



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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26 October 2023

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, 7 November 2023 at 10.00am.**

Please Note: To better manage Authority business, 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).

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).

Sarah Bryan
Chief Executive

AGENDA

The meeting will be chaired by Miss A V Davis, 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.

3. Chairperson's Announcements

4. Minutes

- (1) To approve as a correct record the Minutes of the meetings of the Authority held on 3 October 2023 (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. Revised Budget for 2023/2024:

To consider the report of the Chief Finance Officer (Item 6)

7. Treasury Management Mid-Year Report:

To consider the report of the Chief Finance Officer (Item 7)

8. Risk Management:

To consider the report of the Head of Finance and Operations (Item 8)

9. Proposed Changes to the Authority's National Park Centres:

To consider the report of the Head of Planning and Sustainable Development (Item 9)

10. Governance Review:

To consider the report of the Chief Executive (Item 10)

11. Any Other Business of Urgency

Waiver of 6 Month Member Attendance Rule

Section 85 (1) of the Local Government Act 1972 states that "if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some reason approved by the Authority before the expiry of that period, cease to be a member of the Authority." Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions.

The same Section 85 (1) enables a Local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six month period.

Due to continued health issues which have impacted on attendance, the Authority Committee is asked to give approval of a dispensation for Mrs Christine Lawrence.

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 1.30 pm 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 preside.

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

Agenda Item	Application No.	Description	Page Nos.
12.1	62/50/22/012	Proposed demolition of 2 no. existing cubicle sheds together with its replacement with 1 no. livestock building – West Middleton Farm, Parracombe, Barnstaple, EX31 4PG	1 – 22
12.2	6/3/23/008	Proposed Storage Building – Part Retrospective - Bidgood’s, Bury, Dulverton, TA22 9ND	23 - 30
12.3	6/24/23/004	Proposed erection of replacement shed and dog run – Retrospective - 2 Woodford Cottages, Woodford, Williton, TA4 4HR	31 - 40

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, 1 December 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, 3 October 2023 at 10.00am in the Committee Room, Exmoor House, Dulverton.

PRESENT

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

Mr A Bray	Mr J Patrinos
Mr T Butt Philip	Mrs F Smith
Mrs M Chilcott	Mrs E Stacey
Mr M Ellicott	Mr N Thwaites
Mr D Elson	Dr S Warren
Mr B Geen	Mrs L Williams
Dr M Kelly	Mr J Yabsley
Mr M Kravis	

Apologies for absence were received from Mr L Baker, Mr J Holtom, Mrs C Lawrence, Mr R Milton, and Mrs Nicholson

41. DECLARATIONS OF INTEREST:

- In relation to Item 9.1 – Application 6/29/23/006, all Members declared having received a letter from Mrs Shorten on behalf of a local residents group.
- In relation to Item 9.2 – Application 62/50/23/002, the following interests were declared:
 - Miss Davis declared an interest as a Councillor for Devon County Council
 - Mr Elson declared an interest as a shareholder in the Parracombe Community Trust and confirmed he would withdraw from the meeting for that item.
 - Mr Patrinos declared an interest as a Councillor for North Devon District Council

42. CHAIRPERSON'S ANNOUNCEMENTS: There were none

43. MINUTES

- Confirmation:** The **Minutes** of the Authority's meeting held on 5 September 2023 were agreed and signed as a correct record.
- Matters arising:** In relation to **Minute 30 – Annual Appointments**. It had come to light after the meeting that Officers had recently re-negotiated the working relationship with the Exmoor Hill Farming Network. As a result Member representation at their board meetings had reduced from two to one. As Mr Ellicott had a longstanding relationship with the Network, it was felt appropriate for him to continue for the next 12 months and Mr Yabsley had therefore agreed to step down.

44. PUBLIC SPEAKING: See Minute 47 and 48 for details of public speakers.

45. EXTERNAL AUDIT PLAN FOR THE YEAR ENDING 31 MARCH 2023

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

The Authority's Consideration

Mr Barrie Morris and Mr Liam Royle from Grant Thornton joined the meeting remotely via Microsoft Teams to present the External Audit Plan for the year ending 31 March 2023.

The Chief Finance Officer advised the meeting that in accordance with Regulation 10, paragraph (2a) of the Accounts and Audit Regulations 2015 a notice had been published on the Authority's website advising of the delay in the publication of the Statement of Accounts and Audit Opinion for the year ended 31 March 2023.

Mr Morris advised that the reason for the audit not having commenced was due to a number of factors which meant that Grant Thornton had been unable to provide sufficient resources. However, an audit programme had now been confirmed with the Chief Finance Officer.

Mr Royle then took Members through the detail of the External Audit Plan and confirmed that it was intended for the audit team to be on site during January and February 2024. It was anticipated that all the reporting would then be brought before a Final Accounts Committee meeting in early March 2024.

In relation to Member queries, Mr Royle confirmed that in relation to the Annual Review, the Somerset Pension Fund actuary carries out a triennial valuation of the pension fund assets and liabilities, with data rolled forward for the intervening two years. The last triennial valuation was carried out as of 31 March 2022. The Chief Finance Officer also confirmed that an independent valuer carries out an annual valuation in relation to the Authority's land and property and this was completed in May 2023 for the 2022/23 financial year.

RESOLVED: To receive the report and associated Appendix.

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

The meeting closed for recess at 10.16am

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 1.30pm

Mr Thwaites and Dr Warren left the meeting

Mr Butt Philip joined the meeting

DEVELOPMENT MANAGEMENT

47. Application No: 6/29/23/006

Location: Hurlstone Bungalow, Allerford, Minehead, TA24 8HJ

Proposal: Proposed demolition of existing bungalow and sheds. Erection of replacement eco-bungalow and new shed

The Head of Planning and Sustainable Development advised the meeting that a very helpful site visit had taken place on Friday, 29 September. As a consequence of that meeting, a number of concerns had been raised regarding the Committee Report and whether it had adequately addressed all of the salient points that needed to be considered. There were also concerns that there may not have been full information submitted with the application to enable Officers to fully understand and consider the planning merits of the scheme.

Since the site visit, Officers had been working to try to resolve matters in order to be able to deliver an updated verbal report to the meeting, however given the number of matters that needed to be resolved and the complexity of some of those matters, a decision had been taken to recommend the application be deferred to allow Officers to work with the Applicant, to liaise with third parties, and to engage with residents as necessary, in order to take the matter forward.

It was confirmed that once this work had taken place, the application would be brought back before the Committee so they could consider the merits of the scheme, based upon having all the facts available and a clear understanding of the proposal before them, before making their decision. However, a timeframe for this had not yet been established.

The Head of Planning extended his apologies to those members of the public who had travelled to Dulverton in order to be present at the meeting, and to those who had registered to address the Committee.

Given the nature of the agenda item had now changed from the meeting hearing the detail of the application to one where it had been moved that the item be deferred, the Deputy Chairperson (Planning) offered members of the public who had registered to speak the opportunity to still address the meeting. However, they were advised that they could only speak about the deferral and should not stray into the detail of the application.

Public Speaking

1. Mrs S Shorten, Local Resident
2. Mr D Bickerstaff, Local Resident
3. Mrs P Kelham, Local Resident
4. Mr G Garfield, Local Resident and representative for the South West Coast Path
5. Mr F Robinson, CPRE

The Authority's Consideration

The Head of Planning clarified a number of questions posed by the public speakers regarding the deferment. It was then proposed and seconded that the application be deferred to allow Officers to work with the Applicant and other interested parties in order to bring a revised report back before Members at a future meeting.

RESOLVED: To defer determination of the application to allow Officers to work with the Applicant, to liaise with third parties, and to engage with residents as necessary, before bringing the application back before the Committee at a future date.

The meeting paused for recess at 1.47 pm and reconvened at 1.49 pm

Mr Elson left the meeting

48. Application No: 62/50/23/002

Location: Land West of Parracombe Lane, Easting: 267024, Northing: 145131
Proposal: Proposed construction of 6no. dwellings with associated landscaping and highways works including new road access to Parracombe Lane

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

Public Speaking

1. Mr N Constable, Local Resident & Chair of Parracombe Community Land Trust
2. Mr M Harrison, Local Resident

The Authority's Consideration

After delivering his presentation, the Head of Planning and Sustainable Development advised Members that the application would be subject to a Section 106 Agreement. Therefore, it was confirmed that the Officer recommendation was to request that Members delegate authority to Officers to approve the application, subject to the conditions set out in the report and the satisfactory signing of a S106 Agreement, to ensure that the local needs affordable housing and associated occupancy conditions meet the Local Plan Policies.

Attention was also drawn to a numbering error on Page 58 of the report in relation to Condition 10 - such that the paragraph purporting to refer to Condition 11 actually formed the final part of Condition 10. As a consequence, Condition 12 to Condition 24 would subsequently be renumbered as Condition 11 to Condition 23 in the final decision notice.

The Committee congratulated the Parracombe Community Land Trust, the local community, and all those who had worked with them, for all their work to bring forward the proposal for the erection of six Local Needs Affordable Dwellings and for the quality of the design.

The Authority Chairperson, in their capacity as a Devon County Councillor, confirmed that as suggested on Page 51 of the report a new bus stop would be created at the entrance to the village stores on Parracombe Lane.

Concerns were raised that DCC Highways had not commented on the application since February 2023. However, Officers confirmed they were content that Highways had not raised any objections when pre-application discussions had taken place. The absence of a public footpath to the village was noted, but Officers confirmed that any additional foot traffic generated by the development was considered to be acceptable in planning terms given the narrow nature of Parracombe Lane.

In relation to Member queries, it was confirmed that the development would meet the necessary standards for accessible and adaptable dwellings as detailed on Page 46 of the report; that the number of visitor car parking spaces was considered acceptable by Officers; and that a management maintenance plan had been conditioned to ensure that visibility to the access to the site was maintained, along with other elements of the scheme.

Members noted the concerns raised by Mr Harrison about the requirement in Condition 19 that all doors and windows should only be constructed from timber and retained as such thereafter, due to the increased costs this may have on the development.

Some Members had concerns that this may put additional financial burdens on the cost of delivering the proposed development. However, the majority of the Authority Committee considered that the use of timber for doors and windows was appropriate given the character of the local area; that it would enhance the high quality design of the development; that it was consistent with Policy CE-S6 of the Exmoor Local Plan; and importantly demonstrated that the Committee were ensuring consistency in their decision making.

A motion to accept the Officers amended recommendation was proposed and seconded and unanimously agreed by the Committee.

RESOLVED: To delegate authority to Officers to grant planning permission subject to the conditions set out in the report and the satisfactory signing of a S106 Agreement to ensure that the local needs affordable housing and associated occupancy conditions meet the Local Plan Policies.

- 49. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Authority noted the **decisions of the Chief Executive determined under delegated powers**.
- 50. SITE VISITS:** There were no Site Visits to arrange.

The meeting closed at 2.41pm

(Chairperson)

EXMOOR NATIONAL PARK AUTHORITY

7 November 2023

REVISED BUDGET FOR 2023/2024

Report of the Chief Finance Officer

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

RECOMMENDATIONS: Exmoor National Park Authority is recommended to:

- (1) APPROVE the revised Core Budget for 2023/24 as set out in Appendix 1.
- (2) NOTE the position regarding reserves as set out in Appendix 3 and the projected balance on the General Fund at 31 March 2024 of £350,000 and APPROVE the changes to reserves set out in section 5.
- (3) AUTHORISE the Chief Executive and Chief Finance Officer to make such adjustments as are necessary to keep within the overall budget and with the objective of transferring underspends that arise to reserves.
- (4) NOTE the revised Medium Term Financial Plan position 2023/23 to 2027/28 as set out in Appendix 4.

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

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

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

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

Financial and Risk Implications: The revised budget is in line with the resources made available to the Authority for 2023/24. Budgeting and financial arrangements are in place to control and ensure spending is kept in line with the revised budget with a General Fund balance available to meet any unforeseen eventuality.

Climate Change Response: The report describes projects from within the Authority's Climate Action Plan that are a part of our response to climate change.

1. Introduction

- 1.1 The net budget for 2023/24 was based on the notified National Park Grant (NPG) for the year of £3,211,500. For the fourth year running this did not contain any inflationary change from the previous year and this is the fifth year when the grant has been at this level. 2022/23 was the first year of a three-year frozen settlement.

1.2 The budget that was formulated and approved for 2023/24 was:

	£
Core Budget	2,963,700
Contributions to Reserves	181,800
Top Sliced Programmes	66,000
Total	<u>3,211,500</u>

1.3 The Authority's 2023/24 budget was set at the meeting on 7 March 2023. The budget was set before we had received notification from DEFRA around the level of grant. We also did not know what the pay award would be for 2023/24 and we had only just received notification as to the pay award for 2022/23. Inflation had maintained significant high levels since the invasion of Ukraine in the previous February, and interest rates had started their steady climb.

1.4 When the budget was set, funds were found for Estates works at Weir Cleave and Exford Depot, and a continued investment in meeting the costs of removing trees impacted by Ash Die- Back. Top-sliced support was made available for Exmoor Hill Farming Network, Tourism Support, STEAM and SERC/DBRC records. (Appendix 2).

1.5 When the Authority closed the accounts for 2022/23 in July there was a further opportunity to rebalance resources and fund pressures. The Authority used the opportunity to increase the Modernisation Reserve by £100,000 and find £30,000 for the Development Management Reserve. Following the 2022/23 budgeted reserve allocation, £911,000 was added to reserves at year-end, of this, £369,000 was in relation to a provision for legal and other costs owed to the Authority in respect of the long running planning legal case.

2. Key Themes within the Revised Budget

2.1 The approach when recommending the revised budget is to review the Core Budget, contributions to reserves and top-sliced programmes to ensure that resources can be reallocated between pressures and underspends arising in year.

2.2 The financial consequences of the pandemic have now diminished but instead the key pressure to manage in year has been the impact of inflationary rises with particular respect to probable staff and member pay award. The budget assumed a 5% pay increase but at the time of writing it seems likely that a 6% pay award will be agreed. This equates to an average increase of 1% and an additional cost of £20k.

2.3 With a change in Chief Finance Officer it was seen as a prudent time to review our Medium-Term Financial Planning, and this has been carried out alongside our mid-year budget management reporting.

3. Review of the Core Budget (Month 6 Management Accounts, Appendix 1)

3.1 A detailed review of all the core budget headings has been carried out based on the organisational management arrangements of the Authority. Budgets in the 6 months to date were discussed with all Leadership and Delivery Team members. The results of this review are contained in Appendix 1, which compares the revised budget with the original budget for the year.

- 3.2 The original budget for the year is based upon estimated or anticipated income and expenditure. The revised budget is able to adapt for actual in year financial developments. As such it reflects known changes.
- 3.3 The key challenge this year is funding the cost of the probable pay award and other inflationary pressures such as a new electricity tariff. The other key funding pressures are listed in 2.2. These will be managed from within existing budgetary allocations as explained below.
- 3.4 **Income:** There have been positive trends in National Park Centre income which is projected to see a £10,000 net increase when compared to budget (£29,000 increase in income offset by £19,000 increase in cost of goods sold). Car Parking income is also anticipated to exceed the set budget by £5,000. Interest received from our bank balances is set to exceed budget significantly for 2023/24. In appendix 1 an increase in bank interest of 20,000 is included. These are positive elements when local evidence points to subdued visitor numbers across Exmoor during 2023.
- 3.5 Planning income to date has been lower than anticipated and lower also than a prior year comparison. A projection of a reduction in oncome of £20,000 has been included.
- 3.6 **Expenditure:** There are three relevant vacancies in year which have generated savings. One has been filled, and two are deferred pending a decision on the organisational review.
- 3.7 There are also certain pressures which have arisen in year and have required additional resources. £30,000 has been transferred to the Development Management service to meet the costs of a replacement planning system, £5,000 to meet the increased costs of our external audit service following national increases, and £4,000 to allow for increased HR support charges. The Legal Services budget is also under financial pressure due to the impact of the long running planning dispute. The Legal Contingency reserve is held for this purpose. A net-neutral change has been the move of a post between Information Management and Strategy and Performance budget headings, and this is shown in Appendix 1 for completeness.
- 3.8 The Revised Budget presented does not foresee other significant under or overspends for the remainder of 2023/24. Should these arise at year end, recommendation 3 provides the mechanism whereby the Chief Finance Officer and Chief Executive use the General Fund and reserves to meet any overspend and receive underspend to supplement reserves for future spending periods.
- 4. Top-Sliced Programmes, Partnerships and Contributions to Reserves**
- 4.1 When the revenue budget for the year was set, the top sliced element ('Programmes') was agreed at £66,000 and £118,800 was added to reserves. Appendix 2 sets out the current position of the Programmes, Partnerships and Contributions to Reserves Budget. Alongside the allocations that were made for the current year, the Authority is also delivering against prior year approvals.
- 4.2 No changes are anticipated to the contributions to reserves and top-sliced programmes as agreed in the 2023/24 budget process. These areas have been reviewed with the relevant Leadership Team member as part of the mid-year budget reviews.

- 4.3 Whilst several projects are underway, and a reasonable proportion of the available Programmes budget is committed at the time of writing it is likely that the full budget will not be spent by 31 March 2024. The treatment of underspends will be considered as part of the year end processes.

5. Review of Reserves and Capital Spend

- 5.1 From a starting point for the year of £3,214,875 and with approvals currently at £3,396,675. Projections for the current and the forthcoming two-year period are shown in Appendix 3.
- 5.2 At the end of 2022/23 the Authority has closed the Dunster Action Plan and funds earmarked for County Gate reserve as funds are transferred and the objectives met. Also closed was the Simonsbath Project Delivery reserve with closing funds being transferred to the Ashcombe Garden Restoration as indicated to Members in November 2022.
- 5.3 The Environmental Resilience reserve is funding the roll out of LED lights, completion of the final stage of secondary double glazing at Exmoor House as well as enhanced battery capability at Pinkery. No capital works have yet been completed at Driver Farm but surveys have been undertaken, views have been sought and options are being developed.
- 5.4 An amount of £50,000 per annum continues to be made into the Corporate Equipment and Vehicle Replacement Reserve (CEVA). During 2023/24 this has funded the purchase of Kubota tracked barrow and 3t excavator for the Field Services Team (£26,900 after part-exchange), the replacement of a pool Ford Fiesta with a Renault Zoe Electric vehicle (£18,500) and the replacement of a ranger Land Rover with an electric Toyota Proace Van (£28,000). Sales proceeds from the sale of vehicles will be recycled through the CEVA to support future purchases.
- 5.5 Members will observe that reserves will undergo further review and updating as part of the development of the 2024/25 Medium Term Financial Plan and revenue budget. This will be presented to the Authority at the National Park Authority meeting in March 2024.
- 5.6 The projected balance of approximately £350,000 on the General Fund Reserve is consistent with the Medium-Term Financial Plan. This is the balance held to meet any unforeseen or exceptional items of expenditure and to provide working capital and is the equivalent of one month's operating costs.

6. Financial Outlook and Capability (Review of MTFP, Appendix 4)

- 6.1 The setting of the revised budget also provides the opportunity to reflect on the Authority's longer-term financial position and deliver savings or adjust priorities if the need or desire is there.
- 6.2 The Authority has for a number of years been experiencing declining funding or grants that have not kept pace with inflation. The Authority's response to this so far has been to seek to maintain service levels while achieving efficiencies and increasing alternative sources of income. Events since the 2022/23 budget was set (see 1.3) means that this strategy is no longer sustainable.
- 6.3 When the 2023/24 budget was set, the Authority had a balanced budget for 2023/24 but substantially increased savings targets required in future years were indicated (£193,000 in 2024/25 and £246,000 in 2025/26). Further significant increases rising to £376,000 in the final year of the MTFP (2027/28) were declared.

- 6.4 With the change in Chief Finance Officer in September, the opportunity was taken to review the MTFP. With continued high inflation and a developing Business Review process it was essential to understand the current starting point and projection of our incoming resources and outgoing expenditure over the coming years.
- 6.5 Appendix 4 contains a recast Medium-Term Financial Plan. The original figures for 2024/25 are included, and projected columns for 2024/25, 2025/26, 2026/27 and 2027/28 are provided. Future year projections per the revised MTFP position are as follows:

£000s	2024/25	2025/26	2026/27	2027/28
National Park Grant	3,211	3,211	3,211	3,211
Other Income	1,089	1,113	1,116	1,139
Total Income	4,300	4,324	4,327	4,350
Core Budget Expenditure	4,170	4,281	4,364	4,446
Programmes, Partnerships and Reserves	300	215	215	195
Total Expenditure	4,470	4,496	4,579	4,641
Savings Yet to Be identified	170	172	252	291

- 6.6 The following table provides the reconciliation of key heading areas between the Medium-Term Financial Plan approved at March 2023 Authority, and that which has been developed following the month 6 Budget management and Revised Estimates process:

	Change £000s	Explanation
Income	(3)	Reduction in planning fee income (based on annual comparison)
	5	Increase car park income based on 2022/23 and 2023/24 first 5 months
	30	Increased bank interest, based on average of £2M invested at 3%
	27	Increased National Park Centre Income based on 2022/23 levels and 2023/24 income to month 6
	59	Total Increased Income

Expenditure	(66)	Staffing, removal of budget for two planning posts held over following 2022/23 change in structures, offset by increased pay award estimates
	3	Increased Member allowance costs reflective of pay award
	12	Increased premises costs assumptions
	3	Insurance increased by inflationary amount
	(1)	Rounding reduction in vehicle costs (increased use of EVs)
	(10)	Review of contracted work streams. Aerial photography out, external audit costs increasing.
	2	Increase in corporate subscriptions
	17	Increase in National Park Centre cost of goods sold
	(3)	Reduction in consumables
	2	Increased GIS hosted mapping costs offset by greater use of ICT Reserve funding for equipment replacement
	(4)	Review and rationalisation of communication costs
(45)	Total reduced expenditure	
Programmes, Partnerships and Reserves	81	Review and refocusing of top-sliced programmes, partnerships and reserves funding. Increased allocation

6.7 This has necessitated an alternative approach to the prioritisation and budgeting of ENPA services in the short term. A process has commenced to determine which services will be withdrawn or reduced and which will be continued. This process will provide a body of evidence to support service prioritisation and the development of a more focussed and outward looking national park authority, better suited to the needs of Exmoor and the nation.

6.8 This has and will involve a series of public steps. Intended steps are shown below.

- The July Authority produced an updated Medium Term Financial Forecast.
- The Annual Review of Risk Management is to be presented at this November Authority. This highlights the scale of the challenge and states that this will be a major test of the leadership and governance of the Authority.
- The December Authority will receive a report recommending certain changes to charges that we set.
- Specific options to address the financial challenge will be discussed at the March Authority meeting alongside the setting of the 2024/25 budget.

6.9 Our revenue budget, reserves and capital plans are a significant resource in the underpinning and supporting delivery of our 6 corporate priorities as established in the Corporate Strategy 2023-26:

Our Priorities:

1. A clear response to the nature and climate crises
 2. A welcoming place for all, improving people's health and well-being
 3. A cared for landscape and heritage
 4. A place with flourishing, vibrant, communities and businesses
 5. A highly performing Estate, delivering National Park Purposes
 6. A great organisation to work for
- 6.10 The Authority has an excellent record of managing its financial affairs within the resources that are made available and that it is able to generate. The review of budget progress to date and the recast of our Medium-Term Financial Plan continues this effective stewardship. The resources detailed in this paper are essential in ensuring that we can continue to be a viable enabling organisation that is ambitious and at the forefront of planning for the future.

