

Minutes of the meeting held at The People's Hall, Sedbergh on Tuesday, 25 September 2007.

**Present:**

R Alderson, J Blackie, Mrs A Brooks, WH Brown, G Dalton, W Fenten, TRN Harrison-Topham, D Heather, KJ Lancaster, C Lis (in the Chair), SR Macaré, Dr KM Petyt, Ms N Stedman and W Weston.

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

**97/07 MINUTES**

**RESOLVED –**

That the Minutes of both the Special meeting and of the 'ordinary' meeting held on 31 July 2007, having been printed and circulated, be taken as read and be confirmed and each be signed by the Chairman as a correct record.

**98/07 PUBLIC QUESTION TIME**

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

**99/07 EXCLUSION OF THE PUBLIC**

**RESOLVED –**

That the public be excluded from the meeting during the consideration of Item 15 on the agenda on the grounds it involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972.

**100/07 APOLOGIES FOR ABSENCE**

Apologies for absence were presented from R Bird, SHK Butcher, C Hammond, Mrs S Marshall, Mrs D Millward, A Osborne, Mrs Y Peacock and S Shaw-Wright.

**101/07 DECLARATIONS OF LOBBYING**

No declarations of lobbying were made.

## **102/07 CHAIRMAN'S REPORT**

CONSIDERED – the report of the Chairman.

In response to a member's question about the outcomes of the ANPA Conference on "National Parks - The Next Ten Years", the Chairman stated that a report was being prepared by the Authority's delegates and would be circulated through the Members' Information Bulletin.

### **RESOLVED –**

That the report and further comments be noted.

## **103/07 CHIEF EXECUTIVE'S REPORT**

CONSIDERED – the report of the Chief Executive.

*[Note: W Fenten declared a personal and prejudicial interest at the start of a discussion on Craven Limeworks, as an employee of the Company promoting development of the site; he also declared a personal and prejudicial interest in an event being held at The Centre for Life in Newcastle, as an organiser of the event. He left the meeting during the consideration of both matters.]*

Members welcomed the potential closer links with Leeds Metropolitan University and the possible employment creating initiative that might arise at the Craven Limeworks' site.

The staff at Aysgarth National Park Centre were congratulated on being nominated in the Yorkshire Tourism Tourist Information Centre of the Year Awards.

In response to a member's enquiry, the Chief Executive stated that

- he had received no response to the request to North Yorkshire County Council for the Authority to have a seat on the North Yorkshire Strategic Partnership, but would pursue the matter with the Council; and
- with regard to the LEADER Programme, the Authority had not yet submitted a bid but was likely to do when it had greater certainty that Management Plan objectives could be included in any future programme.

The County Council group of members had not been able to consider the issue of the possible replacement of Mrs Marshall as a member of the Planning Committee. It was suggested that, together with her possible appointment as a Member Champion, the matter be deferred until the November meeting of the Authority and that, for the time being, she remain as a member of the Committee.

The Chairman reminded members that they had been circulated with details of a Europarc event to be held in Newcastle-upon-Tyne on 1/2 November 2007, entitled "Community Engagement in Protected Areas: what works and what you need to do...". He suggested that it would be appropriate for the Member Champion for Forward Planning to represent the Authority.

### **RESOLVED –**

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

- (a) the report be noted;

- (b) the Chief Executive write on behalf of members to congratulate the staff at Aysgarth National Park Centre on their nomination for a Yorkshire Tourism award;
- (c) the Chief Executive pursue with North Yorkshire County Council the issue of the Authority's membership of the North Yorkshire Strategic Partnership;
- (d) the statement attached to the Chief Executive's report in respect of 'Information to support decision-making by Members' be approved and included in the Members' Handbook;
- (e) consideration of the possible replacement of Mrs S Marshall on the Planning Committee be deferred to the November meeting of the Authority to enable the County Council group of members to consider the matter;
- (f) consideration of the appointment of Mrs Marshall as a Member Champion for Forward Planning be deferred until the November meeting of the Authority; and
- (g) the Member Champion for Forward Planning be invited to represent the Authority at the Europarc event in Newcastle-upon-Tyne in November 2007, attendance to be an approved duty.

#### **104/07 NATIONAL PARK AUTHORITY PRIORITIES 2008/09**

CONSIDERED – the report of the Head of Conservation and Policy.

The Chief Executive informed members that there had been considerable debate amongst the Authority's Senior Management Team whether or not 'Climate Change' should be recommended for adoption as a formal programme because of its 'cross-cutting' impact on all areas of the Authority's work. Members endorsed the view that it should be a formal programme and that it would be appropriate for it to 'replace' the Limestone Country Project within Category A of the Authority's priorities.

