Minutes Northumberland National Park Authority Meeting

12 December 2018 approved 20 March 2019
ii. referring to (a iii) Advertising and Promotion, the Director of Business Development said an e-newsletter would be sent before the year-end to residents who had agreed to be contacted under the new General Data Protection Regulations (GDPR).

**NPA66-2018  Question Time**

There were no questions from members of the public. However, Cllr Andrew Saunders, a member of the Authority, had submitted several questions which had been answered separately in a written response by the Authority. Members were given a copy of the Authority's response at the meeting and a copy of the questions is attached to this Minute.

**NPA67-2018  Declaration of Interests**

There were no formally notified declarations of interest.

**NPA68-2018  Minutes of Authority Meeting held on 26 September 2018**

It was noted Cllr J Riddle is a Northumberland County Council (NCC) representative, not a Secretary of State (SoS) member.

There being no other issues raised, the draft Minutes of the 26 September 2018 Authority meeting, as circulated and with the amendment noted, were proposed as a true record by Cllr S Bolam, seconded by Cllr A Sharp and approved by members who

RESOLVED that the draft Minutes of the meeting of Northumberland National Park Authority Meeting held on Wednesday 26 September 2018, as circulated, and with the amendment noted, be approved as a true record and signed by the Chairman.

**NPA69-2018  Item 1: Quarterly Sill Update including Volunteers update**

The Head of Sill Operations drew attention to the report and the recommendations (a) to (d).

Referring to point 6 in the report, she advised members that visitor numbers were currently slightly behind the 150,000 anticipated.

The Head of Sill Operations highlighted visitor spend in October was £1.49 per person against a £1.30 per person target; there was improvement in activity day take-up; and there were more positive trends from visitor feedback emerging including from across social media platforms.

In conclusion the Head of Sill Operations said that as a full year at The Sill had concluded, the pattern of seasonal visitors should be noted for future planning; however, income targets remained a challenge; and visitor feedback would be taken account of going forward.

**Questions and Comments**

Members, noting the emergence of more positive feedback, asked about the less positive reviews. The Director of Business Development said less positive reviews followed a similar trend such as the café, car parking and issues around dogs. She said the Authority continued to work with the café franchisee and it was hoped improvements would become evident in due course. Members were concerned about the continuing, generally negative, comments about the café despite the Authority trying to encourage improvements. The Chief Executive said that though there were issues with the café, and it remained overall a good quality offer.

Members asked about communications with the Youth Hostel Association (YHA) and the Chief Executive reported on the positive meeting his Leadership Team had had with the YHA Leadership
Team in November. The Chief Executive said the café, The Hive @ The Sill and YHA would be amongst the agenda items at the next Sill Advisory Board meeting.

There being no other issues raised, the Chairman drew attention to recommendations (a) to (d) proposed by Cllr A Sharp, seconded by Mrs J Davidson and approved by members who

RESOLVED to

a) note the progress being made in all aspects of the project;

b) note the success of this summer’s Digital Landscapes Exhibition;

c) note that income generation remains below target, however continued improvement is being made across all aspects of the project; and

d) note the improvement in customer feedback

NPA70-2018 Item 2: Designated Landscapes Review – draft proposal

The Chief Executive introduced his report which was for consideration; drew attention to the fixed questions (Appendix 1) and the Authority’s draft response (Appendix 2); and advised member he had a telephone call with Julian Glover arranged in January to discuss responses to the Review.

The Chief Executive advised members the English National Parks Chairs and Vice Chairs had met to discuss a joint response which was now signed-off and circulated to members and emphasised that individual parks would therefore submit individual responses.

The Chief Executive referred members to Appendix 2 and drew attention to several key issues which were noted by members including page 1 ‘Key issues for the Authority’ and page 6 – ‘Other elements’ and said the Authority had not considered these questions.

Referring to ‘Other elements’ the Chief Executive advised members he had worked with the Leadership Team on this section and explained a gap analysis had been carried out resulting in the conclusions presented. He particularly drew attention to his discussions with the Glover Review Group about governance issues and said that the Authority should keep governance in their sights.

Questions and Comments

Members had a few issues relating to Appendix 2, page 6:

- Boundaries: several members felt more weighty consideration needed to be given to boundary issues and there was a need for more formal recognition of the Authority’s need to work outside defined boundaries if current boundaries affected and restricted the Authority’s operations. Some members, however, felt extending boundaries could result in the Authority becoming embroiled in wider matters with attention taken away from the Authority’s key priorities

- Settlements: some members felt it might be clearer if small settlements (including both landscape and people as both are integral to the National Park) were included in the National Park boundaries as well as some of the larger ones e.g. Kielder and Wooler.