Ben Barrett
Chief Finance Officer
October 2023

Section	Budget Heading	2023/24 Original Budget £	2023/24 Revised Expenditure £	2023/24 Revised Income £	2023/24 Revised Budget £	Variance between 23/24 Revised and 23/24 Original	Significant Variances
Support to Land Managers	Access & Recreation	78,300	140,400	-61,000	79,400	1,100	
	Archaeology & Historic Environment	89,100	91,000	-1,200	89,800	700	
	Field Services	275,800	341,600	-63,500	278,100	2,300	
	Conservation Advice & Support	329,600	336,700	-4,000	332,700	3,100	
	Rangers	82,700	141,700	-58,000	83,700	1,000	
Support to Land Managers Total		855,500	1,051,400	-187,700	863,700	8,200	
Support services to the Community	Development Management	336,800	443,700	-83,000	360,700	23,900	Reduction in Planning Fee income +£20k
	Rural Enterprise	117,500	118,500	0	118,500	1,000	
Support services to the Community Total		454,300	562,200	-83,000	479,200	24,900	
Support to National Park Users	Education & Volunteers	108,600	112,700	-3,000	109,700	1,100	Increased income estimate (£29k) offset by increase in purchases for resale +£19k Post moved to Strategy & Performance Increased parking income (£5k) and reduction in facilities costs (£2k)
	National Park & Information Centres	170,800	351,000	-188,500	162,500	-8,300	
	Information & Interpretation Management	160,400	148,400	-16,000	132,400	-28,000	
	Pinkery	0	145,000	-145,000	0	0	
	Visitor Facilities	9,400	92,400	-90,000	2,400	-7,000	
Support to National Park Users Total		449,200	849,500	-442,500	407,000	-42,200	
Corporate & Customer Support	Legal Support	70,000	70,000	0	70,000	0	Post moved from Info & Interpretation. Increased HR Support +£4k Increased bank interest (£20k), vacancy saving on HoF post (£8k), increased external audit cost +£5k, ICT reduction in annual support costs (£2k)
	Strategy & Performance	357,600	388,300	0	388,300	30,700	
Finance and ICT Services	Finance and ICT Services	383,600	457,000	-100,000	357,000	-26,600	
Land and Property Services	Land and Property Services	48,900	329,300	-279,200	50,100	1,200	
Support Services Total		860,100	1,244,600	-379,200	865,400	5,300	
Corporate Management	Corporate Management	154,500	154,500	0	154,500	0	Figures received from actuary
	Historic Pensions Contributions	75,000	78,000	0	78,000	3,000	
	Corporate Subscriptions	16,800	16,800	0	16,800	0	
	Members	98,300	99,100	0	99,100	800	
Corporate Management Total		344,600	348,400	0	348,400	3,800	
Total Core Budget		2,963,700	4,056,100	-1,092,400	2,963,700	0	

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

2023/24

ORIGINAL BUDGET

247,800

LESS: Contributions to Reserves

Woodlands - ADB	30,000
Corporate Equipment & Vehicle Replacement	50,000
Weir Cleave	20,000
Exford Roof Repairs	20,000
Internship and Trainee Fund	15,000
Nature recovery vision and monitoring	10,000
Partnership Plan review	15,000
MS 365 Migration	21,800

181,800

LESS: Top sliced Programmes

Tourism	10,000
Hill Farm Network	15,000
Potential Pinkery overspend	20,000
HLF Bid development	7,000
Website Development	5,000
SERC/DBRC Bio-records	5,000
STEAM	4,000

66,000

2023/24 Programmes & Partnership Fund

247,800

**EXMOOR NATIONAL PARK AUTHORITY
ANALYSIS OF RESERVES**

	Balance 31/03/23	2023/24 Budget Allocations	Current Balance	Transfers to/(from) Reserves 2023/24	Transfers to/(from) Reserves 2024/25	Transfers to/(from) Reserves 2025/26	Projected Balance 31/03/26
	£	£	£	£	£	£	£
REVENUE EARMARKED RESERVES							
Support to Land Managers							
Ashcombe Garden Restoration	8,743		8,743				8,743
Mire - Archaeology	14,670		14,670	-14,670			0
Heritage Projects	23,897		23,897	-8,000			15,897
Deer Monitoring Study	13,424		13,424				13,424
Woodland Mgt Reserve	53,362	30,000	83,362	-30,000			53,362
Ennis	14,292		14,292	-14,292			0
Nature Recovery Vision and Monitoring	0	10,000	10,000				10,000
Rights of Way	192,452		192,452	-30,000	-30,000	-30,000	102,452
Support to National Park Users							
Caremoor For Exmoor	449,500		449,500				449,500
National Park Centres spend to save	16,236		16,236	-16,236			0
Get Involved Programme	1,349		1,349	-1,349			0
Health & Well-being	1,088		1,088	-1,088			0
Engagement & Outreach	27,738		27,738	-10,000	-10,000	-7,738	0
Support to the Community and Business							
Development of Planning Service	53,259		53,259	30,000	-53,259		30,000
Conserv Area Appraisals & Neighbourhd Plan	12,283		12,283	-5,000			7,283
Rural Enterprise	63,218		63,218				63,218
Strategy & Performance							
Environmental Resilience	50,481		50,481	-28,000			22,481
Partnership Plan Review	0	15,000	15,000				15,000
IT and Web Development	61,975	21,800	83,775	-20,000	-10,000	-10,000	43,775
Corporate Equipment & Vehicle Replacement	172,325	50,000	222,325	-67,050	-50,000		105,275
Planning Policy	113,356		113,356				113,356
Research & Development	21,901		21,901				21,901
Modernisation	199,306		199,306	-100,000			99,306
Internship and Trainee Fund	21,293	15,000	36,293	-20,000			16,293
Capital Development Reserve	100,000		100,000				100,000
Authority Estate	304,234	40,000	344,234	-65,000	-50,000	-50,000	179,234
	1,990,382	181,800	2,172,182	-400,685	-203,259	-97,738	1,470,500
PROGRAMMES & PARTNERSHIPS							
Programmes - fixed term	117,635		117,635	-30,000			87,635
Partnership Fund/ small grants scheme	33,099		33,099	-15,000			18,099
	150,734	0	150,734	-45,000	0	0	105,734
GENERAL FUND AND CONTINGENCIES							
General Fund	354,293		354,293				354,293
Contingency Fund - General (pf uncommit)	349,966		349,966				349,966
Contingency Fund - Legal	369,500		369,500	30,000			399,500
	1,073,759	0	1,073,759	30,000	0	0	1,103,759
TOTAL RESERVES	3,214,875	181,800	3,396,675	-415,685	-203,259	-97,738	2,679,993

Exmoor National Park Authority
Medium Term Financial Plan 2023/24 - 2027/28
 At 7 November Revised Estimates

	2022/23 Original £'000	2023/24 Original £'000	Original 2024/25 Projected £'000	Revised 2024/25 Projected £'000	Revised 2025/26 Projected £'000	Revised 2026/27 Projected £'000	Revised 2027/28 Projected £'000
Income							
National Park Grant Income (Defra) - including one off funding	3,211	3,211	3,211	3,211	3,211	3,211	3,211
- Fees - planning,	95	103	106	103	108	111	114
- Fees - car parks	80	85	90	95	100	105	110
- Interest earned	16	80	30	60	60	40	40
- Rents & Contributions	300	328	335	335	340	347	354
- National Park Centre Sales Income	99	110	113	140	144	147	150
- Grants	10	16	16	16	16	16	16
- Rights of Way Income	50	155	155	155	155	155	155
- Pinkery Trading Income	140	145	150	150	155	160	165
- Other	13	36	36	35	35	35	35
Total:	803	1,058	1,031	1,089	1,113	1,116	1,139
Total Income	4,014	4,269	4,242	4,300	4,324	4,327	4,350
Expenditure							
Core budget - Pay							
Current Establishment (excluding Pinkery)	2,444	2,682	2,816	2,750	2,841	2,899	2,956
Pension Costs - Fixed Element	150	75	78	78	78	81	84
Target Pay Budget	2,594	2,757	2,894	2,828	2,919	2,980	3,040
Core budget Non-Pay							
Member costs	98	98	99	102	104	105	106
Premises costs	184	223	226	238	238	241	244
Insurance	53	53	54	57	57	58	59
Travel / vehicle costs	101	98	100	99	100	102	104
Equipment	58	64	65	65	66	67	68
Contracted work (e.g. audit fees, legal services)	243	234	272	262	270	273	276
Grants and contributions	11	7	7	7	7	7	7
Subscriptions	35	22	22	24	24	24	24
National Park Centre Cost of Goods Sold	60	65	67	84	87	89	91
Consumables	63	62	63	60	60	61	62
ICT Expenditure	70	72	73	75	75	76	77
Communications	32	27	28	24	24	25	26
Toilet & car park costs	89	94	95	95	95	96	97
Pinkery	140	145	150	150	155	160	165
Total non-pay budget	1,237	1,264	1,321	1,342	1,362	1,384	1,406
Total Core Budget	3,831	4,021	4,215	4,170	4,281	4,364	4,446
Programmes, Partnerships & Contributions to Reserves							
Contributions to Reserves	115	182	70	220	135	135	115
Top Sliced Programmes	68	66	149	30	30	30	30
Partnership Fund - small grants scheme/ Contingency	0	0	0	50	50	50	50
Total available Programmes & Partnerships Budget	183	248	219	300	215	215	195
Total expenditure	4,014	4,269	4,434	4,470	4,496	4,579	4,641
Savings yet to be identified	0	0	-193	-170	-172	-252	-291

EXMOOR NATIONAL PARK AUTHORITY

7 November 2023

TREASURY MANAGEMENT MID-YEAR REPORT

Report of the Chief Finance Officer

Purpose of Report: To report to Members on Treasury Management Performance for the first six months of the 2023/24 financial year.

RECOMMENDATION: Exmoor National Park Authority is recommended to NOTE the Treasury Management Outturn for the first six months of the 2023/24 financial year.

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

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

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

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

Background Papers: -

- The Local Government Act 2003 (LGA 2003)
- The CIPFA Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes Revised Edition 2021 (CIPFA TM Code).
- The CIPFA Prudential Code for Capital Finance in Local Authorities: Revised Edition 2021 (CIPFA Prudential Code).

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

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

1. Introduction

- 1.1 The Treasury Management Strategy for 2023/24 is underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (Revised 2021), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that the Authority is informed of Treasury Management activities at least twice a year.

- 1.2 CIPFA published new versions of the Prudential Code for Capital Finance in Local Authorities (Prudential Code) and the Treasury Management Code of Practice. The Department for Levelling Up, Housing, and Communities (DLUHC) also published revised Investment Guidance which came into effect from April 2018. This report gives a summarised account of Treasury Management activity and outturn for the first half of the year, and ensures the Authority is embracing best practice in accordance with CIPFA recommendations.
- 1.3 During the reporting period, Somerset Council (SC) has managed Treasury Management activities under a new Service Level Agreement. Whilst the Comfund no longer exists, SC sweeps cash daily between ENPA and SC accounts to bring the ENPA account to zero. It then amalgamates ENP cash with its own and lends it into the cash market. ENPA receives the overall rate earned by SC investments, minus an administration fee.
- 1.4 The Authority delegates responsibility for the implementation and monitoring of its treasury management policies and practices, and the execution of administration of treasury management decisions, to me as Chief Finance Officer.

2. Investment Activity

- 2.1 A total of £69,688 has been earned in gross interest in the first six months of the year on an average balance of £2.92m (£16,438 on £2.83m for the same period 2022-23). An administration fee of £747 was deducted, giving net income of £68,941 for the period.
- 2.2 The return has been 4.67% on an average balance of £2.92m. When compared to the market, this was 0.04% lower than the overnight SONIA rate (a benchmark rate at which Banks will lend to each other), and 0.13% below average base rate. A below benchmark return is practically inevitable in a rapidly rising interest rate environment. The table below highlights these figures: -

	Balance on 31/03/2023 £000	Rate as at 31/03 %	Balance on 30/09/2023 £000	Rate as at 30/09 %	Average Balance for period £000	Average Rate for period %
Balances	2,303	4.25	2,744	5.18	2,979	4.67

- 2.3 The Guidance on Local Government Investments in England gives priority to security and liquidity and the Authority's aim is to achieve a yield commensurate with these principles.
- 2.4 As mentioned in 1.3, SC has managed Treasury Management activities under an agreed Service Level Agreement. The current arrangement strategy of lending all surplus funds to SC represents an investment that is virtually free from risk of counterparty default, as SC is the only counterparty.
- 2.5 Security of capital remained SC's main investment objective. Current SC approved deposit counterparties are listed below. Those used during the first half of the year are denoted with a star.

Bank or Building Society		Rabobank	
Australia & NZ Bank	*	Royal Bank of Scotland	
Bank of Scotland		Santander UK	*
Bank of Montreal		Standard Chartered Bank	*
Bank of Nova Scotia		Handelsbanken Plc	
Barclays Bank Plc		Toronto-Dominion Bank	*
Commonwealth Bank of Australia		United Overseas Bank	
Canadian Imperial Bank of Commerce		Sterling LVNAV Money Market Funds	
DBS Bank Ltd	*	Deutsche MMF	*
DZ Bank		Invesco Aim MMF	*
HSBC Bank		Federated Prime MMF	*
Landesbank Hessen- Thuringen	*	Insight MMF	*
Lloyds Bank	*	Aberdeen Standard MMF	*
National Australia Bank		LGIM MMF	*
National Bank of Canada	*	SSGA MMF	*
National Westminster	*	Aviva MMF	*
Nationwide BS		Other Counterparties	
Nordea Bank	*	Other Local Authorities (Number of Deals)	* (12)
OP Corporate Bank		Debt Management Office	
Oversea-Chinese Banking Corporation (Singapore Bank)			

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

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

Counterparty Update

- 2.7 Following concerns of a wider financial crisis after the collapse of Silicon Valley Bank, and the purchase of Credit Suisse by UBS, in March SC's treasury advisors Arlingclose reduced the advised maximum duration limit for all banks on its recommended counterparty list to 35 days. This stance was maintained to the end of the period.
- 2.8 During the second quarter of the period, Moody's revised the outlook on Svenska Handelsbanken to negative from stable, citing concerns around the Swedish real estate sector.
- 2.9 Following the issue of a Section 114 notice, in September, SC advisors Arlingclose advised against undertaking new lending to Birmingham City Council, and later in the month cut its recommended duration on Warrington Borough Council to a maximum of 100 days.
- 2.10 The Council continued to monitor and assess credit default swap levels for signs of ongoing credit stress. Heightened market volatility is expected to remain a feature, at least in the near term and, as ever, the institutions and durations on the Council's counterparty list recommended by treasury management advisors Arlingclose remain under constant review.

3. The Economic Background

- 3.1 UK inflation remained stubbornly high over much the period, keeping expectations of how much further the Bank of England (BoE) would hike rates elevated. However, inflation data published in the latter part of the period undershot expectations, causing financial markets to reassess the peak in BoE Bank Rate. This was followed very soon after by the BoE deciding to keep Bank Rate on hold at 5.25% in September, against expectation for another 0.25% rise.
- 3.2 Economic growth in the UK remained relatively weak over the period. In calendar Q2 2023, the economy expanded by 0.4%, beating expectations of a 0.2% increase. However, monthly GDP data showed a 0.5% contraction in July, the largest fall to date in 2023 and worse than the 0.2% decline predicted which could be an indication the monetary tightening cycle is starting to cause recessionary or at the very least stagnating economic conditions.
- 3.3 July unemployment data showed the rate increased to 4.3% (3mth/year) while the employment rate rose to 75.5%. Pay growth was 8.5% for total pay (including bonuses) and 7.8% for regular pay, which for the latter was the highest recorded annual growth rate.
- 3.4 Inflation continued to fall from its peak as annual headline CPI declined to 6.7% in July 2023 from 6.8% in the previous month against expectations for a tick back up to 7.0%. The core rate also surprised on the downside, falling to 6.2% from 6.9% compared to predictions for it to only edge down to 6.8%.
- 3.5 The Bank of England's Monetary Policy Committee continued tightening monetary policy over most of the period, taking Bank Rate to 5.25% in August. Against expectations of a further hike in September, the Committee voted 5-4 to maintain Bank Rate at 5.25%. Each of the four dissenters were in favour of another 0.25% increase.
- 3.6 Financial market Bank Rate expectations moderated over the period as falling inflation and weakening data gave some indication that higher interest rates were working. Expectations fell from predicting a peak of over 6% in June to 5.5% just

ahead of the September MPC meeting, and to then expecting 5.25% to be the peak by the end of the period.

- 3.7 Gilt yields fell towards the end of the period. The 5-year UK benchmark gilt yield rose from 3.30% to peak at 4.91% in July before trending downwards to 4.29%, the 10-year gilt yield rose from 3.43% to 4.75% in August before declining to 4.45%, and the 20-year yield from 3.75% to 4.97% in August and then fell back to 4.84%. The Sterling Overnight Interbank Average (SONIA) averaged 4.71% over the period.
- 3.8 Sterling Overnight Interbank Average (SONIA) money market rates moved up during the period, anticipating gradual base rate rises. The 1-month, 3-month, 6-month, and 12-month SONIA rates averaged -4.86%, 5.16%, 5.45%, and 5.77% respectively over the period, and ended the period at 5.22%, 5.51%, 5.63%, and 5.77% respectively.
- 3.9 Lending, rates between Local Authorities have unusually been elevated in relation to market rates, as demand has generally outstripped supply. The effect that economic conditions had on money market rates during the period, can be seen in Table 1, Appendix A.

4. Debt Management

- 4.1 The Authority is currently debt free. Any potential borrowing is driven by the capital plan. There are no plans that would necessitate borrowing during the remainder of 2023/24 or in the foreseeable future.

5. Compliance with Prudential Indicators

- 5.1 The Authority has no borrowing, and all lending remains at a maximum of one month duration, therefore all Prudential Indicators remain at zero. For completeness of reporting, and in line with the CIPFA code, the Authority can confirm that it has complied with its Prudential Indicators for 2023/24. Those agreed by Full Authority and actual figures as at 30th September are included below: -

	2023/24 £thousand	As at 30-09-23 £thousand
Authorised limit (borrowing only)	100	0
Operational boundary (borrowing only)	100	0

Maturity structure of borrowing

	Upper Limit	Lower Limit	As at 30-09-23
Under 12 months	100%	0%	0%
>12 months and within 24 months	0%	0%	0%
>24 months and within 5 years	0%	0%	0%
>5 years and within 10 years	0%	0%	0%
>10 years	0%	0%	0%

	2023/24 £thousand	As at 30-09-23 £thousand
Prudential Limit for principal sums invested for periods longer than 365 days	0	0

Credit Risk Indicator

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

Credit risk indicator (to be below target)	Target	Actual
Portfolio average credit rating (score)	A (6)	A+(4.83)

6. Outlook for Quarters 3 & 4

- 6.1 UK inflation and wage growth remain elevated, but the August CPI data suggested that inflation was falling more rapidly. The UK economy has so far been resilient. However, recent data indicates a further deceleration in business and household activity growth as higher interest rates start to bite.
- 6.2 In a narrow 5-4 vote, the MPC took the opportunity to hold rates at 5.25% in September, a level many now see as the peak. Policy rates are expected to remain at the peak for another 10-12 months. It is anticipated that the MPC will cut rates in the medium term to stimulate the UK economy but will be reluctant to do so until it is sure there will be no lingering second round effects.
- 6.3 Rate cuts are predicted from Q3 2024 to a low of around 3% by early 2026. • The immediate risks around Bank Rate lie to the upside, but these diminish over the next few quarters and shift to the downside before balancing out, due to the weakening UK economy and dampening effects on inflation.
- 6.4 Long-term gilt yields are expected to eventually fall from current levels reflecting the lower medium-term path for Bank Rate. However, yields will remain relatively higher than in the past, partly due to quantitative tightening, with continued elevated volatility.

A table of forecast rates to September 2026 is shown below: -

	Dec 23	Mar 24	Jun 24	Sep 24	Dec 24	Mar 25
Upside Risk	0.00	0.25	0.50	0.75	0.75	0.75
Base Rate	5.25	5.25	5.25	5.00	4.75	4.25
Downside Risk	0.00	-0.25	-0.50	-0.75	-1.00	-1.00

	Jun 25	Sep 25	Dec 25	Mar 26	Jun 26	Sept 26
Upside Risk	0.75	0.75	0.75	0.75	1.00	1.00
Base Rate	4.00	3.75	3.50	3.25	3.00	3.00
Downside Risk	-1.00	-1.00	-1.00	-1.00	-1.00	-1.00

7. Summary

- 7.1 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during the first six months of 2023/24. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

Ben Barrett
Chief Finance Officer
October 2023

Appendix A

Money Market Data and PWLB Rates

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

Table 1: Bank Rate, Money Market Rates -SONIA (Sterling Overnight Interbank Rates)

Date	Bank Rate	O/N SONIA	7-day SONIA	1-month SONIA	3-month SONIA	6-month SONIA	12-month SONIA
01/04/2023	4.25	4.17	4.20	4.11	4.43	4.59	4.89
30/04/2023	4.25	4.17	4.20	4.37	4.70	4.93	5.17
31/05/2023	4.50	4.42	4.45	4.54	4.95	5.21	5.56
30/06/2023	5.00	4.90	4.91	5.02	5.42	5.90	6.38
31/07/2023	5.00	4.91	5.10	5.27	5.48	5.80	6.17
31/08/2023	5.25	5.17	5.18	5.31	5.52	5.82	6.05
30/09/2023	5.25	5.19	5.19	5.22	5.51	5.63	5.77
Minimum	4.25	4.06	4.20	4.11	4.39	4.53	4.86
Maximum	5.25	5.19	5.35	5.49	5.59	5.95	6.60
Average	4.80	4.71	4.76	4.86	5.16	5.45	5.77
Spread	1.00	1.13	1.15	1.38	1.20	1.42	1.74

Table 2: PWLB Borrowing Rates – Fixed Rate, Equal Instalment of Principal (EIP) Loans

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2023	128/23	4.74	4.50	4.54	4.78	4.48	4.89
30/04/2023	163/23	4.94	4.70	4.74	4.98	5.09	5.10
31/05/2023	203/23	5.45	5.20	5.16	5.37	5.48	5.49
30/06/2023	247/23	6.24	5.84	5.45	5.52	5.56	5.53
31/07/2023	289/23	5.85	5.53	5.34	5.48	5.55	5.53
31/08/2023	333/23	5.81	5.50	5.38	5.56	5.64	5.64
30/09/2023	375/23	5.63	5.39	5.47	5.72	5.85	5.87
	Low	4.55	4.32	4.41	4.66	4.78	4.78
	High	6.42	6.06	5.71	5.87	5.94	5.92
	Average	5.61	5.32	5.22	5.40	5.49	5.48
	Spread	1.87	1.74	1.30	1.21	1.16	1.14

Table 3: PWLB Borrowing Rates – Fixed Rate, Maturity Loans

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2023	128/23	4.53	4.53	4.89	4.85	4.72	4.60
30/04/2023	163/23	4.73	4.72	5.09	5.07	4.95	4.84
31/05/2023	203/23	5.21	5.15	5.48	5.47	5.39	5.29
30/06/2023	247/23	5.91	5.45	5.56	5.45	5.28	5.15
31/07/2023	289/23	5.59	5.33	5.55	5.49	5.37	5.25
31/08/2023	333/23	5.55	5.38	5.64	5.60	5.47	5.33
30/09/2023	375/23	5.42	5.46	5.84	5.85	5.76	5.62
	Low	4.34	4.4	4.78	4.73	4.59	4.46
	High	6.13	5.71	5.94	5.88	5.78	5.65
	Average	5.36	5.21	5.49	5.44	5.32	5.19
	Spread	1.79	1.31	1.16	1.15	1.19	1.19

EXMOOR NATIONAL PARK AUTHORITY

7 November 2023

RISK MANAGEMENT

Report of the Head of Finance and Operations

Purpose of Report: To report that the review of the risk management arrangements for the Authority that has been carried out.

RECOMMENDATIONS: The National Park Authority is recommended to:

- (1) NOTE that the annual review of Risk Management has been carried out.
- (2) APPROVE the Health, Safety & Welfare Policy set out in Appendix 1.
- (3) APPROVE the Risk Register set out in Appendices 2 and 3.
- (4) NOTE that the Business Continuity/Disaster Recovery Plan has been reviewed.

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

Legal and Equality Implications: The equality impact of the recommendation of this report has been assessed as having no adverse effects regarding equality impact.

Consideration has been given to the provisions of the Human Rights Act 1988 and an assessment of the implications of the recommendation of this report is that there are no adverse impacts on human rights.

Financial and Risk Implications: Provision is made in the annual budget for managing risk, including health and safety requirements. The review has highlighted no additional financial requirement and confirmed that arrangements are in place for the management of risk.

Climate Response: The report highlights the risk of the Authority's failure to reach carbon reduction targets and the impact of climate change to service provision.

1. Introduction

- 1.1 A review of the risk management arrangements has been carried out. The process of risk management is intended to make sure that those managing an organisation and its work activities are fully aware of the inherent risks and adopt the necessary, balanced precautions. It is not about cultivating a risk averse culture but it is about managing adverse risks. Risk Management can be of increased importance at a time when an organisation could be facing significant change.
- 1.2 The Institute of Risk Managers has produced this definition of risk management:- "the identification, measurement, control and financing of those risks which threaten the existence, the assets, the income or the personnel of an organisation or the services it provides".

1.3 Specifically, risk management aims to cover all areas of an organisation's activities including decision making and performance management. In so doing it endeavours to:

- Protect service delivery and its impacts on the general public
- Protect the image and reputation of the Authority
- Secure the assets of the Authority
- Secure the funding and income sources of the Authority
- Secure the well-being of employees and users of services
- Ensure the integrity and resilience of information systems
- Ensure probity and sound ethical conduct
- Avoid criminal prosecution or civil litigation
- Avoid financial loss, fraud or corruption
- Inform and enhance performance management

2. The Authority's Current Position

2.1 The possibility of a risk happening, materialising into an adverse event is always a possibility and Exmoor National Park Authority already has a wide range of measures in place to protect itself and prevent the realisation of risks. These include:

- Promotion of a strong health and safety culture.
- All staff have the opportunity to raise any health, safety and welfare concerns with their Manager, HR or at regular team meetings. Any accidents or "near misses" are recorded and investigated so as to prevent any recurrence.
- The online Risk Assessment system continues to work well and has recently migrated onto SharePoint. Fire risk assessments have been updated for Exmoor House and the other corporate properties.
- The Safeguarding Policy and the DBS clearance guidance have been reviewed. The Social Media Policy has also been updated to accord with our Safeguarding Policy.
- The Authority hosts Physical and Mental Health and Wellbeing pages on our intranet, including helpful guidance, information, and signposting. We are seeking to refresh staff training on Mental Health awareness.. A new e-learning site has been introduced which is purely focused on mental health and wellbeing and is delivered by mental health specialists, providing learning, webinars, and live events that staff can attend. The Authority has signed up to the Menopause Pledge and has developed a new Menopause at Work Policy, together with signposting and useful information on our intranet. Training to support Managers is planned for next year.
- Financial activities are scrutinised by the Internal and External auditors and annual reports are presented to the Authority. Each year a Treasury Management Strategy Statement is adopted by the Authority and on two other occasions through the year the Authority reports on compliance with it. The Authority prepares a Medium Term Financial Plan covering a five-year period, agrees the Annual Budget and closely monitors all expenditure.

