Accordingly, they would like to suggest that the material be painted with a suitable colour to approximate to what the timber cladding might age to. They do however appreciate that the colour of the material is inherent in the cladding itself and there may be practical issues in the periodic application of paint or stain.

**ENPA Historic Buildings Officer** – Objects to the proposal. They refer to their predecessors’ comments that he made in relation to application 6/27/16/102: “The impact on the conservation area would essentially be neutral and there is therefore no

## 12.2

reason to object to this application. I would, however, advise that the materials approved are carefully controlled and that the permitted development rights are restricted to ensure the ethos behind this new dwelling is maintained into the future”.

They state that whilst they have sympathy with the applicants’ reasoning for requesting the change in material, given the sensitive position of the site on the boundary on the conservation area it is difficult to see that the use of the selected materials complies with the above statement or with the following policies - CE-D3 Conserving heritage assets: Conservation Areas Development proposals affecting conservation areas should ensure that:

- a) the character or appearance of the area is preserved or enhanced;
- b) they deliver high quality design and incorporate materials that reflect the scale, architectural quality and detailing of the area.

Policy CE-S6 Design and Sustainable Construction Principles:

The materials and design elements of a new building or conversion of an existing building, should complement the local context through the use of traditional and natural sustainable building materials. The use of locally-sourced sustainable building materials will be encouraged.

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### **Representations**

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At the time of writing this report, 20 letters of representations had been received from third parties. Those that support the proposal (18no) advance the following points which are summarised thus:

- The cladding already erected looks very like the red cedar cladding originally specified, in colour and surface;
- The Cedral cladding is a much better material that will provide improved stability, life and freedom from maintenance;
- It is made from recycled materials, is more sustainable than timber cladding with much better fire resistance;
- Red cedar cladding splits and twists as it matures and requires frequent application of wood preservative and paint to maintain its appearance;
- The ENPA should do all that it can to assist early examples of self-build to encourage others to follow;
- The scheme was always going to be a modern house surrounded by much older properties, whatever cladding material was used; the world has changed so much since the original application was made and as a result the conditions no longer seem reasonable;

## 12.2

- The colour and texture of the material chosen was done with great care by the property owners, through a consultation with neighbours and local registered electoral role residents of Porlock and surrounding areas;
- Question whether Red Cedar has been a traditional, sustainable and locally sourced building material in Exmoor;
- The majority of Western Red Cedar wood used in the UK is imported from North America or south east Asia;
- Most commercial harvesting of Cedar produces wood of a moderately durable standard, giving it a life span of 10-15 years before treatment is required;
- This opens the door to anyone in the National Park, to preserve or paint their timber in whatever colour they desire;
- In support of the Cedral cladding erected, it has further advantages over the Red Cedar, in so much that the material is made from recycled material, it does change its colour in sunlight, it has a grain and is does not look shiny like plastic;
- The cladding has a class A fire resistance and is not open to bug infestation and insect attack, all of which is critical in any habitable buildings of timber frame construction;
- What we have now is a building colour which is consistent and not like Cedar which would weather and bleach in this location, more on the front east and south east corner which has sunlight and not much on the other faces; The result of which would be an appearance of a two tone building;
- The Cedral product is also guaranteed maintenance free and has a life expectancy of at least 50 years;

The 2no letters of objection to the proposal state the following:

- The original planning permission was granted on the basis of Western Red Cedar cladding; a sustainable material which would weather and merge into the environment and surrounding area in keeping with the ethos of ENP;
- What has been applied without permission is a light coloured cement board which will not age or weather and merge into its surroundings;
- An enforcement order was issued, with a year to comply, that year is up and instead of enforcement we have consultation which is puzzling;
- The planning permission clearly stated that samples of the cladding needed ENPA approval before fitting, ENPA would not have approved a sample of the Cedral cladding had they been shown it, on the grounds that it was light in colour, doesn't discolour and therefore never blend in with the surroundings;
- When the original planning permission was granted, safeguards were assured to ensure the use of, not only sustainable and ethically produced materials, but a natural material that over time would age in an aesthetically pleasing manner, essential when set in a highly sensitive local environment. I thus supported the original planning application;

## 12.2

- Concerned that if this particular planning stricture is removed future developers may take advantage of this alteration/ lift condition, as a precedent will be set;
- Finally any applicants in the locale who were placed under the same condition and completed their work accordingly may feel, and with some merit, that the ENP are not taking seriously their own policy in respect of the environment and sustainability.

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### Policy Context

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#### Exmoor National Park Local Plan 2011 – 2031

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

CE-S1 – Landscape and Seascape Character

CE-D3 - Conserving Heritage Assets

CE-D1 – Protecting Exmoor’s Landscapes and Seascapes

CE-S4 – Cultural Heritage and Historic Environment

CE-S6 – Design and Sustainable Construction Principles

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

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### Planning Considerations

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The main issue in this case is the effect of the use of the fibre cement weatherboarding as external wall cladding upon the landscape and scenic beauty of the Exmoor National Park and the setting of the Porlock Conservation Area.

Policy GP1 of the Exmoor National Park Local Plan 2011 – 2031 states that sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities. ENPLP policies CE-S1 and CE-D1 are concerned with protecting Exmoor’s landscapes and seascapes.

Under ‘Cultural Heritage and Historic Environment’ within section 4 of the Local Plan, the following objectives are set out:

*“Objective 5: To ensure that the built tradition, character, distinctiveness and historic character of Exmoor’s settlements, buildings, farmsteads, landscapes, archaeological sites and monuments are conserved and enhanced and that the cultural heritage of Exmoor is protected through the careful management of development.*”

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*Objective 6: To encourage new development to use local materials, sustainable building design and methods, in ways that contribute to the distinctive character and cultural heritage of Exmoor.”*

Policy CE-S4 stipulates that Exmoor National Park’s local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities.

In respect of Conservation Areas, Policy CE-D3 states that proposals affecting them should ensure that:

- a) the character or appearance of the area is preserved or enhanced; and
- b) they deliver high quality design and incorporate materials that reflect the scale, architectural quality and detailing of the area.

Amongst other things, the policy states that development proposals affecting a heritage asset and its setting should demonstrate: a positive contribution to the setting through sensitive design and siting; and the avoidance of unacceptable adverse effects and cumulative visual effects that would impact on it.

Furthermore, Policy CE-S6 requires that construction materials complement the local context through the use of traditional and natural sustainable building materials. The use of locally sourced sustainable building materials are encouraged.

The preamble to this policy sets out in paragraph 4.152 that the use of traditional, natural materials is critical in ensuring that the appearance of new developments conserves and enhances the quality and character of the built environment of the National Park. Paragraph 4.157 also explains that timber detailing (windows, doors, weatherboards etc.) when in hardwood or pre-treated, can also be repaired and have a long lifespan.

Clearly the subject building is of recent construction, and therefore modern methods of construction can be entertained in certain circumstances, however it is located in a highly sensitive area in terms of heritage and landscape, within the setting of the Conservation Area, with part of the site’s frontage falling within the designation.

The reasoning behind the use of the fibre cement boarding in lieu of timber is noted, along with the benefits of modern materials as cited by both the applicants and many of the third parties (cost, low maintenance, rot resistant, factory painted, fire resistant cladding board) are understood. Nonetheless, whilst some natural materials may be incorporated within the manufacturing process of the Cedral weatherboard, it is still a manmade product with a far more uniform and artificial appearance than the ‘genuine article’ of timber.

