

9 November 2010

ITEM 4

EXMOOR NATIONAL PARK AUTHORITY

MINUTES of the meeting of the Exmoor National Park Authority held on Tuesday, 9 November 2010 at 10.30am in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr W J Dyke (Chairman)

Miss A V Davis (Deputy Chairman)

Mrs A M Clitheroe

Mr M A Collins

Mr R C Edgell

Mr J Freeman

Dr S Head

Mrs S Hibbert

Mr N Holliday

Mrs C Lawrence

Mrs B Maitland-Walker

Mr R Milton

Mrs F Nicholson

Mr N Parbrook

Mr S J Pugsley

Mr F Rawle

Mr I Rigby

Mr R J Webber

Dr J Wibberley

Mr J Yabsley

An apology for absence was received from Ms D Kershaw.

30. DECLARATIONS OF INTEREST

There were no declarations of interest.

31. CHAIRMAN'S ANNOUNCEMENTS

- The Chairman advised of the recent publication of the Public Bodies Reform Bill which, if enacted, would enable the constitutional arrangements of National Park Authorities and other government funded organisations to be modified by ministerial order, without the need for primary legislation.
- Having regard to the Coalition Government's Public Spending Review, all Members were encouraged to promote to parliamentarians the value and importance of the purposes and functions of National Park Authorities. The Chairman commended the Authority's staff for their continued dedication and commitment in what was a very uncertain time.
- On behalf of Members of the Authority, the Chairman conveyed thanks and appreciation for the valuable contribution to the work of the Authority made by three long-standing members of staff at the Lynmouth National Park Centre, Centre Manager Shirley Booker and Information Advisors, Beth Brookes and Anne Scholes, all of whom had recently retired from the Authority. Particular thanks were extended to Shirley Booker, whose long service and extensive knowledge of Exmoor had made an important contribution to visitor experiences over many years.

32. MINUTES

i. **Confirmation**

The Minutes of the Authority's meeting held on 7 September 2010 were agreed and signed as a correct record.

ii. **Matters arising.**

Minute 27 – Resources and Performance Committee. In relation to funding for the Exmoor Moorland Landscape Partnership Scheme, the meeting was advised that the Heritage Lottery Fund's (HLF) revised grant offer had now been confirmed. The Partnership Scheme would now be recruiting a Manager, and the supplementary posts of Moorland Education Officer and Moorland Heritage Officer would also be advertised. As required by the terms of the HLF grant offer, these appointments would be subject to an open recruitment process and existing Authority staff could apply.

33. PUBLIC QUESTION TIME

- Mrs Suzette Hibbert, Authority Member, North Devon District Councillor and Member of Lynton & Lynmouth Town Council endorsed the Chairman's tribute to the recently retired staff of the Lynmouth National Park Centre; Shirley Booker had worked at the Centre for 23 years, Beth Brookes for 13 years and Anne Scholes for 12 years, and their knowledge of Exmoor was unsurpassed. Mrs Hibbert said that Shirley Booker had recently become unwell and staff and Members joined in sending her their best wishes.
- See Minute 34, Amendments to Standing Orders and the Recording of Meetings, and Minute 39, Resources and Performance Committee, for public questions from Mrs Molly Groves, Exmoor Uprising.

34. AMENDMENTS TO STANDING ORDERS AND THE RECORDING OF MEETINGS

The Authority received the report of the Head of Corporate Services.

Public Question Time

Mrs Groves said that Exmoor Uprising had made a simple request that meetings of the Authority be recorded and she questioned the need for the proposed amendments to Standing Orders. She considered that the 2 minutes allowed for each public speaker was inadequate, particularly when a controversial issue was to be determined, and felt it was unacceptable that the Chairman should have discretion to terminate the audio recording of meetings. Mrs Groves further considered that the proposed revision to the Scheme of Delegation would diminish the independent decision-making ability of the Resources and Performance Committee. In closing, Mrs Groves agreed that Shirley Booker had been a first-rate member of staff, deserving of the Authority's recognition.

The Authority's Consideration

Members considered that audio recordings of meetings of the Authority and its Planning Committee and Resources and Performance Committee should be accessible to the public as widely and as simply as possible. In recognition of the increase in access to and use of the internet, it was proposed that recordings be available via the Authority's website for a minimum period of 6 months from the date of the meeting, and thereafter should be held in archive. In order to ensure that members of the public without internet access were not disadvantaged, it was agreed that recordings should also be available on CD on request.