- In reaching a view on the 2021/22 accounts, the external auditors were required to report on the Authority's arrangements in improving economy, efficiency and effectiveness, governance, and financial sustainability. The auditors did not identify any weaknesses in respect of the Authority's VFM arrangements (currently awaiting the 2022/23 external audit process to commence).
- Annual Governance Statement: an annual statement is produced and audited by the Devon Audit Partnership (DAP) our internal auditors. A new Code of Corporate Governance was produced and this resulted with the audit opinion showing as High Standard with overall arrangements for generating the Annual Governance Statement being sound and effective.
- Legality: the posts of Chief Executive and Chief Finance Officer are staffed by experienced officers and the Authority procures its Monitoring Officer through Devon County Council. These controls ensure the legality and reasonableness of its activities. Members of the Authority receive regular briefings on subjects necessary to ensure that legalities are followed.
- Insurance: On 1st April 2022 the Authority moved insurers following a tender exercise taken across certain national parks. This gave the Authority the opportunity to review its insurance cover to ensure that it is adequate and covers as much of its "transferable" risk as is practicable. Regular update meetings are held with insurance broker and underwriters.
- Performance Management: The objectives of the National Park Partnership Plan are linked to budgets and the work plans of all staff. Progress is monitored quarterly and six-monthly reports are compiled so that the Leadership Team and the Authority are aware of progress and have early warning of any emerging problem areas.
- Condition maintenance surveys and safety plans are developed for all Authority owned properties. We are working with our insurers (Zurich Municipal) to have independent risk surveys undertaken at our more significant sites (Exford Depot, Exmoor House and Lynmouth Pavilion).
- Project Management: The Authority uses a project management framework to help in the completion of a range of projects with which the Authority is involved.
- Conduct: The Code of Conduct for Members was last reviewed in December 2021 based on the Local Government Association Model Code of Conduct. The Standards Committee oversees standards of conduct and an Independent Person is appointed to advise on breaches of the Member Code of Conduct. Members receive regular training to ensure that standards are maintained.
- Business Continuity / Disaster Recovery Plan: This provides a framework for action in the event of the loss of ICT services, the loss of Exmoor House and the Authority's other premises for an extended period. The investments in ICT capability over recent years has significantly improved resilience in this area.

2.2 The Authority continues to be alert to the risk of future pandemics and continues to monitor the current endemic. The majority of staff at Exmoor House are hybrid working and Members now attend Authority meetings in person.

2.3 Risk Management forms part of the corporate governance framework. The Corporate Governance arrangements are reviewed annually by the Chief Finance Officer and Solicitor and Monitoring Officer.

- 2.4 The Annual Accounts include a signed declaration by the Chief Finance Officer and the Annual Governance Statement is signed by the Chairperson and Chief Executive and included in the audited annual statement of accounts. The Annual Accounts are given formal approval by the Final Accounts Committee which receives a report from the appointed External Auditor.
- 2.5 The annual review of the Health, Safety & Welfare Policy has been carried out and this is attached at [Appendix 1](#) for consideration and approval. This was subject to a redraft in 2019 to improve consistency with other policy documents. This has been reviewed to account for staff changes and an amended process in terms of the Staff Focus Groups. This was due to a change in our working practices.
- 2.6 The Cabinet Office has produced a national risk register and regional ones which cover the area of the National Park have been produced by Local Resilience Forums. The Authority's own risk register supplements these and deals with the risks which have the potential to affect the strategic work of the Authority, and this, too, has been reviewed.
- 2.7 An updated version of the Strategic Risk Register is attached at [Appendix 2](#) and the Risk Management Matrix at [Appendix 3](#). This is recommended for approval.
- 2.8 The Strategic Risk Register has been recently reviewed by Leadership Team. In particular:
- The risks attached to the level of National Park grant has now been increased due to the stagnation of National Park Grant combined with significant inflationary pressures over the past 18 months.
 - The risk of having insufficient staff to chase external funds is explicitly referred to.
 - Within financial risk, 3.4, we refer to the impact of the latest staff pay award.
 - We refer to the new Protected Landscapes Partnership within legislative risks.
 - Risks around employee mental health and wellbeing and talent retention, attraction and succession planning are increasing in concern.
 - Within reputational risks, the impact of the nature recovery strategy is now mentioned.
 - The risks attached to national partnership working related to the Authority's withdrawal from National Parks England are shown in 8.3.
- 2.9 At the current time, the Authority is facing a set of challenges that generate risks exceptional in terms of scale even though they may sound familiar. It is incredibly challenging to recruit skilled staff and there is a clear impact in delivering services, seeking funding and delivering projects. Contractors are also in high demand and it is increasingly challenging to access expertise or deliver tender processes. This makes it harder to manage liabilities within the estate and protect our assets.
- 2.10 There is also significant risk attached to our financial situation. Though we still possess one off resources in the form of reserves and other assets, the short and medium term has never been so difficult. The twin impacts of the frozen national park grant and the still outstanding pay award for 2023/24, coming on the back of over ten years of insufficient funding require major changes to our core budget to maintain stability. This will be a major test of the leadership and governance of the Authority over the next 12-24 months. It is more important than ever that we seek a renewed focus on key priorities and legal obligations.

3. Risk Evaluation

- 3.1 The process for identifying and categorising risks has been described in section 2 and shown in full in Appendix 2. All identified risks are scored against their inherent risk levels and following current controls and mitigations in place a current risk level is arrived at. The Risk Management Matrix in Appendix 3 plots the weighting of likelihood and impact for each current risk from Appendix 2.
- 3.2 Likelihood is the probability or chance of an event occurring that may lead to potential risk, weightings in Appendices 2 and 3 use the following scale:

Risk Likelihood Ratings	Criteria
Rare	0-5% (Very unlikely to occur)
Unlikely	6-20% (Unlikely but not impossible to occur)
Possible	21-50% (Fairly likely to occur)
Likely	51-80% (more likely to occur than not)
Very Likely	81-100% (almost certain to occur)

- 3.3 Impact refers to the extent to which a risk event might affect the organisation, weightings in Appendices 2 and 3 use the following scale:

Risk Impact Ratings	Description
Negligible	Fairly insignificant, may lead to a tolerable delay in the achievement of objectives or minor reduction in quality/increase in costs
Minor	Some impact for programmes or projects. Financial implications which are easily resolved. Short to medium term effect.
Moderate	Considerable impact on programmes and projects. Financial Implications with medium term recovery required.
Major	Major impact on costs and objectives. Serious impact on output and/or quality and reputation. Medium to long-term effect and expensive to recover
Catastrophic	Critical impact on the achievement of objectives and the overall performance. Potential for loss of life, major loss of resources and impact on performance objectives. Very difficult to recover from in long-term

- 3.4 Likelihood and Impact scores are combined to provide an overall risk assessment score:

Risk Assessment Score	
1-2	No Action Necessary
3-9	Consequences are not severe and can be managed by contingency and detailed action plans. Risks to be regularly monitored.
10-16	Risks of significant concern. Covered by mitigation plans, materialisation of risk would be severe but not disastrous. Immediate action along with development of appropriate action plan required.
20-25	Materialisation of risk would have catastrophic/disastrous impact on the Authority's reputation or requiring Business Continuity, Disaster Recovery plan to be invoked immediately. Immediate and comprehensive action would be required.

		Risk Assessment Matrix				
Likelihood	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5
		Impact				

4. Business Continuity and Disaster Recovery

4.1 The Business Continuity/Disaster Recovery Plan (BCDR) is an integral part of the Authority's Risk Management Strategy. The BCDR Plan provides a framework for action in the event of the loss/disruption for an extended period of ICT Services, key staff, Exmoor House, and the Authority's other premises.

4.2 In reviewing the Plan the following factors have been considered:

- The Authority provides no mission critical or emergency services that require continuous delivery.
- In the event of a major incident, the Authority may have to cope with the loss of ICT Services, Exmoor House and its other premises for up to a week. This would have a detrimental effect on services in the short term. ICT services are still able to be provided if Exmoor House was inaccessible.
- Enhancements have been made to the Authority's resilience via the use of Microsoft 365 for Outlook and data hosting. This enables staff to access e-mail and calendars on-line rather than via the servers based at Exmoor House. Further progress has been made over the use of SharePoint, OneDrive and MS Teams is being increasingly integrated with working practices. ICT Strategic aims are for the majority of data and applications to have offsite hosting during the next financial year.

- Regular backups and the retention of backup servers will enable the restoration of the ICT systems from a suitable location with sufficient connection speeds within 24-48 hours. Extreme events such as major fire to Exmoor House or serious ransomware attack will have an impact on length of restoration of services.
- Vital and unique records including planning records, contracts and land and property documentation will have a third backup at a remote location and/or via cloud storage.
- The Authority's website, Financial, Payroll and Human Resources systems are hosted by third party service providers.
- The Authority has recently been working more closely with DEFRA and the National Cyber Security Centre (NCSC) to ensure best practice in relation to cybersecurity threats and events.
- Because Exmoor House is in a flood plain, key records are stored digitally or if held in paper form are either housed on the first floor of Exmoor House or raised off the ground. Documents are also held at the Town Centre Offices. Over the last twelve months the digitalization of documents continues.
- All the Authority telephony lines are now cloud hosted. In the event of the loss of power to a site there are backup options covered using mobile phones and redirection of numbers.
- Exmoor House incoming calls would be answered in the event of a loss of power by utilising smartphones in the first instance. Recent transfer of telephony services to the Cloud have enhanced our resilience with the ability to transfer lines to any location/device with internet access (alternative location, employees working from home).
- The Uninterrupted Power Supply (UPS) at Exmoor House would maintain power supplies to ICT equipment for at least 1 hour and 15 minutes to allow for an orderly shutdown. Out of hours the risks associated with a power failure are accepted.
- An incident information line service has been enabled which will be cascaded to staff to enable them to telephone in and listen to a recorded message providing them with information/instruction. This is predominantly used for instances of adverse weather.

4.3 The robustness of our systems and processes have been tested because of the pandemic. We now have much greater experience in remote working, using video conferencing facilities and accessing the phone systems externally. We have a robust medium to long term ICT costed replacement plan which will ensure that the Authority's programmes and activities are supported, and these systems underpin a large proportion of the Authority Business Continuity and Disaster Recovery plan.

Ben Barrett
Head of Finance and Operations
October 2023

Exmoor National Park Authority - Policy

HEALTH, SAFETY AND WELFARE**POLICY STATEMENT**

This policy sets out the Authority's commitment to health, safety and welfare and the responsibilities of its staff and health and safety groups.

The Authority's commitments to health, safety, and welfare

The Authority aims for excellence in the health, safety, and welfare of all its employees and of anyone else affected by its activities. It will achieve this through ensuring awareness, competence, and compliance and by enabling the development and sharing of good practice:

Awareness: All who work with and for the Authority will have an awareness and understanding of potential health and safety risks and their own responsibilities in achieving safe working practices. Identified risks will be assessed, controlled, and monitored.

Competence: All who work with and for the Authority will have the competence to undertake their work with minimum risks to health, safety and welfare. People will be adequately instructed and trained to identify risks and implement safe working practices and will be empowered to raise health and safety concerns with all levels of management.

Compliance: All who work with and for the Authority will be required to report and investigate accidents, incidents and near misses to drive improvement in health and safety management. Managers will actively and openly monitor, and review working practices and implement any changes required to comply with legislation and improve our health and safety performance. We will engage and collaborate with contractors to ensure their working practices fulfil legislative and best practice requirements.

The Authority will allocate adequate resources for health and safety training, equipment and the development of working practices.

CONTENTS

1. Health, Safety, and Welfare Responsibilities
2. Reporting Health, Safety or Welfare Issues
3. Staff Consultative Groups
4. Health, Safety and Welfare Policies and Procedures
5. Officers Referred to in this Policy

HEALTH AND SAFETY POLICY

1. HEALTH, SAFETY, AND WELFARE RESPONSIBILITIES

1.1. Authority Members have a duty to ensure the effective management of health and safety throughout the organisation. Authority Members will liaise with the Chief Executive to monitor delivery of the commitments within this policy and ensure that adequate resources are available to meet the Authority's health, safety, and welfare responsibilities.

1.2. The Chief Executive has overall responsibility for the operation and development of health and safety policy and practice. They are responsible for ensuring, as far as reasonably possible, the health, safety and welfare of all staff and anyone else affected by the Authority's activities, and for:

- Providing strategic leadership in the management of health and safety at work and ensuring the Authority has adequate resources allocated in the annual budget to meet obligations
- Ensuring the Authority is providing and maintaining equipment and systems of work that minimise risks to health, safety, and welfare
- Ensuring the Authority is providing the information, instruction, and supervision necessary for the health and safety of all employees and anyone else affected by the Authority's activities
- Ensuring the Authority's workplaces are in a safe condition and are adequate for the welfare of employees, ensuring there are safe means of leaving these places in the event of an emergency
- Monitoring health and safety performance and establishing any groups that are a statutory requirement, requested by employees, or are necessary to progress aspects of health and safety policy or procedure (see also Staff Consultative Groups).

1.3. The Health and Safety Manager has responsibility for the following:

- Supporting the Chief Executive in the preparation and review of the Authority's health, safety and welfare policies and periodically bringing the Health, Safety and Welfare Policy to the attention of all employees to raise awareness and as a reminder of their responsibilities
- Supporting Section Heads in the development of competence and compliance with safe systems of work, including risk assessments, and the monitoring and review of health and safety performance
- Ensuring the Authority has access to specialist health, safety and welfare advice as required
- Investigating work-related accidents reportable as defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and to commission external investigations of incidents as required
- Ensuring appropriate fire safety arrangements are made for all the Authority's premises and adequate first aid provisions are in place
- Having staff consultation arrangements in place for the discussion of health, safety, and welfare issues

- Ensuring statutory forms, accident records, statutory inspection records, risk assessment records and other health, safety and welfare records are properly completed and appropriately stored, including filing reports as required by the Health and Safety Executive
- Advising Leadership Team (Section Heads) on relevant health and safety legislation (including Statutory Notices) and policies to ensure compliance in all workplaces under their control
- Ensuring consideration of health and safety issues at Leadership Team meetings and ensuring regular reporting on performance to the Health and Safety Committee

1.4. Sections Heads have a duty, in addition to those duties of a supervisor, to:

- Raise awareness and foster a commitment to, and a culture of, safe and healthy working within their team
- Increase team competence and introduce and update safe systems of work
- Ensure health and safety discipline and compliance
- Ensure the effective communication of health and safety information
- Carry out regular safety inspections of premises and activities including those included in the Public Safety Plan
- Ensure that risk assessments are carried out for all activities for which they are responsible and that these are updated promptly when appropriate
- Ensure compliance with fire safety arrangements in all premises under their control
- Ensure that all workplaces under their control comply with relevant health and safety legislation and with health and safety policies and that relevant statutory notices are displayed
- Ensure that chemical and hazardous material used by their staff are clearly labelled and properly stored and recorded and that adequate information is given to staff
- Maintain their personal competence to manage the health, safety, and welfare of their team, and those affected by Authority activities, through appropriate training as necessary

5.5. Managers and Supervisors have a duty to ensure that all the people being supervised:

- Are aware of all the dangers associated with their workplace or work activity
- Are properly trained and supervised and are competent to carry out their work safely
- Are compliant in following risk assessments, health and safety procedures, safe systems of work, accident reporting, and other guidance issued
- Have all the relevant information about the safe use and storage of the equipment, chemicals, and materials with which they are working or that are present in their working environment
- Are using equipment that is in good condition, fitted with appropriate safety devices and maintained in a safe repair
- Wear any protective clothing required
- Do what they can to ensure the health, safety, and welfare of everyone in the work area

- Are aware of all emergency procedures

Additionally, Managers and Supervisors must:

- Set a good example of safe practice
- Monitor practices and follow up compliance issues
- Ensure that risk assessments are carried out for all activities for which they are responsible and that these are updated promptly when appropriate
- Ensure that equipment and facilities for which they are responsible are properly maintained
- Record and investigate any accidents, near misses or potentially dangerous incidents and report them in the appropriate way to the Health and Safety Manager and the appropriate Section Head
- Carry out frequent safety inspections of all work areas and activities under their control and take any necessary action
- Ensure they remain informed by keeping up to date with the findings of the health and safety focus groups/committee and any current/new legislation

1.6. The Head of Finance and Operations, together with the Senior Facilities Officer, will ensure that regular safety inspections of premises and activities occur, including those in the Public Safety Plan.

1.7. All Employees have a duty to work safely to protect the health, safety and welfare of themselves and others. Any breach of this policy and reasonable health and safety procedures/instructions may result in internal disciplinary action. Severe breaches of health and safety procedures/policy may result in dismissal in line with the Authority's disciplinary procedures. You must therefore:

- Read and adhere to the Health, Safety and Welfare Policy and any revised versions issued (the most up-to-date policies are available to view or download from [SharePoint](#))
- Assist with the preparation of risk assessments to achieve safe working systems, and follow risk assessments, approved safety procedures and instructions (the Risk Assessment Library on [SharePoint](#) contains all the Authority's risk assessments)
- Work safely being mindful at all times of your working environment and practices and potential risk to yourself and others
- Use safety equipment and protective clothing provided to you and report any damage/issues with it
- Not bring any item of personal electrical equipment into the workplace, other than mobile phones, tablets, laptops, and associated chargers.
- Know and follow all emergency procedures
- Report any training needs and take part in relevant training – always work within your level of competency
- Promptly report to your supervisor any hazards, incidents, accidents, near misses or anything that might put anyone's health and safety at risk
- Cooperate in incident or accident investigations

2. REPORTING HEALTH, SAFETY OR WELFARE ISSUES

Any incidents, accidents, near misses, safety concerns, or any request for health, safety, and welfare advice, must be via your line manager or the person supervising your work.

3. STAFF CONCERNS

3.1. Health, Safety and Welfare must be raised at regular Team Meetings and dealt with by the Manager. These should be reported at the next full Health, Safety and Welfare Committee on the Agenda.

3.2. Health, Safety and Welfare Committee meets at least twice a year and is chaired by the Chief Executive. The Committee will discuss any issues identified by the Focus Groups, circulate information about new health and safety legislation or best practice, report on corporate health and safety matters (e.g., accident reporting) and any other relevant health, safety, or welfare issues. Again, it is the responsibility of those attending to cascade information to the staff they represent. Attendees include the Chief Executive, Health and Safety Manager, Section Heads, Delivery Team Managers, and the Senior Facilities Officer

3.3. External assistance may be required at times when the Authority will identify key, high priority risk areas within its activities and will appoint professional, qualified assessors/advisors to review and monitor the implementation of policies and practices based on an assessment of risk.

4. HEALTH, SAFETY AND WELFARE POLICIES AND PROCEDURES

All the Authority's up-to-date policies and procedures can be found on [SharePoint](#) or requested from the HR Advisor. Some of the key policies include:

- First Aid and Emergency Evacuation (as well as being displayed around Authority buildings)
- Bullying and Harassment
- Whistleblowing
- Lone Working
- Staff Safety Protocol
- Safeguarding
- Safeguarding Disclosure Guidance
- Driving Safely and Driving Authority Vehicles
- Flexible Working Arrangements
- Home Working
- Mental Health and Wellbeing
- Menopause
- Family Support Policies
- Alcohol and Substance Misuse Policy
- Smoke Free Workplaces
- Dogs at Work

5. OFFICERS REFERRED TO IN THIS POLICY

Chief Executive: Sarah Bryan

Section Heads: Ben Barrett (Head of Finance & Operations)
Dean Kinsella (Head of Planning & Sustainable Development)
Clare Reid (Head of Strategy & Performance)

Rob Wilson-North (Head of Conservation & Access)

Health & Safety Manager: Ben Barrett
Managers/Supervisors: Any employee of the Authority who is required to supervise other employees, contractors, or volunteers
Senior Facilities Officer: Tim Payne
HR Advisor: Ellie Woodcock

USEFUL LINKS:

HSE Publication: [Workplace health, safety, and welfare](#)

HSE [Website](#)

ENPA POLICIES:

[ENPA Mental and Physical Health and Wellbeing](#)

E-LEARNING:

Mandatory training: Introduction to Health and Safety 2019
Introduction to Health and Safety (Pre-assessment)
Display Screen Equipment
Fire Safety 2019
Fire Safety (Pre-assessment)
Manual Handling 2019
Mental Health Awareness 2019
Safeguarding and Child Protection for Non-Children's Service Workers
Safeguarding for Non-Adult Services Workers

Other health, safety, and welfare modules:

Asbestos Awareness
Control of Substances Hazardous to Health: COSHH
Driving Safely 2019
Drug and Alcohol Awareness
Email Stress
Legionella Awareness
Healthy Lifestyles
Introduction to Meditation
Managing Health and Safety 2019
Nutrition Awareness
Office Safety 2019
Personal Emergency Evacuation Plan (PEEPs)
Personal Safety
The Principles of Risk Assessment 2019
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations: RIDDOR
Safer Recruitment
Smoking Awareness
Stress Awareness
Suicide Prevention Awareness
The 5K Project
Working at Height

EXMOOR NATIONAL PARK AUTHORITY - STRATEGIC RISK REGISTER

RISK	STRATEGIC RISK	DESCRIPTION OF RISK AND POTENTIAL IMPACT	INHERENT RISK			CONTROLS IN PLACE/ MITIGATION ALREADY TAKEN	CURRENT RISK			OWNER	ADDITIONAL PLANS
			LKLHD	IMPACT	SCORE		LKLHD	IMPACT	SCORE		
1	Funding Risk	1.1 The NPG from DEFRA provides 80% of the Authority's core income and so is key to funding services. Reductions in NPG will mean a reduction in services.	3	4	12	Regular communications with DEFRA concerning future NPG levels. As recent events have shown we revisit assumptions within the MTFP as soon as we have better information and that has significant consequences. We currently have a three year flatlined settlement.	3	4	12	Chief Finance Officer	The funding level is linked to the Medium Term Financial Plan. ENPA's Finance and Performance Advisory Panel help to manage the business impact of potential changes in funding. Introduction of half year MTFP review.
		1.2 Other external income sources may fluctuate or reduce (RPA, NPC, commercial property, Pinkery or car park income). The risk is that there is little time to react if income falls.	3	3	9	External income sources are varied and not linked to particular funding streams or client groups. Costs may reduce as income falls also. This will reduce the impact.	3	2	6		We will continue to monitor budgets, anticipate outcomes and take action accordingly. We continue to seek out new funding streams to improve resilience.
		1.3 External grants and contributions may fall over time reducing our ability to deliver schemes. We may also have insufficient core staffing to seek out external funds and deliver associated projects.	3	3	9	One -off grant monies are not relied upon to fund core costs. ENPA spending commitments are linked to funding stream and so can fall with the external grant. We need core staff who are experienced in delivering and acquiring external funds when considering organisational requirements.	3	2	6		If funding ends for one-off schemes then the scheme ends also.
		1.4 The U.K's exit from the European Union adversely impacts on direct and indirect funding. There is a great deal of uncertainty as to what the new funding schemes look like and what they will pay. There is concern over the lifespan of newly introduced schemes and how these mesh with our medium to long term financial planning and sustainability.	3	3	9	Support continues currently and we continue to monitor the new funding sources. We employ a land agent to ensure that best value is achieved from land and property assets.	3	2	6		We will continue to seek to influence the future direction of agricultural support.
2	Legal Risk Drain on resources due to high legal and other costs, staff diverted from priority commitments	2.1 Unsound decisions expose the Authority to legal and/or regulatory challenges and costs	3	3	9	The Code of Corporate Governance, Annual Governance Statement and audits describe and monitor the governance arrangements.	2	3	6	Monitoring Officer	Annual review of Governance arrangements Legal contingency reserve funds allocated
		2.2 Officers fail to oppose or advise against unsound decisions	3	4	12	Members Code of Conduct. The authority employs experienced members of staff who are able to advise against potentially illegal courses of action.	2	4	8		
		2.3 Legal challenges to decisions of the National Park Authority. Decision making places insufficient weight to National Park purposes.	3	3	9	Experienced Solicitor and Monitoring Officer is employed to provide legal advice.	2	3	6		
3	Financial Risk e.g. Actions outside of the Authorities Financial Regulations, Standing Orders and Code of Conduct	3.1 Officers acting outside of delegated powers and beyond budgetary limits	3	3	9	Standing Orders and Financial Regulations in place, approved and staff are aware of. Budget monitoring reports are distributed on a monthly basis and are discussed with the Head of Finance quarterly. All orders are authorised by the Head of Finance.	2	2	4	Chief Finance Officer	Outturn reports are presented to the Authority. Members also see interim revised budgets at month 6. Financial Regulations are currently in the process of being updated.
		3.2 Officers failing to comply with Contracts and Standing Orders. Risk of legal challenge and financial loss.	3	3	9	Annual letter to staff setting out standards of conduct, Anti-fraud, Corruption and Bribery Policy. Procurement Processes in place and requires segregation of duties for purchasing goods and/or services. Both Internal and External Audit provide reassurance.	2	2	4		Legal contingency reserve funds allocated
		3.3 Financial liabilities related to the land and property holdings such as maintenance or repair costs. This could cover adits and mines, woodland or bridges.	3	4	12	Condition maintenance surveys are undertaken and acted upon on a regular basis to ensure that needs are identified. Funds are identified as part of the budget setting process.	3	3	9		The work associated with Ash Die-Back is now largely complete. We continue to monitor for further tree diseases.
		3.4 The costs of Job Evaluation and future staff pay awards will put pressure on the cost base. The establishment of new job descriptions to reflect changing work patterns and responsibilities may also put pressure on budgets.	3	4	12	The financial impact of Job Evaluation is now known and we will work to identify cost pressures in advance of them arising. The impact of the possible 2023/24 pay award is still being assessed. A Business Review Process is in action reviewing and refocusing the organisation to meet the identified	3	3	9		There is now only 1 more year of the JE impact to hit budgets.

