

EXMOOR NATIONAL PARK AUTHORITY EXMOOR HOUSE, DULVERTON SOMERSET TA22 9HL

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25 January 2024

#### **EXMOOR NATIONAL PARK AUTHORITY**

To: All Members of the Exmoor National Park Authority

A meeting of the Exmoor National Park Authority will be held in the Committee Room, Exmoor House, Dulverton on <u>Tuesday</u>, 6 February 2024 at 10.00am.

**Please Note:** To better manage Authority business, Agenda items relating to the Authority's role as sole **local planning authority** for the National Park area, including determination of planning applications, will commence at **1.30 pm**.

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item relevant to the business of the Authority or relating to any item on the Agenda. Anyone wishing to ask questions should notify the Corporate Support Officer as soon as possible, or at the latest by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact Judy Coles on 01398 322250 or email jcoles@exmoor-nationalpark.gov.uk).

The meeting will be **recorded**. By entering the Authority's Committee Room and speaking during Public Speaking you are consenting to being recorded. We will make the recording available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson so that those present may be made aware.

(The agenda and papers for this meeting can be downloaded from the National Park Authority's website <a href="https://www.exmoor-nationalpark.gov.uk">www.exmoor-nationalpark.gov.uk</a>).

Sarah Bryan Chief Executive

#### AGENDA

The meeting will be chaired by Miss A V Davis, Chairperson of the Authority.

- 1. Apologies for Absence
- 2. Declarations of Interest/Lobbying of Members/Unaccompanied Site Visits

  Members are asked to declare:-
  - (1) any interests they may have in relation to items on the agenda for this meeting;
  - (2) any lobbying by anyone concerned with a planning application and any unaccompanied site visits where contact has been made with any person concerned with a planning application.
- 3. Chairperson's Announcements
- **4. Minutes** (1) To approve as a correct record the Minutes of the meetings of the Authority held on 5 December 2023 (Item 4)
  - (2) To consider any Matters Arising from those Minutes.
- Public Speaking: The Chairperson will allow members of the public to ask questions, make statements, or present a petition. Questions of a general nature relevant to the business of the Authority can be asked under this agenda item. Any questions specific to an agenda item can be posed when that item is considered subject to the discretion of the person presiding at the meeting.
- **6.** Auditors Interim Annual Report (Review of Value for Money): To receive and note the Auditor's Interim Annual Report (Review of Value for Money) for the year ended 31 March 2023 (Item 6)
- 7. Personnel Update

#### Leavers:

05/01/2024 – Kate Lacey – ENNIS Project Officer 29/02/2024 – Rose Gregory – Centre Manager (Dunster National Park Centre)

- 8. Any Other Business of Urgency
- 9. Confidential Business: To consider passing a resolution pursuant to Section 100A(4) of the Local Government Act 1972 that the press and public be excluded from the meeting for the duration of Item 10 (ENPA Estate Proposed Land Sale at East Anstey Common) on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business arising in Item 10 below and that the following information will be considered which is exempt information as presented in Schedule 12A of the Act (as amended):-
  - Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- **10. ENPA Estate Proposed Land Sale at East Anstey Common:** To consider the confidential report of the Head of Access, Engagement and Estates (Item 10)

Agenda items relating to the Authority's role as sole local planning authority for the National Park area including determination of planning applications. This section of the meeting will commence at **1.30 pm** and will be chaired by Mr S J Pugsley, Deputy Chairperson (Planning). If the Deputy Chairperson (Planning) is absent, the Deputy Chairperson of the Authority shall preside.

**11. Development Management:** To consider the report of the Head of Planning and Sustainable Development on the following:-

Agenda Item	Application No.	Description	Page Nos.
11.1	WTCA 24/01	Works to trees in a conservation area. To cut and lay Beech hedge and to fell 2 no. Cherry trees (2&3) – Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP	1 – 4
11.2	6/14/23/003	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 lawful development certificate for the proposed recladding of building and works to existing walling and roof – Blackpitts, Simonsbath, Minehead, Somerset, TA24 7LB	5 - 8

- **12. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 12).
- **13. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 1 March 2024 (am)).