Members discussed the Retail programme and its potential future development. There was a suggestion that it should be a higher priority than Category E. Links were also made between retail and income generation. The Chief Executive reminded members that the External Funding Working Group was currently looking at all aspects of income generation and would be reporting to members at the November Authority meeting. He also stated that the group established by Minute No. 88/07 to "prepare a further report on proposals for optimising income from the Authority's retail services" would be reporting to the same meeting.

It was suggested that reference to 'mitigation' in respect of the impact of climate change should be expanded to include a reference to 'adaptation' as an important means of addressing the impact of climate change.

A member regretted that Annex C to the report, Defra (draft) expectations for the National Parks 2008/09 – 2010/11, made no reference to local communities or agriculture/farming, and suggested that the omission could be raised with the English National Park Authorities. The Chief Executive reminded members that Defra was not the only government department that had dealings with the Authority: the Departments for Communities and Local Government, and for Culture, Media and Sport were the others with remits that covered the Authority's work. A new Minister had also recently been appointed with responsibility for National Parks.

A member also drew attention to paragraph d of Annex C and the reference to 'the findings of the Countryside Agency study into the recreational capacity of the Parks' and the phrase 'capable of

absorbing'. She stated that the study had been based on inadequate evidence; there was no mention of 'special qualities' of National Parks, and questioned who would decide on what Parks were capable of absorbing.

## **RESOLVED -**

That subject to:

- comments of members and officers being taken into account; and
- the Limestone Country Project being replaced by a new programme on 'Climate Change',

the Authority's priorities for 2008/09 be agreed, as set out in Annex A to the report of the Head of Conservation and Policy.

## **105/07 REVIEW OF PARTNERSHIPS**

*[Note: Messrs Alderson, Brown and Lancaster each declared a personal non-prejudicial interest in the item as members of the Board of Hudson House.]*

CONSIDERED – the report of the Chief Executive.

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

- expressing concern at the proposed deletion of the Yorkshire Dales Housing Forum at a time when, more than ever, there was need for debate on local needs and affordable housing issues;
- suggesting that a member rather than a Member Champion should represent the Authority on the Settle Carlisle Railway Trust;
- enquiring whether the Authority should be a partner on the Regional Housing Forum; and
- questioning the current position with regard to the Dales Advisory Group

Members were advised that the Yorkshire Dales Housing Forum had not met for four years. Whilst the Authority liaised very closely with each of the constituent District Councils on the subject of housing, more effort was being directed towards sub-regional working, for example with the North Yorkshire Strategic Housing Partnership. However, if the Forum was reformed, members would have the opportunity to appoint Authority representation.

Consideration would be given to the benefit of the Authority's membership of the Regional Housing Forum and, if appropriate, the matter brought back to a future meeting for consideration and the current position regarding the Dales Advisory Group would be researched.

## **RESOLVED –**

That subject to the further comments of members and officers being taken into account and G Dalton being nominated as the Authority's representative on the Settle Carlisle Railway Trust (as replacement for the proposed Member Champion representation), the report be noted and the list of partnerships, as set out in the Annex to the Chief Executive's report be approved.

## **106/07 ADOPTION OF A CODE OF GOOD PRACTICE - PLANNING**

CONSIDERED – the report of the Solicitor/Deputy Monitoring Officer.

The Authority's Solicitor and Monitoring Officer introduced the report by acknowledging that some members had concerns about the document. He pointed out, however, that the existing Code was out of date due to the new Member Code of Conduct and developments in the law and, therefore, a new code was needed. The document would have the status of guidance for members. Any alleged breaches could not be made the subject of a complaint to the Standards Board. Instead, it should support members, helping them to explain to the public what the rules were and why they had to do certain things, and could not do other things. The Code was based on a model produced by Association County Secretaries and Solicitors.

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

- raising concern at the proposed restrictiveness of the Code in respect of site visits which, it was suggested would preclude the public, local Parish, District and County Council representatives from speaking;
- suggesting that the phraseology was stilted and, as the document would be accessible on the internet, should be more 'user-friendly';
- expressing concern that the suggestion that members should not meet an applicant was impracticable and it was pointed out that an invitation to visit a site would often be received before an application had even been submitted;
- pointing out that, in general, the current site visit procedures worked well, albeit with a need for strong chairing. It was accepted, however, that there was a fine line at site visits between attendees giving their preference/opinion and fact-finding.