RISK	STRATEGIC RISK	DESCRIPTION OF RISK AND POTENTIAL IMPACT	INHERENT RISK			CONTROLS IN PLACE/ MITIGATION ALREADY TAKEN	CURRENT RISK			OWNER	ADDITIONAL PLANS
			LKLHD	IMPACT	SCORE		LKLHD	IMPACT	SCORE		
4	Service Delivery Risk e.g. disease outbreak and /or other restrictions	4.1 Fire or Flooding on Authority premises	3	4	12	Close liaison maintained with neighbouring Authorities. ENPA possesses video conferencing facilities and the ability of staff to work from home.	3	3	9	Chief Executive	The Business Continuity and Disaster Recovery Plan has been developed and is regularly enhanced as technology provides opportunities. An increasing number of systems are now run virtually. This ensures that a certain minimum level of support will still be available in the running of key services.
		4.2 Lack of business continuity planning in case of e.g. IT failure (such as via a Ransomware attack), buildings out of action (esp. Exmoor House), prolonged power failure	3	3	9	A Disaster Recovery and Business Continuity Plan in place. Remote working facilities provided. External message line and call cascade system in place.	2	3	6		
		4.3 Major incidents such as a pandemic or a nearby major environmental incident.	3	3	9	ENPA maintained service provision in the context of the recent global pandemic. Civil emergencies are not an ENPA responsibility. County and District Civil Contingencies Unit are Cat 1 responders and have Major Incident Plan.	3	2	6		
		4.4 Members of the public or service users getting hurt impacting on the ability of the Authority to undertake activities.	4	4	16	Certain members of staff are first aid trained, Risk Assessments are produced and incidents are reported to the Health and Safety Board.	3	3	9		
		4.5 Climate Change impacts upon the ability to deliver services, manage the landscape, support nature recovery and local communities.	4	3	12	We will continue to reduce our carbon emissions and invest in projects which support nature recovery and capture carbon.	3	3	9		
5	Recruitment and Retention Risk	5.1 Reliance on certain key staff with particular knowledge and experience.	3	4	12	Reward packages, relocation packages, targeted advertising, Job descriptions include cross cover, cover arrangements with other local authorities.	3	3	9	Chief Executive	Employee Strategy ENPA is exploring opportunities for undertaking work for external organisations, providing a development opportunity for staff and external income opportunities for the Authority.
		5.2 The challenge of the physical location. Staff struggling to find suitable, affordable housing and the cost of travelling to Authority sites.	3	3	9	The Authority allows hybrid working and provides the necessary technology to facilitate this.	3	2	6		
6	Legislative and Regulatory Risk Failure to comply with legislative and legal requirements resulting in criminal and /or civil prosecutions, negligence claims, legal costs and adverse publicity	6.1 Health and Safety Acts	3	4	12	Health and Safety Policy and Health and Safety Officer in place. Risk assessments undertaken and all stored within a central easily accessible repository. Collaboration with external Safety Officer in respect of Health and Safety assurance. Are we still doing this?	2	3	6	Solicitor / Chief Finance Officer / H&S Manager	Advice on changes to legislation provided via external professional support. Further training for staff to be provided (as set out in the Equity, Diversity and Inclusion Strategy).
		6.2 Equalities legislation e.g. DDA	3	3	9	Equality, Diversity and Inclusion policies established and communicated to staff and members. Equality Impact Assessments are undertaken.	2	3	6		
		6.3 General Data Protection Regulation and the Freedom of Information and Environmental Information Acts.	4	3	12	All requests monitored by Senior Officer and quarterly reports passed to Leadership Team. E-mail protocols and search tools in place. ICT Acceptable Use policy in place for staff.	3	3	9		
		6.4 Planning process	4	3	12	Professionally qualified planners advise on planning process and there is a programme of training for Authority Members.	3	3	9		
		6.5 Premises	3	3	9	Safety Plan in place with regular inspections. Support & maintenance contracts for plant & equipment in place. Staff Training on core risk areas.	3	2	6		
		6.6 New legislative burdens are introduced that are inadequately funded or considered in advance. This could include the new Protected Landscapes Partnership.	4	4	16	We continue to work with Defra over the establishment of the new national partnership. Service Planning will provide the opportunity to adapt and the 'New Burdens' doctrine should ensure that new obligations are funded.	3	3	9		
7	Reputational Risk	7.1 Reliance on goodwill, as ENPA only owns 7% of land so must work with others to deliver purposes.	3	4	12	A Communications Officer is in place, and staff receive media training and briefings on key issues.	2	3	6	Chief Executive	Staff and members are aware of the significance of local reputation and the importance of responding to feedback and listening to local groups.
		7.2 Negative impact on members of the public from staff or member behaviour.				Code of Conduct in place, annual declaration by staff and members					
		7.3 Incorrect or inappropriate communication				A Communications Officer in post, communications fed out through correct channels					
		7.4 There are reputational risks associated with deer management, the Nature Recovery Strategy, shooting and swaling practices or non-practices.				We continue to monitor the legislative, environmental, regulatory and cultural landscape to ensure our practices are well supported and defensible.					

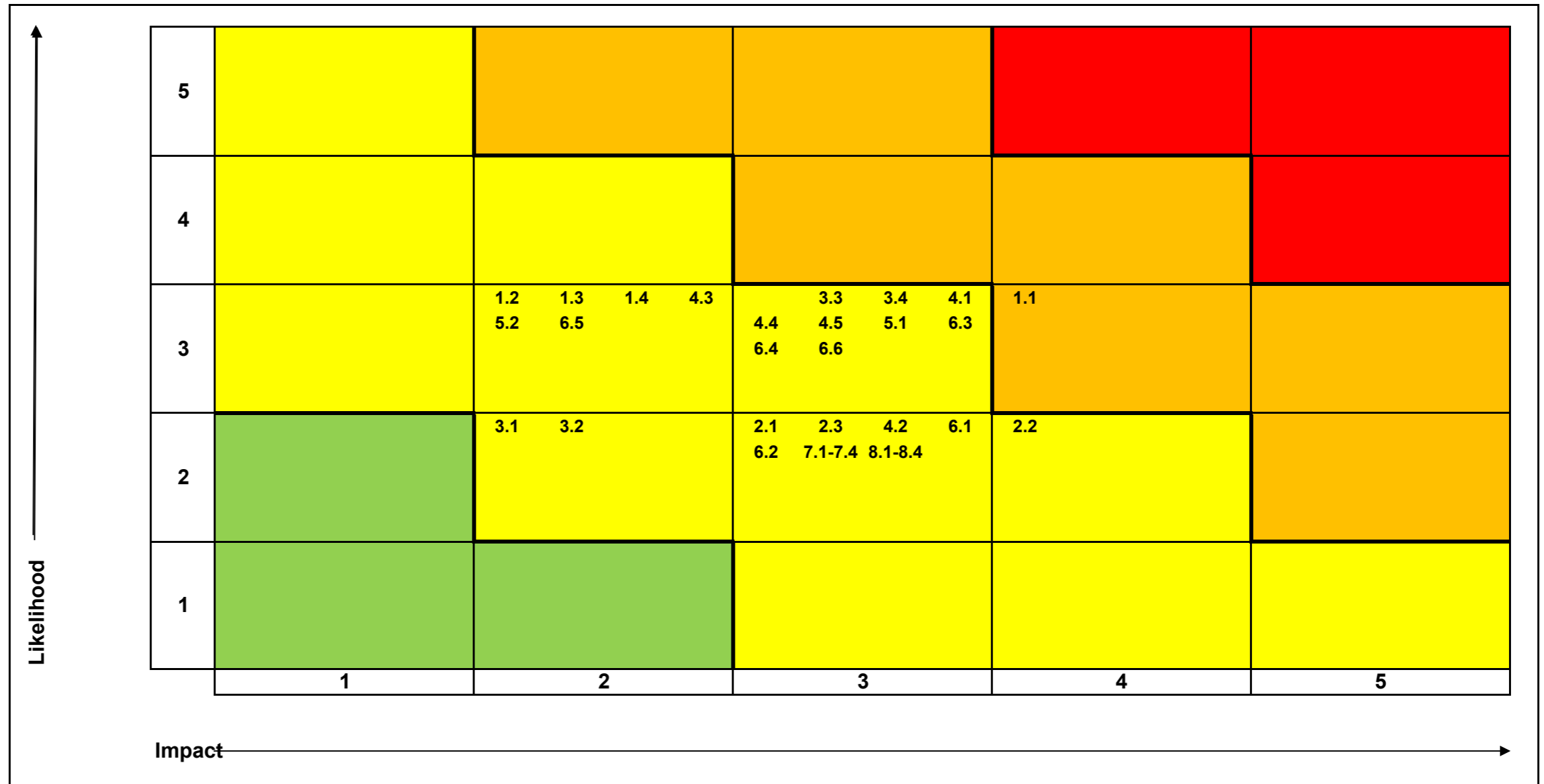
RISK	STRATEGIC RISK	DESCRIPTION OF RISK AND POTENTIAL IMPACT	INHERENT RISK			CONTROLS IN PLACE/ MITIGATION ALREADY TAKEN	CURRENT RISK			OWNER	ADDITIONAL PLANS
			LKLHD	IMPACT	SCORE		LKLHD	IMPACT	SCORE		
8	Risks to Partnership Working e.g. in response to unpopular stance/decision taken by the NPA	<p>8.1 Reduction in cooperation or goodwill from landowners, local businesses and community groups.</p> <p>8.2 As the new unitary for Somerset is established there are risks attached to the new systems, patterns of engagement or changes to governance.</p> <p>8.3 There are risks to national partnership working as the Authority departs from National Parks England.</p> <p>8.4 ENPA may be less able to deliver new projects with others due to funding constraints and/ or lack of capacity to deliver the Partnership Plan. The external body may also be suffering from financial constraints or may have alternative priorities.</p>	3	4	12	Good consultation processes, Exmoor Consultative Forum, Parish Council Member representation, attendance at Parish meetings and area panels and the Exmoor Hill Farm Network. We will look to established new relationships and links to the new unitary.	2	3	6	Chief Executive	Partnership working is central to our ability to function and influence behaviour in the park. It will always be a priority to the Authority.

RISK MANAGEMENT MATRIX

Risk Matrix Indicators

Current score for each sub-risk on Strategic Risk Register

Likelihood	
1	Rare
2	Unlikely
3	Possible
4	Likely
5	Very likely
Impact	
1	Negligible
2	Minor
3	Moderate
4	Major
5	Catastrophic



Risk Assessment Matrix					
Likelihood					
5	5	10	15	20	25
4	4	8	12	16	20
3	3	6	9	12	15
2	2	4	6	8	10
1	1	2	3	4	5
		1	2	3	4
		Impact			

Risk Assessed Score

-
 20-25 Immediate action required
-
 10-16 Action plan and regularly review
-
 3-9 Review regularly
-
 1-2 No action necessary

EXMOOR NATIONAL PARK AUTHORITY

7 November 2023

PROPOSED CHANGES TO THE AUTHORITY'S NATIONAL PARK CENTRES

Report of the Head of Planning and Sustainable Development

PURPOSE OF THE REPORT: To agree changes to our provision of National Park Centres as a result of continued financial pressures.

RECOMMENDATION: The Authority is recommended to AGREE the changes identified below to realise required savings from Autumn 2024:

- (1) The relocation of Dulverton National Park Centre into Exmoor House, operating c. 5 days a week Easter to end of October only.
- (2) Reduce winter opening hours of Lynmouth National Park centre by 2 hours a day from November to Easter.
- (3) Restructure of NPC staff teams, as part of broader business review and subject to consultation.
- (4) Reduce and then withdraw current funding for Porlock Visitor Centre and Combe Martin Museum, while continuing to support these Centres with provision of Exmoor literature and information as appropriate.

Authority Corporate Priority: These changes are being proposed as part of the Business Review being carried out to achieve cost savings required due to budget constraints

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.”

Any changes agreed which reduce the National Park Centre service will limit our opportunity to deliver against National Park purposes. Primarily the Centres deliver against the second purpose by helping National Park users get the most from their time on Exmoor through advice, information, and resources to assist them in understanding and enjoying the special qualities of Exmoor. They also contribute to the first purpose through promotion of responsible use of the National Park, encouraging people to get involved and acting as ambassadors for the National Park.

The Centres also contribute significantly to the delivery of our socio-economic duty, and they are well regarded as a key part of the tourism infrastructure by our local tourism sector.

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) although the overall engagement work through the Centres will be reduced if the recommendations are agreed.

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 recommendations have been developed to contribute to the overall saving targets required by the Authority to achieve a balanced budget in the future. While some income generation opportunities will be lost, there will be savings on net expenditure. The savings identified do not allow for any income which may be achieved through repurposing of the current Dulverton National Park Centre premises but do take into account a loss of liabilities for such premises (e.g., business rates and utilities) – if no alternative use is found further savings would need to be identified elsewhere.

Climate Change Response: The changes should result in a saving on energy use and subsequent emissions from the Authority’s activities. However, there will also be a loss of some opportunities to engage people in the work of the Authority, including our climate change work.

1. Introduction

- 1.1 The Authority is facing a significant spending gap going forward, as modelled in the Medium Term Financial Plan due to increased costs, coupled with a flatline grant settlement, representing a real terms cut in our funding.
- 1.2 The Rural Enterprise Team which includes the National Park Centres at Dulverton, Dunster and Lynmouth, as well as covering work areas including tourism and economy, CareMoor, Partnership Fund and income generation has been targeted with a £50,000 per annum saving.
- 1.3 Beyond the National Park Centres there are few areas to significantly save within the remaining team (1.8FTE), although there can be a continued refocus of activity to prioritise income generation. Therefore we have had to consider our provision of National Park Centres.

2. Background

- 2.1 The Authority currently operate 3 National Park Centres at Dulverton, Dunster and Lynmouth (previously Centres have also been operated at County Gate and Combe Martin, as well as temporarily at Blackmoor Gate).

	Winter Opening (Nov – To March)	Summer Opening (Easter to October)
Dulverton	10am-2pm, 5 days a week.	10am – 5pm, 7 days a week
Dunster	10am-3pm, Weekends in Nov & March plus Dunster by Candlelight weekend and February half term.	
Lynmouth	10am-5pm, 7 days a week.	

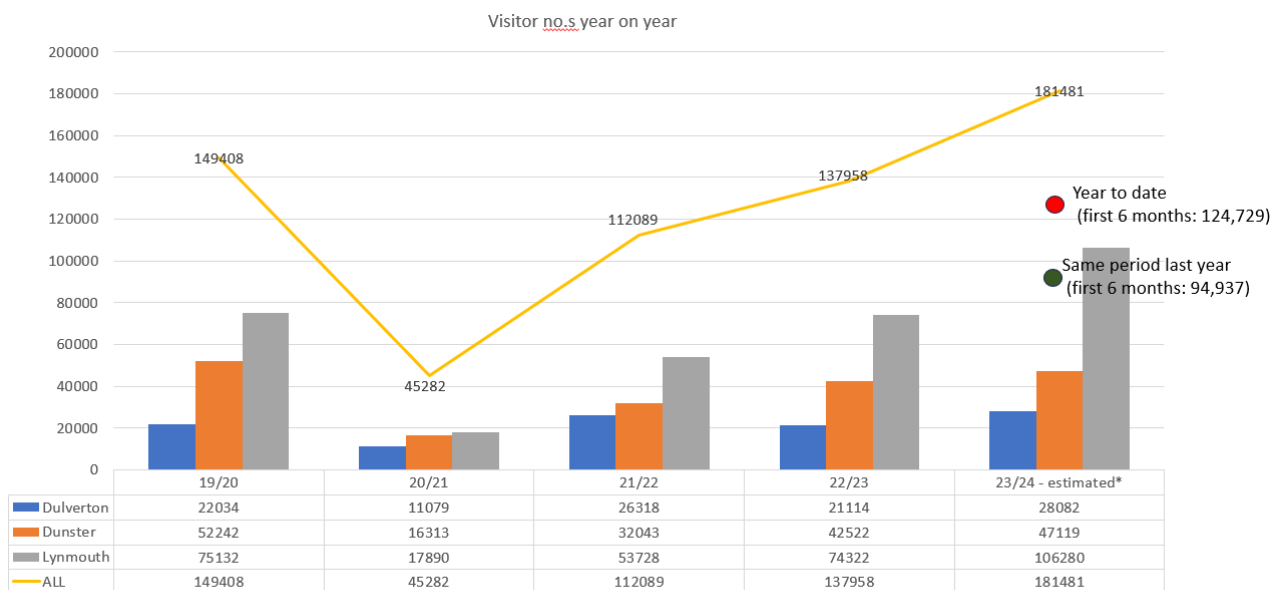
2.2 We also work with other visitor centres within the wider Exmoor area to share key National Park messages and currently provide funding support of £4,000 per annum to Porlock Visitor Centre and £3,000 per annum to Combe Martin Tourist Information Point (within the museum).

2.3 National Park Centres play a key role in the delivery of National Park purposes. Their primary function is to inspire, inform and equip users of the National Park (including residents, visitors, and businesses):

- **Inspiring** people about the opportunities
 - Offered by our special qualities to 'dream, discover and explore'.
 - to get connected with nature, to get involved and to give back.
- **Informing** people of the
 - opportunities and providing them with information to get the most out of a visit to Exmoor.
 - great experiences available to them and the special qualities that enable these.
 - past and the present in terms of wildlife, culture, history, and landscape.
 - Work of the National Park Authority.
 - As well as providing practical information.
- **Equipping** users to
 - Act responsibly
 - Better understand the special qualities of the National Park

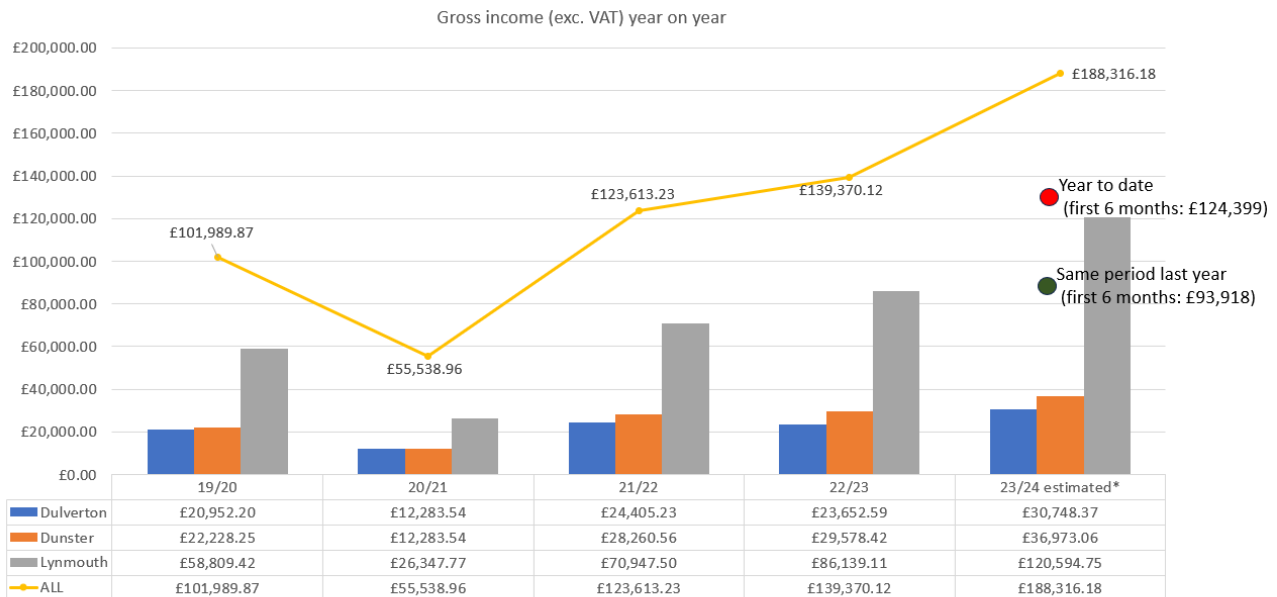
2.4 For many visitors to the area, as well as many residents, their only direct interaction with the National Park Authority will be through the Centres, which provide a shop window not only to the National Park as a place but also the work of the National Park Authority.

2.5 **Visitor numbers** have recovered well post-pandemic as the graph below shows.



* Based on Q1 & 2 performance (April through to September which includes our main trading season) where total numbers are currently up 31% year on year compared to last year. These figures assume that is maintained for the remainder of the year.

- 2.6 We have had another strong year so far, with figures for Q1& Q2 (Apr – Sept) showing a 31% increase on the same period last year, and overall visits up 17% on pre covid levels, despite many acknowledging this year to have generally been quieter on Exmoor.
- 2.7 In addition the Centres also deal with around 13,000 **remote enquiries** each year (3,000 by phone and 10,000 by email).
- 2.8 **Gross income** has consistently risen in recent years (with the exception of 2020/21 when trading was significantly curtailed due to Covid-19 restrictions), and we have met or exceeded our 40% profit margin target within the increases.
- 2.9 Spend in the Centres was up 37% in 2022/23 vs 2019/20.



* Based on Q1 & 2 performance (April through to September which includes our main trading season) where gross income is currently up 35% year on year compared to last year. These figures assume that is maintained for the remainder of the year.

- 2.10 Again the Centres have performed very strongly so far this year with an increase spend for Q1 and 2 (April to September) of a further 35% - a significant 74% increase on the same period pre-Covid in 2019, well ahead of inflation.
- 2.11 Our **staff** are without doubt the single best asset we have in the Centres. Unlike static interpretation they can respond to individual interests and questions, meeting a huge range of audiences with concise information about Exmoor. Their personal approach can inspire people to explore further, to stay longer, to deepen their understanding and to contribute positively to the conservation of the area through responsible use, getting involved or giving back (e.g. through CareMoor).
- 2.12 **Customer satisfaction is high.** The most recent customer surveys suggest a net promoter score of 91% - this is world class (any NPS score of over 50 is considered very good). TripAdvisor and Google review scores are also high – 4.5 across all 3 Centres. Both Dunster and Lynmouth have reached the finals in the Southwest Tourism Awards claiming Bronze and Gold respectively and Dulverton has been shortlisted as a finalist in this year's Bristol, Bath, and Somerset Awards with potential to progress to the South West awards in 23/24.
- 2.13 Two recommendations from the **Landscapes Review** led by Julian Glover were around the need for 'better information to guide visitors' (proposal 12) and an 'enlarged ranger service' (proposal 13). The detail behind this latter proposal

describes in many ways the work of the National Park Centre teams: “*an explicit role to help and encourage visitors make the most of our wonderful landscapes... They should be the ambassadors for our national landscapes and have a key role in supporting visitors to make the best use of the full range of opportunities our landscapes offer, helping spread visitors more evenly...*”.

3. The need for change

- 3.1 As above our Centres are performing well, and their role remains relevant today.
- 3.2 The team has already energetically embraced a new mode of operation, being more commercial in our retail sales and adding new events and activities. We have relocated the retail stores, freeing up the former bottle store as a rentable unit, in addition to developing efficiencies such as bringing advertising and production of Exmoor Visitor in house.
- 3.3 A suite of improvements to the Centres undertaken last year are already paying dividends, improving the look and feel of the Centres, encouraging more people into them and engaging them more with the National Park.
- 3.4 However the Centres have not been immune to significant cost increases, especially in relation to utility and staff costs, which have mitigated the progress made in terms of increasing the retail profits of the Centres.
- 3.5 In the last financial year the Centres had a net revenue cost of c. £155,000 to the Authority. This works out at approx. £1.12 per engagement which is very much in line with other National Park Authorities centres. There is however some significant variance between centres with Dulverton costing £1.99 per engagement and Lynmouth £0.91.
- 3.6 Towards the end of 22/23 financial year Defra provided each National Park Authority with additional grant funding of £440,000. In various press statements reference was made to the potential use of this towards visitor centres, indicating a desire from our funders to support these services. However, the funding was not ring-fenced and was a one-off contribution which does not help with our ongoing revenue challenge in providing this service. It has however helped us introduce a longer-term phased transition.