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The change in material of the cladding is considered to have a detrimental impact upon the character and appearance of the host building as a result of the unauthorised works, and to support such a proposal would undermine the ENPA's strategy in seeking to conserve and enhance the landscape and scenic beauty of the National Park utilising natural materials wherever possible.

Officers are of the view that the installed cladding is unacceptable as a matter of principle, contrary to Policies CE-S6 and CE-D3 of the Local Plan; and paragraphs 176 and 202 of the NPPF.

Therefore, the cited benefits of the fibre cement weatherboarding are noted, however these matters do not outweigh the harm stemming from the proposal that has been identified.

Consequently, it is recommended that the non-compliance with conditions 2 and 4 of planning permission 6/27/16/102 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.

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### **Conclusion**

The unauthorised use of the fibre cement weatherboarding is considered to be a retrograde step when compared to the use of red cedar cladding.

Policy CE-S4 sets out that materials and design elements should complement the local context through the use of traditional materials. The Cedar boarding is not considered to be a traditional material and the public benefits stemming from the proposal are given limited weight in this case.

Officers consider that there are no material planning considerations that outweigh the harm that would be caused upon the landscape and scenic beauty of the Exmoor National Park, or the setting of the Conservation Area, a designated heritage asset.

Therefore, having regard to the above it is recommended that planning permission be refused.

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### **Recommendation**

Refuse for the following reason:

Policy CE-S6 of the Exmoor National Park Local Plan 2011 - 2031 states that development should utilise traditional and natural sustainable construction materials,

## 12.2

whilst Policy CE-D3 as set out therein states that proposals affecting Conservation Areas and their settings should ensure that they incorporate materials that reflect the scale, architectural quality and detailing of the area.

The Cedral fibre cement cladding that the applicants seek to retain is constructed from a material that is neither congruent with traditional weatherboarding found within the National Park and is not deemed natural, therefore failing to reflect the highest quality form and finish expected within such areas.

Its installation has caused material harm to the character and appearance of the setting of the Conservation Area and when taking into account the requirements of Paragraph 176 of the National Planning Policy Framework, the proposal is considered to cause unacceptable harm to the landscape setting of the National Park as well. The proposal is therefore contrary to Policies GP1, CE-S1, CE-D1, CE-D3, CE-S4 and CE-S6 of the Local Plan and the National Planning Policy Framework.

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### **Informatives**

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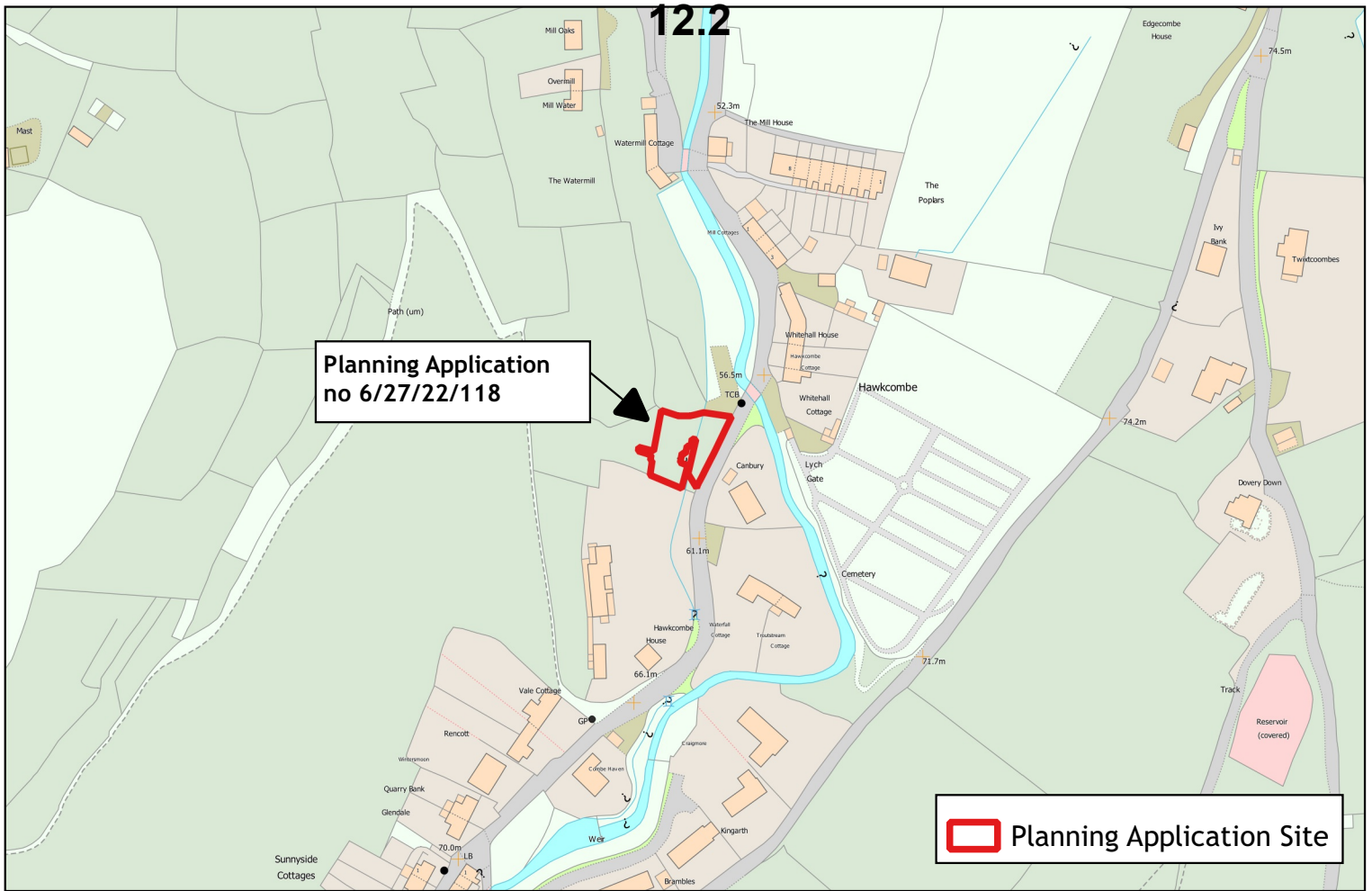
#### **Positive and Proactive Statement**

This Authority has a pro-active approach to the delivery of development. Early preapplication 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. In this case, the planning objections to the proposal could not be overcome.

