

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Minutes of the meeting held at Ingleborough Community Centre, Ingleton, on Tuesday, 30 January 2007.

Present:

Mrs A Brooks, WH Brown, SHK Butcher, G Dalton, W Fenten, TRN Harrison-Topham, D Heather, D Ireton, OJ Kendall, KJ Lancaster, C Lis (in the Chair), SR Macaré, Mrs D Millward, A Osborne, JJ Pearlman, Dr KM Petyt, Mrs FG Ramsbottom, Ms N Stedman and W Weston.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

1/07 MINUTES**RESOLVED –**

That the Minutes of the meeting held on 28 November 2006, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

2/07 PUBLIC QUESTION TIME

No notifications of public questions or of the intention to make a statement had been received.

3/07 EXCLUSION OF THE PUBLIC**RESOLVED –**

That pursuant to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of Item Nos 16 and 17 on the agenda on the grounds that they involve, respectively, the likely disclosure of exempt information as defined in the paragraphs 3 and 4 and paragraphs 6 and 7 of Part 1 of Schedule 12A to the Act.

4/07 APOLOGIES FOR ABSENCE

Apologies for absence were received from RA Bird, J Blackie, C Hammond and Mrs S Marshall.

5/07 DECLARATIONS OF THE EXISTENCE AND NATURE OF PERSONAL INTERESTS

The following members made declarations of interest:

<i>Member</i>	<i>Interest declared</i>
W Fenten	Personal, non-prejudicial interest in the Dales Harvest item in the Chief Executive's report, being acquainted with the applicant.

<i>Member</i>	<i>Interest declared</i>
KJ Lancaster, WH Brown and OJ Kendall	Personal and prejudicial interests in Item No 16 (Review of Reeth Partnership) as Trustees of Hudson House.
Mrs A Brooks	Personal, non-prejudicial interest in Item No 9 (Monitoring Officer report on planning application at The Old School Bunkhouse, Chapel-le-Dale), being related to the Chairman of Ingleton Parish Council.
A Osborne	Personal, non-prejudicial interests in Item Nos 10 and 11 (Preparing for changes in the Authority's membership, and Proposed Budget 2007/08) as an employee of Defra.
TRN Harrison-Topham	Personal, non-prejudicial interest in Item No 11 (Proposed Budget 2007/08) as an owner of a length of Green Lane.
Mrs D Millward	Personal, non-prejudicial interests in the Dales Harvest item in the Chief Executive's report, being acquainted with the applicant, and in Item No 11 (Proposed Budget 2007/08) having worked on the Limestone Country project.

6/07 DECLARATIONS OF LOBBYING

All members had been lobbied on Agenda Item No 9 (Monitoring Officer report on planning application at The Old School Bunkhouse, Chapel-le-Dale).

7/07 CHAIRMAN'S REPORT

CONSIDERED – the report of the Chairman.

He commented on the venue(s) being used for meetings and, following the permanent location of Planning Committee meetings at Yoredale, asked the Chief Executive to consider relocating all Authority meetings away from Yoredale.

RESOLVED –

That the report and further comments be noted.

8/07 CHIEF EXECUTIVE'S REPORT

CONSIDERED – the report of the Chief Executive.

In considering the report, members raised a number of issues, including:

- commending to members the Council for National Parks 'Prosperity and Protection' report;
- commenting that North Yorkshire and Cumbria County Councils had both submitted bids for unitary status;
- regretting the replacement of Mrs Peacock on the Authority by Richmondshire District Council and requesting the Chairman to write to her expressing members' appreciation for her contribution towards the work of the Authority.

The Chief Executive, in response to members' comments, reported that:

- matters of mutual interest discussed with the Chief Executive of North Yorkshire County Council had included local government reform, possible unitary status, public rights of way delegation and the Council's representation on the Authority; and
- issues raised at the Hawes Parish Council meeting had included a range of planning issues, the 'Private Spaces, Public Places' project and housing issues as part of the Local Development Framework process.

In respect of the Dales Harvest item, members considered that more information was required before a decision could be made on the Authority's involvement. Whilst there was support for the event, and possibly for some pump-priming by the Authority for the first year, it was suggested that there was a need for greater clarity of how the event would meet national park purposes. It was felt that the matter should be delegated to the Finance and Resources Committee for determination and that Mrs West, who had submitted the 'application', should be invited to attend the Committee meeting to answer members' questions.