4. Proposed changes

- 4.1 Several options have been explored to realise the savings required. The actions outlined below will allow us to achieve our target saving of £50k p.a. for the Rural Enterprise Team, while minimising the impact on service users as best we can:

4.2 Relocation of Dulverton National Park Centre into Exmoor House and reduction to a seasonal service

It is hard to pinpoint one Centre for closure over others - all serve an important role. However, Dulverton's footfall is significantly lower (last year this was 21,000 compared to 42,000 at Dunster and 74,000 at Lynmouth). As such the cost per engagement is almost double the average. In addition, our Dunster and Lynmouth Centres offer more space and flexibility to host other events and activities and have greater restrictions on the use of the current buildings for anything other than a Centre. At the same time Exmoor House is currently underutilised and provides an opportunity to retain a presence in Dulverton through relocation.

- 4.3 There is already work underway to make the reception area a more welcoming space and there is a consistent desire from many to have this staffed. With some modest modifications (potentially utilising modular furniture within Dulverton NPC)

key NP information could be introduced along with a limited range of core retail items and thus retain some form of NPC service in Dulverton and support broader corporate work. This could be operated 5 days a week (Mon – Fri) 10-5 April to October by an Information Advisor, managed by the Rural Enterprise Manager.

- 4.4 At this stage the decision to be made is around the service of the National Park Centre. If it is agreed to relocate this then we will have 12 months to work up options for alternative uses of the building, in consultation with key stakeholders such as Somerset Library who share the premises. An alternative use of our space here would not only reduce our liability but potentially offer some additional income. There are no obvious partners that might wish to take on the running of such a Centre and the associated costs.
- 4.5 **Reduction in winter opening hours at Lynmouth National Park Centre**
Winter opening hours (Nov to March inclusive) would be reduced at Lynmouth from 7 to 5 hours a day. Currently Lynmouth is open 10am-5pm all year round. Data suggests that 84% of all spend during the winter months at Lynmouth occurs between 11am and 4pm.
- 4.6 **A restructure of the Centre teams**
Some restructuring of the team with reduction in some double manning at our remaining Centres and a reduction in management capacity will realise further savings, subject to consultation.
- 4.7 **Withdraw financial support from Combe Martin Information Point and Porlock Visitor Centre**

These Centres offer a valuable service but focus less on the National Park and our core messages, with significantly less National Park specific information and have significantly lower footfall than any of our three current centres (Porlock Visitor Centre numbers in 22/23 = 13,500; Combe Martin = 4,522).

5. Implementation

- 5.1 It is recommended that the above actions are implemented by the autumn of 2024, with the Centres operating as usual next season and the reduction in funding for external Centres being reduced by 50% in 24/25 before being withdrawn the following year. Given the need for staff and union consultation on some of the proposed changes they cannot be realised ahead of the next financial year, and it makes sense to operate the Centres over the peak season, providing time to work on plans for a smooth transition next winter (including scoping options for alternative uses of the current premises in Dulverton).
- 5.2 The recommendation to Members to adopt these changes is not made lightly and is in no way a reflection of the hard work and dedication of our committed National Park Centre teams. It is acknowledged that these proposals may have a detrimental impact on our delivery of National Park purposes and to both residents and users of the National Park.
- 5.3 The table below summarises the main savings the above changes would achieve, based on the 2023/24 budget for non-staff costs and for the top of the relevant pay grade based on 23/24 salaries for staff costs.

	Identified savings	Notes
Dulverton	£29,378	Allows for the costs of running a seasonal info point at Exmoor House and includes profit forgone because of decreased sales, savings on dedicated premises costs and reduced staffing.
Dunster	£3,555	Reduced staffing costs
Lynmouth	£10,222	Reduced staffing and reduced winter opening. Allows for profit forgone because of reduced winter opening
Grants withdrawn	£7,000	
TOTAL	£50,155	

5.4 The above annual savings are based on 23/24 budget figures and do **not** include:

- Potential redundancy costs (covered through modernisation reserve).
- Potential income realised through rent or sale of Dulverton NPC premises or energy savings because of shortened winter opening at Lynmouth.
- Improved retail performance at remaining centres exceeding current budget assumptions for net profit in the Medium Term Financial Plan.
- Increased online / wholesale sales or other income generation increases achieved through wider Rural Enterprise Team.

Dan James
Rural Enterprise Manager
October 2023

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:

Landscapes Review, 2020

EXMOOR NATIONAL PARK AUTHORITY

7 November 2023

GOVERNANCE REVIEW

Report of the Chief Executive

Purpose of the report: To agree proposals for changes to Exmoor National Park Authority meeting structures and governance.

RECOMMENDATIONS: The Authority is recommended to:

- (1) APPROVE the creation of a Planning Sub Committee of 12 Members to come into effect in April 2024 for a trial period of up to 12 months.
- (2) APPROVE the proposed reduced schedule of Authority and Planning meetings from April 2024 for a trial period of up to 12 months.
- (3) AGREE to a small Member group working with the Independent Person to investigate whether savings can be made to Member Allowances.
- (4) NOTE that further discussions will take place regarding the Exmoor Consultative and Parish Forum.

Authority Priorities: Develop and maintain effective and efficient services; manage corporate finances and diversify income streams

Legal and Equality Implications: Section 13 of the Environment Act 1995 sets out how National Parks deal with committees and sub committees. It states that the provisions of the Local Government Act 1972 apply to National Park Authorities. The Local Government Act 1972 states that functions of an Authority can be discharged through a committee or subcommittee (s101), therefore ENPA's planning functions can be discharged through a committee as envisaged.

Schedule 2 – National Park Authorities (England) Order 2015 states that an Authority must hold 4 meetings a year (including the AGM) – there is no such provision regarding committee meetings – they can be as frequent as needs be.

The equality impact of the recommendations of this report has been assessed as “no foreseen adverse impact on a protected group(s)”.

Financial and Risk Implications: The proposed revisions are intended to make best use of Member time and resources whilst still ensuring that there is opportunity for public scrutiny of Authority business. Based on the current Member budget, the revised meeting arrangements and reduction in Member Allowances could reduce costs, mainly in staff time, by up to £15,000 per annum.

Climate Change Response: Reducing the frequency of face-to-face meetings will have a positive impact on the need to reduce travel with a potential carbon saving.

1. Introduction

- 1.1 This paper sets out proposed changes to governance of Exmoor National Park Authority including the creation of a Planning Sub Committee, a reduction in the number of Authority meetings, a review of Member Allowances and a review of the Exmoor Consultative and Parish Forum.
- 1.2 Members have discussed the current financial pressures facing the Authority and are aware of the projected savings gap of £200k - £300k in 2024/25 and beyond. This paper follows on from a paper in April 2023 at which these proposals were discussed in detail.
- 1.3 In April, Members considered the proposals but felt that additional consultation should be carried out, particularly with members of the Exmoor Consultative and Parish Forum before any changes were made. Members also carried out further research with other National Park Authorities to benchmark governance arrangements.

2. Background

- 2.1 The current arrangements for Exmoor National Park Authority's Committees are described in the April 2023 paper. In summary, the number and make up of National Park Authority Boards is set out in the Natural Environment and Rural Communities Act 2006. Schedule 1 clarifies that Exmoor should have 22 Members, made up as follows:

12 x Local Authority Members:

- 8 x Somerset Council
- 2 x Devon County Council
- 2 x North Devon District Council

10 x Secretary of State Appointments:

- 5 x Parish Council – nominated by Parish and Town Councils and appointed by the Secretary of State
- 5 x Secretary of State - directly appointed

3. Outcome of the Consultation

- 3.1 At the April meeting of the Authority it was agreed to consult on proposals to:
 - i) create a smaller Planning Sub Committee, and
 - ii) to reduce the number of Authority and Planning meetings
- 3.2 The survey ran from 29 June to 2 October 2023 and 39 Parish Councils and organisations responded to the survey. In total 27 respondents (69%) agreed that there should be a smaller planning sub committee (a Committee of 12 was suggested in the survey information). In addition, 26 respondents (66%) agreed that the NPA should reduce the number of meetings held.

4. Proposal to create a Planning Sub Committee

- 4.1 Section 13 of the Environment Act 1995 sets out how National Parks deal with committees and sub committees. It states that the provisions of the Local Government Act 1972 apply to National Park Authorities. The Local Government Act 1972 states that functions of an Authority can be discharged through a committee or

subcommittee (s101), therefore ENPA's planning functions can be discharged through a committee. The Environment Act goes on to state that committees must include Local Authority Members and one Secretary of State Member on them. Committees must also be proportionate to the numbers of each type of Member on the Authority (i.e. the different categories of Local Authority and Secretary of State Members).

4.2 In accordance with statutory guidance it is proposed that ENPA establishes a Planning Sub Committee of 12 Members with delegated responsibility to carry out the planning functions of the ENPA. To represent local and national interests it is recommended that the Planning Committee should be made up as follows.

- 4 Somerset Council
- 1 Devon County Council
- 1 North Devon District Council
- 3 Parish Council
- 3 Secretary of State

4.3 It is proposed to appoint the new Committee by March 2024 to take effect from April 2024 and to trial for up to twelve months. Once the trial has been completed Officers will discuss the findings with Members and confirm ongoing governance structures through an Authority paper.

5. Reduction in Number of Committee Meetings

5.1 Currently, Members meet formally on the first Tuesday of each month, although January and August are not always used. Authority meetings include discussions on policy, land management, estate matters, budget and governance. These will continue to be dealt with by the full Authority but the number of Authority meetings will be reduced. It is anticipated that six meetings will be held per year but in any event the number of meetings shall be no less than the statutory minimum of 4 meetings per annum.

5.2 The new Planning Sub Committee will meet on the same day as Authority. Additional Planning Sub Committee meetings will be called if required to ensure the efficient determination of planning applications.

5.3 It is proposed that the first Tuesday of each month is retained for Members to meet. On the months when there is no formal Authority or Planning Sub Committee meetings, other briefings, training and discussions will be held, on-line when possible, but face to face if required.

5.4 This will also be trialled for up to twelve months. Once the trial has been completed Officers will discuss the findings with Members and confirm ongoing governance structures through an Authority paper.

6. Review of Members' Allowances

6.1 A Member led discussion of allowances took place on 5 September 2023. Five Members are currently eligible to receive a Special Responsibility Allowance (SRA) in recognition of the additional work involved in preparing for and conducting the meetings. These are the Authority Chairperson (2x), the Deputy Chairperson (1.5x), the Deputy Chairperson (Planning) (1.5x), the Chairperson of the Exmoor Consultative and Parish Forum (0.5x) and the Chairperson of the Standards Committee (0.25x).

6.2 Member allowances currently total £80,435 and it is proposed to ask the Independent Person to work with a small group of Members to look at ways to reduce this figure by approximately £10,000 to bring ENPA more in line with the Member costs of other National Park Authorities and reflect the new meeting structure.

22/23 Figures *	Allowances						
National Park Authority	Basic Allowance	Authority Chair	Deputy Chair	Planning Chair	No of Members	Basic Allowance	Basic + SR Allowance
South Downs	3,748	6,778	5,060	4,048	27	101,196	117,082
Yorkshire Dales	3,325	6,650	1,663	2,494	25	83,125	93,932
Lake District	3,000	6,000	4,500	2,000	20	60,000	72,500
Exmoor	2,979	5,959	4,469	4,469	22	65,538	80,435*
North York Moors	2,612	5,225	1,959	2,612	20	52,240	62,036
Peak District	2,568	6,676	3,338	3,338	30	77,040	90,392
New Forest	2,132	4,264	2,132	2,132	22	46,904	55,432
Northumberland	1,962	5,886	1,962	981	18	35,316	44,145
Dartmoor	1,860	5,547	1,860	1,860	19	35,340	44,607
Broads	1,046	3,925	1,963	1,963	21	21,966	29,817

7. Exmoor Consultative and Parish Forum

7.1 The Exmoor Consultative and Parish Forum currently meets 5 times a year across the National Park with a mix of evening and daytime meetings. It is proposed that Officers work with Parish Members to consider how best to use resources for the benefit of the communities in the National Park. We will aim to hold those discussions before the end of the calendar year so that 2024 meeting dates can be set.

8. Timetable and Next Steps

8.1 If Members approve these proposals, Officers will work with the solicitor to make any necessary amendments to Standing Orders and the following timetable is anticipated:-

- Changes to Standing Orders will be brought back to Authority for approval in December 2023 or February 2024, to take effect from April 2024
- Appointments to the Planning Sub Committee will be confirmed in February or March 2024 and the first meeting will take place in April 2024.
- The Independent Person will work with a small group of Members to look at Member allowances. Their proposals will be discussed with all Members in early 2024 with a view to any changes being reflected in the Scheme of Members' Allowances report that the Head of Finance and Operations will bring to the March 2024 Authority meeting.
- Discussions regarding the Exmoor Consultative and Parish Forum will take place before the end of the year so that 2024 meeting dates can be set.

Sarah Bryan
Chief Executive
October 2023

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Committee Report

Application Number:	62/50/22/012
Registration Date:	11-May-2022
Target Determination Date:	24-Jun-2022
Extension of Time:	26-Jan-2023
Applicant	Mr B Nicholls
Agent:	Mr. K Kevin Bateman, Bateman Hosegood
Case Officer:	Charlotte Spiers
Site Address:	WEST MIDDLETON FARM, PARRACOMBE, BARNSTAPLE, EX31 4PG
Proposal:	Proposed demolition of 2 no. existing cubicle sheds together with its replacement with 1 no. livestock building.
Recommendation:	Refuse
Reason for bringing before Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the recommendation of Parish Council.

Relevant History

GDO 02/05 Prior notification for the erection of agricultural livestock building of 438 sq m. Approved 16/08/2002

62/50/18/011 Proposed extension to existing agricultural livestock building. Retrospective. Approved 23/11/2018

62/50/19/008 Proposed replacement agricultural building. Approved 30/07/2019

62/50/20/012 Proposed erection of a porch to the front elevation of West Middleton Farmhouse together with the erection of an Airband dish to the rear elevation of the farmhouse. Approved 10/11/2020

62/50/20/013LB Listed Building Consent for the erection of a porch to the front elevation of West Middleton Farmhouse together with the erection of an Airband dish to the rear elevation of the farmhouse. Approved 12/11/2020

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Site Description & Proposal

West Middleton Farm is a working farmstead that consists of a Grade II listed farmhouse and a group of traditional and modern agricultural buildings. To the east of the farmstead is a Scheduled Monument, West Middleton standing stones. The farmstead is accessed via a single width private drive. There are no neighbouring residential properties in the nearby vicinity of West Middleton Farm.

The present application seeks planning permission for the demolition of two existing cubicle sheds and their replacement with one livestock building. The proposed livestock building would have an approximate footprint of 541m² with a ridge height of approximately 6.2m. The building would be used for the housing of livestock. It is noted from the application papers that there is a substantial flock of sheep currently on the farm (with the submitted planning statement indicating that there are currently 350 ewes and 200 hoggets and the submitted 'as proposed' SCAIL assessment indicating that there are currently 450 ewes and 300 hoggets on the holding) and a herd of beef cattle.

Consultee Representations

Parracombe Parish Council – The Council felt that this was a much better use of the space and therefore supported the application.

Natural England – Insufficient information provided - There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21day consultation period, once this information is received by Natural England, for us to respond.

Natural England is not able to assess this case as there is insufficient information provided in relation to air quality impacts.

Manure stores, slurry lagoons and livestock sheds are a major source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens). Ammonia is also a major contributor to the deposition of nitrogen, which reduces habitat biodiversity by promoting the growth of a relatively small number of the more vigorous plant species which then out-compete the other species present.

Our Impact Risk Zones¹ have identified that interest features of designated sites Exmoor Coastal Heaths SSSI and West Exmoor Coast and Woods SSSI may be sensitive to impacts from aerial pollutants, such as those emitted from this proposed

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development. The consultation documents provided do not include any assessment of air quality impacts.

In order for us to advise on this case an initial screening for air quality impacts should be completed. This is required even if the stock numbers are remaining the same or decreasing.

Simple screening tools are available via the internet, the relevant regulator or consultants. The results of screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. Natural England would be happy to advise on the results of the screening opinion and any further steps required.

Please be aware that Natural England now applies a 1% of ammonia Critical Level significance screening threshold alone and in combination including permissions from all sectors (this should also include recent permissions not yet included in the Air Pollution Information System NH3 background data). Natural England's approach to screening for air quality impacts differs from that of the Environment Agency (see attached position statement).

Prior to re-consulting, please ensure a suitable air quality screening assessment is provided. If using the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/> **please ensure the applicant has enclosed the final input file (PDF format), the outputs for the model and the results (CSV format), with the details of the application.**

For guidance on how to do this in the free online SCAIL, please see the attached annex.

Natural England has not considered any other matters at this stage. We will provide advice on all relevant matters upon receipt of this information.

Should the applicant wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Defra have launched a Slurry Investment Scheme and Grant (SIG) which will allow pig, dairy and beef farmers producing slurry to access funding to contribute towards improving their slurry storage. This is a step by government to reduce nutrient pollution from agriculture. The infrastructure allowed under the grant will be subject to conditions and safeguards and underpinned by existing regulations. The degree of impact on the natural environment should be considered on a case-by-case basis, but in principle, Natural England support this scheme and expect that most projects will reduce nutrient pollution through better slurry management. You may want to confirm with the applicant

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if the proposal is subject to the SIG scheme. Defra have produced information here about the SIG scheme which may aid your decision-making on this application.

Exmoor National Park Wildlife Conservation Officer – 04/07/2022 –

Thank you for consulting me on this application for the proposed demolition of two cubicle sheds and their replacement with one livestock building. I note the submission of the wildlife checklist and statement on wildlife from the agent. However, I have reviewed the information provided and I would like an ecology report to be provided please, to be produced by a suitably qualified ecologist to further assess the likely presence or absence of protected species/habitat which could be affected by the proposals.

In addition, I believe this application will need a SCAL assessment as it is for a new livestock building. Based on the planning statement provided, only one of the two sheds is currently in use and the new building is significantly larger than existing (522m² proposed vs 343m² existing), so it is likely to result in an increase in stock being housed. I have copied Joe into this email for further advice on when this should be triggered.

Lastly, due to the site's location within the Impact Risk Zone of nearby SSSIs and the potential for air pollution as a result of the proposal, consultation with Natural England is recommended.

Exmoor National Park Wildlife Conservation Officer –received 19/12/2022 – Further to our previous correspondence, I visited West Middleton Farm today to look at the two cubicle sheds which are proposed for demolition under the above application. Overall, the sheds have negligible suitability to roosting bats and I did not note any evidence of roosting bats or nesting birds. One of the two sheds is in a particularly poor state of repair, part of the roof has been blown off and whilst there are some limited gaps behind parts of the structure these are very wet and exposed so I do not think they are likely to be used by bats. I therefore conclude that it is unlikely that bats would use the buildings for roosting so no further surveys are required. However, please add an informative note to any permission granted reminding the landowner and their contractor of the legislation affording protection to and their responsibilities towards roosting bats and nesting birds and what to do in the unlikely event of one being found during works.

I discussed enhancement opportunities on site and the applicant was happy to include bird boxes on the new barn – I suggest two swallow nest bowls are installed in suitable locations inside the new barn (which will have an open front) and one sparrow terrace is installed on the north-east (rear) elevation, please secure this by way of appropriate condition.

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As far as I am aware, we are still awaiting the SCAIL assessment, to look at the potential air quality impacts of the proposal as required by Natural England in their response dated 1 June 2022.

Exmoor National Park Wildlife Conservation Officer –*received 26/01/2023* – Thank you for forwarding this report on the SCAIL assessment undertaken for the proposed new livestock shed at West Middleton Farm, prepared by Bateman Hosegood.

With reference to West Exmoor Coast & Woods SSSI, the SCAIL outputs identify that the proposed building results in a Predicted Environmental Concentration (PEC) of $1.1\mu\text{g}/\text{m}^3$ NH_3 , which is in exceedance of the Critical Load (CL) of $1\mu\text{g}/\text{m}^3$, and the Process Contribution (PC) as a result of the proposal is $0.02292\mu\text{g}/\text{m}^3$, 2% of the CL. I note in their report that they have stated the PC as a percentage of the CL, however the thresholds quoted (20% for SSSI and 4% for SAC) are no longer in use by Natural England, who now consider anything over 1% to have a potentially significant effect (please see the attached guidance) and from previous cases, I note they are very concerned about the overall PEC. The SSSI is in exceedance as a result of the background data ($1.08\mu\text{g}/\text{m}^3$ NH_3) and this proposal appears to contribute to that. However, the existing shed will be included in the background data, so a SCAIL assessment for the existing situation is required as detailed in Natural England's letter so that a comparison between the two (existing and proposed) can be made.

I note that the PC as a % of the CL is 1.3% for Exmoor and Quantock Oakwoods SAC which is also already in exceedance as a result of the background data. For all other receptors the PC is <1% of the CL, though several are also in exceedance e.g. Exmoor Heaths SAC and Exmoor Coastal Heaths SSSI.

Exmoor National Park Future Landscapes Officer – The replacement cubicle building is proposed on the same footprint as the existing, extending to the south-west to square the building off. The farmstead is visible from some rights of way and distant roads, but the building would form part of the cluster of farm buildings so it would not cause any additional or adverse impact on visual amenity. I note that the proposed materials are standard for agricultural buildings, with concrete panel and timber clad walls and fibre cement roofing in anthracite grey, which will minimise reflectivity. As external lighting is proposed, I would suggest that this controlled via an appropriate condition to ensure that the lighting is approved prior to construction and that is in accordance with dark sky requirements to minimise light spill.

Historic England – This proposal relates to the demolition and removal of existing barns replacing with a single larger agricultural barn. The proposed new structure is close to the nationally important scheduled monument recorded as Staddle stones set on terraces at West Middleton.

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Historic England has no objection in principle to the proposal, providing it can be achieved in a way that avoids or minimises loss and harm to the significance of the nearby heritage assets. There is no heritage statement or visualisations to show the difference in height between existing and proposed therefore it is difficult to understand what, if any harm there will be.

Significance

The farmstead includes West Middleton standing stones (National Heritage List Entry No 1002568)

This monument includes staddle stones set on terraces situated immediately beside the farmyard at West Middleton on the upper slopes of a south western facing hill overlooking a valley of a tributary to the River Heddon.

The staddle stones survive as two pairs of parallel rows of upright slabs and a further setting of six stones set on two level terraces. In all there are forty eight slate stones which measure approximately 0.5m in height and are of similar size and shape and fairly evenly spaced at approximately 2.5m apart. Nearby are further archaeological remains that are separately designated.

West Middleton Farmhouse including attached stable range at south east end is listed Grade II (National Heritage List Entry No 1325739) for its special architectural and historic interest, therefore we advise that you refer to your Conservation Officer regarding impact from the proposal.

Impact

The potential impact of the proposed development on the scheduled monument is a material planning consideration. The main heritage considerations here in relation to the scheduled monument are the potential impact of the development on the setting of the monument. Without a heritage statement and visualisations showing existing and proposed it is hard to gauge the level of impact.

Policy

According to national planning policy, any harm to designated heritage assets (and assets of equivalent significance), whether substantial or less than substantial, needs to be justified and outweighed by benefits in the public interest. It is therefore important that the impacts on the affected heritage assets here are properly understood.

The scheduled monument is a heritage asset which therefore has the highest level of protection against unjustified harm or loss through impacts upon its fabric and remains, or on its setting (National Planning Policy Framework paragraphs (194, 195, 200).

Recommendations

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Local planning authorities themselves should 'identify and assess the particular significance of any heritage asset that may be affected by a proposal' and 'take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (NPPF para 199). Therefore, we refer you to your specialist advisors Shirley Blaylock and Thomas Thurlow at Exmoor National Park Authority.

If your authority is minded to approve this application, we would request that all contractors, visitors and delivery drivers are made aware of the location and extent of the scheduled monument and their liability under Section 2 of the Ancient Monuments and archaeological areas act 1979.

We recommend that the parts of the monument adjoining the access be physically delineated with some form of marker/fencing, such as hazard tape and road pins, for the duration of the works.

We also advise that there should be no storage of materials or vehicular movements within the scheduled area.

Recommendation

Historic England has no objection to the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194,195, 200 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

ENPA Historic Buildings Officer – received 04/07/2022 – For this one it would be useful to have a proposed block plan as I am not quite clear if the new barn is on the same footprint as the existing. I would also advise that Historic England are consulted if they haven't been already as it will impact the setting of the nearby scheduled ancient monument.

ENPA Historic Buildings Officer –received 10/11/2022 – Further to the submission of the revised block plan I have no additional concerns regarding the proposals impact on the setting of the listing building or the nearby Scheduled Ancient Monument.

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ENPA ROW and Access Officer – Thank you for consulting me on the above application.

Public footpath 250FP19 runs to the north of the development site and coincides in part with the access to it.

The development may be visible to those using the public footpath as they approach from the east but does not appear to have any direct impact on the restricted byway. Please ensure that the public right of way remains open and safe to use through the period of construction.

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

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users.

If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g. path closure application) should be taken in advance of any works. If this is likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible

- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the surface should be reinstated.

- Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way.

Separate legal steps are needed for this

- The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do

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- Parking on the public right of way may be deemed to constitute an obstruction

- Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

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- New furniture (e.g. gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

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

North Devon District Council – No Observations

Representations

Exmoor National Park Authority has received no letters of representation from members of the public in relation to this application.

