

Date: 27 November 2007

Report: REPORT OF THE CHIEF EXECUTIVE

ENGAGEMENTS

1. Since the last meeting of the Authority, the Chief Executive has been involved in the following:-

(a) **Media**

- Interview with Radio York to discuss the Authority's position on Climate Change.
- CEO asked to join the editorial advisory board of the new BBC magazine 'Countryfile' and attended first meeting.
- Attended the BBC Rural Affairs Committee where the following items were discussed: a recent meeting with Sir Michael Lyons, the head of the BBC trust, on the BBC's coverage of rural matters; the new BBC Magazine, 'Countryfile'; Blue Tongue and the possible future implications for farming; and a set piece debate on 'wheat' and how it is 'changing the face of farming'. There was also an opportunity to meet the BBC's new Head of Rural Affairs, Jeremy Cook, who replaces Tom Heap [who has now gone freelance].

(b) **Events**

- Along with the Chairman, attended Europarc conference. Separate report to appear in MIB.
- Spent a day with an area ranger looking at projects on the theme of community development.
- Attended the event marking the return of the Hidden History project to Dales Countryside Museum. This marks the Bi-Centenary of the abolition of slavery and explains the links between the slave trade and the dales communities.
- Hosted a visit from Maddy Jago, the regional director of English Heritage, where we discussed future working arrangements and examined a series of projects – Bainbridge Hill Fort, Gayle Mill, Craven Lime Works.
- Attended a site visit at Craven Limeworks which included officers from Yorkshire Forward, Craven District Council and the National Park Authority, to look at a potential development.
- Hosted a visit from the North of England Civic Trust [NECT] looking at the Gayle Mill development.
- Attended the annual Society for National Park Staff [SNPS] workshop which this year was held in Swaledale.

- Attended the National annual Mosaic community Champions event which this year was held at Grinton Lodge in Swaledale. The event was also attended by the Chairman, Deputy Chairman, Mr Macaré and Mr & Mrs Dalton.
- Hosted the 3 day Investors in People [IiP] assessment [reported separately on today's agenda].
- Attended a photo call for the launch of the opening of Gayle Mill [which will be in Easter 2008].
- Attended a day with a planning officer looking at their work/issues.
- Hosted the full staff meeting which included a series of presentations on the theme of climate change and the NPA's role in mitigation and adaptation.
- Attended a visit to Leeds Metropolitan University to look at improved joint working between the NPA and the University.

(c) **Meetings**

- Representatives from Leeds Metropolitan University, Craven District Council and Yorkshire Forward to discuss the possibility of development at Craven Lime Works.
- Along with the Chairman, a meeting with the external auditors to discuss the annual audit and inspection letter [subsequently reported to the Audit and Review committee].
- Chaired the annual meeting of the UK Historic Environment group. A body made up of all UK agencies and National Park Authorities. Papers were considered on the following: Reports from the agencies, building conservation officers and archaeologists; the implementation of the joint action plan; future resources and funding opportunities; the progress on the report on the socio-economic value of the Historic Environment; joint working/projects; performance indicators and English Heritage's draft protected landscapes research strategy.
- The Chief Executive of Craven District Council to discuss a range of issues including: Revised community strategy; the role of National Park Authorities in leading the climate change action group; shared car parking passes; Local Area Agreement targets; implementation of the National Park Management Plan.
- The two new independent members of the Standards committee: Atiq Hassan and Victoria Reed.
- The meeting of the National Park officers [England] group. Papers considered were as follows: the outcome of the Comprehensive Spending Review [CRS]; affordable rural housing; an update on the ENPAA action plan; Incorporation of ENPAA [separate paper on today's agenda]; National Park Authority Performance Assessment [NPAPA]; Performance indicators; the Queen's speech and its impact on NPAs; ENPAA's accounts and feedback from working groups.
- A meeting on NPOs[UK]. The meeting started with a presentation from the Mosaic project officer which updated NPOs with progress of the project. Other papers considered included: an update on the possible South Downs NPA; IUCN category revision; reports from working groups; update on the work plan; financial reports; the 60th Anniversary of the Countryside Act [1949]; and a set piece discussion on 'governance – sharing best practice'. This was led by an external speaker, Mirza Ahmad, the chief legal officer of Birmingham City Council.
- A site visit at Craven Lime Works with Leeds Metropolitan University.
- Chaired the meeting of the Joint Improvement Group [JIG]. The body responsible for identifying, developing and sharing best practice across NPAs. Papers were

considered on the following: NPA compulsory standards; sharing best practice and learning; an update on NPAPA; an update on Performance Indicators (PIs) [including the new performance framework for Local Authorities]; a presentation on the Equality Standard and charging for services.

- Along with other NPA CEOs, a meeting with Helen Ghosh (Permanent Secretary at Defra) to discuss new PSA targets and the financial grant settlement.

MATTERS FOR MEMBERS' CONSIDERATION

North Yorkshire Strategic Housing Board

2. This partnership, recently established, comprises all those organisations involved in housing policy at the district level. It has been suggested that the National Park Authorities within North Yorkshire should also appoint members to the group.

