

3 September 2002

EXMOOR NATIONAL PARK AUTHORITY

Minutes of the meeting of the Exmoor National Park Authority held on Tuesday 3 September 2002 at 2.15 pm in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr S J Pugsley (Chairman)
Mrs A Amory (Deputy Chairman)
Mr J C Edwards (Second Deputy Chairman)

Mr F J Bray
Mr M A Collins
Mr J Dallyn
Mr W J Dyke
Mrs A M Foxhuntley
Mr D E Gladding
Mrs C M Lawrence
Mr R J A Martin

Mr M J Pile
Mr F Rawle
Mr M Robins
Mrs M Russell
Miss E I Stacey
Mr M E Taylor
Mr R J Webber
Mr J Yabsley

Apologies for absence were received from Mr M Gammon, Mr M H Knight, Mr A Moore, Mr R Morrison-Smith and Mr E Nightingale.

26. MR C NORTH – THIRTY YEARS SERVICE PRESENTATION

Mr North, a Chargehand at the Exford Depot, had worked for the National Park for 30 years. Members marked the occasion by presenting him with a glass bowl.

27. DECLARATIONS OF INTEREST

None were declared.

28. CHAIRMAN'S ANNOUNCEMENTS

- (1) **Lynmouth Flood Memorial Service:** The Chairman had attended a memorial service in Lynmouth on 15 August 2002, held to mark the 50th anniversary of the Lynmouth flood. He said that it was an appropriate and emotional occasion and expressed appreciation for the high quality organisation undertaken by Mr Nightingale and the team which ensured the event was both successful and memorable.
- (2) **The Rt Hon Alun Michael, Minister for Rural Affairs:** Further to the Authority's response to the consultation on 'Hunting with Dogs – Issues of Cruelty, Utility and Process' (see Minute 22 of 2 July 2002) and the Chairman's invitation to the Minister for Rural Affairs to visit Exmoor, the Minister had spent most of the previous Friday (30 August) in the area. He had held separate discussions with a number of groups, including a delegation of Authority members (the Chairman, First and Second Deputy Chairmen, Mr Collins, Mr Knight, Mr Martin and Mr Webber) who had presented the conclusions of the Authority's paper, concentrating on the wellbeing and management of Exmoor's Red Deer herd as it accorded with National Park purposes. In meeting the various groups, the Chairman felt that the Minister would have received a balanced presentation of the issues.

29. **MINUTES**

(1) **Confirmation**

The Minutes of the meetings of the Authority held on 11 June and 23 July 2002 were signed as correct, subject to “complemented” being amended to “complimented” in the last sentence of the preamble of Minute 22, on page 3 (Response to the Consultation from the Minister for Rural Affairs on ‘Hunting with Dogs – Issues of Cruelty, Utility and Process’).

(2) There were no specific matters arising.

30. **PUBLIC QUESTION TIME**

Mr Hawkins, Exmoor Society was given the opportunity to ask questions during the items in Minutes 38 and 40 below.

31. **THE FUTURE MANAGEMENT OF PORLOCK BAY**

The National Park Officer reported that the Management Agreement between the Authority, landowner and tenant covering the management of the Porlock Marsh area and the re-routing of the coastal path to avoid the Shingle Ridge had been signed. A programme of works for the footpath was intended to be in place by October 2002, subject to action by the Environment Agency to clear Hawkcombe Stream at the point of the new bridge crossing.

RESOLVED: that the Porlock Bay and Marsh Steering Group shall meet to re-launch efforts to secure the future management of Porlock Marsh and that, in addition to the existing representation on the Group, Mr Robins be added from the Authority and the Exmoor Society be invited to join to represent appropriate conservation bodies in Porlock.

(NB. The technical group of officers from various organisations would also be reconvened).

32. **EXMOOR NATIONAL PARK 50TH ANNIVERSARY CELEBRATIONS IN 2004**

RESOLVED: to appoint a Member/Officer ‘Think Tank’ to develop ideas for the celebrations in 2004, comprising the following members: - Mrs Amory, Mrs Lawrence, Miss Stacey and Mr Webber, with Mr Nightingale also being nominated in his absence.