#### **Appeal to the Secretary of State**

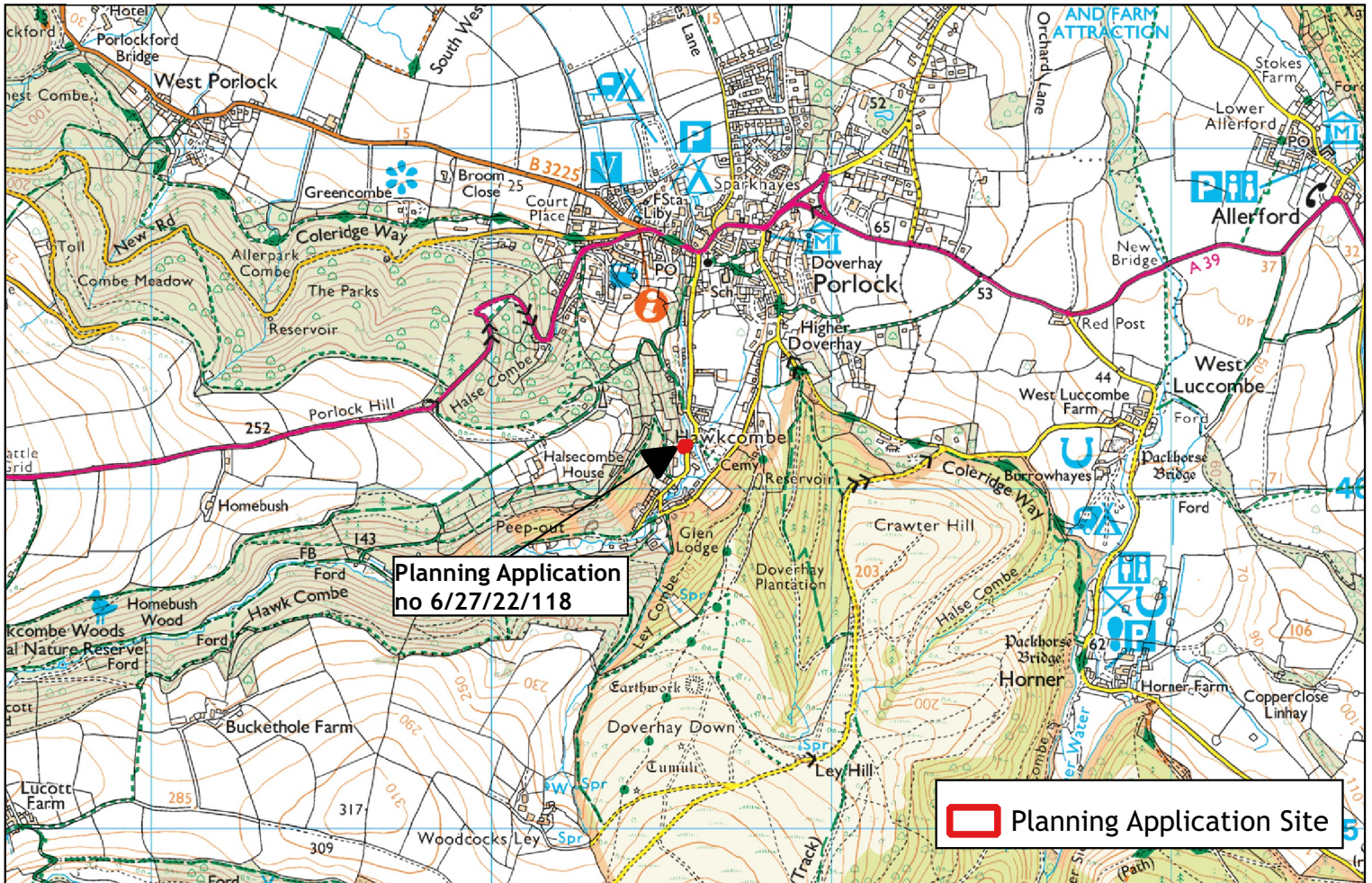
If you want to appeal against your Local Planning Authority's decision, then you must do so within 6 months of the date of this notice.





**Site Map**  
**Scale 1:2,500**

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**Overview Map**  
**Scale 1:20,000**

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## 12.2

# 12.3



## Committee Report

Application Number:	6/42/22/109
Registration Date:	07-Oct-2022
Determination Date:	07-Nov-2022
Applicant	Mr & Mrs Fleming
Agent:	Mr. N Polkinghorne, NPAS Devon Limited
Case Officer:	Chris Tivey
Site Address:	EAST HOLLOWCOMBE, HAWKRIDGE, DULVERTON, TA22 9QL
Proposal:	Proposed erection of dormer to provide additional head height to existing bedrooms and associated works.
Recommendation:	Refuse planning permission
Reason for bringing before Authority Committee:	The views of the Parish Council are contrary to those of Officers.

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### Relevant History

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None relevant to the proposal.

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### Site Description & Proposal

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The application site comprises a two storey farm house situated within the village of Hawkridge. It is not clear from the submissions whether it still relates to an active farm holding, but from the Exmoor Park website it is clear that it is rented out for holiday accommodation: East Hollowcombe Farm - Exmoor Park accommodation directory of bed & breakfast, self catering cottages and hotels

The house is not listed, but it is of the local vernacular, with it being included within the ENPA's Historic Environment Record and can therefore be deemed to be a traditional building and non-designated heritage asset:

"The site was seen from a distance in January 1997. The house was described as "pleasant" and was thought to possibly date to the late 17th Century, built facing into the yard. The farm buildings were dated to the 19th Century built in rubble and slate on the end of the house, diminishing in scale. On the western side of the house was noted more 19th Century rubble and slate buildings, including one on posts, perhaps a trap shed comparable to the one at Zeal Farm. A large group of 20th Century farm buildings were noted to be separate from the main group."

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The subject dwelling is set close to and lower than the road at its north western corner, and one of the most noticeable features of it from this perspective is the significant catslide roof, original in its form bar the insertion of two rooflights in the past.

The proposal would give rise to the erection of a dormer/gable feature towards its western end so as to increase internal head height and living accommodation at first floor level.

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### Consultee Representations

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**Withypool & Hawkridge Parish Council** - Support the proposal as they believe that the erection of a dormer window to provide additional head height will add to the viability of the property without affecting any other property or providing visual harm.

**ENPA Wildlife Officer** – They have reviewed the ecology report (South West Ecology, ref 446, August 2022), the methods, presentation of results and recommendations within which are satisfactory. Whilst the report principally focusses on the barns, this proposal for the farmhouse is also included. The roof was assessed as being in good condition, with well fitted slates, sealed barge boards and no roof void. No access points suitable for bats or birds were identified and no impacts are therefore anticipated, meaning no mitigation or compensation is required. Please add an informative note to any permission granted reminding the homeowners and their contractors of the legislation affording protection to and their responsibilities towards roosting bats and nesting birds. In the unlikely event that bats are encountered during development, work should stop and a suitably qualified ecologist contacted for advice. Detailed mitigation proposals are included in the report with respect to the bat roosts and bird nests identified in the barns, this includes a bat box which is shown on the west elevation of the farmhouse on drawing 970 33 (with application 6/42/22/108). I suggest this could be secured by way of condition attached to this permission, to provide enhancements even if the work to the barn does not occur.

**Somerset Highway Authority** – No observations to make.

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### Representations

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Two letters of representation have been received from local residents supporting the proposal, with comments including: The plans inside the farmhouse are vital for increasing headroom, in the back bedrooms in the eaves, to make them truly usable by anyone but the smallest people. They will also improve the roadside view of the house, will overlook nobody, only farm fields.

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## Policy Context

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### Exmoor National Park Local Plan 2011 – 2031

GP1 – General Policy: Achieving National Park Purposes and Sustainable Development  
GP3 – Spatial Strategy  
CE-S3– Biodiversity and Green Infrastructure  
CE-S4 - Cultural Heritage and Historic Environment  
CE-S5 - Principles for The Conversion or Structural Alteration of Existing Buildings  
CE-S6 - Design and Sustainable Construction Principles  
CE-D4 - Extensions to Buildings  
HC-D15 - Residential Extensions

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

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## Planning Considerations

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The main material planning considerations in this case are the principle of development the development proposed; its effects upon the character and appearance of the area and its impact upon neighbouring amenity.

### Principle of Development

The proposed development is for the enlargement of an existing dwelling, in the form of a dormer/gable roof extension to provide greater headroom to its first-floor rear bedroom accommodation. It is therefore a case of form following function in many ways.

Policies GP1 and GP3 of the Exmoor National Park Local Plan 2011 – 2031 state that Sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities. In addition, the former policy states that particular attention will be paid to, inter alia, ensuring high quality design; and the impact on the character and setting of the site and/or buildings.

