

**YORKSHIRE DALES NATIONAL PARK AUTHORITY**

Minutes of the meeting held at Middleham Key Centre on Tuesday, 29th November 2005.

**Present:**

C Lis in the Chair.

RA Bird, J Blackie, Mrs A Brooks, WH Brown, G Dalton, W Fenten, C Hammond, TRN Harrison-Topham, D Heather, OJ Kendall, HA Kirkbride, KJ Lancaster, SR Macaré, Mrs S Marshall, Mrs D Millward, A Osborne, Mrs Y Peacock, JJ Pearlman, Dr KM Petyt, S Shaw-Wright and Ms N Stedman.

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**COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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**1305. MINUTES****RESOLVED –**

That the Minutes of the meeting held on 27<sup>th</sup> September 2005, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman, as a correct record.

**1306. PUBLIC QUESTION TIME**

Mr Roger Beck, acting for Messrs Longthorne and Hargreaves of Hebden, referred to his letter dated 27<sup>th</sup> June 2005 in respect of the proposed Conservation Area at Hebden.

He made a statement, primarily drawing members' attention to the contents of his letter, referring to the two businesses that were important employers in the village. He stated that these two businesses operated on longstanding industrial sites in the village and, in commenting that conservation area status was not warranted for the two sites, he requested members to exclude them from any designation.

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The Chairman thanked Mr Beck for his statement and stated that members would take his comments into account when considering the matter later in the meeting.

### **1307. EXCLUSION OF THE PUBLIC**

**RESOLVED –**

That:

- (a) Item 17 (North Yorkshire Sub-Regional Tourism Review) be considered as a public report; and
- (b) pursuant to Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of Item No 18 on the agenda on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs 7 and 13 (not 1 and 8 as listed on the circulated agenda) of Part 1 of Schedule 12A of the Act.

### **1308. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs N Grace and Mrs FG Ramsbottom and for possible lateness from Messrs Blackie, Harrison-Topham, Ireton, Kendall and Sayer.

### **1309. DECLARATIONS OF THE EXISTENCE AND NATURE OF PERSONAL INTERESTS**

The following members made personal non-prejudicial declarations of interest:

D Heather – Agenda Item 17 (North Yorkshire Sub-Regional Tourism Review) – as a Director of Settle Tourist Information Centre  
SR Macaré – Agenda Item 17 (North Yorkshire Sub-Regional Tourism Review) – as the Authority’s representative on Yorkshire Tourism  
A Osborne – Agenda Item 12 (Best Value Performance Plan) - as an employee of Defra.

### **1310. DECLARATIONS OF LOBBYING**

C Hammond and Mrs S Marshall both declared that they had been lobbied on Agenda Item 11 (Hebden Conservation Area).

### **1311. CHAIRMAN’S REPORT**

**CONSIDERED –**

The report of the Chairman.

The Chairman added that he had also attended the Staff Meeting on 22nd November. He stated that Sir Martin Doughty had also attended the meeting in his recently confirmed capacity of Chairman Designate of Natural England.

A member enquired if there had been any action following the meeting with the Auditors to discuss the Annual Letter. The Chief Executive stated that the letter would be reported to the next meeting of the Audit and Review Committee on 16<sup>th</sup> December for members' consideration and that a copy of that item would also be circulated to those members of the Authority not on the Audit and Review Committee.

**RESOLVED –**

That the report and further comments be noted.

**1312. REPORT OF THE CHIEF EXECUTIVE**

**CONSIDERED –**

The report of the Chief Executive, who stated that a response was still awaited to a letter of concern at the possible impact of the Government's proposals for pensions on housing in rural areas which had been sent to the Minister for Rural Affairs, Landscape and Biodiversity.

In response to a member's question on the proposed changes to the Scheme of Delegation, he stated that checks would be made on whether or not reference should also be included to the Town and Country Planning Act with regard to the proposed change to Paragraph C4.2.

He corrected paragraph 2(b) of his report by deleting "un" from "unprotected".  
Members –

- welcomed the Authority's recommended involvement with the proposed project;
- commented on the need for terms of reference to be adopted by the Group;
- supported the proposed 'control experiment'; and
- suggested that separate data should be produced for each National Park.

WH Brown, Mrs D Millward and JJ Pearlman were each nominated for the two vacancies on the Yorkshire Dales Access Forum and Mrs D Millward and HA Kirkbride were nominated for the vacancy on the Dales Woodland Forum. In accordance with Standing Orders votes were taken to fill the vacancies.