The proposed protocol for the audio recording of meetings was agreed. It was noted that the Chairman's discretion to terminate audio recording was unlikely to be invoked during the ordinary course of that part of meetings open to the press and public. However, the discretion to terminate recordings was considered a necessary provision within Standing Orders, the principal use of which would relate to consideration of confidential or exempt items as defined by the Local Government Act 1972 and from which the press and public were excluded.

It was agreed that Standing Orders were an important tool in the management of public meetings. The proposed amendments to public question time set out the intended practice and it was noted that questions of a general nature could be raised under the Public Question Time agenda item, and questions specific to an agenda item would be taken at the relevant time during the meeting. Taking account of the opportunity for contact with and lobbying of Members in advance of meetings, the 2 minutes allowed to pose a public question was considered reasonable and appropriate, and it was noted that the Chairman retained discretion to extend this time. These arrangements were comparable with those of other Authorities.

While indicating approval of the proposed amendments, a number of Members endorsed the suggestion that a full review of Standing Orders be undertaken to ensure they reflected current practice, and where appropriate to modernise old-fashioned or unnecessarily formal language. It was agreed that this review be conducted by a working group of Miss A V Davis, Dr S Head, the Chief Executive and the Solicitor and Monitoring Officer, and that a member workshop on the group's recommendations be held prior to the presentation of updated Standing Orders to a future meeting of the Authority.

- RESOLVED:** (1) To approve and adopt the amendments to Standing Orders as outlined in paragraph 2.1 of the report.
- (2) To establish a working group of Miss A V Davis, Dr S Head, the Chief Executive and the Solicitor and Monitoring Officer to conduct a full review of Standing Orders, the recommendations of the group to be considered at a member workshop prior to presentation to the Authority of updated Standing Orders for formal adoption.
- (3) To approve the protocol for the recording of meetings as set out in Appendix 2 to the report.

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(4) To approve:

- (i) the uploading of audio recordings of meetings of the Authority, its Planning Committee and Resources and Performance Committee to the Authority's website for a minimum period of 6 months from the date of the meeting, thereafter the recordings to be archived.
- (ii) the availability on request of audio recordings of meetings of the Authority, its Planning Committee and Resources and Performance Committee on non password protected CD.

35. AUTHORITY MEETING DATES 2011 AND 2012

The Authority meeting dates for 2011 and 2012 were agreed, subject to amendment to reflect that the first Authority meeting in 2011 would be held on 15 February at 10.30am, not 18 January. This would facilitate the Authority's consideration of responses to the current Defra consultation on the review of governance arrangements for National Park Authorities and the preparation of a report to Defra, within the prescribed timetable.

It was noted that the District and Parish Council elections would take place in May of 2011 and in order to allow adequate time for the election, nomination and appointment of Parish Councillors to the membership of Authority, consideration would be given to altering the date of the Annual Authority meeting in 2011 from June to July.

It was agreed it was not appropriate to reschedule the May Planning Committee meeting to a date after the Parish and District elections; as such a postponement would disrupt the planning process. It was also felt that any Parish or District Councillors not re-elected but remaining eligible to sit on the Planning Committee until their replacement was appointed, would lack a mandate to determine planning applications.

- RESOLVED:**
- (1) To agree the Authority meeting dates for 2011/12 subject to amendment to reflect that the first Authority meeting of 2011 would be held on 15 February at 10.30am.
 - (2) To request that Officers consider altering the date of the 2011 Annual Authority meeting from June to July, in view of the Parish Council elections taking place in May of that year.
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36. MEMBER BRIEFING SESSIONS

The following were suggested as topics for future Member Briefing sessions:

- Update on broadband and other aspects of telecommunications.
- European Union review of aid to farmers in Less Favoured Areas and Common Agricultural Policy reform.

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- Feedback session from the National Park Management Plan Implementation Board.
- The Big Society and Localism.
- Sustainable livelihoods: Update on the status of tourism businesses in the National Park.
- Phytophthora ramorum and its impact on the ecology of areas affected.
- Hinkley Point proposals, related housing issues and the potential to achieve affordable housing stock as a community legacy of the development.

37. IMPACT OF GOVERNMENT SPENDING REVIEW

The Authority received the report of the Chief Executive.

The Authority's Consideration

Following announcement of the outcome of the Coalition Government's public spending review, the Chief Executive advised that the Authority's Spending Review Advisory Panel had been considering a number of financial scenarios. Notification from Defra of the National Park Grant settlement was not expected until the first week of December 2010, after which the Panel would meet again and a detailed consultation document on the future structure and priorities of the Authority would be prepared.