Policy HC-D15 stipulates that proposals for residential extensions will be permitted where they accord with a number of criteria. Therefore, subject to other material planning considerations being satisfied, the principle of the roof extension is deemed acceptable.

### **Character, Appearance and Heritage**

The National Planning Policy Framework (NPPF) in paragraph 126 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable developments, creates better places in which to live and work and helps make development acceptable to communities.

Amongst other things, paragraph 130 of the NPPF states that planning decisions should ensure that developments: will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment.

Policy HC-D15 states that proposals for residential extensions will be permitted where they:

- a) accord with the principles set out in CE-S6 Design and Sustainable Construction Principles and CE-D4 Extensions;
- b) ensure there is sufficient space within the existing curtilage to accommodate the extension without resulting in overdevelopment of the site or adversely impacting on residential amenity space and parking provision; and
- c) are not disproportionate to the original dwelling and in any case do not increase the external floorspace of the original dwelling by more than 35% (taking into account any extensions provided through permitted development rights);

Policies CE-S6 and CE-D4 require development proposals to deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment; and by ensuring that extensions complement the form, character and setting of the original building, being appropriate in terms of scale and massing. With specific regard to criterion 1. c) of the latter policy, the roofline of any extension should respect the form and symmetry of the original building; and an extension should be appropriate in terms of scale and massing (criterion 1. b)).

The final paragraph of Policy CE-D4 states that extensions to traditional buildings should reflect and sustain the historic significance, character and appearance of the original building through the sensitive design and use of materials, detailing, and construction principles to ensure the architectural interest, historic fabric and features, and setting of the building are conserved and enhanced.

Pursuant to the other criteria of Policy HC-D15, with the proposal being above ground level, there would be sufficient space within the existing curtilage to accommodate the extension without resulting in overdevelopment of the site or adversely impacting on residential amenity space and parking provision (criterion b)). Regarding criterion c) of

## 12.3

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the policy, no greater external floorspace would be created by the proposal and therefore the extensions would not increase the external floorspace of the original dwelling by more than 35%.

Policy CE-S4 which requires Exmoor National Park's local distinctiveness, cultural heritage, and historic environment to be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities; and that development proposals affecting heritage assets and their settings, will be considered in a manner appropriate to their significance. Development proposals should positively reinforce the historic character of Exmoor's settlements through reflecting the traditional vernacular architecture and enhancing local distinctiveness.

In addition, Policy CE-S5 states that proposals for the conversion or structural alteration of traditional buildings, should also:

- a) ensure the historic fabric, and architectural interest of the building and its setting including the retention of existing traditional and historic features are conserved and enhanced; and
- b) reflect the character and significance of the building and conserve its traditional appearance through sensitive design and the use of traditional materials, detailing and construction principles.

The proposed materials for the dormer extension, and its overall design intend to be in keeping with the character and appearance of the host dwelling. However, notwithstanding the use of these materials and a pitched roof over the structure, which in isolation appear appropriate in two dimensional elevation, having regard to its close proximity to the public highway, the scheme would appear overly dominant and incongruous to the vernacular design of the traditional host dwelling, where currently no such features exist within its simple and unobtrusive catslide roof form.

In totality it is considered that the proposal would give rise to an alien form of development that would be harmful to its setting.

Consequently, it is considered that the proposal would have an unacceptable effect upon the character and appearance of the host dwelling and the wider area, in conflict with the aforementioned policies and the NPPF.

### **Neighbouring amenity**

Policy GP1 (criterion 3.f)) and Policy CE-S6 (criterion 1.g)) require proposals to have regard to the impacts that a proposal has upon the living conditions of local residents.

In view of the fact that the proposed dormer would face open countryside on the opposite side of the road, it is considered that there would be no material harm

## 12.3

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caused to the occupants of nearby residential properties, in terms of outlook, light or privacy.

### **Other Matters**

The applicant's and third party comments regarding the need to increase the head height within the rear bedrooms are noted, however as highlighted above, the proposal's form has followed the function of its proposed use, and do not outweigh the harm that has been identified in respect of the impacts upon the character and appearance of the host dwelling and the surrounding area.

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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.

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### **Conclusion**

It is considered that the proposal would have an unacceptable effect upon the character and appearance of the host dwelling and wider area, contrary to the development plan.

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### **Recommendation**

It is recommended that planning permission be refused for the following reason:

1: It is considered that the proposed dormer window would appear incongruous to the vernacular design of the host dwelling, where currently no such features exist within its simple and unobtrusive catslide roof form. Furthermore, with the proposal being in very close proximity to the public highway, it would give rise to an alien form of development that would be harmful to the character and appearance of the area.

Consequently, it is considered that the proposal conflicts with policies GP1, GP3, CE-S3, CE-S4, CE-S5, CE-S6, CE-D4 and HC-D15 of the Exmoor National Park Local Plan 2011 – 2031 and the NPPF.

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### **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

## 12.3

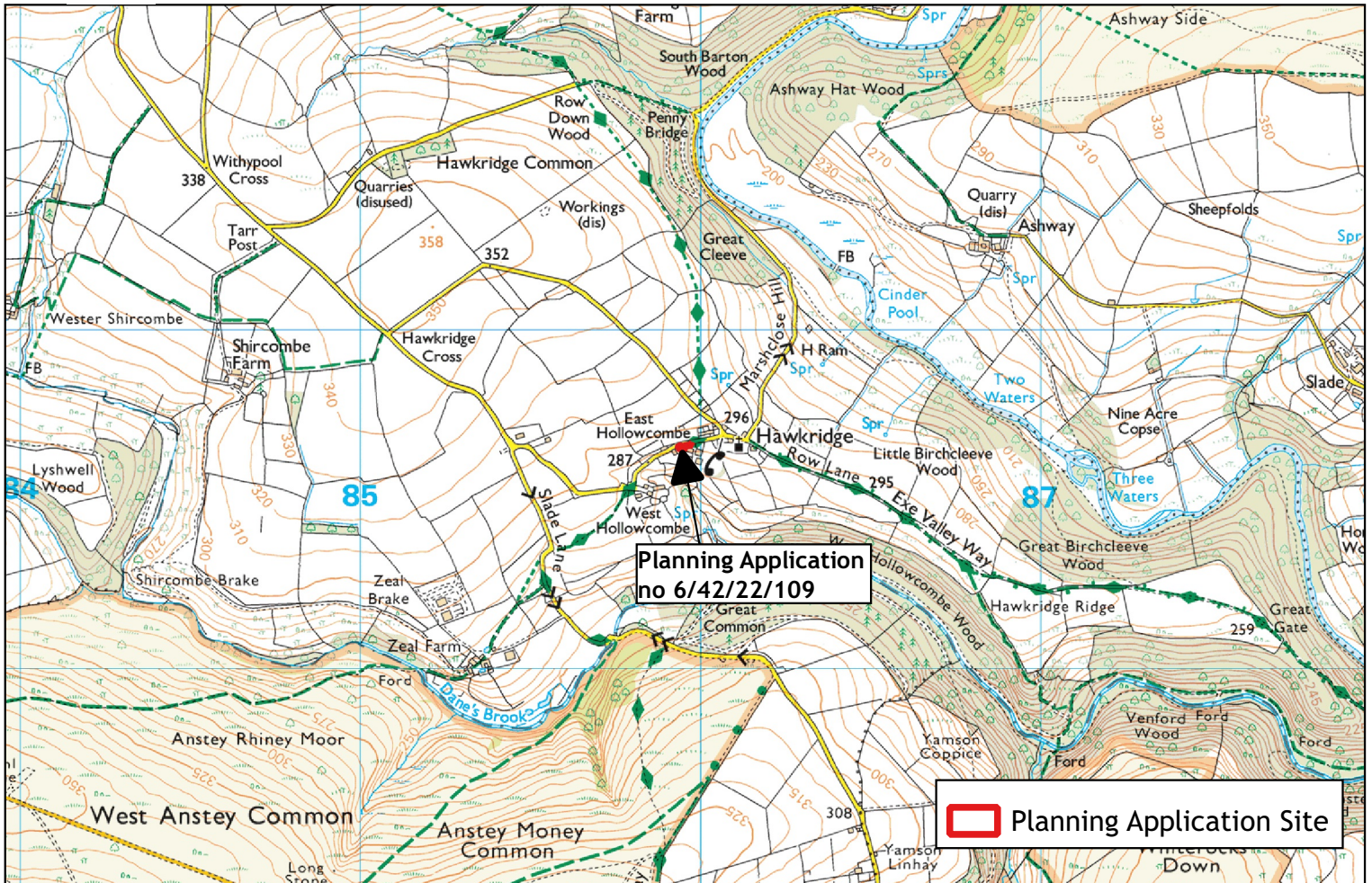
has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome. However, in this instance the relevant planning considerations have not been addressed and the application has therefore been refused.