- 3rd purpose: economic well-being of the National Park’s communities – the 3rd purpose is needed with the right resources to accommodate its delivery by the Authority.

- Cultural heritage: some key assets such as neighbouring Hillforts lie outside the National Park therefore boundaries and cultural heritage, along with land management issues, were pertinent.

The Chief Executive drew attention to comments on boundaries on Appendix 2 (Draft Response) pages 4 and 5 - ‘A fit for purpose boundary’ - and the Authority believed the Glover Review should
also be open to a review of boundaries and the Authority could support changes to boundaries which were contiguous with current National Park boundaries. The Chairman felt these paragraphs on boundaries in the Authority’s response were not strong enough in advocating the Authority’s views and one member proposed a review of the National Park boundaries to include settlements.

Members held extensive discussions on the other elements of the Draft Response including Governance, Wellbeing and Education, Cultural Heritage, Access and Recreation and Forestry with comments noted by the Chief Executive.

The Chief Executive therefore proposed an amendment to recommendation (c) ‘consider and authorise the Chief Executive (National Park Officer) to amend the draft response set out in Appendix 2 to Item 2 as the basis of the Authority’s submission to the Call for Evidence, taking consideration of members’ discussions and comments’

There being no other issues raised, the Chairman drew attention to recommendations (a) and (b) and amended recommendation (c) proposed by Cllr S Bolam, seconded by Cllr A Sharp and approved by members who

RESOLVED to
a) note progress with the Designated Landscapes (National Parks and AONBs) 2018 Review;
b) note questions set out in ‘Call for Evidence’ as summarised at Appendix 1 to item 2; and
c) consider and authorise the Chief Executive (National Park Officer) to amend the draft response set out in Appendix 2 to Item 2 as the basis of the Authority’s submission to the Call for Evidence, taking consideration of members’ discussions and comments.

NPA71-2018 Item 3: Review of the Development Management Validation Checklist

The Head of Forward Planning referred to her report and the recommendation, assuring members the Planning Team would only ask for essential documents.

There being no other issues raised, the Chairman drew attention to the recommendation, proposed by Cllr S Bolam, seconded by Cllr E Cartie and approved by members who

RESOLVED to delegate authority to the Chief Executive (National Park Officer) to agree the finalised local validation checklist to be published.

NPA72-2018 Item 4: Authority Review Meetings 17 October and 13 June 2018.

The Chief Executive referred to his report and explained the background to the two meetings – 13 June’s topic being ‘Visitor Experience – the Breamish Valley’ and 17 October ‘The Sill Activity and Education Programmes’ contribution to visitor engagement and understanding’.

Questions and Comments

Ms F Gough, Authority Review Chair, referred to Appendix 1 ‘Leadership Team Findings’ and asked that a timescale of ‘before 2020’ be included for Review Finding/Recommendation No 4.

A member spoke about The Sill’s education target not being ambitious enough, with insufficient resources in place to achieve current aspirational targets so there was a risk this would not be achieved and asked if the Leadership Team had any plans to make further resources available. The member also spoke about the boundaries for the educational targets and suggested this could be extended e.g. to include the South Tyne area.

The Director of Business Development explained that this was only one of the education targets for The Sill to achieve and stressed it is the ‘opportunity to engage’ that is important; that as the
Heritage Lottery Fund targets are different, the Authority was delivering on this target; and some schools may not want to engage with The Sill and that education targets were also a topic for the next Sill Advisory Board meeting.

There being no other issues raised, the Chairman drew attention to recommendations (a) to (c) proposed by Cllr A Sharp, seconded by Mrs P Ross and approved by members who

RESOLVED to
a. note the findings of the Review meetings held on 17 October and 13 June 2018;
b. note and consider the response from Leadership Team in respect of the recommendations from these meetings; and

c. endorse the actions planned or currently underway as set out in Appendix 1 to Item 4.

NPA73-2018 Item 5: Half Year Strategic Risk and Performance Update

The Head of Forward Planning pointed out an error in Table B of the report (Strategic Risk Register page 4/6) as the figure of 9% should be 10% and therefore the recommendation (2) should be amended accordingly.

The Head of Forward Planning asked members to note the report and recommendation (1) and amended recommendation (2).

Questions and Comments

A member spoke about non-achieved targets and the Head of Forward Planning said that the changes in the staff complement should help mitigate these going forward.