33. **RESOURCES COMMITTEE**

The Minutes of the meeting of the Resources Committee held on 23 July 2002 were noted, and the following was added at the end of the first part of the resolution in Minute 9 (Sustainable Development Fund for National Parks): -

“and decisions in relation to the award of grants from the Sustainable Development Fund be delegated to the National Park Officer in consultation with the interim Grant Advisory Panel.”

RESOLVED: to add Mr Webber to the membership of the interim Grant Advisory Panel.

34. **STANDARDS COMMITTEE**

The Minutes of the meeting of the Standards Committee held on 23 July 2002 were noted. Some concern was expressed about bullet point 4 in Minute 7 (Training Programme for Members) which suggested members might be debarred from individually visiting application sites and having express contact with applicants. Mr Edwards said that it was necessary for elected members, if invited, to be able to visit their constituents for the purpose of fact finding. In response, the Solicitor and Monitoring Officer and the Chairman of the Standards Committee (Mr Taylor) indicated that it was a grey area and members needed to be wary of attempts to influence them. Some local authorities had implemented restrictions on individual site visits/contacts and the proposed training sessions would need to explore the area of lobbying in the light of revised guidance from the Local Government Association, which was uneasy about individual visits. Members would need to consider carefully how the guidance should be interpreted and whether there was the need for a practice guide on the matter.

In respect of Minute 11 (Composition of the Authority's Standards Committee), it was **RESOLVED** to amend the composition of the Committee by increasing its numbers from 4 to 5, with the fifth member being a second independent member (which would follow recent Standards Board advice and avoid problems when the current sole independent member is unable to attend meetings), and to authorise the necessary advertising of the post to take place.

35. **EXMOOR CONSULTATIVE FORUM**

The Authority received the Notes of the Consultative Forum's meeting held on 19 June 2002, subject to "objections" being amended to "objectives" in the last sentence of Note 6.2 (Malcolm MacEwen Trust), page 7.

36. **DISTRICT AND PARISH CONSULTATIVE GROUP**

The Authority received the Notes of District and Parish Consultative Group's meeting held on 24 June 2002.

37. **DEFRA REVIEW OF ENGLISH NATIONAL PARK AUTHORITIES**

The National Park Officer's report sought members' views on a response to the recent review of English National Park Authorities undertaken by DEFRA.

RESOLVED: (1) that the following comments be made to the seven recommendations of the Review upon which the Minister for Rural Affairs has invited a response:

- Recommendation 11 – Considered that a 90 % target of planning applications being delegated to Officers is inappropriate in National Parks and other special areas and landscapes. It is felt that 75 -80 % would be a more reasonable figure.
- Recommendation 14 – Before committing itself to undertaking statutory responsibilities for rights of way, the Authority would wish to know more about the implications and the availability of resources, particularly if responsibility for the legal work and Definitive Map was to be included.
- Recommendation 22 – The Authority's current membership in terms of size and mix is well balanced, operates effectively and suits

Exmoor's circumstances. The need for a continuity of membership is also an important factor.

- Recommendation 24 – Locally elected Chairmen who command the support of their Authority should be retained. It is suggested that, in future, they could be elected through bi-cameral voting, with separate elections for nationally and locally appointed members, and prospective Chairmen would need to have the support of an overall majority from both groups. It is also considered that closer links should be developed by Chairmen with DEFRA, together with the need for Chairmen to have an increased understanding of and make an enhanced contribution to national purposes.
- Recommendation 29 – Support the continuity of parish and local authority appointees following elections. However, request that the position relating to the problems caused by Parish Meeting Chairmen needing to be re-appointed to Authorities each year following their re-election, raised by the Authority in response to the review, be clarified.
- Recommendation 32 – Seek clarification on whether the intention is to remove the requirement for members to declare farming interests within National Parks, and to indicate that the Authority is content whether or not the Code of Conduct is amended in such a way.
- Recommendation 46 – Support direct funding; and

(2) to ask the Resources Committee to give further consideration to the levels of Members' Allowances and the possibility of an independent panel (including local representation) reviewing what they should be, in the light of the National Parks Review not addressing the issue and no solution for a National Parks scheme being forthcoming from ANPA.