Policy Context

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

GP1 – General Policy

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-D2 – Green Infrastructure Provision

CE-S6 – Design and Sustainable Construction Principles

CC-S1 – Climate Change Mitigation and Adaptation

CC-D7 – Pollution

SE-S1 – A Sustainable Exmoor Economy

SE-S4 – Agricultural and Forestry Development

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

Planning Considerations

The main material planning considerations are the principle of development, the design, scale and materials, and the impact upon heritage assets, the landscape, air quality and ecology.

Principle of Development

The proposal is for the construction of a general purpose livestock building to replace two defunct cubicle sheds for the housing of livestock.

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Policy SE-S4 is concerned with development which meets the needs of agricultural and forestry whilst protecting the special qualities of Exmoor. This states that:

“1. Permission will be granted for new or replacement buildings, tracks and structures or extensions required for agriculture or forestry purposes where:

- a) it can be demonstrated there is a functional need for the extension, building, structure or track and its size and scale is commensurate with the demonstrated need;*
- b) the building, track or structure is designed for the purposes of agriculture or forestry;*
- c) in the case of new buildings, the site is related physically and functionally to existing buildings associated with the business;*
- d) buildings, tracks or structures are sited appropriately in the context of local topography and of an appropriate design that responds to and reinforces landscape character in terms of size, scale, massing, layout, external appearance and materials – if a landscaping scheme is required it should be in accordance with policy CE-D1;*
- e) proposals do not generate a level of activity or otherwise detrimentally affect the amenity of surrounding properties and occupiers including through loss of daylight, overbearing appearance, or conflict with neighbouring land uses;*
- f) appropriate measures are taken to ensure proposals do not, including through the level of activity, have an adverse impact on biodiversity and cultural heritage (in accordance with CE-S3 and CE-S4) or cause other unacceptable environmental impacts; and*
- g) it can be demonstrated that opportunities have been taken for:*
 - i) the integration of passive design and sustainable construction methods to improve energy efficiency;*
 - ii) the integration of appropriate renewable energy technologies to reduce carbon emissions in accordance with CC-S5; and*
 - iii) minimising surface water run-off to avoid impacts on water quality (CC-D1).*

2. New isolated buildings will not be permitted unless it can be demonstrated that there are exceptional circumstances relating to an overriding functional need for a more isolated location, and where:

- a) they do not replace existing agricultural buildings that have been subdivided away from the holding; and*
- b) the requirement for them does not result from a change of farming practices, such that could adversely affect the management of the traditional landscape character of the National Park.*

3. Where new agricultural buildings with a floorspace of 500sqm or less are granted planning consent, permitted development rights may be withdrawn in respect of agricultural buildings and any land within its curtilage to alternative uses.”

In terms of functional need, the application drawings and papers indicate that the existing farming enterprise extends to a holding of approximately 225 acres (91 hectares). From the submitted planning statement, at present livestock in the site consists of a spring lambing flock of approximately 350 ewes, a fattening herd of approximately 200 hoggets to be sold as fats at local livestock market, and a beef

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herd. It is noted, however, that the SCAIL assessment submitted to accompany the application in January 2023 indicates that the site accommodates a mixed herd of beef cattle which are kept until finishing, and a flock of 450 breeding ewes and 300 hogs. The two existing cubicle buildings are noted to be in poor repair with one in use, while the other is noted to be redundant as it is unsafe.

It is also noted that previously approved permissions in 2018 and 2019 were for agricultural buildings stated to be for the purpose of the housing of livestock, as is the case with this present application, and that the three buildings would have footprints of 541m² (current proposal), 508.96m² (ref. 62/50/19/008) and 530.5m² (ref. 62/50/18/011) respectively, and that all three would have ridge heights between 6 and 6.75m. It is further noted that the submitted planning statements for the three applications indicate that the stock levels for the holding have not increased between the 2018 application and the present application, and that no additional justification for a need for the present proposal has been given beyond the need to house livestock in inclement weather; this was the same justification given for the two previous permissions, both of which have been enacted.

Whilst Officers acknowledge that the holding is well established and reasonable in size, officers are of the opinion that the applicants have failed to provide justification for the functional need for the building in the context of the two previously permitted applications. As such, given the information provided, the application fails to accord with Policy SE-S4 of the Local Plan, in particular SE-S4 (1a) and is unacceptable in terms of principle of development.

Design, Scale and Materials

Policy CE-S6 requires development proposals to deliver high quality sustainable designs that positively contribute to the setting; use materials and design elements that complement the local context; reinforces landscape character and the positive arrangement of landscape features; have regard to health and well-being; improve safety, inclusivity and accessibility for those who live, work and visit there; would not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance; or have any other adverse environmental impacts.

The proposed development would have the typical design, form and appearance of a modern agricultural building. The use of concrete panels with timber cladding on the walls and fibre cement roofing would help the building to assimilate with the sites surroundings, and it would ensure that it is congruent with the vernacular of modern agricultural buildings on Exmoor.

It is noted that the proposed building would have an approximate footprint of 541m² with a ridge height of 6.2m, whereas the existing cubicle buildings have a combined approximate footprint of 334.44m² with a ridge height of 3m. The proposal would

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therefore represent a 61.8% increase in footprint and a doubling in height from the existing cubicle buildings to the proposed new building.

From the planning history it is noted that permission has previously been granted for the retrospective extension to an existing agricultural building to be used for the housing of livestock (ref. 62/50/18/011). This application was granted in November 2018 and extended a previously approved agricultural building (approved under ref. GDO 02/05) of 438m² by 92.5m², giving a total footprint of 530.5m² with a ridge height of 6.05m. In addition, permission has previously been granted for the replacement of two defunct buildings (one milking parlour and one cubicle building) with a replacement building to be used for the housing of livestock (ref. 62/50/19/008). This application was granted in July 2019 and gave permission for a building with an approximate footprint of 508.96m² with a ridge height of 6.75m.

It is noted that the submitted planning statements for both the present proposal and the two previous proposals indicate that the buildings are for the housing of livestock. It is further noted that the planning statements submitted indicate that there has been no increase in livestock from the 2018 application to the present date, although it is acknowledged that the figures for livestock given in the submitted SCAIL assessment differ from those in the planning statement. No further commentary has been provided with regards to any changes in the farming operations on the holding and as such, it is considered that the information submitted gives insufficient justification for the increase in scale and massing which would occur through the replacement of the existing cubicle buildings with the proposed livestock building. Officers are therefore of the opinion that the proposal is not in accordance with Policy CE-S6 of the Local Plan and is unacceptable.

Impact on Heritage Assets

Policy CE-S4 (Cultural Heritage and Historic Environment) of the Local Plan advises that, among other things, 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. The Policy advises that development should make a positive contribution to the local distinctiveness of the historic environment and ensure that the character, special interest, integrity, and significance of any affected heritage asset and its setting is conserved and enhanced. Where development proposals are likely to cause significant harm to, or loss of, designated heritage assets or assets of national significance, permission should be refused in accordance with CE-S4.

Policy CE-D3 (Conserving Heritage Assets) seeks to ensure that development proposals have regard to an assess the impact of development. In conservations area development should preserve or enhance its character. Within Principal Archaeological Landscapes development should relate to existing buildings and be of an acceptable scale and form. Development should also have regard to the setting of

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the heritage asset and development which makes a positive contribution will be supported.

It is noted that West Middleton Farmhouse is a Grade II listed building which was listed in April 1987 (ref. 1325739) with the following details:

“West Middleton Farmhouse - including attached stable range at south-east end. II Farmhouse with stable range attached. Farmhouse C17, remodelled and roof raised in C19. Stable range probably early C19. Rendered stone rubble and some C17 or early C18 brick to porch, stack and some internal partitions. Slate roof with gable ends. C19 brick stack at right gable end, and C17 or early C18 brick stack to left hipped end. Demolished rear lateral hall stack. Originally 3 room-and-through-passage-plan. Lower end to left with lower roof level, with inserted C20 staircase. Late C17 or early C18 brick partitions to each side of through-passage with 2-storey front porch added at same time. Doorway through to hall infilled in C20. In C19 the roof over through-passage, hall and inner room was raised and the hall formerly heated by rear lateral stack and inner room altered internally. The hall was partitioned at the upper end to create a cross-passage between it and the inner room, and a gabled stair turret added at the rear. The original stairs were housed in a projecting turret to the left of the hall stack. In C20 the hall was partitioned again at the lower end to create a further cross-passage, adjacent to the original through-passage. The overall remodelled plan therefore is lower end with lean-to scullery at left end and dairy outshut to rear, original through-passage, cross-passage, hall, cross-passage, inner room. The stable range projects at right angles from left lower end forming overall L-shaped plan. 2 storeys. 4 window range in all. C20 fenestration to lower end with large ground floor 4-light casement with slate drip. Gabled brick porch with slate-capped seats to each side and C17 straight-headed ovolo-moulded inner door with weathered stops. Original plank door with scratch-moulded cover strips. Chamfered surround to rear through-passage doorway with old ledged plank door. To right of porch, the C19 remodelling attempted a symmetrical disposition of openings with 3 sashes with margin glazing bars above two similar windows flanking gabled slate roof to porch with C20 door. C20 lean-to porch inserted in angle of two-storey porch to left. Stable range symmetrical with loft door reached by external stone steps over doorway flanked by small window openings with timber lintels. Interior: ovolo-moulded surround to lower end/through-passage doorway. Wide unstopped chamfered cross ceiling beam to lower end. Fireplace blocked. Hall has chamfered hollow-step stopped cross ceiling beams. Dressed stone jambs to fireplace, lintel replaced. No ceiling beams to inner room. Roof structure over lower end apparently replaced also in C19. Flagstone floor to through-passage.”

In addition, adjacent to the farm buildings are a set of standing staddle stones which are a scheduled monument, with scheduling occurring in October 1968.

As such, given the importance of the heritage aspect of the site and surroundings, consultation advice on the current proposal was sought from both Historic England and the ENPA Historic Buildings Officer.

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It is noted, however, that Historic England have raised no objection in principle to the proposal and referred the matter back to the specialist officers at ENPA to judge impact upon the heritage assets. It is further noted that the ENPA Historic Buildings Officer has raised no objection to the application and has stated that they *“have no additional concerns regarding the proposals impact on the setting of the listing building or the nearby Scheduled Ancient Monument.”*

As such, given that no concerns have been raised by specialist consultees with regards to the potential impacts of the proposal on the nearby heritage assets, Officers are content that there will be no significant harm caused through effect on setting and that the proposal is therefore in accordance with Policy CE-D3.

Impact on the Landscape

Policies CE-S1 and CE-D1 of the Local Plan seek to conserve, enhance and protect Exmoor’s landscapes and seascapes and demonstrated that it is compatible with the conservation and enhancement of Exmoor’s landscape.

The application site lies within an area of land typical of the ‘Enclosed Farmed Hills with Commons’ landscape character type. The key characteristics of this landscape type include a broad, rolling terrain of hills and ridges and agricultural land use defined by pasture. Sheep are prevalent, but cattle and horses are also present. Although the vast majority of field boundaries are defined by beech hedge banks, there are some localised areas of stone wall boundaries that add localised character variation, e.g. at Trentishoe and Countisbury Common. Farms nestle in sheltered valleys, and the ancient settlements of Martinhoe, Parracombe and Trentishoe cluster around their square-towered churches. It is noted that the building, being part of an existing farmyard and cluster, would assimilate well into the existing built environment.

Officers conclude that the impact on the landscape and visual amenity would not be materially harmful, and the proposal therefore complies with Policies CE-S1 and CE-D1 of the adopted Local Plan.

Ecology & air quality

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. Policy CE-S3 (3) goes on to state that:

“Sites designated for their international, national or local importance, priority habitats, priority or protected species, ancient woodland and veteran trees will be protected from development likely to have direct or indirect adverse effects including on their

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conservation objectives. Protection will be commensurate with their status, giving appropriate weight to their importance, in accordance with the following principles:

- a) Development likely to have a significant effect on any internationally designated site either directly or indirectly, including on features outside the designated site which support the ecological functioning of cited habitats and species, will not be permitted unless it can be ascertained that the development will not have an adverse effect on the integrity of the site.*
- b) Development likely to have an adverse impact on the notified special interest features of nationally designated sites will not be permitted. An exception will be made only where the benefits of the development, at that site, clearly outweigh both the impacts it is likely to have on the special interest features of the designated site and any broader impacts on the network of nationally designated sites.*
- c) Development likely to cause harm to legally protected species, or lead to the loss of or damage to their habitats, will not be permitted unless this can be mitigated or then offset so that local populations are at least maintained.*
- d) Development likely to adversely affect local sites designated for their wildlife will not be permitted, unless it can be demonstrated that the need for, and benefits of, the development clearly outweigh the loss of biodiversity.*
- e) Development likely to adversely affect priority species and habitats must be avoided wherever possible (subject to the legal tests afforded to them) unless the need for, and the benefits of the development are exceptional and clearly outweigh the loss of biodiversity.*
- f) Development resulting in the loss or deterioration of irreplaceable ancient woodland (including ancient semi-natural woodland and plantations on ancient woodland sites) and veteran trees, will not be permitted unless the need for and the benefits of the development are wholly exceptional and clearly outweigh the loss of biodiversity.”*

For the purposes of interpreting the Policy and for the avoidance of doubt, Special Areas of Conservation (SAC) are internationally designated areas given special protection under the European Union’s Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010, and Sites of Special Scientific Interest (SSSI) are nationally designated sites designated by Natural England under the Wildlife and Countryside Act 1981 and are considered to be the country’s very best wildlife and geological sites, supporting plants and animals that find it more difficult to survive in the wider countryside, and protection of which is shared between landowners, local authorities and Natural England.

Based on the information provided, the sites at risk are the Exmoor and Quantock Oakwoods Special Area of Conservation (SAC), and the Exmoor Heaths SAC, located approximately 1.14km and 1.64km from the application site respectfully. These areas have been identified as potential areas to be affected by air pollution. In addition, the West Exmoor Coast and Woods SSSI lies approximately 0.8km from the application site at the nearest point. Therefore, the application site lies well within the 5km buffer zone for the SSSI and 10km buffer zones for the SACs. These buffer zones, also known as impact risk zones, are key areas identified by Natural England

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around each SSSI or SAC where particular types of development could potentially cause significant adverse impacts upon the special features and sensitivities of the SSSI and SAC for which it has been designated.

The applicant has submitted a Simple Calculation of Atmospheric Impact Limits (SCAIL) assessment for the proposal which has been considered by the Authority. It is noted that the Wildlife Conservation Officer has confirmed that the SCAIL outputs for the proposed building are above the 1% threshold currently used by Natural England, who consider anything over 1% to have a potentially significant effect. Given that the existing building would be included in the background data, the applicant's agent has been asked to provide an 'as existing' SCAIL assessment to compare with the figures for the proposed building to assess whether the proposed building would provide a betterment in terms of air quality. The agent has unfortunately taken the position that this should not be required and will not be provided, indicating that it is their understanding that consultation with Natural England is advisory and not regulatory and that, as a result, the Local Planning Authority are not obliged to refuse an application on the grounds that it does not meet the current thresholds. The agent has further indicated that it is their understanding that national and local planning policy should take precedence over the thresholds used by Natural England. As such, it has not been possible for Officers to ensure that a betterment in terms of air quality will occur through the proposal.

It is noted that the Habitats Regulations place an obligation on the Authority as a Responsible Authority to ensure the protection of internationally and nationally designated biodiversity assets within their area. Paragraph 4.47, explanatory to Policy CE-S3, goes into further detail on this, stating:

“4.47 Special Areas of Conservation (SACs) are designated to protect the distinctive wildlife which can be found in these specific habitats – these are Exmoor Heaths SAC and Exmoor and Quantock Oakwoods SAC. The combined area of SACs covers around 12,600 ha of Exmoor. Legislation restricts the granting of permission for development which is likely to significantly affect a SAC and which is not directly connected with or necessary to the management of the site for nature conservation. The environmental effects of any proposed development likely to have a significant effect on a SAC (including their qualifying species) alone or in combination with other projects, will be subject to the most rigorous examination by the National Park Authority, as set out in the Habitats Regulations, and is subject to separate statutory procedures including Appropriate Assessment. National planning policy is that development likely to have a significant effect on sites protected under the Habitats Directives would not be sustainable in terms of the presumption in favour of sustainable development.”

In addition to this, Paragraph 182 of the NPPF states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has

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concluded that the plan or project will not adversely affect the integrity of the habitats site.”

Further to this, it is noted that Natural England are a Statutory Consultee as outlined in Schedule 4(w) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. As such, the Local Planning Authority are legally obliged to consult with Natural England on all applications likely to have an effect on a SSSI.

Additionally, Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 (as amended) confirm that in considering any proposal which is likely to have a significant effect on a European site (e.g. a SAC) which is not concerned directly with the management of that site, the competent authority (ENPA) must consult the appropriate nature conservation body (in this case Natural England) and have regard to any representations made by that body. Likewise, Regulation 63 (2) confirms that it is the responsibility of the applicant to provide any information which the competent authority may reasonably require or the purposes of assessment. In this case, Officers consider that both ‘as existing’ and ‘as proposed’ SCAIL output figures are required in order to show a betterment in the air quality position. Furthermore, Regulation 63 (5) confirms that the competent authority should only agree to the proposal once it has been ascertained that the integrity of the SAC or other European site has not been adversely affected. Regulation 64 goes on to state that proposals which will potentially adversely affect European sites should only be permitted where it is overwhelmingly in the public interest.

In the case of the present proposal, the failure to provide an ‘as existing’ SCAIL assessment means that a betterment in terms of air quality cannot be established and, given that the figures submitted indicate outputs in exceedance of the 1% threshold, Officers cannot be assured that the impact upon the SACs and SSSI will not be significant.

Given this and given the failure to prove a functional need for the proposed building, as outlined above, it has not been demonstrated that the proposal is overwhelmingly in the public interest as required by Regulation 64 of the Habitat Regulations. Nor has it been demonstrated that the integrity of the SACs will not be adversely affected, in line with Regulation 63. As such, the proposal can be demonstrated to be contrary to Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 (as amended), which is a material planning consideration in this case.

In terms of storage of farmyard manure (FYM) or slurry, the application does not include proposals for storage and drainage would be via the existing drainage infrastructure. It is noted that, whilst it is not indicated on the submitted plans, there is an existing slurry bed to the northwest of the application site and immediately adjacent to the livestock building approved under 62/50/19/008.

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In terms of effect of the proposal on the wider ecology of the site, it is noted that the ENPA Wildlife Conservation Officer has visited the site and assessed the existing cubicle buildings as having negligible suitability for roosting bats and no evidence of the presence of bats or nesting birds. As such, Officers are content that, in line with the specialist advice of the Wildlife Conservation Officer, no significant direct harm will come to the ecology of the application site itself or to protected species within the confines of the site through the present proposal.

Despite this, and given the concerns raised regarding the potential impact on air quality for the ecologically sensitive SACs and SSSI, Officers consider that the proposal cannot be seen to accord with Policy CE-S3 of the Exmoor National Park Local Plan, Paragraph 182 of the NPPF and Regulations 63 & 64 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Other Matters

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

Policy GP1 of the Local Plan sets out that the need to consider future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change. Policy CC-S1 states that climate change mitigation will be encouraged, development which reduces demand for energy, using small scale low carbon and renewable energy, looks to situate development which avoids sites that would put wildlife at risk together with measures which avoids the risk of flooding.

Policy CC-S5 seeks to support small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park and Policy CE-S6 seeks to incorporate sustainable construction methods which future proof against climate change impacts, including flood risk.

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

There would be a low impact on the climate resulting from the proposed changes to the property.

Human Rights

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

Conclusion

It is officers view that the functional need for an additional livestock building of the scale proposed in this present application has not been justified, particularly given that the stocking figures for the holding have not changed from the two previous applications for buildings for the housing of livestock which were approved and have been enacted. Likewise, due to the exceedance of the 1% threshold for SCAIL outputs this has the potential to cause significant harm to the nearby protected sites. This is further exacerbated by both the Exmoor and Quantock Oakwoods SAC, Exmoor Heaths SAC and West Exmoor Coast & Woods SSSI already exceeding safe levels. No mitigation has been provided and requests for further information have been rejected. Therefore, officers are of the view that while there are benefits for permitting this development, the proposed development is likely to harm the ecology of these sensitive sites. This is contrary to Policy CE-S3 of the Exmoor National Park Local Plan, Paragraph 182 of the NPPF and Regulations 63 & 64 of the Conservation of Habitats and Species Regulations 2017 (as amended).

In terms of ecology, conditions can be imposed which would mitigate any harm caused by the development and enhancement measures secured through a planning condition and this weighs in favour of the proposal. The proposed development has been designed in accordance with typical modern agricultural buildings and the use of materials such of timber and fibre cement roofs is considered acceptable. However, these benefits are not considered to outweigh the potential harm the development may cause and as such, Officers consider that the application would not accord with the local plan and fail to be considered sustainable development and therefore should be refused for the reason given above.

Recommendation

Planning permission be refused for the following reasons:

1. Insufficient information has been provided by the applicant and their agent to ensure that significant harm to sensitive ecological sites at Exmoor and Quantock Oakwoods SAC, Exmoor Heaths SAC and West Exmoor Coast and Woods SSSI will not occur through the proposed development. From the current information provided, the proposed development would exceed the accepted 1% threshold for SCAIL outputs without any mitigation. Given this, the proposed development is not considered to comply with Policy CE-S3 of the Exmoor National Park Local Plan 2011-2031, with Paragraph 182 of the

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National Planning Policy Framework, and with Regulations 63 & 64 of the Conservation of Habitats and Species Regulations 2017 (as amended).

2. The applicant has failed to demonstrate a functional need for the proposed building for the housing of livestock. No justification for the increase in scale and massing from the two existing cubicle buildings has been provided. Given this, the proposed development is not considered to comply with Policies SE-S4 and CE-S6 of the Exmoor National Park Local Plan 2011-2031.

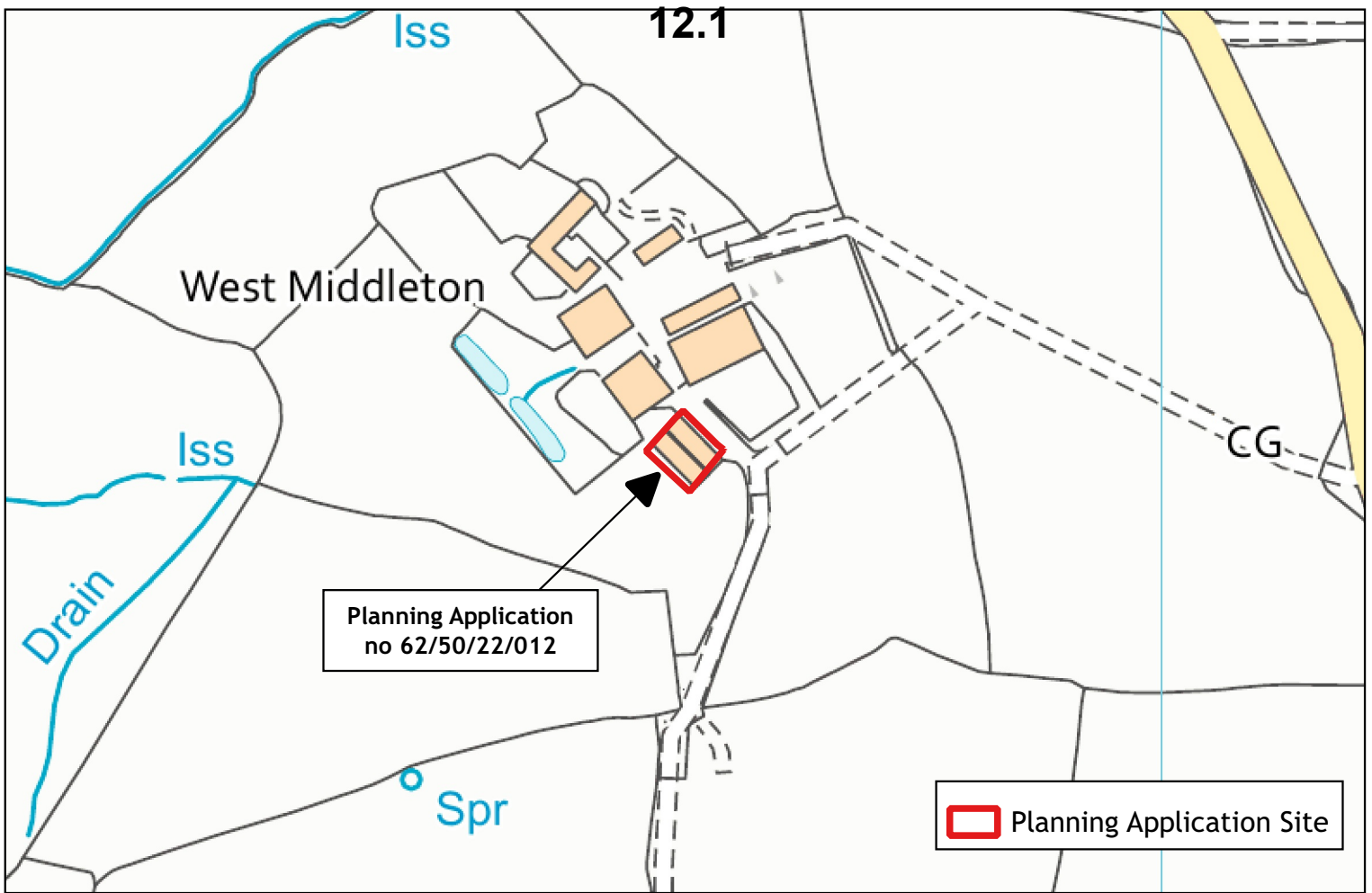
Informatives

POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged and was sought in this case contrary to the indication as included within the application form. Whilst not prejudicing the outcome of this application it is noted that the Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant. This is in accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and in line with the National Planning Policy Framework, which seeks 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.