3. The first meeting of the board took place in September and the issues that were discussed included:

- A future 'Problem Solving' workshop.
- The future management of Rural Housing Enablers.
- Discussion on barriers to housing development.
- The issue of releasing land for affordable housing.
- Generalised issues egg adapted property, care homes, housing green paper, choice based lettings.

Recommendation:

4. That the National Park Authority take up the offer of a place on this new partnership and that the forward planning champion be the Authority representative.

Appointment to 'One Planet Living' Group

5. The Authority has recently been invited to put forward a representative to sit on Craven District Council's 'One Planet Living' Working Group.

6. This is a sub-group of the Local Strategic Partnership, specifically set up to further the objectives and targets within the new revised Community Strategy. These relate to waste management, conservation of the environment and mitigating the impacts of climate change.

7. The Group has already met twice and Carl Lis has attended 'informally' on behalf of the National Park Authority.

Recommendation:

8. That Carl Lis formally be appointed at the Authority's representative on the One Planet Living Group.

The Implementation of Traffic Regulation Order Powers under the NERC Act 2006

9. In July 2007 members resolved to amend the scheme of delegation to Members and officers, on the recommendation of the Access Committee, to:

Change the wording of the current delegation scheme B.5.2.h) to read:

Authorise the making of traffic regulation orders to manage the use of recreational motor vehicles under the Road Traffic Act 1984 (as amended by section 72 of the Natural Environment and Rural Communities Act 2006).

And to *'authorise the Head of Park Management to be able to undertake statutory consultation on the possibility of making a Traffic Regulation Order, on any individual route, in accordance with Natural Environment and Rural Communities Act 2006, Section 72 and any regulations pertaining to them.'* (Access Committee 19 April 2007, minute 20/06).

10. The powers to implement Traffic Regulation Orders under Section 72 of the Natural Environment and Rural Communities Act 2006 by National Park Authorities were enacted in October 2007. The Regulation, as well as including the power to make permanent orders referred to above in the amended delegation scheme, also includes a power to make Experimental and Temporary TROs.

11. At the present time Temporary TROs are most often used for health and safety reasons, to allow physical 'works' to a route to be undertaken, and for the route to stabilise afterwards. The Authority currently may make temporary TROs under powers delegated to it by the Highway Authorities. There is no requirement under these delegated powers to consult any other bodies. However should we wish to make a Temporary TRO under part 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007, we must consult the Local Access Forum, Parish Council, Highway Authority and, in some circumstances, Natural England. The statutory consultation period for temporary TROs under these Regulations is 'not less than 7 days'.

12. Changes to the delegation scheme, in anticipation of the new powers, were introduced as described above. The additional power to make temporary orders under the new regulations requires further consideration. At present the Authority's delegation scheme enables the Head of Park Management to carry out the responsibilities of the Authority contained within the Highway Authority agency agreements with NYCC and CCC. Whilst it is likely that most temporary orders will continue to be made for the purposes of repair and therefore done under the existing agreements with the Highway Authorities there may be instances when the Authority will wish to use its new powers. Given the timescales usually needed for temporary orders and the 7 day statutory consultation it is considered that the delegation scheme needs to be amended to enable the Head of Park Management to make temporary TROs under powers given to the Authority by S72 of NERC Act 2006.

13. The Access Committee, at its meeting in October 2007, considered the Regulation and the issues relating to the application of temporary orders and resolved that:

'the Authority be recommended that the Scheme of Delegation be amended to authorise the Head of Park Management to make temporary Traffic Regulation Orders pursuant to

powers given to the Authority by Section 72 of the Natural Environment and Rural Communities Act 2006'

Recommendation:

14. Members are therefore recommended to endorse the above recommendation of the Access Committee.

Membership of the Planning Committee

15. Members will recall that at the last meeting of the Authority I reported on an issue in connection with Mrs Marshall's membership of the Planning Committee and also on her wish to be a Member Champion. Mrs Marshall has again confirmed to me that she does not wish to be a member of the Committee.

16. The 'County Group' of members have been asked to nominate a member to replace Mrs Marshall, but at the time of writing this report have not provided me with such a nomination. Consequently the Authority will need to make an appointment without any nomination from the 'County Group'.

17. The two remaining County Council Members who are eligible are Messrs Macaré and Shaw-Wright and the former has advised me that he is "quite willing to be an occasional substitute" but that he does not wish to be a full member of the Committee.

Recommendation:

18. That the Authority considers the appointment of a member from amongst the County Group to serve on the Planning Committee.

Forward Planning Member Champion(s)

19. Further to her wish not to be a member of the Planning Committee, Mrs Marshall has also confirmed that she does wish to take up the role of Member Champion for Forward Planning, a role she will share with Mrs Peacock.

Recommendation:

20. Members are requested to confirm Mrs Marshall's appointment as a Member Champion for Forward Planning.

Planning Training

21. A further issue that is likely to arise regarding membership of the Planning Committee is the non-attendance of a member at the mandatory planning training. Training was held on 8 and 23 November and Andrew Osborne indicated, when this training was being organised, that he would be unable to attend on either date.