**Site Map**  
Scale 1:2,500

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**Overview Map**  
Scale 1:20,000

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# 12.4



## Committee Report

Application Number:	6/14/22/106
Registration Date:	02-Nov-2022
Determination Date:	28-Dec-2022
Applicant	Mr B Totterdell
Agent:	Mr. A Elston, Architectural Studio SW Ltd
Case Officer:	Chris Tivey
Site Address:	PINKERY CENTRE FOR OUTDOOR LEARNING, SIMONSBATH, MINEHEAD, TA24 7LL
Proposal:	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the proposed erection of a Bronze Age Roundhouse for educational purposes to be used in conjunction with the Pinkery Centre.
Recommendation:	Approve
Reason for bringing before Authority Committee:	This application comes before Members under the adopted Scheme of Delegation as the application has been submitted by Exmoor National Park Authority, and Exmoor National Park Authority are the landowner.

### Relevant History

75375 - Proposed use of Pinkery Farmhouse and adjoining barn together with an open area. Approved 03/02/1970.

75375/A - Proposed provision of additional toilet accommodation at Pinkery Farm. Approved 05/06/1971.

75375/B - Proposed adaptation of open shed to allow use by students. Approved 03/02/1972.

75375/C - Proposed alterations to existing storage area to provide sleeping accommodation. Approved 18/09/1972.

6/14/79/008 - Proposed erection of a store and drying room - Educational at Pinkery Farm. Approved 0/05/1979.

6/14/80/006 - Proposed dining room extension and resiting of fire escape. Approved 08/20/1980.

## 12.4

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6/14/84/101 - Proposed provision of relocatable building as temporary replacement of classroom. Approved 03/04/1984.

6/14/84/103 - Proposed erection of replacement classroom. Approved 21/06/1984.

6/14/84/107 - Proposed retention of Store and Drying Room. Approved 15/10/1984.

6/14/85/102 - Proposed retention of relocatable building. Approved 14/11/1985.

6/14/87/109 - Proposed redevelopment of teaching , sleeping and storage accommodation. Approved 02/02/1988.

6/14/89/103 - Proposed construction of timber sheds for storage.  
Approved 26/04/1989.

6/14/89/113 - Proposed retention of store and drying room.  
Approved 27/11/1989.

6/14/92/108 - Proposed erection of generator shed. Approved 19/01/1993.

6/14/94/102 - Proposed demolition of generator shed/boot store, extension of classroom. Approved 06/07/1994.

6/14/95/103 - Proposed car and trailer parking area. Approved 09/05/1995.

6/14/01/102 - Erection of 6kw wind turbine on 9m mast, extension to generator shed to be used. Approved 03/13/2001.

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### Site Description & Proposal

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The application site comprises a small area of woodland to the west of the Pinkery Outdoor Centre.

Within an existing clearing it is proposed to erect a replica of a Bronze Age dwelling/roundhouse for educational purposes. It would be 7m high with a diameter of 8m.

The structure would be constructed using locally sourced materials such as Oak for the framework, heather for the roof and wattle and daub to the walls.

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### Consultee Representations

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At the time of writing this report, the consultation period for the planning application was still running, any additional representations will be reported to Members at the meeting of the Planning Committee.

## 12.4

**Somerset Highway Authority** – No observations to make.

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### **Representations**

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No representations received at the time of writing the report.

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### **Policy Context**

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#### **EXMOOR NATIONAL PARK LOCAL PLAN:**

GP1 Achieving National Park Purposes and Sustainable Development  
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-S4 Cultural Heritage and Historic Environment  
CE-S6 Design and Sustainable Construction Principles  
RT-S1 Recreation and Tourism  
RT-D10 Recreational Development

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

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### **Planning Considerations**

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The main material planning considerations in this case are the principle of the development proposed; and its effects upon the character and appearance of the area.

#### **Principle of Development**

As described above, the proposed development is for the erection a timber framed roundhouse, to be used as an educational visitor attraction at the Exmoor National Park Authority's Pinkery Centre, within the heart of the Exmoor.

Policies GP1 and GP3 of the Exmoor National Park Local Plan 2011 – 2031 state that sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities. In addition, the former policy states that particular attention will be paid to, inter alia, ensuring high quality design; and the impact on the character and setting of the site and/or buildings.



## 12.4

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The above is also reflected within Policy CE-S4, whilst Policy RT-S1 states that opportunities to provide a high quality, inclusive visitor experience on Exmoor through a diverse range of recreation and tourism facilities that actively enhance the understanding and enjoyment of the National Park's special qualities will be encouraged in accordance with a number of principles as set out therein.

With the proposal falling within the planning unit established by the use of the Pinkery Centre as an outdoor education centre, subject to all material planning considerations being satisfied, it is considered that the principle of the roundhouse is deemed acceptable.

### **Character and Appearance**

The National Planning Policy Framework (NPPF) in paragraph 126 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable developments, creates better places in which to live and work and helps make development acceptable to communities.

Amongst other things, paragraph 130 of the NPPF states that planning decisions should ensure that developments: will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment.

Paragraph 84, the NPPF states, inter alia, that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Policy RT-S1 requires proposals to, amongst other things: be compatible with the quiet enjoyment of the National Park; have no unacceptable adverse effects on the natural and historic environment either individually or cumulatively through levels of activity or use; contribute towards a sustainable future for Exmoor's local economy and communities; support the improved health and wellbeing of people living, working and visiting Exmoor through the benefits of recreation and experience of tranquility; and respond to opportunities to improve the quality and viability of existing recreation and tourism businesses, through appropriate restoration, extension, expansion or diversification. That is in addition to ensuring that schemes are of a scale compatible with their location and setting, in accordance with the relevant development management policy considerations for tourism and recreation.

Policy CE-S6 (Design and Sustainable Construction Principles) stipulates that development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic

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environment and in doing so applicants will be expected to demonstrate a number of design principles, these include that:

- a) All new build development should positively contribute to its setting in terms of siting, massing, scale, height, orientation, density and layout.
- b) The materials and design elements of a new building or conversion of an existing building, should complement the local context through the use of traditional and natural sustainable building materials. The use of locally-sourced sustainable building materials will be encouraged.
- c) Design should reinforce landscape character and the positive arrangement of landscape features through planting and landscaping schemes, boundary treatments, and surfacing. Existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area.
- d) Design should have regard to health and well-being and ensure that sufficient public and/or private space is provided or available, and footpaths and cycleways are incorporated where appropriate.