**RESOLVED –**

That, subject to member and officer comments being taken into account;;

- (a) the report be noted;
- (b) the proposed amendments to the Authority's Scheme of Delegation, as set out in Annex 1 of the Chief Executive's report, be approved with the

addition of reference to appropriate Town and Country Planning legislation if considered relevant by the Authority's Solicitor, and the necessary amendments be made to the Members' Handbook;

- (c) approval be given to the Authority's involvement in the Council for National Parks' Economic Benefits Project, with a financial contribution from the Authority of £3000 to be funded from the Opportunities Fund;
- (d) the two vacancies (three years from January 2006) on the Yorkshire Dales Access Forum be filled by Mrs D Millward and JJ Pearlman; and
- (e) the vacancy on the Dales Woodland Forum be filled by Mrs D Millward.

### **1313. NATIONAL PARK AUTHORITY PERFORMANCE ASSESSMENT – THE PEER REVIEW ASSESSMENT**

CONSIDERED –

The report of the Chief Executive.

The Chairman congratulated all staff and members involved in the rigorous peer review process. He stated that the result was the best achieved by any National Park yet reviewed.

The Chief Executive drew members' attention to the proposed Improvement Plan Process and recommended that those members who had been involved in the 'Key Lines of Enquiry' process should be invited to attend a meeting with the Audit Commission that had been fixed for 13<sup>th</sup> January.

A member commented that the Authority had good reason to be pleased with the report, which he suggested would have equated to a 'Good' verdict in local authority Comprehensive Performance Assessment terms. He did, however, express concern that the review team had been pre-occupied with the Authority's Planning Service and Planning Committee during their visit. He hoped that members would not feel obliged to adopt any recommendations to reduce the size of the Planning Committee as this was an issue that had recently been considered by the Authority and had been considered in some detail during the review of the decision making process.

The Chairman stated that this was an issue that members would have to address. If they chose to ignore it the matter may be determined for them.

Members discussed the report in detail and raised a number of issues, including:

- noting reference in the Performance Assessment report to the way in which other authorities operate and the opportunity to 'release' members to undertake other work
- the need to evaluate how any reduction in size of the Planning Committee would improve effectiveness
- the lack of consideration by the review team of the case for retention of the full membership of the Planning Committee

- the need for qualification of the recommendation (No 8): “Improve Authority effectiveness by reducing the size of the planning committee.”
- pointing out that, in any event, in 2007 the size of the Authority would reduce to 22, and from the perspective of residents of the park, planning was of such importance that the full membership should take part in determining applications
- hoping that the Improvement Plan would not propose change for change’s sake
- suggesting that there might have been a fundamental misunderstanding over the Authority’s relationship with the Yorkshire Dales Millennium Trust, whilst accepting that the Authority might need to monitor more closely the Authority’s investment in the Trust.

The Chief Executive commented that whilst the report was good, there was much work to be done before the Improvement Plan could be adopted. He stated that the Peer Review Team would have questioned members closely on planning issues because of the feedback that it had received from members of staff, the public, partners etc. He added that the Audit Commission’s Annual Audit Letter had also picked up on the failings of the planning service when assessed by the Government against a range of targets.

#### **RESOLVED –**

- (a) That KJ Lancaster be nominated to attend the ‘post NPAPA’ workshop to be held in early 2006 to discuss the ‘lessons learnt’ from the process.
- (b) That, subject to member and officer comments being taken into account::
  - the Peer Review Assessment be received;
  - the process outlined in the Chief Executive’s report for developing the Improvement Plan be agreed, including inviting those members involved in the Key Lines of Enquiry groups to attend the discussion with the Audit Commission, due to be held on 13<sup>th</sup> January; and
  - a report on the draft Improvement Plan be brought to the January 2006 meeting of the Authority for consideration and adoption.

*[Note: J Blackie requested that his vote against the above decision be recorded.]*

### **1314. SPECIAL QUALITIES OF THE YORKSHIRE DALES NATIONAL PARK**

#### **CONSIDERED –**

The report of the Policy and Liaison Officer.

Members, in welcoming the revised document, raised a number of further points, including:

- the lack of a specific geological description of The Howgills
- the lack of reference to isolated farmsteads or hedges

- questioning the appropriateness on page three of the phrase “Most of the many..”
- questioning whether the paper made sufficient reference to the strength of local communities and local people or to the values held by them.