A member asked about the Hadrian’s Wall Bus and noted the 26% increased use of this service over two years and noted this was on the agenda for the Sill Advisory Board meeting in January. There being no other issues raised the Chairman drew attention to recommendation (1) and the amended recommendation (2) ‘… indicates 10% of actions have been completed ….‘ proposed by Cllr A Sharp, seconded by Cllr S Bolam and approved by members who

RESOLVED to
1) note the progress on delivery of the Operational Plan, which at the Q2 point indicates: 80% of actions remain on target; 19% are currently behind target; and 1% are off target; and

2) note the progress towards mitigating the risks identified in the 2018-2021 Strategic Risk Register, which at Q2 2018/19 indicates: 10% of actions have been completed; 82% are in progress or are ongoing; and 8% of actions have yet to begin.

NPA74-2018 Item 6: Half Year Financial Performance and Half Year Budget Update

The Finance Manager referred to her report, highlighted a few key areas including the underachieving areas, The Sill Business Plan and related budget deficits, income generation shortfalls and the treasury management update. The Finance Manager thanked the Finance & Audit Group for their detailed input to the report at their meeting on 13 November.

Questions and Comments

A member of the Finance & Audit group explained that they had considered the report carefully particularly Sill funding shortfalls, which had been covered by Sill staffing vacancies but as these vacancies were now all filled then this pot of money could not be used going forward.

A member asked about the accommodation vacancies at the @ Eastburn Hub. The Chief Executive explained there was a general downturn in letting office premises in Hexham and
assured members that every effort was being made to find new tenants for the vacant accommodation. With regard to The Hive @ The Sill, the Chief Executive said this was on the agenda for the Sill Advisory Board meeting on 23 January 2019.

A member asked about the Authority’s accounting processes and reporting methods. The Head of Business Development explained that the past year had been an exceptional time for the Authority with the opening of The Sill and the ensuing financial management required, including the impact in the Authority’s finances of the timing of the Heritage Lottery Fund grant allocations.

There being no other issues raised the Chairman drew attention to the recommendation, proposed by Cllr S Bolam, seconded by Cllr A Sharp and approved by members who

RESOLVED to note the contents of the report.

NPA75-2018 Item 7: Fundraising Report 1 October 2017 – 30 September 2018

The Director of Business Development referred to her report, pointing out that National Parks Partnership support continues; highlighted the ongoing fundraising strategy for The Sill capital target; and advised that the new Head of Business Development started her new job on 10 December and it was therefore hoped good progress could now be made with fundraising.

Questions and Comments

Members referred to paragraph 5 and asked about the reasons for the unsuccessful bids. The Director of Business Development confirmed the Authority always sought feedback.

There being no other issues, the Chairman drew attention to the recommendation, proposed by Mr P Murray, seconded by Cllr E Cartie and approved by members who

RESOLVED to note the progress made towards the Authority’s fundraising targets.

NPA76-2018 Item 8: Health & Safety and Human Resources Half Year Report

The HR Officer referred to her report and highlighted a few key areas for members to note:

- developing and deploying staff to where they need to be;
- Health at Work Strategy;
- Leadership Team review was a major area of work; all current vacancies were complete with 26% of staff complement new to post therefore a key task will be providing clarity of roles;
- Mental Health momentum continues;
- Standards and Appeals committee – a pro-active programme would be put in place including a review of the Member Code of Conduct and Member Protocol; and
- the Director of Park Management would be the lead officer on Health and Safety matters.

Questions and Comments

A member asked about value based recruitment which, though carrying merit could, if not handled properly cause a range of issues such as around diversity and bias and could lead to the wrong people being appointed to posts. The HR Officer explained that she was liaising with relevant officers at Northumberland County Council and was also working with an occupational psychologist in an attempt to avoid such issues.
Following on from the Standards & Appeals Committee meeting on 9 November, it was suggested that members receive a briefing session on Member Code of Conduct and Member Protocol before a future Authority meeting.

There being no other issues raised the Chairman drew attention to the recommendation, proposed by Cllr A Sharp, seconded by Ms F Gough and approved by members who

RESOLVED to note progress in achieving Health and Safety and Human Resources objectives.

NPA77-2018 Item 9: State of the National Park report and update

The Head of Forward Planning said this was the 8th version of this report, was a snapshot in time and was an update on the last report produced in 2015.

Questions and Comments

A member asked about Thriving Communities. The Head of Forward Planning said the Authority did not have a lot of influence with regards to service provision as it played more of an ‘advocacy’ role and it was hoped the new Local Plan would help with this area (influencing) going forward.