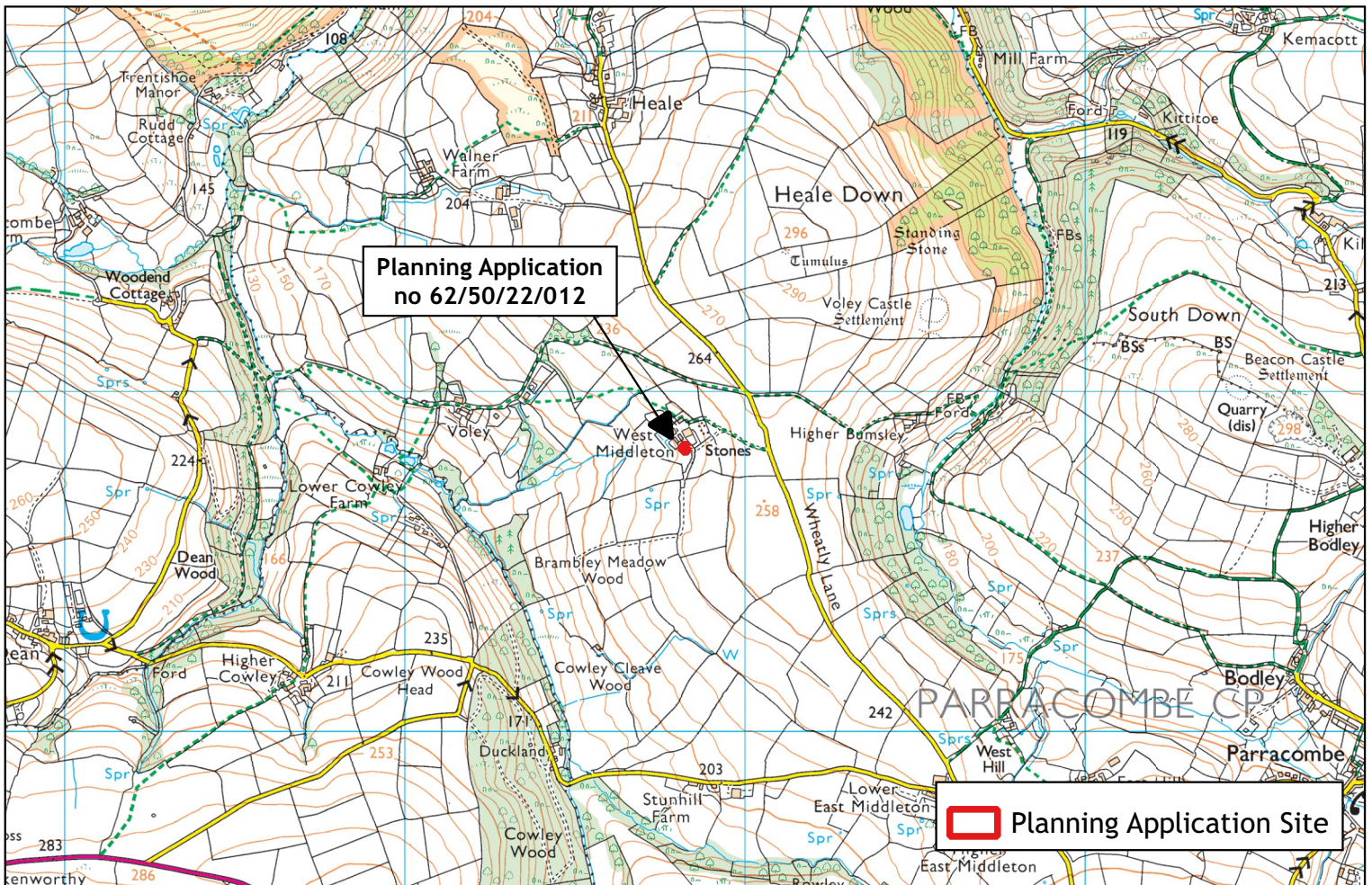
APPEAL TO THE SECRETARY OF STATE

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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Committee Report

Application Number:	6/3/23/008
Registration Date:	27-July-2023
Determination Date:	19-September-2023
Applicant:	Ms. M Grimaldi
Agent:	Mr. Stephen Blakeman
Case Officer:	Joseph Rose
Site Address:	Bidgood's, Bury, Dulverton, TA22-9ND
Proposal:	Proposed Storage Building (Part Retrospective).
Recommendation:	Refusal.
Reason for bringing before Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the recommendation of Brompton Regis Parish Council, who support the application.

Relevant History

75134 – Proposed erection of a private garage in the garden of 19 Bury, Dulverton and formation of vehicular access thereto, as described in the plans and drawings submitted (Approved: 01 November 1966)

6/3/83/114 – Proposed erection of a dwelling on land adjoining Bidgood's, Bury, as described in the plans and drawings submitted (Refused: 06 December 1983)

6/3/92/109 – Removal of Existing Garage and construction of new (Approved: 29 June 1992)

6/3/06/110 – Conversion of garage to studio (Approved: 25 July 2006)

6/3/17/108LB – Listed Building consent for the storeroom to be incorporated as part of the living accommodation and like for like works of repair and replacement to thatch covering, rendering and external joinery. Retrospective (Approved: 09 August 2017)

6/3/19/117 – Proposed external works and refurbishments including extension and outbuildings, replacement of kitchen and works to the interior. As per amended plans (Approved: 13 December 2019)

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6/3/20/103 – Proposed erection of a metal-framed glasshouse (5.7m x 3.5m), installation of electric car charging point and air source heat pump (ASHP), alterations to existing log store to house services and equipment for ASHP, replacement and relocation of greenhouse together with associated service trenching (Approved: 26 February 2020)

6/3/20/104LB – Listed building consent for proposed erection of a metal-framed glasshouse (5.7m x 3.5m), installation of electric car charging point and air source heat pump (ASHP), alterations to existing log store to house services and equipment for ASHP, replacement and relocation of greenhouse together with associated service trenching (Approved: 26 February 2020)

6/3/20/120 – Proposed erection of replacement greenhouse and new open-fronted arbour, together with construction of natural pond, provision of potting shed within outbuilding and installation of air source heat pump, satellite dish, borehole, WC in log store, replacement garden gate, new gate to kitchen yard, new panel and screen fencing, new walling, additional slate crease to chimney stack and landscaping with associated service trenching (Approved: 04 December 2020)

6/3/21/109 - Proposed installation of 18 no. ground mounted solar PV panels and underground cable connection, together with removal of section of hedgerow to form 1 no. opening and access (amended description) (amended plans) (Approved: September 2021)

Site Description & Proposal

Site Description:

The application site is located towards the southern periphery of the parish of Brompton Regis in Bury adjacent to Dyehouse Lane. The proposed site is situated to the east of the main dwelling at Bidgood's, within a field under the applicant's ownership which is separated from the property's curtilage boundary. The site is primarily rough grassland and bounded by tree to the north.

Proposal:

The planning application is partly retrospective and involves the retention and modification of a storage unit that was placed on the land in the summer of 2022. The land to which the storage unit serves spans approximately 0.3 hectares of which the applicant uses for horticultural purposes (note that for planning purposes, agricultural use includes horticultural use) and as such requires the use and storage of equipment.

The current structure measures at approximately 2.45 metres in height, 2.24 metres in width, and 3.89 metres in length. The proposed alterations will increase its ridge height to approximately 3.6 metres, its width to about 2.35 metres, and its length to 4.08 metres. The applicant has expressed that these modifications are necessary to accommodate equipment for land maintenance and associated horticultural purposes.

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Furthermore, the application includes plans for additional planting to create a natural screen. Additionally, the proposal seeks the use of external materials such as timber-clad walls and dark corrugated roofing sheets to give the structure a more traditional appearance.

Consultee Representations

ENPA Wildlife Conservation Officer – No Objection:

Given the small size of the proposed structure and the relatively low impact method of siting it (raised on sleepers rather than a concrete slab), I have no major concerns. However, please ensure that our Assistant Woodlands Officer is satisfied with the measures put in place to protect the mature beech under whose root protection zone (RPZ) the structure will sit. As long as it won't detrimentally affect the RPZ of the mature beech, I support the proposed planting of 10m of new native hedgerow which will provide an enhancement for wildlife in line with the NPPF and our Local Plan.

Brompton Regis Parish Council – Support:

Brompton Regis Parish Council supports this application for the following reasons:

- if approved there appears to be no negative effects on the listed building;
- the proposed structure is in an agricultural site and for agricultural use, being for beekeeping equipment, and for horticultural use, for storage of equipment used on the site;
- there is an existing approval on this site for a solar array;
- there does not appear to be a negative visual impact if the proposal is approved. The proposed cladding would improve the visual effect.

Representations

Exmoor National Park Planning Authority has received two letters from local residents objecting to the proposals at Bidgood's specifically regarding:

- This cottage already has 3 existent wooden sheds in the garden - any of which could have been repurposed for garden/bee-keeping equipment.
- This application is essentially a by-product of having part of the 2021 planning application refused, i.e. the solar panels were permitted, and the planning application was amended to remove the equipment store in the same agricultural field as is now being made in this application.
- The application for temporary work site entrance has been abused as work has been going on for five years. Enough is enough.

Policy Context

Exmoor National Park Local Plan 2011-2031 (inclusive of minerals and waste policies):

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GP1 – Achieving National Park Purposes and Sustainable Development

GP4 – The Efficient Use of Land and Buildings

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-D2 – Green Infrastructure Provision

CE-S6 – Design and Sustainable Construction Principles

CC-S1 – Climate Change Mitigation and Adaptation

CC-S5 – Low Carbon and Renewable Energy Development

SE-S4 – Agricultural and Forestry Development

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

Planning Considerations

The main planning considerations for this proposal are the principle of the development, impact on nearby heritage asset, siting & design, and climate change.

The Principle of the Development

The primary aspect of this application is for the retention of an existing storage unit for horticultural purposes that was placed on the land in the summer of 2022 (note that for planning purposes, agricultural use includes horticultural use), whilst the secondary aspect of this proposal involves the modification of the storage unit as to improve its visual impact on the surrounding landscape and to incorporate natural screening.

Policy SE-S4 outlines under point 1c, that permission will be granted for new buildings and structures required for agricultural purposes where the site is related physically and functionally to existing buildings associated with the business. Furthermore, point 2 of policy SE-S4 outlines that new isolated buildings will not be permitted unless it can be demonstrated that there are exceptional circumstances relating to an overriding functional need for the more isolated location and where they do not replace an existing agricultural building that have been subdivided away from the holding.

In response to the specified policy requirements, neither the applicant nor their agent has convincingly demonstrated to ENPA that there is a compelling overriding functional need for the storage unit and for its isolated placement as outlined in policy SE-S4. The applicant in their revised planning statement has outlined that the storage unit is required for the storage of horticultural and bee keeping equipment for the purpose of undertaking the horticultural operations at Bidgood’s. However, the updated information provided still lacks clarity regarding the applicant's complete horticultural operations. While the applicant has consistently mentioned in both the application form and planning statement that they utilise the land for horticultural purposes, they have not provided sufficient details regarding the scale and nature of these activities. Specifically, it remains unclear whether they are operating a business on the premises

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or if these activities are solely for personal leisure on a domestic scale. Understanding the extent of these operations is fundamental in determining the necessity of having a suitable storage facility on site and whether the proposed structure can be granted by virtue of the agricultural policies within the local plan. In addition, if the activities are to be considered on a domestic scale then other existing domestic storage provision readily available at the site would need to be considered within the decision making process.

ENPA also believes that if a functional need does exist for more sheltered storage and that its need can be adequately proven, there might be more suitable locations for a form of storage facility within the site that are better integrated with existing structures, thus reducing the facilities isolation. The applicant within their revised planning statement has in response to this point stated that *“In a recent previous application for Solar PV installation and a small building on the land, the building was proposed close to another building on the eastern edge of the land, adjacent to Bidgoods. The building that was part of the application was removed from the application presumably because it was more visible, and possibly considered harmful to the setting of a listed heritage asset.”* Whilst the LPA acknowledges this, it is prudent to note that the specifics of each application must be determined based on its individual set of merits such as design, placement, massing, and fundamentally its functional need.

As a result, the LPA still remain unconvinced that the agricultural building in the first instance is required as so little information has been given to the horticultural business taking place on the site. Without further clarification and explanation officers consider that the proposal would be contrary to policy SE-S4 of the Exmoor Local Plan.

Siting & Design

Policy CE-S6 (Design and Sustainable Construction Principles) of the local plan outlines that development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor’s built environment and that all new build development should positively contribute in terms of siting, massing, scale, height, orientation density and layout. Additionally, policy SE-S4 also outlines that new agricultural buildings should be well related physically and functionally to existing buildings associated with the business.

In this instance, as previously mentioned, ENPA is unconvinced, based upon a visual inspection of the site and based upon the local plan policies, that the suggested storage units placement is the most suitable. This is due to its isolation from any other structures within the open countryside.

Regarding the proposed amendments to the unit, the utilisation of timber cladding, the incorporation of a dual pitched grey corrugated steel roof and the proposals to include more natural screening is viewed positively in alignment with policy CE-S6 which emphasises that new construction should harmonise with the local context by employing traditional, sustainable, and natural building materials, which would undoubtedly improve the aesthetic of the current storage unit. However its isolated placement within the open countryside still remains non-policy compliant due to the lack of justification surrounding its overriding functional need.

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Further to this point, the applicant has also stated within their revised planning statement that *“It is submitted that a balance has to be struck between having the building in a location where it cannot be reasonably seen or in a location that is more visible and closer to a listed heritage asset.”* However, ENPA’s position remains that it is not a case of striking a balance between possible locations, so much as it is proving that there is a fundamental overriding need for such a storage facility in an isolated location. Whilst the design principles of any application, including the precise siting of the building, are significant material planning considerations, in proposals such as this, positive design elements are not deemed substantial enough to counterbalance the primary functional requirement for the proposed storage facility.

Nonetheless, if the applicant can demonstrate a compelling need for a storage facility, they should consider a built structure, such as a wooden shed. This option is generally regarded as more aesthetically pleasing and in keeping with the typical nature and character of such sites, as opposed to a storage solution like a timber-finished shipping container in accordance with the criteria outlined under policy CE-S6 which states 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.*

In addition to the previous point, the Local Planning Authority (LPA) does not view the current location of the storage facility as the most suitable, as indicated in policy SE-S4 and as outlined above. This policy emphasises that new buildings should have a physical and functional connection to existing structures associated with the agricultural business, and they should not be placed in open landscapes unless there is a compelling need for its isolated placement.

However, it is essential that if the applicant decides to propose a storage facility closer to Bidgood’s dwelling, they ensure that the external appearance, size, massing, and location of the structure are in harmony with the nature and character of the Grade II listed dwelling. Policy CE-D3 (Conserving Heritage Assets) within the Local Plan, specifies that development proposals affecting a heritage asset and its surroundings must show a positive contribution to the setting through sensitive design. Additionally, they should avoid causing unacceptable adverse effects and cumulative visual impacts that could negatively affect the setting. This is crucial for obtaining the LPA’s support.

Furthermore, policy CE-S4 (Cultural Heritage and Historic Environment) of the local plan expands on this by outlining that development proposals should make a positive contribution to the local distinctiveness of the historic environment and ensure that the character, special interest, integrity, and significance of any effected heritage asset and its setting is conserved or enhanced. The policy then explicitly states under point 5 that where development proposals will lead to substantial harm to, or loss of significance of a designated heritage asset, permission will be refused.

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

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challenge the Local plan includes policies which seek to influence, contribute and challenge development to help meet the Climate Emergency.

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

Regarding climate change, the proposal does boast favorable elements, notably the use of natural and sustainable building materials and the additionally proposed planting that is considered to have a positive impact upon wider climate change targets, however these aspects of the proposals are not considered to outweigh the negative impact the proposal will have on the surrounding landscape of which is not considered to be in accordance with policy SE-S4.

Policy CC-S1 also specifies that development should not be permitted on sites that put wildlife at risk. As outlined by ENPA's Wildlife Conservation Officer, the proposed storage unit is not likely to adversely put any wildlife at risk given that the unit is raised on sleepers, and again the proposed planting on site is viewed positively by the national park in regard to biodiversity enhancement.

Human Rights

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

Conclusion

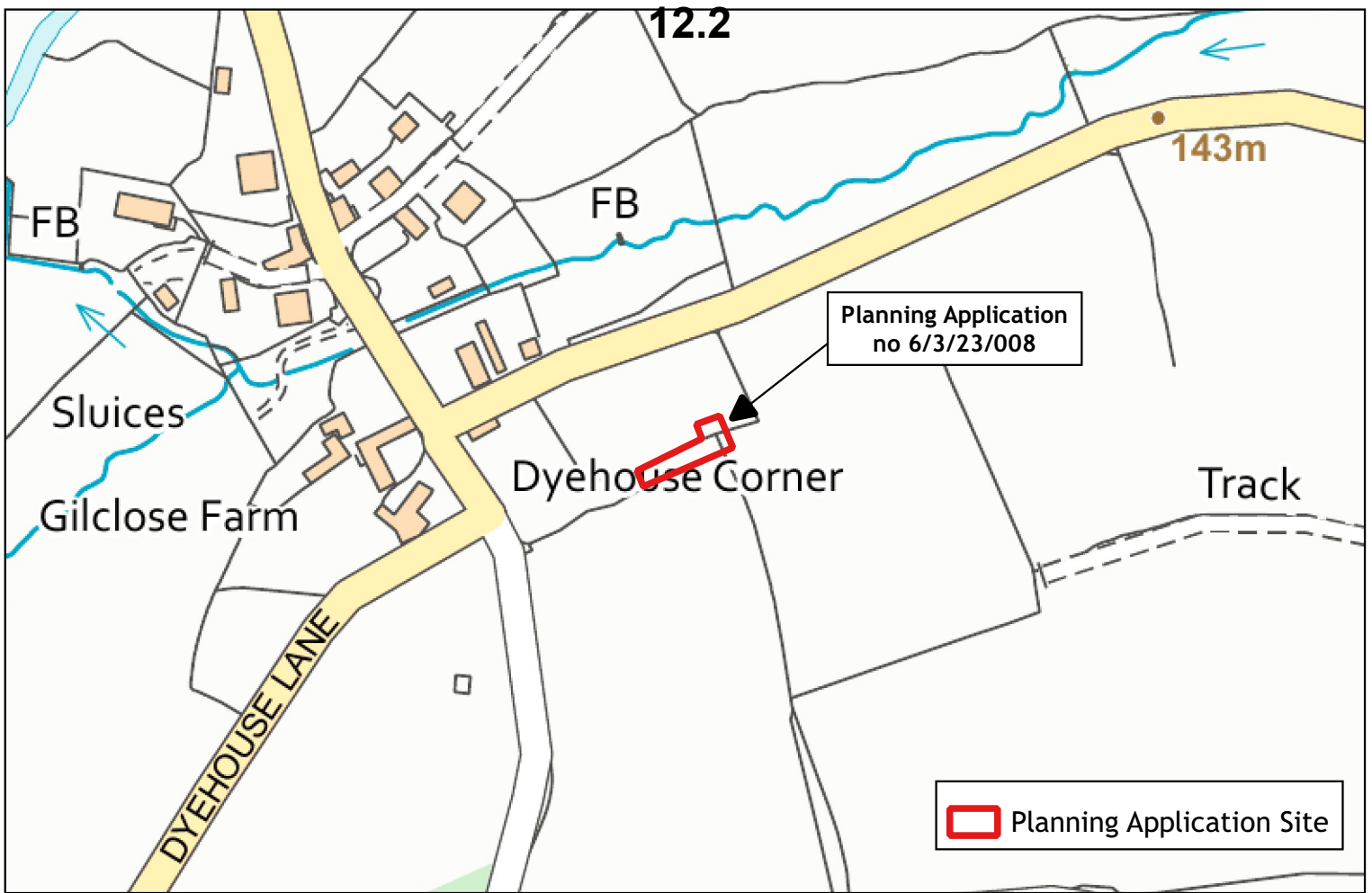
Taking into account the issues noted above and all other relevant material considerations, it is concluded that the proposals are contrary to the policies outlined within the Exmoor National Park Local Plan 2011-2031. While it is noted that the scheme will incorporate the use of sustainable and traditional building materials, these aspects collectively are not considered sufficient to outweigh the concerns raised regarding the lack of justification for the agricultural building and its isolated placement. As such, the case-officer recommends that planning permission be refused in accordance with the reasons as set out below.

Recommendation

Planning permission be refused for the following reasons:

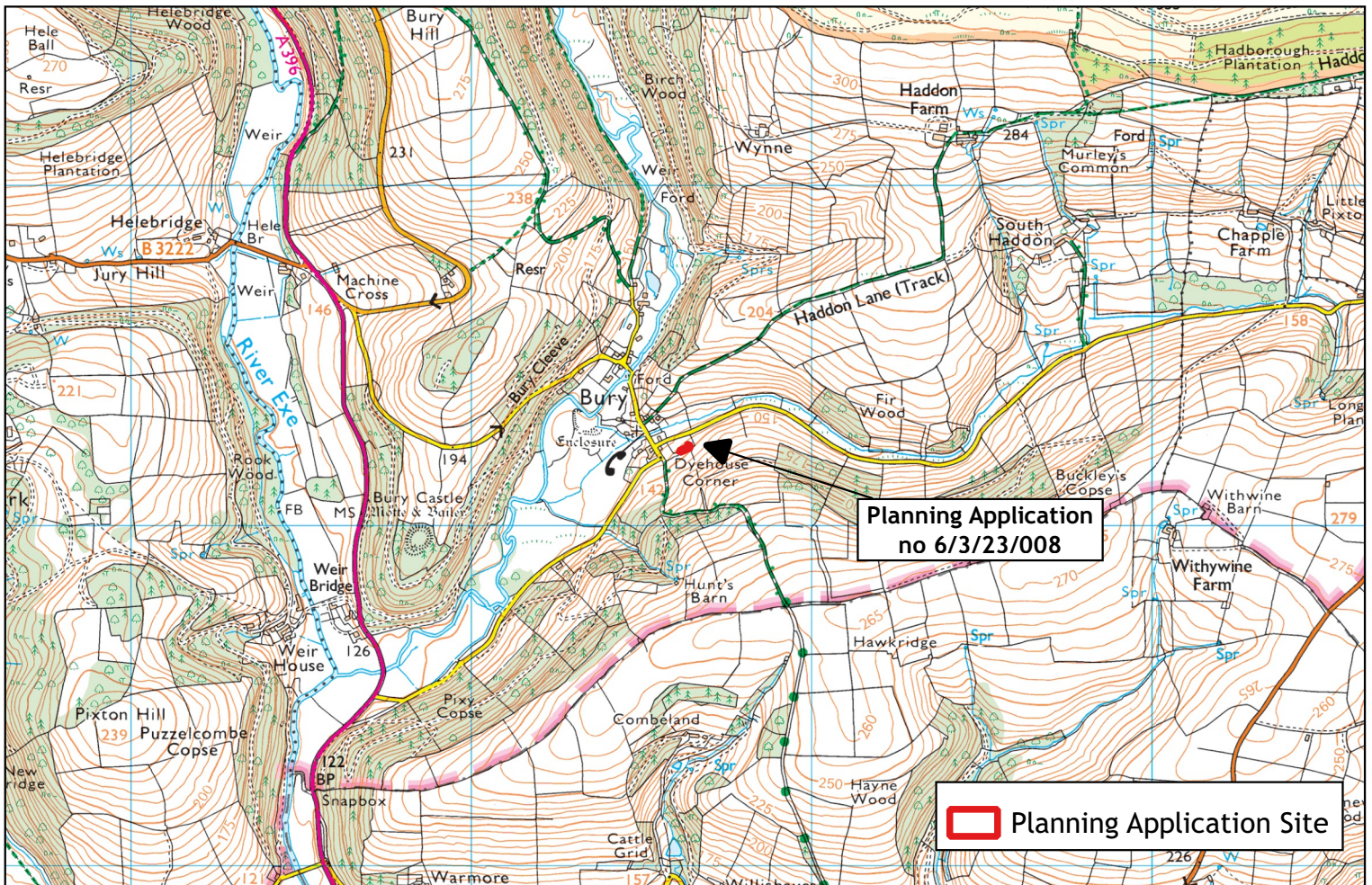
1. Proposals Contrary to the Exmoor National Park Local Plan 2011-2031:

The application fails to adequately demonstrate the overriding agricultural need for the proposed building, which by virtue of its siting and isolated location is considered to have a detrimental impact upon the wider landscape and is therefore contrary to policies CE-S1, CE-D1 & SE-S4 of the Exmoor Local Plan 2011 – 2031.