2. To incorporate sustainable construction methods, proposals should:

- a) promote the sustainable use of resources;
- b) provide adequate access to, and storage for, recycling waste; and
- c) future proof against climate change impacts, including flood risk, in accordance with CC-S1.

The proposed roundhouse would enhance the educational and tourism 'offer' to visitors of the Pinkery Centre and the wider National Park, whilst being located within an existing low density area of woodland. Whilst separate from the main established range of buildings located at the Pinkery Centre, nonetheless it would not read as an isolated feature, particularly as natural play and other equipment/facilities associated with outdoor education can be found within the woodland.

The proposal would appear as a natural evolution of this, whilst being partially screened by existing trees and boundary treatments.

Furthermore, the scheme would deliver high a quality design that would enhance the local identity and distinctiveness of Exmoor's built and historic environment, through the use of locally-sourced traditional and natural sustainable building materials/resources.

In addition, would enable the creation of an exemplar scheme that would provide a demonstration of how to future proof against climate change impacts, through the use of materials of a low embodied energy.

Consequently it is considered that it would enhance the character and appearance of the surrounding countryside in accordance with the aforementioned policies and the NPPF.

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## Climate Change

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 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 152 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 a limited impact on the climate from the construction process and the sourcing of construction materials. Officers consider that proposed development would not create an adverse impact upon the climate.

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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.

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## Conclusion

It is considered that the proposed roundhouse, constructed from traditional and natural materials would enhance the character and appearance of the surrounding countryside, in accordance with the aforementioned policies and the NPPF.

## 12.4

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### Recommendation

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Subject to the receipt of any further consultation responses and representations, it is recommended that planning permission be granted, subject to the following conditions:

1. The works hereby consented to shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby approved shall be carried out strictly in accordance with drawings numbered 2306.2/100, 2306.2/200, 2306.2/201 & 2306.2/202 date stamped by the Local Planning Authority on 02 November 2022.

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

3. No lighting shall be permitted during the construction period and for the duration of the development unless otherwise authorised in writing by the local planning authority.

Reason: In the interests of the strict protection of European protected species and the character and appearance of the National Park landscape, including its dark night sky in accordance with policies GP1, CE-S1, CE-D1, CE-S6, CE-S2 and CE-S4 of the Exmoor National Park Local Plan 2011-2031.

4. The use of the roundhouse hereby permitted shall be limited to activities of a recreational and education nature in conjunction with the operation of the Pinkery Centre.

Reason: For the avoidance of doubt, and the interests of conserving and enhancing the landscape and scenic beauty of the National Park, pursuant to the NPPF and policies GP1, GP3, CE-S1, CE-D1, RT-D10 and CE-S4 of the Exmoor National Park Local Plan 2011-2031.

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### Informatives

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#### CONDITIONS AND INFORMATIVES

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



## 12.4

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. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

### 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](mailto:plan@exmoor-nationalpark.gov.uk).

### POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early preapplication 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.



## 12.4

## 12.5



### Committee Report

Application Number:	6/14/22/107
Registration Date:	07-Nov-2022
Determination Date:	30-Dec-2022
Applicant	Mr G McVittie
Agent:	Mr. A Elston, Architectural Studio SW Ltd
Case Officer:	Chris Tivey
Site Address:	Ashcombe Gardens and Plantation, Simonsbath, TA24 7SH
Proposal:	Application under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed construction of 2no. footbridges.
Recommendation:	Approve
Reason for bringing before Authority Committee:	This application comes before Members under the adopted Scheme of Delegation as the application has been submitted by Exmoor National Park Authority, and Exmoor National Park Authority are the landowner.

### Relevant History

75403 - Proposed use as a field studies centre and camping base at Exmoor School. Approved 29/06/1970.

6/14/78/001 - Proposed erection of mobile public convenience and car parking for fifteen cars. Approved 03/07/1978.

6/14/85/101 - Proposed conversion of cowshed to public convenience and information display area. Approved 03/05/1985.

6/14/89/114 - Proposed extension to car park at Ashcombe Car Park. Approved 02/06/1990.

6/14/94/109 - Proposed change of use to field office, Part Building at Ashcombe Car Park. Approved 11/08/1994.

6/14/20/105 - Proposed repair and renovation of public toilet, together with the installation of car parking machine. Approved 12/01/2020.

6/14/20/106 - Advertisement consent for the proposed installation of visitor information board and 4 no. pay and display signs. Approved 12/01/2020.

# 12.5

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## Site Description & Proposal

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Ashcombe Gardens were laid out by John Knight in around 1820 to the north of Simonsbath House and up the valley of the Ashcombe Stream. Deciduous trees and conifers were planted, and terraced paths were constructed although the gardens were never completed.

Most of the trees in Ashcombe Gardens were felled in the 1940s, but since then a woodland of mainly oak, ash and sycamore has replaced them. The gardens are currently being restored by Exmoor National Park Authority (ENPA) along with the help of volunteers.

The proposal is to erect two timber footbridges that cross the Ashcombe stream in different locations. They would be constructed of local materials utilising traditional construction methods; and would enable visitors to circumnavigate the gardens safely without crossing through the stream.

The proposal is to install a bridge to the northern end of the gardens (bridge 2) and one to the south (bridge 1). Each bridge would be individually designed to reflect the landscape. There is on site evidence, such as a stone base and plinth, that a bridge once existed to the north of the site, in the same location as Bridge 2.

Ashcombe Plantation is a Local Wildlife Site.

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## Consultee Representations

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At the time of writing this report, the consultation period for the planning application was still running, any additional representations will be reported to Members at the meeting of the Planning Committee.

**Somerset Highway Authority** – No observations to make.

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## Representations

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No representations received at the time of writing the report.

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## Policy Context

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### EXMOOR NATIONAL PARK LOCAL PLAN:

GP1 Achieving National Park Purposes and Sustainable Development  
CE-S1 Landscape and Seascape Character  
CE-D1 Protecting Exmoor's Landscapes and Seascapes  
CE-S3 Biodiversity and Green Infrastructure

## 12.5

CE-S4 Cultural Heritage and Historic Environment  
CE-S6 Design and Sustainable Construction Principles  
RT-S1 Recreation and Tourism  
RT-D10 Recreational Development  
AC-S1 Sustainable Transport  
AC-S2 Transport Infrastructure

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

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### **Planning Considerations**

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The main material planning considerations in this case are the principle of the development proposed; and its effects upon the character and appearance of the area.

#### **Principle of Development**

As described above, the proposed development is for the erection of 2no timber bridges to facilitate visitor access within the Exmoor National Park Authority's Ashcombe Gardens.

Policies GP1 and GP3 of the Exmoor National Park Local Plan 2011 – 2031 state that sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities. In addition, the former policy states that particular attention will be paid to, inter alia, ensuring high quality design; and the impact on the character and setting of the site and/or buildings.

The above is also reflected within Policy CE-S4, whilst Policy RT-S1 states that opportunities to provide a high quality, inclusive visitor experience on Exmoor through a diverse range of recreation and tourism facilities that actively enhance the understanding and enjoyment of the National Park's special qualities will be encouraged in accordance with a number of principles as set out therein.

Therefore, it is considered that the principle of the proposed development is deemed acceptable, subject to an assessment of all material planning considerations.