Further information on any of the reports can be obtained by contacting the National Park Authority at the address and telephone numbers at the top of the agenda. Details of the decisions taken at this meeting will be set out in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained from Judy Coles, Corporate Support Officer, at Exmoor House.

#### ITEM 4

#### **EXMOOR NATIONAL PARK AUTHORITY**

**MINUTES** of the Meeting of the Exmoor National Park Authority held on Tuesday, 5 December 2023 at 10.00am in the Committee Room, Exmoor House, Dulverton.

#### **PRESENT**

Miss A V Davis (Chairperson)
Mr R Milton (Deputy Chairperson)
Mr S J Pugsley (Deputy Chairperson Planning)

Mr A Bray Mr M Kravis
Mrs M Chilcott Mrs Nicholson
Mr M Ellicott Mr J Patrinos
Mr D Elson Mrs E Stacey
Mr B Geen Mr N Thwaites
Mr J Holtom Mrs L Williams
Dr M Kelly Mr J Yabsley

Apologies for absence were received from Mr L Baker, Mr T Butt Philip, Mrs C Lawrence, Mrs F Smith and Dr S Warren.

66. DECLARATIONS OF INTEREST: There were no declarations of interest.

#### 67. CHAIRPERSON'S ANNOUNCEMENTS:

- The Chairperson congratulated Anne Brice and Shelley Trace at Dulverton National Park Centre for winning Gold in the Visitor Information Service of the Year category at the Bristol, Bath and Somerset Tourism Awards 2023/24.
- The Government had just published an action plan for Protected Landscapes based on responses to the Landscapes Review consultation. The Chief Executive would be meeting with Defra later in the week when it was hoped more detail would be provided.
- The Authority successfully reached the first stage of its Landscape Recovery bid.
   We will now work with landowners and partners to develop a programme which will hopefully lead to a 20-year funding package for Exmoor's "heartland" the former royal forest. The Authority's thanks were extended to Alex Farris, Conservation Manager and everyone involved in putting the bid together.
- As of 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONB's) in England and Wales became National Landscapes – this was one of Julian Glover's recommendations in the 2019 Landscapes Review.

#### 68. MINUTES

- i. **Confirmation:** The **Minutes** of the Authority's meeting held on 7 November 2023 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.
- **69. PUBLIC SPEAKING:** See Minute 71 for details of public speakers.

#### 70. DRIVER

The Authority considered the **joint report** of the Head of Conservation, Access and Estates and the Head of Finance and Operations

#### The Authority's Consideration

Members expressed their excitement at the opportunities that Driver represented for the Authority and thanked the staff team for all their work over the past few months to get the project to this point.

The Deputy Chairperson moved the Officer recommendation and advised the meeting that he was aware of several national organisations that would be delighted to assist the Authority to ensure a sustainable farming approach could be achieved at Driver.

A summary of the various queries raised by Members is detailed below, along with any clarification provided by Officers:-

- The Head of Finance and Operations confirmed he was content that the level of risk – both financially and in terms of scale – was manageable for the Authority given the robust model that had been put in place which would ensure it would not impact on National Park Grant.
- In the event that receipts from proposed land sales did not reach the levels required, a further paper would be brought before Members to discuss what other options might need to be considered.
- Only internal / cosmetic works were planned for the farmhouse which is structurally sound, whilst the modern farm building requires more work to be serviceable and to support the delivery of the Countryside Stewardship scheme there. No works are planned for the west range of traditional farm buildings, whereas the east range is subject to a Farming in Protected Landscapes (FiPL) grant for emergency repairs to the roof and openings. Whilst this might restrict future uses of this particular building, it is clear that diversification options would be more appropriate (subject to consents) on the buildings in the west range because of their size and inherent flexibility.
- The Historic Buildings Officer advised there was some historic evidence of a back stair case in the farmhouse which may provide scope for dual generational use should a potential tenant require this.
- A number of Members suggested the Authority should consider reaching out to external organisations who may be able to share learnings from similar projects and provide advice in relation to engagement and funding opportunities – organisations suggested included RSPB, Wildfowl & Wetlands Trust (WWT), National Grid, South West Water.
- It was also suggested there may be an opportunity for expenditure incurred so far, such as for surveys, advice from contractors, etc, might be able to be used as match funding in the future.
- One Member with experience in this area suggested it would be key to engage a
  Project Manager and that given the different potential income streams detailed
  cash management would also be required.