RESOLVED: (1) To note the current position regarding the Government's Spending Review.

38. REVIEW OF THE GOVERNANCE ARRANGEMENTS FOR NATIONAL PARK AUTHORITIES

The Authority received the report of the Chief Executive.

The Authority's Consideration

Members were advised that the consultation document on Defra's review of governance arrangements for National Park Authorities had now been released. The purpose of the review was to consider how the governance of National Park Authorities could be more effective and how Authorities could be more responsive to the concerns of their local communities. Key questions of the review related to the size, composition, selection process and structure of the membership of National Park Authorities.

The consultation process was outlined as follows:

- Responses were invited direct to Defra by 1 February 2011; responses relating to individual Authorities being copied by Defra to that Authority;
- By 4 February 2011 Defra would circulate a summary of general responses received but which could not be allocated to an individual Authority;

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- By 18 February 2011 the Authority was required to submit a report to Defra consisting of a summary of the responses applicable to it and also including details of any governance changes it wished to make.

It was therefore proposed to hold a member workshop on the afternoon of 1 February 2011 to consider the responses received and to inform preparation of the Authority's submission to Defra, a draft of which would be presented to the Authority meeting on 15 February 2011 for consideration and formal approval.

The consultation presented an opportunity to assess how best to achieve local representation on the Authority's membership and Members considered it important that the Authority played its role in ensuring that everyone in and around Exmoor was aware of the consultation document and invited to respond. It was agreed that the Consultative and Parish Forum should have a central role in the local consultation process and that communication with local organisations would further inform the Authority's consideration.

In recognition of the status of National Parks as national assets protected for the national interest, it was also suggested that in addition to local consultation, the Authority should seek to gain a wider perspective and gather views from outside the National Park boundary.

- RESOLVED:**
- (1) To note the forthcoming review by Defra of the governance arrangements for National Park Authorities.
 - (2) To agree the following process for local consultation:
 - (i) Publication on the Authority website of the review documentation with a link on the home page.
 - (ii) Provision of a link to the relevant Defra web pages for people who wish to communicate directly with the department.
 - (iii) Press release regarding the scope of the review with an invitation to communicate thoughts to the Authority via email or in writing.
 - (iv) Direct communication with local organisations that are likely to have a view on governance of the Authority including the constituent councils, Exmoor Society, Exmoor Trust and Exmoor Uprising.
 - (v) Item on the agenda for the Exmoor Consultative and Parish Forum meeting on 25 November 2010.
 - (vi) Member workshop on the afternoon of 1 February 2011.
 - (vii) Report to the Authority meeting on 15 February 2011 setting out a draft of the submission to the Secretary of State with specific proposals for any revisions to the governance arrangements for Exmoor National Park Authority.

39. RESOURCES AND PERFORMANCE COMMITTEE

The Authority noted the draft Minutes of the meeting of the Resources and Performance Committee held on 14 September 2010. It was noted that on page 5, last paragraph, second line, 'Devon County Council' should be amended to 'North Devon District Council'.

Public Question Time

With regard to proposals to update the toilet facilities at County Gate, Mrs Groves said that Exmoor Uprising requested sight of the comparative tender documents once received. Mrs Groves said that the drainage works should be treated as a separate item and that if refurbishment of the existing toilet block was undertaken, the renewal of pipework was not required and Exmoor Uprising would wish to examine photographs of any pipework removed. Mrs Groves concluded that considerable cost would be required to convert the walkers' shelter to toilet facilities and Exmoor Uprising would wish to have access to all accounts relating to any such works.

40. MEMBERS' REPORTS

The Authority received the following Members' reports:

- A tabled report from Miss A V Davis on the Association of National Park Authorities' annual conference held at Loch Lomond and The Trossachs National Park in September.
- A verbal report from Mrs A Clitheroe on attendance at a Mires on the Moor open evening. Further notes of the event were available from Mrs Clitheroe on request.
- A verbal report from Mr J Freeman that the West Somerset Strategic Partnership had been suspended until July 2011 pending clarification of funding issues.
- A verbal report from Mr J Freeman that a meeting of an independent successor body to represent the interests of the West Somerset Mineral Railway project and its associated sites and history would take place on 25 November 2010 at the Phoenix Centre, Watchet.

41. ANY OTHER BUSINESS OF URGENCY

There was none.

The meeting closed at 12.15pm

(Chairman)