22. At the time of writing this report the training on 23 November has not been held and, therefore, it may be that this situation will have been averted by Mr Osborne's attendance.

23. However, if that is not the case, and as Mr Osborne has indicated that he is unlikely to be able to attend any repeat refresher training, then in accordance with the Authority's Standing Orders he will be disbarred from membership of the Committee.

24. The Secretary of State appointees have been informed of this situation and invited to nominate a replacement.

25. Other members will have needed to attend the second training event on 23 November. If they have not attended, they will be disbarred from membership of the Planning Committee until this training can be re-arranged.

Recommendation:

26. That should the above scenario materialise regarding non-attendance at mandatory planning training, consideration be given to the appointment of a member from the Secretary of State 'group'.

ISSUES FOR MEMBERS TO NOTE

Hudson House Legal Agreement

27. At the Authority meeting on 31 July 2007 members received a report, which provided them with an update on progress concerning negotiations with Hudson House, to secure a modified agreement for a presence within the Hudson House Rural Resource Centre after January 2008. This report also asked members for decision regarding its future as a partner in Hudson House.

28. Members resolved –

“That the Authority confirms that it wishes to continue as a partner in Hudson House on the basis of the new arrangements set out in the report of the Sustainable Tourism Manager, subject to the proposed five year agreement including a three year break clause.”

29. Following the meeting, in early August the Hudson House Manager and solicitor were informed of this resolution and a request was made for the reinsertion of the three year break clause into the suggested five year lease. At the time of this request it was explained that the Authority did not wish this to seem like a lack of commitment to the project this was simply to fit in with the Authority's budget and planning processes.

30. At the time of writing this report a verbal assurance has been received from the Hudson House Manager that the break clause is acceptable. This has still to be confirmed by the Hudson House solicitor and the agreement, which currently will end on the 23 January 2008, remains unsigned.

31. Members are asked to note the current position.

Investors in People [IiP]

32. Members will recall that one of the targets for the Authority contained in this years' Best Value Performance Plan, was to attain the new higher level Investors in People standard.

33. The assessment of the Authority took place over 3 days in early November and I am delighted to report that the Authority has been successful in attaining this standard.

34. At the time of drafting this report, the Authority was waiting for the assessor's final written report which, whilst highlighting areas of good practice, was also useful in that it identified areas for further improvement.

35. Once this report has been received it will be considered by the member champion for corporate management and the Finance and Resources Committee. Following this consideration, any actions or initiatives will be implemented to ensure further improvements in performance.

Yorkshire Dales LEADER

36. LEADER is part of the new Rural Development Programme for England (RDPE) 2007 – 2013. Within this programme LEADER offers a locally-based and geographically targeted approach to tackling "economic underperformance and deprivation". It is administered by a local partnership, Local Action Group (LAG), that prepares a Local Development Strategy for the targeted area. 5% of all RDPE funds must be spent through the LEADER approach, which in Yorkshire and Humber amounts to £2.05m to £2.25m.

37. In Yorkshire and Humber, prospective LAGs were invited to submit expressions of interest by 31 October 2007. A small panel will draw up a shortlist from the submissions and invite these groups to prepare Local Development Strategies by next summer. LAGs whose Development Strategies are accepted will then be authorised to draw on those RDPE funds that are able to access.

38. LEADER areas are required to be homogeneous, socially cohesive, have a local identity and have populations in the range 5,000 and 150,000. As the Yorkshire Dales seems a strong candidate, officers of the National Park Authority have worked with key partners to prepare and submit an expression of interest. The area agreed is wider than the National Park, covering the majority of Craven and Richmondshire Districts, including all of the National Park in North Yorkshire, significant parts of Harrogate Borough centred on Nidderdale AONB, and a few parishes in Hambleton District. This area, which includes smaller market towns but excludes the larger ones, has a population of 64,000.

39. If successful the Yorkshire Dales LAG could have £300,000 or more to spend each year within the area, (depending on how many LEADER areas are selected and have to share the region funding). The Local Development Strategy will propose where and for

what the money will be used, so there are no details until this is prepared. The expression of interest, though, did outline an approach of using the opportunities provided by the area's environmental assets to support economic and community development.

40. Membership of the Yorkshire Dales LAG has also not been agreed at this stage, although the regulations set out rules on what the balance should be between public and private sector representation. However, in order to ensure representation of all interests across this wide area, it is likely that the LAG will be large but with decisions taken by a small management group of 12 members selected by the full LAG.

41. Efficiency would be achieved by North Yorkshire County Council acting as Accountable Body for both the Yorkshire Dales LAG and a North York Moors LAG. Beyond this no decisions have been taken on delivery support, as options will be determined largely by the content and priorities of the Local Development Strategy.

42. The panel's response to the expression of interest and, if successful, progress on development of the strategy will be reported to members.

David Butterworth
Chief Executive

Background documents: None
7 November 2007