Members asked about inclusion of updated data prior to the Local Plan being published and the Head of Forward Planning said information such as renewables data from Ofgem could be included.

A member referred to Outcome 3.1 relating to new and better approaches to sustainable land and water management and asked that this be reviewed and further researched due to possible climate change issues.

Members proposed a new recommendation (3) ‘to request that updated information such as renewables data be included in the report prior to publication’.

The Chairman suggested that the Local Plan could be a topic for the next Members Policy Conference (May 2019).

There being no other issues raised the Chairman drew attention to recommendations (a) and (b) and new recommendation (c) ‘to request that updated information such as renewables data be included in the State of the National Park report prior to publication’ proposed by Ms F Gough, seconded by Mr C Mullin and approved by members who

RESOLVED to
1) note the contents of the State of the National Park Report 2018 (Appendix 1 to Item 9);
2) authorise the publication of the State of the National Park Report 2018 (Appendix 1 to Item 9) on the Northumberland National Park website; and
3) request that updated information such as renewables data be included in the State of the National Park report prior to publication.

NPA78-2018 Item 10: Update on the General Data Protection Regulations (GDPR)

The General Data Protection Regulations (GDPR) Officer referred to the report and drew attention to the Action Plan. She stressed to members the importance of the Authority’s Data Protection Policy (Appendix 1) and reminded members they should all engage in the GDPR on-line training session through the Electronic Learning Management System (ELMS) provision.
There being no other issues, the Chairman drew attention to recommendations (a) to (c) in the report, proposed by Mrs P Ross, seconded by Mrs J Davidson and approved by members who

RESOLVED to
a. note the updated action plan for GDPR compliance
b. note the need to engage with the GDPR E-learning module
c. note and endorse the Authority’s Data Protection Policy attached as Appendix 1 that was approved by Leadership Team in October 2018.

NPA79-2018 Delegated Decisions: none

NPA80-2018 Urgent Business: none

NPA81-2018 Members’ Question Time

Topic: Rothbury spare capacity

Part One ended at 1225 and was followed by Part Two

PART TWO: EXCLUSION OF PRESS AND PUBLIC

Part Two started at 1230.

The Chairman proposed members pass the resolution: “That under section 100A (4) of the Local Government Act 1972, press and public be excluded from this meeting as it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act”:

The reason for the exclusion of press and public for this part of the meeting was clarified as: The report NNPA82-2018 Item 1 (P)) The Sill Staffing Update contained exempt information as per Part 1, Paragraph 2 of Schedule 12A of the Local Government Act 1972 [as amended by the Local Government (Access to Information) (Variation) Order 2006] relating to information which is likely to reveal the identity of an individual and Paragraph 3 relating to the financial or business affairs of any particular person (including the authority holding that information).

Members were reminded that they required to be satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing information. Cllr Sue Bolam proposed the resolution, seconded by Ms Fiona Gough and approved by members who

RESOLVED to exclude the press and public from Part Two of the meeting.

NPA82-2018 Item 1 (P): The Sill Staffing Update

The Exempt Minutes for this item are confidential.

The meeting, including Part Two concluded at 1248.

Attachment to Minute: copy of Cllr A Saunders questions and Authority’s written response
MEMBER ANDY SAUNDERS QUESTIONS

Question 1) Will the NNPA consider when producing reports for consideration by members under the Implications heading that presently cover Financial and Diversity adding another covering Park Residents or in broader terms the impact on our duty to enhance the social and economic wellbeing. I suspect in most cases it will be nil and / or only in that tourism impacts negatively or positively on the residents. However it will make officers think about the potential impact and if negative ways to mitigate that impact. It will also allow members to challenge if the officers have perhaps not thought through the policy recommendation under this heading.

Response:
In producing reports for members consideration officers include all the information they believe is necessary to aid members’ consideration of the subject in question. It is, however, always up to members to decide if there is any additional information they require as standard within reports.

The question refers to the current inclusion of financial and equality implications and asks the Authority to consider adding implications “covering Park Residents or in broader terms the impact on our duty to enhance the social and economic wellbeing”. It should be noted that the Authority’s duty to ‘foster social and economic wellbeing’ is to be pursued in delivery on the Authority’s statutory purposes of conserving and enhancing the special qualities of the Park and in providing opportunities for the public to understand and enjoy the national park. As such, the duty is not a stand-alone duty.