Members unanimously voted to adopt the Officer recommendations and once again thanked all staff for their hard work in getting the Driver project to this stage.

#### **RESOLVED:**

- (1) To approve the retention of Driver in line with ENPA's Retention and Disposal Policy (2019)
- (2) To approve the allocation of up to £550,000 from land sales (not yet secured) and the allocation of up to £50,000 from ENPA reserves for the renovation of the house at Driver, repairs to the modern farm building and other capital works as set out in the report.
- (3) To note that the operating model for Driver will be agreed during 2024.

Mr Kravis joined the meeting during this item and were therefore not eligible to vote.

#### 71. PROGRESS IMPLEMENTING THE CORPORATE PLAN 2023-24

The Authority considered the report of the Head of Strategy and Performance

#### **Public Speaking**

1. Mr R Watts, Local Resident – statement tabled

#### The Authority's Consideration

Members extended their congratulations to the staff team for all their efforts over the last twelve months – given the challenging budgetary environment the Authority was currently operating under; they were impressed at how focused staff had remained in order to complete the majority of work outlined in the Corporate Plan.

In response to a number of Member questions the following clarification was provided:-

- The Authority's Nature Recovery Vision (NRV) was expected to launch in the New Year and actions linked to delivering it were included in both the Corporate Plan and the Partnership Plan which would be released in March 2025. Further work would be undertaken on monitoring delivery of the Vision.
- Publication of the Design Guide had been delayed partly due to capacity issues, but also due to recent national changes which now legally required local authorities to produce a design code. Officers were due to meet in the new year to agree what could realistically be delivered and to aim for publication by the summer of 2024.
- In relation to the pressures around the Access and Recreation Team it was
  confirmed that this was partly due to capacity issues following budget cuts,
  which was hindering the development of projects to make use of Defra special
  funding to improve disability access infrastructure. However, suitable projects
  ware being identified using in house knowledge and contacts, for delivery in
  2024.
- Confirmation was provided that there was sufficient staff capacity to deliver the
  work streams identified in relation to Driver. The priorities identified in the new
  Corporate and Partnership Plans, along with project funding, would be the
  focus of the existing staff team and Authority would back fill core staff time to
  enable that.
- With regards to the ENNIS project, it was confirmed that invasive species such as Japanese Knotweed could never be eradicated from the landscape, and the aim of the project was to ensure that it was kept under control.

In relation to the backlog of listing local heritage sites on the record, it was
confirmed that discussions were taking place with other local authorities to see
if they could collaborate more efficiently now it was a statutory requirement to
have a Historic Environment record. Dr Kelly confirmed that he had been
requested to assist with those discussions.

#### **RESOLVED:**

- (1) To note the progress in implementing the Authority's key commitments set out in the Corporate Plan 2023-2024 as detailed in Appendix 1 to the report.
- (2) To delegate to the Finance and Performance Advisory Panel and Leadership Team further scrutiny of Authority performance across all the Corporate Plan actions for the next reporting period to 31 March 2024.

Mr Kelly left the meeting during this item and therefore was not eligible to vote.

#### 72. AMENDMENTS TO STANDING ORDERS AND CODE OF CONDUCT

The Authority considered the **joint report** of the Solicitor and Monitoring Officer and Head of Strategy and Performance

#### The Authority's Consideration

The Head of Strategy and Performance explained that the changes to Standing Orders and Code of Conduct reflected the changes to governance which were agreed by Members at the November Authority meeting. These changes included a reduction in the number of meetings and the formation of a separate Planning Committee which would initially operate for a trial period of up to 12 months. Whilst Members were being asked to agree the amendments now, they would not come into effect until April 2024 when the trial period commenced.

It was also confirmed that when Member appointments to the new Planning Committee were made in early 2024, it was intended those appointments would run until the Member appointments process at the Annual Meeting in July 2025, assuming the trial period was successful.

There were several queries regarding Members of the Planning Committee being able to identify a "substitute Member" to attend in their place. It was confirmed that this was an option open to Members but that it was not essential for them to provide a substitute – therefore a Planning Committee meeting could still go ahead with less than 12 Members as long as it was quorate.