38. EXMOOR NATIONAL PARK LOCAL PLAN – FIRST ALTERATION

The Authority considered a report by the Head of Planning and Community which updated members on progress with the preparation of the Local Plan Review and set out the next stages in the process.

Public Question Time: Mr Hawkins, Exmoor Society said that some objections made to the Local Plan Review by the Society had not been accepted because they related to parts of the Plan not subject to revision, and were, therefore, considered to be not duly made. However, in the Society's view, the objections were to policy that needed review and he asked for the Local Plan Review Working Group to examine them.

RESOLVED: to note current progress on the Local Plan Review, and to agree the future timetable for the next stages of the process with a meeting of the Local Plan Review Working Group (to which all Authority members are invited) being held on 22 October am. That meeting to also examine issues arising from the recent House Price Survey and revisit the objections not duly made by the Exmoor Society.

39. **PROPOSED NATIONAL NATURE RESERVES AT HAWKCOMBE AND TARR STEPS**

The report of the Head of Conservation and Land Management invited the Authority to seek National Nature Reserves status for its woodlands at Hawkcombe and Tarr Steps.

RESOLVED: (1) to confirm the previous decision (7 September 1999, Minute 44) to seek National Nature Reserve status for woodlands in the Authority's ownership at Hawkcombe, Porlock; and

(2) to seek National Nature Reserve status for woodlands in the Authority's ownership at Tarr Steps, near Dulverton.

40. **MOTORISED SPORT AND RECREATION IN EXMOOR NATIONAL PARK – CODE OF CONDUCT AND EVENT GUIDELINES**

The Authority considered a report by the Head of Recreation and Tourism, which consulted members on a proposed draft Code of Conduct and Event Guidelines for motorised sport and recreation. It was intended that the draft document would be sent to user groups and interested parties for consultation.

Public Question Time: Mr Hawkins, Exmoor Society welcomed the document, but queried where responsibility would lie for any damage caused to rights of way as the result of motorised sports and events, which was not evident in the text.

RESOLVED: to agree: -

(1) the policy for managing motorised events; and

(2) the draft Code of Conduct and Event Guidelines for further consultation, subject to paragraph 4.3.1 being expanded to make it clear that landowners, in consenting to rights of way over their land being used for events, take on responsibility for any damage and subsequent restoration, but to indicate that the Authority may attach conditions to those consents to require the rights of way to be returned to their previous state.

41. **THE MANAGEMENT OF COMPLAINTS**

The report of the Head of Business Management reviewed the Authority's Complaints Procedure (an updated procedure was attached) and provided information on the formal complaints received in 2001/02. An amendment was made in paragraph 2.4 (second line) of the covering report to substitute "early" for "every".

RESOLVED: to adopt the Complaints Procedure set out in Appendix 1 to the report and note the complaints received in 2001/02.

42. **STATEMENT OF ACCOUNTS FOR 2001/02**

The Chief Finance Officer's report presented the Statement of Accounts for 2001/02.

RESOLVED: to adopt the Statement of Accounts for 2001/02.

43. **MEMBERS' REPORTS**

The Authority noted: -

- Reports from Mrs Amory on meetings of the South West Regional Assembly (12 July 2002) and the South West Regional Assembly Planning and Transport Group (25 July 2002).
- A presentation from Mr Yabsley and Mrs Lawrence on the Member Induction Course held on 24 – 26 July 2002 at Losehill Hall in the Peak District National Park. Whilst the Course had been useful and for the most part well planned, they felt that members needed to be in post with their Authorities for at least a year before attending to gain maximum benefit.

44. **OTHER BUSINESS OF URGENCY –
COMMON LAND POLICY STATEMENT 2002**

The Chairman reported that DEFRA had issued a Common Land Policy Statement which, although it did not request comments, he thought the Authority may wish to respond to as there were likely to be implications for Exmoor. There was a need for urgency to establish the appropriate mechanism for a response to be made.

RESOLVED: (1) to appoint a Member/Officer Working Group, comprising the following members – Messrs Bray, Collins, Edwards, Dyke, Martin and Pile – to investigate the proposals in the Policy Statement and their implications, which shall meet as soon as possible; and

(2) to delegate a response on the document to the National Park Officer, in consultation with the Working Group.

(The meeting closed at 4.30 pm)

Chairman