Site Map
Scale 1:2,500

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Overview Map
Scale 1:20,000

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Committee Report

Application Number:	6/24/23/004
Registration Date:	03-May-2023
Target Determination Date:	23-Jun-2023
Extension of Time:	
Applicant	Mr M Mansfield
Agent:	Mr D Mansfield
Case Officer:	Andrew Spiers
Site Address:	2 WOODFORD COTTAGES, WOODFORD, WILLITON, TAUNTON, TA4 4HR
Proposal:	Proposed erection of replacement shed and dog run. Retrospective.
Recommendation:	Approve with Conditions
Reason for bringing before Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the recommendation of Parish Council.

Relevant History

6/24/23/002LB Listed Building Consent for proposed internal refurbishment and reconfiguration Approved with Conditions 03/16/2023

6/24/98/101LB Proposed internal alterations to provide a new kitchen and bathroom, Approved 05/01/1998

Site Description & Proposal

This is a retrospective application for an outbuilding providing accommodation and runs for the applicant's dogs in the garden of 2 Woodford Cottages, Woodford. The application is retrospective as the applicant did not realise that, as the structure is within the curtilage of a Grade II Listed building, planning permission would be necessary.

The property is the second of four terraced cottages, which are Grade II Listed buildings. The property has a fairly long but narrow garden, commensurate with the narrow width of this terraced property.

The at-present-unlawful building has a length of 6.75 metres; a width of 3.65 metres; an eaves height of 1.88 metres and a ridge height of 2.3 metres. It would be of timber construction with a front area of thin metal bars, to allow for fresh air and limited

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exercise. It is situated at the bottom of the garden, approximately forty metres from the rear elevation of the house. Similar small outbuildings can be found in other gardens adjacent and nearby. The building has been stained a mid-brown, with a felt roof.

The accompanying statement contains the following information: *'The existing (former) tall shed was in poor condition and I tried to prop and repair the sides but unfortunately the very heavy roof collapsed. I understand from neighbours the shed had been there for around 25 years. The existing base was made good and I bought a new shed to replace the old shed. The new shed has 3 kennel runs attached for my pet/leisure dogs which I also use at work. It is 3.65m wide and 6.75m long, including the runs. This new shed is not as wide but slightly longer than the old shed. The roof is significantly lower than the old shed roof. The new shed has now been painted with brown wood treatment and some new fencing installed. I have been clearing the garden of weeds, overgrown hedging and rubbish. I will be planting a beech hedge at the end of the garden and gradually replacing broken and overgrown fencing. My cottage is small and impracticable to live in without a shed for storage of lawnmower, tools, equipment and outdoor protective clothing and boots required for my work. The row of Woodford Cottages' gardens all have a number of sheds of varying size, design and condition.'*

Consultee Representations

Environmental Health Officer, Somerset Council – No response

ENPA – Historic Buildings Officer - Whilst this is quite a large shed in context to the house there are numerous neighbouring outbuildings at the end of the gardens in this row. I would therefore consider the impact on the setting of the listed building to be negligible. I understand the issue of noise from dogs has been raised. While the setting of heritage assets can be harmed by noise, I am not of the view that the nature of the use of the outbuilding would in this case cause harm to the setting of the listed building.

Nettlecombe Parish Council – Nettlecombe Parish Council discussed this application at the parish meeting on the 9th May 2023. Whilst there are no objections to the principle of replacing an old outbuilding with a new shed/store this retrospective application has raised some significant issues of concern. This is not a like for like replacement. The new shed, including the attached kennel runs extends to about 24.6 square metres (according to the applicants description of works statement) and appears significantly larger than the original structure. The kennel run section comprises slightly less than 30% of the total area. It is acknowledged the original shed was in poor condition and a simple replacement of the old building would be entirely acceptable. The other properties that comprise Woodford Cottages exhibit a variety of sizes and styles of shed/store and we are not aware of any particular issues relating to any individual design. In this case it is noted that 2 letters have been submitted to the National Park objecting on noise and disturbance grounds. The

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properties are very small and any disturbance from one property will be apparent to all the other occupants in this location.

The presence of a number of dogs in an external purpose built kennel is leading to intrusive noise levels and disturbance of quiet enjoyment for adjacent properties. Accordingly the Parish Council must object to this application on the grounds of excessive size compared with the old shed and on the basis of noise interference from the presence of a number of dogs. It is noted from the applicants statement attached to the application that these dogs are used for work and it would be more appropriate for working dogs to be housed at the place of work.

Environment Agency South West - We have no objection to this application concerning flood risk, as the development is positioned outside of the flood zone. The replaced development (shed) does not fall within a flood zone; Therefore, we have no evidence or reason to indicate that the replacement shed will increase flood risk to the occupants or neighbouring properties.

Somerset Highways – No Observations

ENPA - Assistant Woodlands Officer – No Objection

ENPA – Wildlife Conservation Officer - I have no objection to this retrospective application for a dog kennel and run at 2 Woodford Cottages. Whilst it is unfortunate that the application is retrospective and we do not know what wildlife may have been impacted by the proposals (for example any nesting birds within the demolished shed), I understand the existing simple wooden shed had partially collapsed and we are unfortunately not able to look into this further at this stage. Please seek enhancement/compensation for the loss of potential bird nesting features in the form of a sparrow terrace nest box installed as high as possible on the northern elevation of the new building. Whilst the site lies close to Nettlecombe Park SSSI, guidance advises that consultation with Natural England is not recommended in this instance due to the nature of the application.

Representations

Two local objections have been received. Their comments can be summarised as follows:

- This is a grade II listed building
- Five dogs observed at rear of property – is a shoot being operated from the property?
- Barking noises from the dogs
- The structure is larger than the previous one
- The garden is too small for 4-5 dogs

One email of support has also been received from a local resident.

Policy Context

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

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

CE-S1 Landscape and Seascape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S2 Protecting Exmoor's Dark Night Sky

CE-S3 Biodiversity and Green Infrastructure

CE-S4 Cultural Heritage and Historic Environment

CE-D3 Conserving Heritage Assets

CE-S6 Design and Sustainable Construction Principles

HC-D16 Outbuildings

National Planning Policy Framework (NPPF): Paragraph 130

Planning Considerations

The issues for consideration in this case are those of the effect on the character and setting of the listed building and the effect on residential amenity.

Impact on Heritage assets

Policy CE-S4 (Cultural Heritage and Historic Environment) of the Local Plan advises that, among other things, 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. The Policy advises that development should make a positive contribution to the local distinctiveness of the historic environment and ensure that the character, special interest, integrity, and significance of any affected heritage asset and its setting is conserved and enhanced. Where development proposals are likely to cause significant harm to, or loss of, designated heritage assets or assets of national significance, permission should be refused in accordance with CE-S4.

Policy CE-D3 (Conserving Heritage Assets) seeks to ensure that development proposals have regard to an assess the impact of development. In conservations area development should preserve of enhance its character. Within Principal Archaeological Landscapes development should relate to existing buildings and be of an acceptable scale and form. Development should also have regard to the setting of the heritage asset and development which makes a positive contribution will be supported.

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In terms of the effect on the character and setting of the listed building, Officers are mindful of the fact that the structure is small scale and has a utilitarian design, and situated approximately forty metres from the listed building. It is also noted that it replaces a previous shed (in a state of some disrepair) which was of a fairly similar scale to that now located on the site, and that other adjacent and nearby properties have garden outbuildings.

The Historic Buildings Officer raises no objection to the application. In raising no objection it is recognised that the development follows a similar form to other gardens in terrace with also include outbuildings within the gardens.

Therefore, officers conclude that the proposal would comply with policies CE-S4 & CE-D3 of the Exmoor Local Plan.

Design

Policy CE-S6 requires development proposals to deliver high quality sustainable designs that positively contribute to the setting; use materials and design elements that complement the local context; reinforces landscape character and the positive arrangement of landscape features; have regard to health and well-being; improve safety, inclusivity and accessibility for those who live, work and visit there; would not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance; or have any other adverse environmental impacts.

Furthermore, Policy HC-D16 seeks to permit ancillary outbuildings where their scale and massing are appropriate to the dwelling they serve, the development respects the character and appearance of the setting of the existing dwelling and the private amenity space around the dwelling will not be reduced to an unacceptable dwelling.

The proposed building is of timber construction with a felt roof. The front portion of the structure has metal bars and the building is sat on a concrete base. Officers are of the view that this new structure presents a similar appearance to surrounding structures by way of the choose of materials. when compared to the previous outbuilding the structure is not considered to have any further adverse impact upon the character and appearance of the area and therefore officers consider the proposal to comply with policy CE-S6 & HC-D16 of the Exmoor Local Plan.

Residential Amenity

Policy GP1 of the Exmoor National Park Local Plan states that development should consider the impact on the amenities of local residents, occupiers of neighbouring properties, and visitors, and conserving or enhancing the quiet enjoyment of the National Park.

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A number of neighbours have expressed concern over barking by dogs on the site. Officers have consulted colleagues at Somerset Environmental Health Team and have received no response.

It is recognised that the proposed building will be used for the storage of equipment associated with the upkeep of the property as well as housing the applicants three dogs. Officers are of the view that due to the distance from the applicants and neighbours dwellings that it is unlikely that the noise generated by the building would be unacceptable. While dogs being kept in the applicants property and garden could also be heard by neighbours it is recognised that having dog kennels within the garden may exacerbate that impact further. Therefore, in response to these concerns conditions will be included, should the proposal be approved, which limit the number of dogs using the structure, and limiting its use to domestic rather than commercial use.

Ecology

Policy CE-S3 (Biodiversity and Green Infrastructure) of the Local Plan relates to biodiversity and green infrastructure and states that the conservation and enhancement of wildlife, habitats, and sites of geological interest within the National Park will be given great weight.

It is unfortunate that the application is retrospective and we do not know what wildlife may have been impacted by the proposals (for example any nesting birds within the demolished shed), it is understood the existing simple wooden shed had partially collapsed and we are unfortunately not able to assess this.

The Authority's Wildlife Officer has raised no objection subject to enhancement and/or compensation for the loss of potential bird nesting features in the form of a sparrow terrace nest box installed as high as possible on the northern elevation of the new building.

Furthermore, the Wildlife Officer states that in this instance whilst the site lies close to Nettlecombe Park SSSI consultation with Natural England is not recommended in this due to the nature of the application.

Overall, subject to the inclusion of appropriate conditions the development is considered to comply with policy CE-S3 of the Exmoor Local Plan.

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.

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

Paragraph 152 of the National Planning Policy Framework prescribes that the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

As the physical development proposed is of a very small-scale nature, any impact on climate change would not be of an unacceptable level. Officers consider that the impact on the climate resulting from the construction of the proposed development and its ongoing use would not be such that the application should be refused.

Human Rights

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

Conclusion

It is unfortunate that this application is retrospective, but Officers accept the applicant's contention that he was unaware of the need for planning permission.

As the proposal is in accordance with Local and National Planning Policy, the application is recommended for approval, subject to the inclusion of the conditions noted below.

Recommendation

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

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Reason:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the submitted site plan, location plan and drawings numbered p2c/uk/933930/1260168; b90c//938709/1266318; Elevation and Roof Plan (un-numbered) and Floor Plan (un-numbered) date stamped 3rd May 2023 unless otherwise required by condition below.

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

3. Notwithstanding the details submitted, a sparrow terrace nest box shall be affixed to the northern elevation of this structure as high as possible within three months of the issue date of this Notice. The sparrow terrace nest box shall then be retained in situ in perpetuity.

Reason: In the interests of securing a biodiversity net gain for the site.

4. The structure hereby approved shall be used for domestic purposes ancillary to the host dwelling only, and not for any commercial purposes.

Reason: In the interests of residential amenity.

5. No more than four dogs shall use the structure hereby permitted at any time.

Reason: In the interests of residential amenity.

Informatives

POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Paragraph 38 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 applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to try and achieve a positive outcome.

MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning

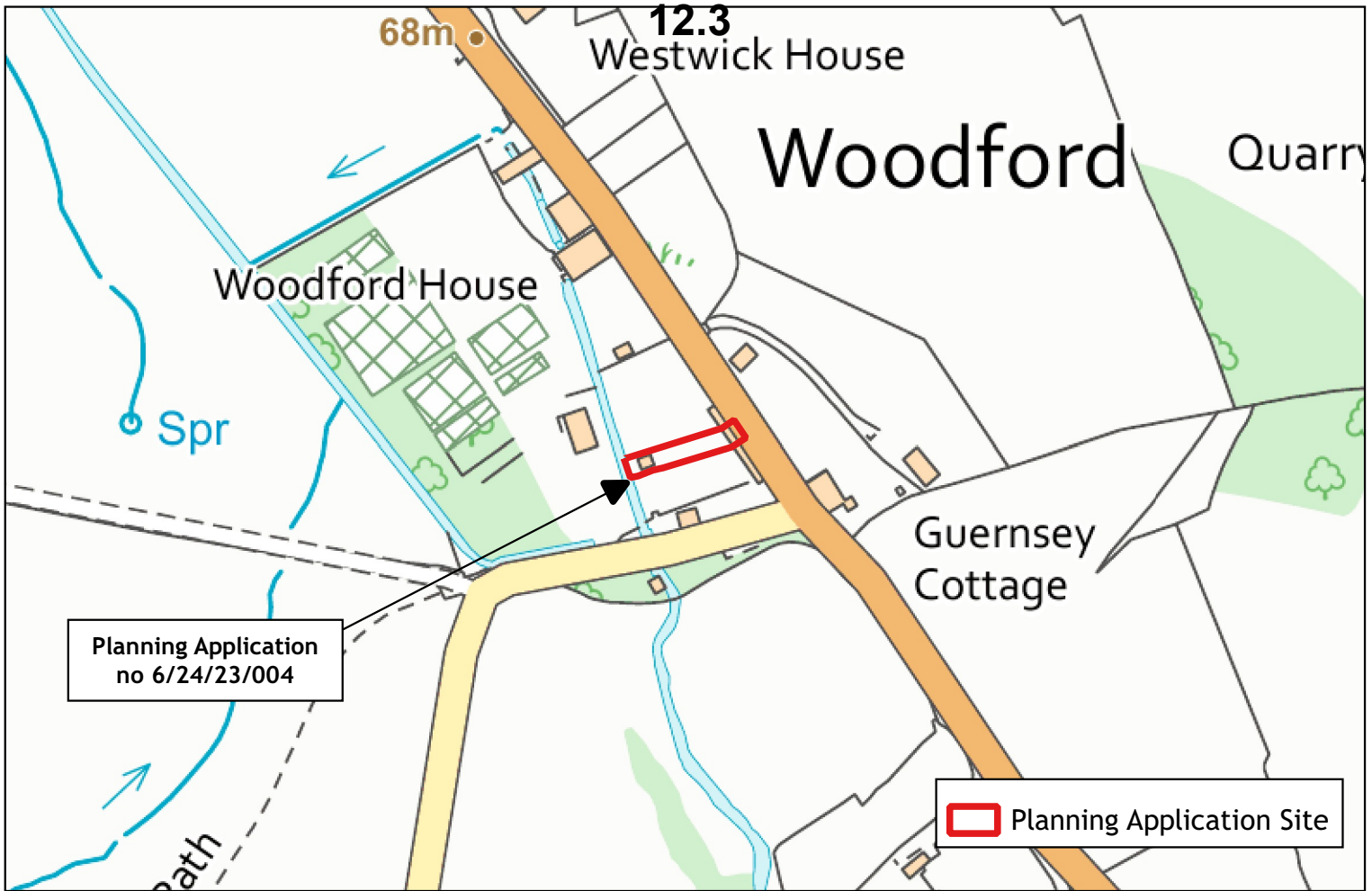
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condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has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

CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS

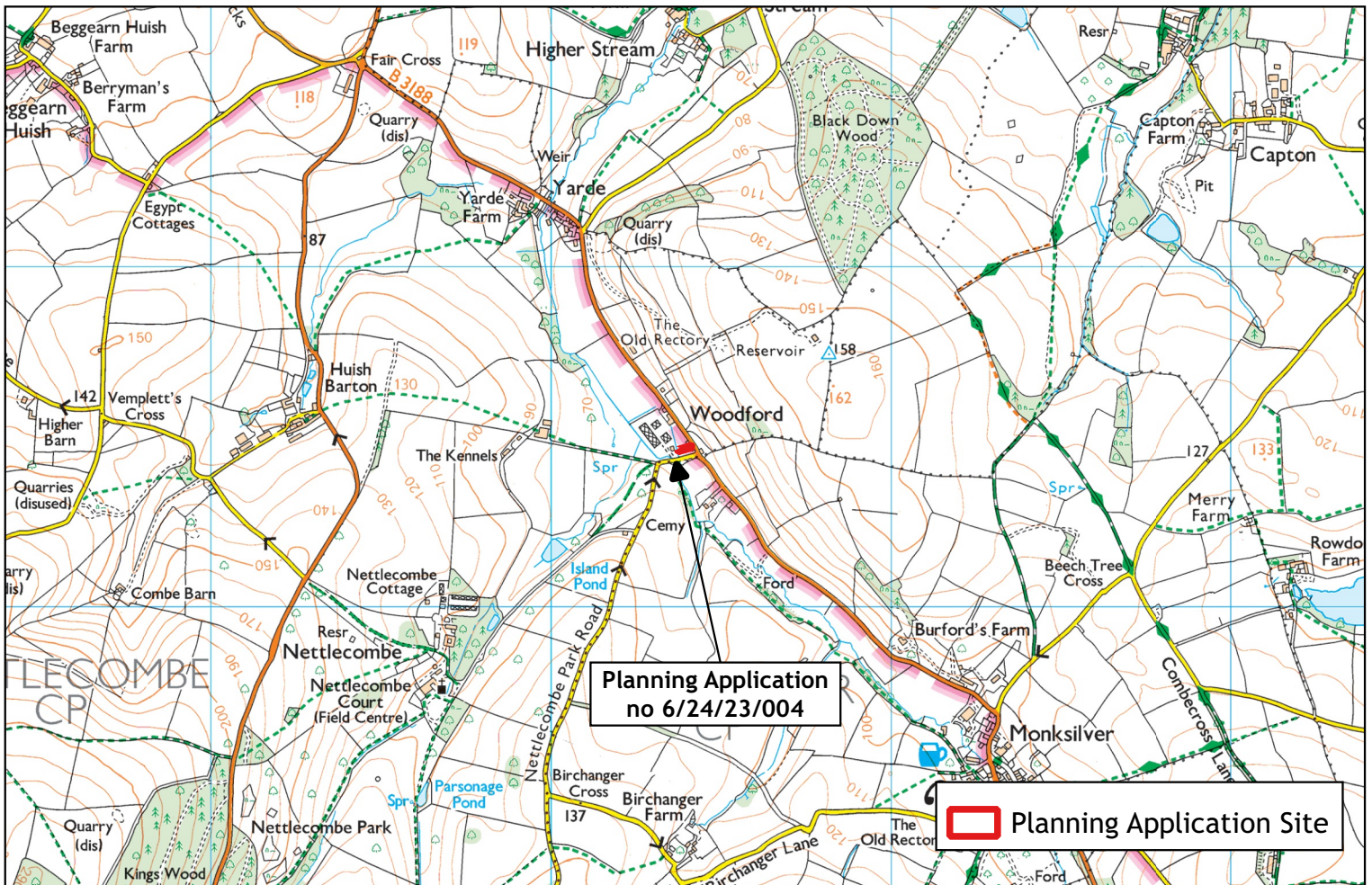
Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts.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

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



Site Map
Scale 1:2,500

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Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/40/23/010DC	Mr S Winzer - Proposed discharge of condition 5 (slate sample) of approved application 6/40/21/120 (Discharge of Condition) - LITTLE HAM, WINSFORD, MINEHEAD, TA24 7JF	19-Oct-2023 Approved
6/27/23/013	Mr & Mrs G Lavender - Non-material amendment – full – of approved application 6/27/06/104 to allow:relocation of plot 1 further to the south west by 3m; removal of the garage and link from plot; alterations to window and door positions to the rear elevation of plot; reduction of building width of plot 2. (NMA - Full) - Land adjacent to Bossington Stables, Bossington Lane, Porlock, TA24 8HD	13-Oct-2023 Refused
6/40/23/008DC	Mr J Keen - Proposed discharge of condition 3 (Slate sample) of approved application 6/40/23/001 (Discharge of Condition) - Nethercote Cottage, Exford Road, Winsford, Somerset, TA24 7HZ	12-Oct-2023 Approved
GDO 23/09	Mrs. C Dehaini, Squirrels Architecture - Prior notification for proposed composting bays. (GDO - Agricultural/Forestry) - Higher Barn Farm, Washford, Watchet, TA23 0LY	25-Sep-2023 Prior Approval Not Req'd
62/50/23/016	Mrs J Crawford - Lawful development certificate for an existing use for the conversion of double garage to living accommodation. (CLEUD) - WYCHWOOD, PARRACOMBE, BARNSTAPLE, EX31 4PE	26-Sep-2023 Approved
6/27/23/011DC	Mrs S Sheasby - Proposed discharge of condition 13 of approved application 6/27/18/117 (CEMP BioDiversity) (Discharge of Condition) - Former Porlock Abattoir, Porlock Hill Road, Porlock, Somerset	29-Sep-2023 Approved
6/29/23/009LB	Ms J Allsopp - Listed building consent for the proposed installation of Secondary Glazing (Listed Building Consent) - CLEMENTS COTTAGE, TIVINGTON, MINEHEAD, TA24 8SU	06-Oct-2023 Approved with Conditions
6/27/23/010	Mrs C Taylor - Lawful development certificate for the existing rear extension. (CLEUD) - VINE TREE COTTAGE, SPARKHAYES LANE, PORLOCK, MINEHEAD, TA24 8NE	21-Sep-2023 Withdrawn

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/26/23/008	Mr K Roberts - Proposed erection of a two storey extension. (Householder) - Manor Mills House, Roadwater Road, Roadwater, Watchet, Somerset, TA23 0RE	05-Oct-2023 Approved with Conditions
6/15/23/001	Mr & Mrs Norman - Lawful development certificate for dwelling with unrestricted occupancy related to conditions attached to 6/15/08/102 (CLEUD) - MARSHWOOD, EXTON, DULVERTON, TA22 9LD	29-Sep-2023 Refused
62/41/23/022LB	Mr A Cook - Listed Building consent for the proposed replacement of staircase (Listed Building Consent) - The Old Sawmills, BARBROOK, LYNTON, EX35 6PF	25-Sep-2023 Approved with Conditions
6/19/23/002LB	Mr. D Raymond, National Trust - Listed building consent for the proposed demolition and reconstruction of chimney stack. (Listed Building Consent) - THE HORNER TEA GARDENS, HORNER, MINEHEAD, TA24 8HY	11-Oct-2023 Approved with Conditions
6/19/23/001	Mr. D Raymond, National Trust - Proposed demolition and reconstruction of chimney stack. (Full) - THE HORNER TEA GARDENS, HORNER, MINEHEAD, TA24 8HY	11-Oct-2023 Approved with Conditions
6/9/23/011	Mr D Johnston - Lawful development certificate for the proposed re-roofing of existing dwelling and installation of solar panels. (CLOPUD) - Greenlee, Millham Lane, Dulverton, TA22 9HQ	21-Sep-2023 Approved
6/35/23/004	Mr M Weatherlake - Lawful development certificate for the Existing Use of building to accommodate Biomass Boiler and associated equipment. (CLEUD) - HIGHER COURT FARM, TREBOROUGH, WATCHET, TA23 0QW	26-Sep-2023 Approved
6/9/23/010	Mr & Mrs Moullin and Markwick, Pentire - Proposed new conservatory with solid roof. (Householder) - 18, JURY ROAD, DULVERTON, TA22 9DU	28-Sep-2023 Approved with Conditions
6/14/23/002DC	Ms K Morris - Proposed discharge of condition 2 (turning/parking area) of approved application 6/14/22/105 (Discharge of Condition) - Picked Stones Farm, SIMONSBATH, MINEHEAD, Somerset, TA24 7LA	10-Oct-2023 Approved

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
62/50/23/015	Ms D Harding - Lawful development certificate for the existing operational development to confirm the material commencement of planning permission 62/50/20/003 (CLEUD) - SUNNYSIDE FARM, PARRACOMBE, BARNSTAPLE, EX31 4QJ	26-Sep-2023 Approved
62/41/23/018	Mr I Sefi - Proposed erection of a first-floor extension and external staircase, together with, alterations to rooflight positions. (Householder) - Bakers Court House, Bakers Court Lane, Lynton, Devon, EX35 6EW	17-Oct-2023 Approved with Conditions
6/9/22/120DC	Airwave Solutions Ltd - Discharge of conditions 5 (external finish details) and 6 (Landscaping Scheme) of approved application 6/9/21/125. (Discharge of Condition) - Land at Liscombe Farm, Liscombe, Dulverton, TA22 9QA	12-Oct-2023 Approved
62/19/22/004	Ms G Blundell - Proposed Loft Conversion to include new staircase to the rear. (Householder) - TORCLIFF, LESTER POINT, COMBE MARTIN, ILFRACOMBE, EX34 0DL	22-Sep-2023 Approved with Conditions