**RESOLVED –**

That, on the basis of member comments, the proposed 'Planning - Code of the Good Practice' be referred back for revision by the Solicitor/Deputy Monitoring Officer and, after consultation with the Member Champion for Planning, be brought back to a future meeting of the Authority.

**107/07 YORKSHIRE DALES DEVELOPMENT FRAMEWORK 2006-2021  
HOUSING, MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS  
ISSUES AND OPTIONS**

CONSIDERED – the report of the Strategic Planning Officer.

In welcoming the report and considering re-constituting the Working Groups, it was suggested that, on both groups:

- the Member Champion(s) for Forward Planning should be 'ex-officio';
- a second District Council group member appointed, and
- the Parish representation increased to two.

There was some concern that these changes would make the Working Groups unwieldy and, other than the filling of vacancies, it was concluded that the only addition should be of an additional Parish representative to the Housing Group.

Members were keen that Parish Councils should be involved in the work to survey settlements in respect of house building and residential conversion options.

**RESOLVED –**

That:

- (a) the report be noted;
  - (b) the Housing and the Minerals and Waste Local Development Framework (LDF) Working Groups be reconvened under the terms of reference agreed at the September 2006 Authority meeting (as set out in the Appendix to the Strategic Planning Officer's report)
  - (c) the memberships of the Working Groups be reconstituted, with, respectively, Mrs A Brooks and W Fenten being appointed to fill the vacancies left by the departures of Messrs Pearlman and Kirkbride and with the additional appointment of G Dalton to the Housing Working Group;
  - (d) the LDF Working Groups consider the public response, to the Housing and Minerals & Waste Issues and Options documents, in greater detail with the objective of working up preferred options;
  - (e) work be undertaken by Planning Officers and reported back to the Working Group -
    - to survey, with Parish Council involvement, settlements for the purpose of categorising those suitable for house building and those suitable for residential conversion
    - to undertake research into the viability of releasing land for a high proportion of affordable housing
    - to evaluate and consult on sites for the allocation of affordable housing
    - to resurvey housing development boundaries
    - to finalise and consult on a sustainability appraisal for the Development Plan Documents;
- and
- (f) LDF progress be reported to Authority meetings with the objective of recommending a set of preferred options for decision by May 2008.

#### **108/07 DATA PROTECTION POLICY**

CONSIDERED – the report of the Solicitor/Monitoring Officer.

#### **RESOLVED –**

That:

- (a) the Data Protection Policy attached at Appendix 1 of the report of the Solicitor/Monitoring Officer be formally approved;
- (b) the approved Policy be publicised to staff and included in the Authority's corporate policy database;
- (c) the individuals named in Appendix 2 of the report of the Solicitor/Monitoring Officer be tasked with carrying out the work identified, to bring practice into line with the policy.

#### **109/07 MEMBER FEEDBACK**

CONSIDERED – the report of the Secretariat Officer.

**RESOLVED –**

That the report be noted.

**110/07 PLANNING COMMITTEE**

CONSIDERED – the minutes of the meetings of the Planning Committee held on 10 July and 14 August 2007.

**RESOLVED –**

That the minutes of the meetings of the Planning Committee held on 10 July and 14 August 2007 be received.

**111/07 ACCESS COMMITTEE**

CONSIDERED – the draft minutes of the meeting of the Access Committee held on 26 July 2007.

**RESOLVED –**

That the draft minutes of the meeting of the Access Committee held on 26 July 2007 be received.

**112/07 AUDIT AND REVIEW COMMITTEE**

CONSIDERED – the draft minutes of the meeting of the Audit and Review Committee held on 3 August 2007.

**RESOLVED –**

That the draft minutes of the meeting of the Audit and Review Committee held on 3 August 2007 be received.

**113/07 FINANCE AND RESOURCES COMMITTEE**

CONSIDERED – the draft minutes of the meeting of the Finance and Resources Committee held on 6 August 2007.

**RESOLVED –**

That, subject to the attendance list being corrected, the draft minutes of the meeting of the Finance and Resources Committee held on 6 August 2007 be received.

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

**PUBLIC SUMMARY OF BUSINESS CONSIDERED IN PRIVATE**

**114/07 FINANCE AND RESOURCES COMMITTEE**

CONSIDERED – the draft private minutes of the meeting of the Finance and Resources Committee held on 6 August 2007.

**RESOLVED –**

That the draft private minutes of the meeting of the Finance and Resources Committee held on 6 August 2007 be received.