#### **Character and Appearance**

The National Planning Policy Framework (NPPF) in paragraph 126 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable

## 12.5

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developments, creates better places in which to live and work and helps make development acceptable to communities.

Amongst other things, paragraph 130 of the NPPF states that planning decisions should ensure that developments: will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment.

Paragraph 84, the NPPF states, inter alia, that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Policy RT-S1 requires proposals to, amongst other things: be compatible with the quiet enjoyment of the National Park; have no unacceptable adverse effects on the natural and historic environment either individually or cumulatively through levels of activity or use; contribute towards a sustainable future for Exmoor's local economy and communities; support the improved health and wellbeing of people living, working and visiting Exmoor through the benefits of recreation and experience of tranquility; and respond to opportunities to improve the quality and viability of existing recreation and tourism businesses, through appropriate restoration, extension, expansion or diversification. That is in addition to ensuring that schemes are of a scale compatible with their location and setting, in accordance with the relevant development management policy considerations for tourism and recreation.

Policy CE-S6 (Design and Sustainable Construction Principles) stipulates 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 and in doing so applicants will be expected to demonstrate a number of design principles, these include that:

- a) All new build development should positively contribute to its setting in terms of siting, massing, scale, height, orientation, density and layout.
- b) The materials and design elements of a new building or conversion of an existing building, should complement the local context through the use of traditional and natural sustainable building materials. The use of locally-sourced sustainable building materials will be encouraged.
- c) Design should reinforce landscape character and the positive arrangement of landscape features through planting and landscaping schemes, boundary treatments, and surfacing. Existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area.
- d) Design should have regard to health and well-being and ensure that sufficient public and/or private space is provided or available, and footpaths and cycleways are incorporated where appropriate.



## 12.5

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2. To incorporate sustainable construction methods, proposals should:
- a) promote the sustainable use of resources;
  - b) provide adequate access to, and storage for, recycling waste; and
  - c) future proof against climate change impacts, including flood risk, in accordance with CC-S1.

The proposal is to install two bridges on the main garden circuit path. This is in line with the first aim of the Ashcombe Gardens Restoration Plan which is to reinstate public access around the garden on the original route. The two arched bridges will be made from hardwood timber (sourced from the ENPA estate) and will have rustic balustrades; they have been designed to be in keeping with the Picturesque and take some reference points from the Exmoor landscape (eg the old curved, gate-bracing posts (and from other Picturesque designed landscapes). It is intended that they will be constructed by hand (though some timber may be milled locally). The designs have been developed with a skilled local woodworker and members of the ENPA conservation team. They have also been discussed with the Rights of Way team in terms of accessibility and safety requirements.

It is considered that the proposed bridges would enhance the educational and tourism 'offer' to visitors of the gardens and the wider National Park, but enabling safer and easier access to all users.

Furthermore, the scheme would deliver high quality design bespoke designs that would enhance the local identity and distinctiveness of Exmoor's built and historic environment, through the use of locally-sourced traditional and natural sustainable building materials/resources.

Consequently it is considered that it would enhance the character and appearance of the surrounding countryside in accordance with the aforementioned policies and the NPPF.

### **Climate Change**

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 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



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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 152 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 a limited impact on the climate from the construction process and the sourcing of construction materials. Officers consider that proposed development would not create an adverse impact upon the climate.

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### 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.

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### Conclusion

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It is considered that the proposed bridges, constructed from traditional and natural materials would enhance the character and appearance of the surrounding countryside, in accordance with the aforementioned policies and the NPPF.

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### Recommendation

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Subject to the receipt of any further consultation response and representations, it is recommended that planning permission be granted, subject to the following conditions:

1. The works hereby consented to shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby approved shall be carried out strictly in accordance with drawings numbered 2627/100, 2627/200, 2627/201 & 2627/202 date stamped by the Local Planning Authority on 07 November 2022.

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

## 12.5

3. No lighting shall be permitted during the construction period and for the duration of the development unless otherwise authorised in writing by the local planning authority.

Reason: In the interests of the strict protection of European protected species and the character and appearance of the National Park landscape, including its dark night sky in accordance with policies GP1, CE-S1, CE-D1, CE-S6, CE-S2 and CE-S4 of the Exmoor National Park Local Plan 2011-2031.

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### **Informatives**

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#### CONDITIONS AND INFORMATIVES

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. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

#### 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

## 12.5

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](mailto:plan@exmoor-nationalpark.gov.uk).

### POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early preapplication 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.



**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
62/50/22/021LB	Ms E Duncan - Proposed variation of condition 2 of approved application 62/50/21/014LB to allow the relocation of existing bathroom. (Alteration/Lift Condition ) - The Mill House, Parracombe, Devon, EX31 4PE	19-Oct-2022 Approved with Conditions
62/50/22/020	Ms E Duncan - Proposed variation of condition 2 of approved application 62/50/21/013 to allow the relocation of existing bathroom. (Alteration/Lift Condition ) - The Mill House, Parracombe, Devon, EX31 4PE	19-Oct-2022 Approved with Conditions
62/19/22/003	Mr S Seldon - (Amended Description) Proposed replacement gate and replacement agricultural building. Part retrospective. (Full ) - Land at Shute Lane, Combe Martin	19-Oct-2022 Approved with Conditions
6/26/22/104	Ms L Dunton - Proposed erection of a single storey rear and side extension. (Householder ) - April Cottage, Roadwater Road, Roadwater, Watchet, Somerset, TA23 0RG	19-Oct-2022 Approved with Conditions
6/3/22/105DC	Mr S Gammon - Discharge of condition 7 (facing stone sample) of approved application 6/3/20/119. (Discharge of Condition ) - SPRINGHAYES, EXTON, DULVERTON, TA22 9LD	20-Oct-2022 Approved
6/43/22/114	Nigel Humphries - Proposed replacement of conservatory with orangery. (Householder ) - BROOKSIDE FARM, WOOTTON COURTENAY, MINEHEAD, TA24 8RE	21-Oct-2022 Approved with Conditions
HRN 22/03	Mr A Speed - Hedgerow removal notice for the proposed removal of a 560 metre section of hedgerow. (HRN ) - Field south of Home Farm farm Buildings - Easting 299758, Northing 143452, The Lawns, Dunster, Minehead	21-Oct-2022 Approved
6/29/22/114LB	Mr D Raymond - Listed building consent for proposed internal alterations and changes to external fenestration. (Listed Building Consent ) - Grooms Cottage, Minehead Road, Selworthy, Somerset, TA24 8TJ	21-Oct-2022 Approved with Conditions
6/40/22/104	Ms N Spiers - Proposed change of use of art studio into mixed use (class E - Furniture Workshop) to	21-Oct-2022