The requirement to provide 10 working days' notice of a substitute was intended for planned absences such as holidays and that 24 hours' notice would be acceptable in "exceptional circumstances" such as an emergency or sudden illness.

Given the ability for substitute Members to attend Planning Committee meetings on occasion, it was considered essential that all Members therefore took part in Planning training when it was delivered.

#### **RESOLVED:**

- (1) To agree the amendments to Standing Orders set out in Appendix 1 to the report.
- (2) To agree the amendments to the Member Code of Conduct in Appendix 2 to the report.

(3) To delegate to the Chief Executive and Chairperson authority to agree minor amendments in relation to terminology or legislative references which may arise from time to time.

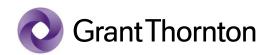
### 73. PROPOSED WITHDRAWAL AND DISSOLUTION OF THE HEART OF THE SOUTH WEST JOINT COMMITTEE

**RESOLVED:** To agree to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

- **74. PERSONNEL UPDATE:** The Authority noted the recent staff changes as set out on the agenda.
- 75. ANY OTHER BUSINESS OF URGENCY: There was none.

The meeting closed at 11.24 am.

(Chairperson)



### Auditor's Interim Annual Report on Exmoor National Park Authority

2022/23 VFM arrangements

January 2024



### **Contents**



We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to satisfy ourselves that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the National Audit Office (NAO) requires us to report to you our commentary relating to proper

We report if significant matters have come to our attention. We are not required to consider, nor have we considered, whether all aspects of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.



Section	Page
Executive summary	3
Opinion on the financial statements and use of auditor's powers	5
Securing economy, efficiency and effectiveness in the Authority's use of	resources
Financial sustainability	7
Governance	9
Improving economy, efficiency and effectiveness	14
Follow-up of previous recommendations	16
Opinion on the financial statements	18
Other reporting requirements	19
Appendices	
Appendix A – Responsibilities of the Authority	22
Appendix B - An explanatory note on recommendations	23

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed for the purpose of completing our work under the NAO Code and related guidance. Our audit is not designed to test all arrangements in respect of value for money. However, where, as part of our testing, we identify significant weaknesses, we will report these to you. In consequence, our work cannot be relied upon to disclose all irregularities, or to include all possible improvements in arrangements that a more extensive special examination might identify. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

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### 1. Executive summary



Value for money arrangements and key recommendations

Under the National Audit Office (NAO) Code of Audit Practice ('the Code'), we are required to consider whether the Authority has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

Auditors are required to report their commentary on the Authority's arrangements under specified criteria and 2022-23 is the third year that we have reported our findings in this way. As part of our work, we considered whether there were any risks of significant weakness in the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources.

Our conclusions are summarised in the table below. We have not noted any significant weaknesses in arrangements and this represents a good outcome for the Authority.

Criteria	Risk assessment	2021-22 Auditor Judgment	2022-2	3 Auditor Judgment
Financial sustainability	No risks of significant weakness identified	No significant weaknesses in arrangements identified. One improvement recommendation made.		No significant weaknesses in arrangements identified. No improvement recommendation raised
Governance	No risks of significant weakness identified	No significant weaknesses in arrangements identified.		No significant weaknesses in arrangements identified. Two improvement recommendation made.
Improving economy, efficiency and effectiveness	No risks of significant weakness identified	No significant weaknesses in arrangements identified.		No significant weaknesses in arrangements identified. No improvement recommendation made.

No significant weaknesses in arrangements identified or improvement recommendation made.

No significant weaknesses in arrangements identified, but improvement recommendations made.

Significant weaknesses in arrangements identified and key recommendations made.

### **Executive summary**

#### **VFM** arrangements



#### Financial sustainability

The Authority is operating in an increasingly uncertain financial environment. The Authority, as with all national parks and local authorities, will need to continue to plan on the basis of "flat cash" funding in the medium term, effectively a cut in funding in real terms. This has become particularly acute after the year end at 31 March 2023, given the impact of rising inflation. Our work has not identified any significant weaknesses in arrangements to secure financial stability at the Authority. We raised no improvement recommendation on financial sustainability this year.