In this respect therefore, the impact on the social economic wellbeing of the park residents and businesses is considered alongside the Authority’s statutory purposes, where necessary, in the body of all reports coming to the Authority. Officers believe that potential impacts on local communities, both positive and otherwise, are already being considered as part of the process of developing all proposals within the Park and in written reports prepared for members.

As stated above it is for members to decide if they wish additional implications to be included in reports for their consideration, however, addition of categories beyond those already used could add undue complexity to reports, and raises the question of what other implication summaries should be included. Why, for example, not include implications on each of the statutory purposes. In addition, it can be difficult to precisely gauge and therefore summarise the impact of a proposal on park residents as views may vary across communities, businesses and individuals in the park.

The Authority has 6 parish councillors and 6 county councillors on its Board. In addition a number of the Secretary of State (national) members live and work in or close to the park. This level of local representation means members are already well placed to identify potential implications for park residents within reports before them for consideration and have the opportunity to raise any concerns or support accordingly.

Question 2) Will the NNPA investigate and prepare a report (if only verbal) on the process, what they did, costs, and impact on I believe is one of the Welsh National parks where they undertook a policy of moving public footpaths away from the immediate vicinity of residents houses. I have been contacted by a resident who has complained (and as yet has not had a response) to the NNPA about a NNPA promoted walk that goes through their garden where a member of the public was seen peering through their front window early in the morning causing much distress to the home owner. The route of Public Footpaths and then promotion of walks to the public can cause conflict between visitors and residents and would seem if at a small cost we can get them moved away from the immediate vicinity of the house then this conflict could be minimised. I will declare an interest as I would benefit from this policy but I will commit (within reason) to paying the average cost of the NNPA action to NNPA to v=cover the costs of my property.
Response:
Officers are making enquiries as to the practice in Welsh National Parks. At this point, and in the time available from receipt of the questions, we have not had responses from all National Park Authorities in Wales.

In setting out the answers to this question members should note that it is Northumberland County Council and not Northumberland National Park Authority which is the Rights of Way Authority within the National Park. The Authority does, however, promote the use of Rights of Way in the parks in keeping with our second statutory purpose. In a response from Pembrokeshire Coast NPA they have indicated that steps have been taken to support landowners in managing alternative routes where appropriate under a “gentlemen’s agreement”. In Pembrokeshire there is no policy in place to arrange free diversions with the cost met by the National Park Authority.

The usual arrangements for NNPA would be that an application for diversion of the Right of Way at a cost of £2500 would be made by the landowner with implications for further costs for gates/stiles etc. that would be required on any diversion. The Authority does not currently meet these costs. It would be a matter for decision by members if they would wish to use the Authority’s resources to fund the costs of such diversions and if members feel this is a priority, officers could take a report for consideration at a future meeting.

In the meantime we will continue to seek further information from the Brecon Beacons and Snowdonia National Parks.

Question 3) What is the policy of the NNPA in taking criminal proceedings against park residents when in breach of planning regulations? I believe that this should be agreed by the full committee rather than being left under delegated power to officers and/or the planning committee. I have spoken to a resident who is in dispute with the NNPA over planning and the end of the line seems quite close and criminal proceedings have been threatened. The parish council is concerned and has written to the NNPA saying a settlement should be found. It is also clear that the NNPA has not been as proactive as they should have been in trying to find an agreement as to the way forward. The case from my viewpoint is not clear cut and we seem to be asking to make a converted barn materially less inhabitable and certainly less energy efficient. I would not want to be party to an Authority taking criminal action against a resident without being fully aware of both sides of the argument. Hence my request for clarification of the NNPA policy and a my belief this should be made by the full authority.

Response:
The Policy of the Authority in taking criminal proceedings relating to planning breaches is set out in the Scheme of Delegation. Should the Authority wish to take legal action then the decision is delegated to the Development Management Committee. These Members are trained on an annual basis to take decisions relating to planning and listed building legislation. It is essential that any members making decisions on planning matters have a full understanding of the planning process as well as appreciating what matters are material planning considerations, which ones cannot be considered relevant. On this basis it would not be appropriate to take the matter to Full Authority.

The question does not identify the case and so this answer does not attempt to address an individual case. It should be noted, however, that for any case to proceed to the point of legal proceedings it will have been agreed by Development Management Committee as requiring enforcement action, and may also have been subject to an appeal where both parties have to put their case before an independent planning inspector who can decide to uphold or dismiss the enforcement notice.

Again, without reference to any specific case, planning legislation sets out that if the works in a legal notice relating to a listed building have not been carried out then that is, as a matter of fact, a criminal offence.