RESOLVED –

That subject to member and officer comments being taken into account:

- (a) the report be noted;
- (b) subject to sufficient places being available, the Chairman, Mrs D Millward, Ms N Stedman, SR Macaré and Mrs FG Ramsbottom represent the Authority at the Association of National Park Authorities Workshop to be held in Newcastle in April 2007, attendance to be an approved duty;
- (c) until such time as the Authority reviews its Committee memberships, Richmondshire District Council's replacement on the Authority for Mrs Yvonne Peacock be appointed to serve on the Audit and Review Committee and to be a substitute member of the Planning Committee;
- (d) consideration of the appointment of a Forward Planning Member Champion be deferred until the Authority's annual meeting in July 2007;
- (e) whilst members expressed support for the proposed Dales Harvest Food and Drink event, consideration of the request for assistance from the Authority towards the event be referred to the Finance and Resources Committee –
 - for determination, following the provision of further information on how the event would meet national park purposes; a clearer indication of what any financial contribution would be spent on, and
 - with Ms Pat West to be invited to attend the Finance and Resources Committee meeting to present the application in greater detail and to answer any questions/queries that members might have.

9/07 APPLICATION FOR PLANNING PERMISSION - THE OLD SCHOOL BUNKHOUSE, CHAPEL-LE-DALE

CONSIDERED – the report of the Monitoring Officer.

The Monitoring Officer referred to a letter, dated 26 January from Ms Tanya Wild (applicant) that referred to the local economy and included information about the level of meal bookings at The Hill Inn by guests from the bunkhouse. He added that if members believed it was likely that refusal of

the application would result in closure of the bunkhouse and that closure of the bunkhouse would result in closure of The Hill Inn, then those matters might be considered as material considerations.

A member asked if a 'material consideration' would be the support of one business for another, if a material consideration made development 'lawful'; and was it the Monitoring Officer's intention to bring any case to the Authority that was unlawful?

The Monitoring Officer stated that the support of one business for another could be a material consideration, but the case needed to be made. As set out in his report, he did not believe that to be the case in this instance. He also confirmed that he would report on each occasion when a decision was made that was contrary to policy but for which there were no material considerations to support the decision.

A proposal, which was defeated on a vote, was made to defer consideration of the application to allow for further analysis of the claims put forward in the letter dated 26 January.

Members accepted that there was no evidence to support the claim that refusal of the application would have the economic impact claimed.

A member did however comment on the general merits of the application, stating that there was a social need to retain young families in full time employment in sparsely populated areas. He also reminded members that the proposed development would not change the appearance of the building, although he accepted that precedent might be an issue. He suggested that a personal permission could be granted.

A member questioned the appropriateness of using the personal circumstances of the applicant to support the application, but said that he did believe that the development would be to the economic benefit of other business and that if refused the business would close.

Comment was made that applications should not be determined on speculation of what might or might not happen and local plan policies were clear.

The Monitoring Officer advised members that however sympathetic they were towards the personal circumstances of the applicant, on the evidence available they could not know who would occupy the property or what the economics of the business might be. Whilst economics could be considered as a material consideration, their decision must be based on local plan policies, unless material considerations indicated otherwise, which he continued to believe was not the case.

RESOLVED –

That, in accordance with Option (b) set out in paragraph 26 of the Monitoring Officer's report, the application for full planning permission for conversion of bunkhouse to bunkhouse with ancillary dwelling at the Old School Bunkhouse, Chapel-le-Dale be refused for the reasons set out in the Planning Officer's report considered by the Planning Committee on 14 November 2006.

10/07 PREPARING FOR CHANGES TO THE AUTHORITY'S MEMBERSHIP

CONSIDERED – the report of the Chief Executive.

A member referred to the criticism levelled at the Authority both from the Audit Commission and following the Authority's peer review, that there was an over-emphasis on 'planning'. This had been addressed to some degree by reducing the size of the committee and by creating member

champion roles. He regretted that within six months of starting the new arrangements, it was proving necessary to revise them. A member also commented that the proposals to allow some continuity of membership to cover the post-election periods had been postponed. The Chief Executive did point out that the particular proposal would be introduced for 2008 and that the postponement was because of particular difficulties that would have arisen this year had those proposals been in place.