#### Governance

Our work this year has focused on refreshing our understanding of the governance arrangements in place at the Authority. Our work has not identified any significant weaknesses in arrangements. We have raised two improvement recommendations in respect of risk management arrangements. Further details can be seen on pages 12 and 13 of this report.



#### Improving economy, efficiency and effectiveness

The Authority has demonstrated a clear understanding of its role in securing economy, efficiency and effectiveness in is use of resources. Our work has not identified any significant weaknesses in arrangements in relation to delivering economy efficiency and effectiveness. We have raised no improvement recommendations.



#### Audit of the 2022/23 Financial Statements

Our accounts audit is to be completed in January and February 2024 and the outcome will be reported in our ISA260 Audit Findings Report to your Authority in March 2024.



### 2. Opinion on the financial statements and use of auditor's powers

#### We bring the following matters to your attention:

#### Opinion on the financial statements

Auditors are required to express an opinion on the financial statements that states whether they:

- (i) present a true and fair view of the Authority's financial position, and
- (iii) have been prepared in accordance with the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2022/23

We have not yet completed our audit of your financial statements and have not issued our audit opinion as at the date of this interim report. This report will be updated to reflect any significant findings once our audit has been concluded.

#### Statutory recommendations

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors can make written recommendations to the audited body which need to be considered by the body and responded to publicly

Our work to date has not identified any issues requiring a statutory recommendation.

#### **Public Interest Report**

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors have the power to make a report if they consider a matter is sufficiently important to be brought to the attention of the audited body or the public as a matter of urgency, including matters which may already be known to the public, but where it is in the public interest for the auditor to publish their independent view.

Our work to date has not identified any issues requiring a public interest report.

#### Application to the Court

Under Section 28 of the Local Audit and Accountability Act 2014, if auditors think that an item of account is contrary to law, they may apply to the court for a declaration to that effect.

Our work to date has not identified any issues requiring an application to the court.

#### Advisory notice

Under Section 29 of the Local Audit and Accountability Act 2014, auditors may issue an advisory notice if the auditor thinks that the Our work to date has not identified any issues requiring authority or an officer of the authority:

an advisory notice.

- is about to make or has made a decision which involves or would involve the authority incurring unlawful expenditure,
- is about to take or has begun to take a course of action which, if followed to its conclusion, would be unlawful and likely to cause a loss or deficiency, or
- is about to enter an item of account, the entry of which is unlawful.

#### Judicial review

Under Section 31 of the Local Audit and Accountability Act 2014, auditors may make an application for judicial review of a decision Our work to date has not identified any issues requiring of an authority, or of a failure by an authority to act, which it is reasonable to believe would have an effect on the accounts of that a judicial review. body.

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# 3. Securing economy, efficiency and effectiveness in the Authority's use of resources

All Authorities are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. The Authority's responsibilities are set out at Appendix A.

Authorities report on their arrangements, and the effectiveness of these arrangements as part of their annual governance statement.

Under the Local Audit and Accountability Act 2014, we are required to be satisfied whether the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

The National Audit Office's Auditor Guidance Note (AGN) 03, requires us to assess arrangements under three areas:



#### **Financial Sustainability**

Arrangements for ensuring the Authority can continue to deliver services. This includes planning resources to ensure adequate finances and maintain sustainable levels of spending over the medium term (3-5 years).



#### Governance

Arrangements for ensuring that the Authority makes appropriate decisions in the right way. This includes arrangements for budget setting and management, risk management, and ensuring the Authority makes decisions based on appropriate information.



### Improving economy, efficiency and effectiveness

Arrangements for improving the way the Authority delivers its services. This includes arrangements for understanding costs and delivering efficiencies and improving outcomes for service users.





Our commentary on the Authority's arrangements in each of these three areas, is set out on pages 7 to 13. Further detail on how we approached our work is included at Appendix B.

### 4. Financial sustainability



#### We considered how the Authority:

- identifies all the significant financial pressures that are relevant to its short and medium-term plans and builds them into its plans
- plans to bridge its funding gaps and identify achievable savings
- plans its finances to support the sustainable delivery of services in accordance with strategic and statutory priorities
- ensures its financial plan is consistent with other plans such as workforce, capital, investment and other operational planning which may include working with other local public bodies as part of a wider system
- identifies and manages risk to financial resilience, such as unplanned changes in demand and assumptions underlying its plans.