**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
	include improvements to existing access (Amended). (Full ) - Exe Vale House, Winsford, Minehead, TA24 7JE	Approved with Conditions
62/11/22/015	Miss. Teresa Salter - Proposed demolition of an existing Pole barn together with the erection of a replacement, relocated barn. (Full ) - DOGSWORTHY, COUNTISBURY, LYNTON, EX35 6NG	25-Oct-2022 Approved with Conditions
6/34/22/110DC	Ms K Hart - Discharge of condition 4 (Ecology) of approved application 6/34/21/105 (Discharge of Condition ) - Bougham Farm, TIMBERSCOMBE, MINEHEAD, TA24 7UN	27-Oct-2022 Approved
62/41/22/036DC	Mr K Ovenden - Discharge of condition 3 (CEMP) of approved application 62/41/20/026. (Discharge of Condition ) - LEE ABBEY FELLOWSHIP, LEE ABBEY, Lynton, EX35 6JJ	27-Oct-2022 Approved
62/41/22/008LB	Mr & Mrs G Shaw - Listed building consent for the proposed conversion of barns to workshops & B&B rooms. (Listed Building Consent ) - NORTH FURZE HILL FARM, BARBROOK, LYNTON, EX35 6LN	27-Oct-2022 Approved with Conditions
62/41/22/007	Mr & Mrs G Shaw - Proposed conversion of barns to workshops & B&B rooms. (Full ) - NORTH FURZE HILL FARM, BARBROOK, LYNTON, EX35 6LN	27-Oct-2022 Approved with Conditions
6/40/22/106	Mr T Faulkner - Proposed first floor extension. (Householder ) - HOWTOWN FARM, WINSFORD, MINEHEAD, TA24 7HN	28-Oct-2022 Withdrawn
6/27/20/115	Mr M Coley - Proposed repair and re-configuration of front walls to form sloping pedestrian access to property, together with removal of property access steps to form pull in parking bay. (Part retrospective). (Householder ) - WAYSIDE, PORLOCK WEIR, MINEHEAD, TA24 8PA	31-Oct-2022 Approved with Conditions
6/40/22/109	Mrs B Neal - Proposed change of use of garage from B2 to E(g)(iii) light industry, mixed use B2, B8 and E under Policy SE-S2 (Amended Red Line). (Full ) - WINSFORD GARAGE LTD, WINSFORD, MINEHEAD, TA24 7JE	01-Nov-2022 Approved with Conditions

**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/20/22/106LB	The Chargot Estate - Listed building consent for proposed single storey rear extension.  (Listed Building Consent ) - THE LODGE, LUXBOROUGH, WATCHET, TA23 0SJ	01-Nov-2022 Refused
6/20/22/105	The Chargot Estate - Proposed single storey rear extension. (Householder ) - THE LODGE, LUXBOROUGH, WATCHET, TA23 0SJ	01-Nov-2022 Refused
62/49/22/001	Mr R Wilkes - Lawful development certificate for the proposed extension to provide disabled facilities and training room together with creation of new ramped access. (CLOPUD ) - Edgemoor Court, SOUTH MOLTON, EX36 3LN	02-Nov-2022 Approved
6/9/19/122	Mr, R, Watts - Lawful Development Certificate for the existing use of land as a garden at Oldberry House. (CLEUD ) - BERRY HOUSE, DULVERTON, TA22 9HR	02-Nov-2022 Approved
6/27/22/120DC	Mr G Pendarves - Discharge of conditions 3 (ecology licence) and 4 (ecology confirmation) of approved applications 6/27/21/113. (Discharge of Condition ) - Ship Stables, Porlock Weir, Minehead, Somerset, TA24 8PB	03-Nov-2022 Approved
6/3/22/108	Mr M & Mrs C Sullins - Proposed single storey side extension (Householder ) - BLAGDON FARM, WITHIEL FLOREY, MINEHEAD, TA24 7DB	03-Nov-2022 Approved with Conditions
6/43/22/115LB	Mrs I Popplewell - Listed building consent of the proposed interior alterations including alterations to flooring and replacement of fireplaces and ceilings. (Listed Building Consent ) - MANOR HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	04-Nov-2022 Approved with Conditions
WTPO 22/05	Mr S Glover - Works to Trees subject to a tree preservation order: Canopy reduce 8 no holm oak, 2 no beech, 1 no sycamore by 30%. Coppice 5 no holm oak, 4 no sweet chestnut, 3 no sycamore. As shown on TPO Map area shaded yellow labelled 00594/G29/G30/W1 (WTPO ) - Tors Park, Countisbury Hill, Lynmouth, EX35 6BN	04-Nov-2022 Approved with Conditions

**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/14/22/105	Ms K Morris - Proposed change of use of agricultural land for the siting of a bow top caravan for use as holiday accommodation, together with, the continued siting of a wooden shed incorporating welfare facilities. Retrospective (Amended description) (Full ) - Picked Stones Farm, SIMONSBATH, MINEHEAD, Somerset, TA24 7LA	04-Nov-2022 Approved with Conditions
6/9/22/109	Ms J Sims - Proposed extension and alterations to existing dwelling, to include the raising of the roof, exterior cladding, demolition of existing flat roof garage, creation of dormers and porch. (Householder ) - WILTON HEIGHTS, 37, JURY ROAD, DULVERTON, TA22 9EJ	04-Nov-2022 Approved with Conditions
62/50/22/006	Mr Halls & Ms Beck - Proposed creation of farm tracks including the construction of a bridge, erection of storage building, refurbishment and extension of car port and associated works (retrospective). (Full ) - HEALE FARM, PARRACOMBE, BARNSTAPLE, EX31 4QE	04-Nov-2022 Approved with Conditions
6/27/22/110	Mr D French - Proposed erection of shed and creation of external storage area. Retrospective. (Full ) - THE OLD BUS GARAGE, PORLOCK WEIR, MINEHEAD, TA24 8PE	04-Nov-2022 Approved with Conditions
62/43/22/003	Mr. A Richards, Hannington Hall Trust - Proposed construction of new accessible pedestrian entrance and path. (Full ) - Hannington Hall, Martinhoe, Barnstaple, EX31 4QT	10-Nov-2022 Approved with Conditions
62/41/22/038LB	Ms. K Wright, Diocese of Plymouth - Listed building consent of the proposed removal of polycarbonate sheet roofing to west elevation of church and reinstatement of new mastic asphalt roof to aisle roof. Replacement of existing asbestos cement roof to laundry (north west corner of convent) and reinstatement with new mastic asphalt roof. Removal of remaining elements of defective timber stair to north end of west roof adjacent to church. Part retrospective. (Listed Building Consent ) - CONVENT OF POOR CLARES, LEE ROAD, LYNTON, EX35 6BX	11-Nov-2022 Approved with Conditions



**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/19/22/105LB	Ms S Wilson - Listed Building Consent for the proposed installation of secondary glazing. (Listed Building Consent ) - ROSE COTTAGE, LUCCOMBE, MINEHEAD, TA24 8TD	11-Nov-2022 Approved with Conditions
6/10/22/125LB	Tithe Barn Committee, Dunster Tithe Barn Community Hall - Listed Building Consent for the proposed erection of storage shed 5.5m x3.5m. (Listed Building Consent ) - THE TITHE BARN, PRIORY GREEN, DUNSTER, MINEHEAD, TA24 6RY	15-Nov-2022 Withdrawn
6/29/22/122LB	Miss S Wilson - Listed Building Consent for the proposed installation of secondary glazing. (Listed Building Consent ) - CHERRY TREES, ALLERFORD, MINEHEAD, TA24 8HN	16-Nov-2022 Approved with Conditions
62/41/22/041	Ms C Bearfield & Mr R Comparon - Proposed restructuring of garage roof, together with, installation of solar panels, windows and external wood panelling. (Householder ) - 4, ALFORD TERRACE, LYNTON, EX35 6AT	18-Nov-2022 Approved with Conditions
62/11/22/014	Mr A Avery - Lawful development certificate for the proposed erection of single storey mono-pitched rear extension. (CLOPUD ) - Muttletwood, Countisbury, Lynton, Devon, EX35 6NG	18-Nov-2022 Approved
62/43/22/004	Mr A Larking - Lawful development certificate for the existing use of buildings as holiday lets (CLEUD ) - TUCKING MILL, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4PX	21-Nov-2022 Approved