**RESOLVED –**

That, subject to members’ comments being taken into account, the paper appended to the report of the Policy and Liaison Officer be approved as the basis for wider consultation as part of the review of the National Park Management Plan and modification of the Local Plan.

**1315. PROPOSED CONSERVATION AREA DESIGNATION FOR THE VILLAGE OF HEBDEN**

**CONSIDERED –**

The report of the Building Conservation Officer.

**RESOLVED –**

That consideration of the report be deferred to enable:

- (a) a training event on conservation areas to be held; and
- (b) a site visit to be held in Hebden, after the training event, to enable members to assess, at first hand, the merits of designating the Village of Hebden as a conservation area.

**1316. BEST VALUE PERFORMANCE PLAN 2005/06: PROGRESS ON ACTIONS AT THE END OF QUARTER 2**

**CONSIDERED –**

The report of the Head of Conservation and Policy.

Members raised a number of points, including requesting that the section on Recreation Management be reported to the Access Committee for more detailed discussion.

**RESOLVED –**

That, subject to member comments being taken into account, the progress made towards achieving the actions set out in the Best Value Performance Plan 2005/06 be noted.

### **1317. STANDING ORDERS**

*[Note: The Chairman of the Authority declared a personal and prejudicial interest in this item and left the meeting during the debate and voting.]*

CONSIDERED –

The report of the Chief Executive.

Some debate took place on whether or not the term of office of all Chairmen and Deputy Chairmen should be unlimited. Members were reminded that they had supported the limit for **all** Chairmen and Deputies at one time, and just because it could not be applied to the Chairman and Deputy of the Authority did not mean that it should not apply to other Chairmen and Deputies.

*[On the advice of the Monitoring Officer, the Chairmen and Deputy Chairmen of the Authority's Committees declared personal and prejudicial interests in this part of the item and left the meeting during the debate and voting.]*

It was suggested that the same rules should apply to Committees as applied to the Authority. It was accepted that times had moved on since that Standing Order had been introduced, but its benefit in terms of ensuring regular changes in chairmen of Committees was acknowledged.

**RESOLVED –**

That:

- (a) the proposed changes to Standing Orders as set out in the Chief Executive's report be approved; and
- (b) the necessary amendments be made and the Members' Handbook updated accordingly.

### **1318. DEALING WITH BULLYING AND HARASSMENT**

CONSIDERED –

The report of the Solicitor and Monitoring Officer.

**RESOLVED –**

That the text set out in the report of the Solicitor and Monitoring Officer on 'Bullying and Harassment' be added to the guidance notes on the Role and Responsibilities of Members.

**1319. FEEDBACK FROM MEMBERS**

CONSIDERED –

The report of the Secretariat Officer.

**RESOLVED –**

That the report be noted.

**1320. PLANNING COMMITTEE**

CONSIDERED –

The minutes of the meetings of the Planning Committee held on 13th September and 11th October 2005.

**RESOLVED –**

That the minutes of the meetings of the Planning Committee held on 13th September and 11th October 2005 be received.

**1321. STANDARDS COMMITTEE**

CONSIDERED –

The draft minutes of the meeting of the Standards Committee held on 24th October 2005.

**RESOLVED –**

That the draft minutes of the meeting of the Standards Committee held on 24th October 2005 be received.

**1322. NORTH YORKSHIRE SUB-REGIONAL TOURISM REVIEW**

CONSIDERED –

The report of the Sustainable Tourism Manager.

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

- suggesting that it maybe difficult to get across the message of sustainable tourism to some of the partner organisations
- pointing out that the terms of reference, rather than stating that the Partnership "...will assess and minimise any potential environmental

impacts.”, should be aiming to have no detrimental impact or enhance the environment

- pointing out that the ‘Objectives’ of the partnership need to be ‘SMART’.

The Chief Executive accepted members comments, but stated that regrettably, not all the partner organisations had the same enthusiasm or commitment to sustainability as the Authority. He suggested that by having a ‘seat at the table’ the Authority could try to influence partner organisations.

#### **RESOLVED –**

That subject to members’ and officer comments being taken into account:

- (a) the report be noted;
- (b) the outline three year business plan be further developed by officers; and
- (c) a further paper be brought back to a future Authority meeting informing members of the detailed action plan.

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**The remainder of business was considered in private**

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### **1323. PLANNING COMMITTEE**

#### **CONSIDERED –**

The private minutes of the meetings of the Planning Committee held on 13th September and 11th October 2005.

#### **RESOLVED –**

That the private minutes of the meetings of the Planning Committee held on 13th September and 11th October 2005 be received.