#### **Financial pressures**

#### 2022-23 revenue outturn

The 2022-23 revenue out-turn reported an underspend of £16k against net expenditure spend of £3.028 million which is a positive achievement given the Authority's continuing financial challenge around:

- Customer Driven Income sensitive to factors beyond the Authority's control including consumer behaviour and the weather;
- National Park Grant Settlement changes in government policy as a result of wider economic uncertainty which could result in a reduction in National Park Grant;
- Pay Award any variance from the 3% allowance in the budget would create a financial pressure;
- National economic conditions inflationary pressures and impact on consumer spend could adversely impact the Authority through fewer visitors or lower revenues.

Actual spend for the 2022/23 financial year was very close to the revised budgets. The pay award, implemented in November 2022, was backdated to the start of the year. The pay award at £1,925 per FTE was higher than the original budget, but additional resources were identified from reserves when the revised budget was set. There were few vacancies in the year and the Authority was protected from the worst effects of the increase in utility charges due to a pre-existing price fix.

#### Savings

Savings schemes were not required to deliver the 2022/23 budget and the £16k underspend was transferred back into reserves. In 2022/23 there was a £200k withdrawal from reserves to meet the costs of the long running planning dispute and another £100k

draw from reserves to meet the costs of external consultants employed in Development Management. The Authority now recognises that it needs to develop savings schemes for individual years, £170k for 2024/25, £172k for 2025/26, £252k for 2026/27 and £291k for 2027/28.

#### 2023/24 financial forecasts

At the November 2023 Authority meeting the new Chief Finance Officer, presented a revised 2023/24 budget which reflected a detailed review of all core budget headings. The revised budget was adapted and balanced for known actual in year financial developments up to November 2023. The key challenge for the remainder 2023/24 is funding the cost of the pay award. Any changes will be managed from within existing budgetary allocations so there is no overall forecast financial variance for 2023/24.

#### **Medium Term Financial Plan**

The current Medium Term Financial Plan (MTFP) sets out the Authority's strategic approach to financial management for the financial years 2024/25 to 2027/28. The single largest area of expenditure for the Authority is staff salaries. The Authority does not know what the pay award will be for future years, but has budgeted 5% for 2024/25, 3.5% for 2025/26 after and then 2% for future years. The National Park Grant level is assumed as cash neutral for the years 2024/25 to 2027/28. Base interest rate increases, over the last year from 0.10% to 4%, have led to increases in anticipated returns on cash balances which has improved some anticipated income in future years.

An additional approach to prioritisation and budgeting is still needed to meet the annual fundings gaps in the four year

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### Financial sustainability (continued)

#### **Medium Term Financial Plan (continued)**

MTFP. Business Reviews across the Authority were implemented in October 2022 to determine which services will be withdrawn or reduced and which will be continued to deliver the annual savings required below.

Medium Term Financial Plan to 2027/28

£000s	2024/25	2025/26	2026/27	2027/28
National Park Grant	3,211	3,211	3,211	3,211
Other Income	1,089	1,113	1,116	1,139
Total Income	4,300	4,324	4,327	4,350
Core Budget Expenditure	4,170	4,281	4,364	4,446
Programmes, Partnerships and Reserves	300	215	215	195
Total Expenditure	4,470	4,496	4,579	4,641
Savings Yet to Be identified	170	172	252	291

It is planned that this service prioritisation will lead to a more focussed and outward looking national park, on a sustainable financial footing, that is able to deliver the six corporate priorities in the Corporate Strategy 2023-26. Reserves and capital plans are also a significant resource in underpinning and supporting the delivery of the Authority's six corporate priorities.

#### **Level of reserves**

The Authority has some £3.4m of forecast reserves at 31 March 2024, consisting of £2.2m of earmarked reserves for projects and £1.2m of contingency reserves. The Reserves Strategy, in the MTFP, aims to maintain the General Fund Reserve at its target of £350k to meet any unforeseen or exceptional items of expenditure. It provides working capital and is the equivalent of one month's operating costs.