RESOLVED –

That:

- (a) a paper on future proposals for the size of the Authority's Committees is brought to the Authority meeting in May 2007;
- (b) the date of the May 2007 Planning Committee be changed from 8 May to 1 May;
- (c) the Audit & Review and Finance & Resources Committees meet on 4 May and 9 May 2007 respectively, as scheduled;
- (d) the Secretary of State group meet prior to the March 2007 meeting of the Authority to nominate to fill the vacancies on the Planning and Access Committees; and
- (e) Mr Fenten be appointed to the Planning Committee with effect from 8 May 2007 on the terms outlined in Paragraph 13 of the Chief Executive's report.

11/07 PROPOSED BUDGET 2007/08

CONSIDERED – the report of the Senior Finance Officer and Head of Finance and Resources.

RESOLVED –

That the 2007/08 budget as summarised in Appendix 4 of the Annex to the report of the Senior Finance Officer and Head of Finance and Resources, as recommended by the Finance and Resources Committee on 15 January 2007, be approved.

12/07 PUBLIC SPEAKING AT AUTHORITY AND COMMITTEE MEETINGS

CONSIDERED – the report of the Head of Planning.

After a proposal that Public Question Time should be withdrawn from the Planning Committee was defeated, it was -

RESOLVED –

That, in order to seek to prevent the repetition of statements by the public at Planning Committee meetings, the Public Question Time scheme be amended to exclude questions or statements on live cases.

13/07 FARM BUILDING DESIGN GUIDE

CONSIDERED – the report of the Deputy Head of Planning.

Members, in welcoming the Guide, raised a number of issues, including:

- suggesting that a number of additional organisations should be consulted, including the Yorkshire Dales Society, Council for National Parks and the Campaign to Protect Rural England; and
- requesting that the Guide should include some reference to the use of glass in buildings and the potential reflective/obtrusive impact that its use can have; and
- the need for the document to be proof read, particularly with a view to applying the guidance contained in the Authority's Corporate Communications Style Guide.

RESOLVED –

That:

- (a) the full version of the Farm Buildings Design Guide be adopted as a supplementary planning document and published on the Authority website using the revised text referred to in the report of the Deputy Head of Planning;
- (b) an A4 leaflet reproducing the main points in the Design Guide be produced for general free distribution; and
- (c) 31 May 2007 be adopted as the target date for the publication of both documents.

14/07 MEMBER FEEDBACK

CONSIDERED – the report of the Secretariat Officer, together with further feedback reports from Messrs Heather (on the Craven Regeneration Steering Group and Craven Crime and Disorder Reduction Partnership) and W Weston (Joint Tourism Operators Group/Tourism Authority Forum meeting), circulated at the meeting.

RESOLVED –

That the reports be noted.

15/07 ACCESS COMMITTEE

CONSIDERED – the draft minutes of the meeting of the Access Committee held on 9 November 2006.

RESOLVED –

That the draft minutes of the meeting of the Access Committee held on 9 November 2006 be received.

16/07 PLANNING COMMITTEE

CONSIDERED – the minutes of the meetings of the Planning Committee held on 14 November and 12 December 2006.

RESOLVED –

That the minutes of the meetings of the Planning Committee held on 14 November and 12 December 2006 be received.

17/07 STANDARDS COMMITTEE

CONSIDERED – the draft minutes of the meeting of the Standards Committee held on 30 November 2006.

RESOLVED –

That the draft minutes of the meeting of the Standards Committee held on 30 November 2006 be received.

The remainder of business was considered in private

PUBLIC SUMMARY OF BUSINESS CONSIDERED IN PRIVATE

18/07 REVIEW OF REETH PARTNERSHIP CENTRE

Members considered a report from the Sustainable Tourism Manager that:

- reviewed the background to the Authority's involvement with the Hudson House project;
- evaluated the success of current information provision at Reeth;
- examined retail performance;
- set out financial comparisons with 'flagship' National Park Centres;
- reported service 'satisfaction' levels; and
- put forward options for the future.

Members instructed officers to pursue discussions with the Hudson House Board that would allow the success criteria laid down when the Authority entered into the Partnership to be met, resulting in the re-negotiation of a new agreement. A further report will come back to the May 2007 meeting of the Authority.

19/07 PRIVATE COMMITTEE MINUTES

The private minutes of the meeting of the Planning Committee held on 12 December 2006 were received by the Authority.