Reserves will undergo further review and updating as part of the development of the 2024/25 Medium Term Financial Plan and revenue budget. This will be

presented to the Authority at the National Park Authority meeting in March 2024.

#### **Capital Strategy**

Capital spend for this Authority is commonly of a small scale relating to rural capital projects, vehicles or IT. The Authority's capital programme for the MTFP period is estimated to be small at £29k in 2024/25 and £52k in 2025/26.

#### Farming in Protected Landscapes (FiPL)

The MTFP also identifies the need to achieve additional grant income to support delivery of the Business Plan and Partnership Plan. A number of grants have been secured, the single most financially significant being FiPL which is funding for farmers and land managers in Areas of Outstanding Natural Beauty (AONB), National Parks and the Broads. The Authority received some £815k for 2022-23, the second year of delivery for the FiPL programme. The Authority has been able to meet its planned budget profile for the grant following the re-profiling in year. It expects to continue to the FiPL requirements in the next year of the FiPL scheme which attracts some £800k of grant and costs in 2023-24.



#### **Conclusion on Financial Sustainability**

Overall, we are satisfied that the Authority has appropriate arrangements in place to ensure it manages risks to its financial sustainability. There is a high level of understanding of the Authority's significant financial challenges in terms of its budgetary pressures in the short and the medium term.

### 5. Governance



#### We considered how the Authority:

- monitors and assesses risk and gains assurance over the effective operation of internal controls, including arrangements to prevent and detect fraud
- approaches and carries out its annual budget setting process
- ensures effective processes and systems are in place to ensure budgetary control; communicate relevant, accurate and timely management information (including nonfinancial information); supports its statutory financial reporting; and ensures corrective action is taken where needed, including in relation to significant partnerships
- ensures it makes properly informed decisions, supported by appropriate evidence and allowing for challenge and transparency. This includes arrangements for effective challenge from those charged with governance/audit committee
- monitors and ensures appropriate standards, such as meeting legislative/regulatory requirements and standards in terms of staff and board member behaviour (such as gifts and hospitality or declaration/conflicts of interests) and where it procures and commissions services.

#### Leadership effectiveness

Appropriate leadership is in place at the Authority. It operates through full Authority meetings as well as through its Standards Committee. The Authority is Those Charged With Governance (TCWG) and demonstrates appropriate challenge of financial and non-financial information. In January 2022, we recommended that the Authority undertake a self-assessment each year, which is considered best practice. The positive outcome of this was reported to the Standards Committee in July 2022.

Major decisions are made at meetings of the full Authority. The Authority meets regularly, with ten meetings in 2023-24, and appropriate minutes are taken which are approved and available online. The Authority is planning to reduce the number of meetings to eight a year from 2024, to reduce costs.

#### Policies, procedures, and controls

The Authority expects the highest standards of corporate behaviour and responsibility from all Authority members and staff. There are a range of policies and procedures designed to ensure compliance with legislative and regulatory standards, including Codes of Conduct for Members and Staff, a Local Code of Corporate Governance, and a range of HR policies and procedures. In addition, the Authority has an anti-fraud and corruption policy in place. Members' interests are recorded on an individual basis on the Authority's website.

#### Monitoring and Assessing Risk

The Leadership Team monitors and reviews the Strategic Risk Register on a six monthly basis. The Strategic Risk Register is then presented to the Authority in May and November each year. A report covering the review of risk management arrangements for the Authority was taken to the November 2023 Authority meeting, which included the Health and Safety Policy and the Strategic Risk Register. Each risk on the Strategic Risk Register is allocated to senior officers with risks based on themes from the Institute of Risk Management. These themes include business continuity, employee retention, well-being, funding, cyber security and data management. Whilst these are valid themes, the Authority could improve its arrangements by better mapping its risks to the achievement of its objectives in its Corporate Strategy.

The Authority's arrangements for both performance management and risk management could be better streamlined so there is one integrated reporting framework for the corporate objectives, business plan, KPls and the Strategic Risk register. We also suggest that risk and performance should be discussed at the monthly Leadership Team meetings as part of integrated risk and performance management, and also regularly reported to the Authority to every four of its eight meetings going forward rather than every six months.

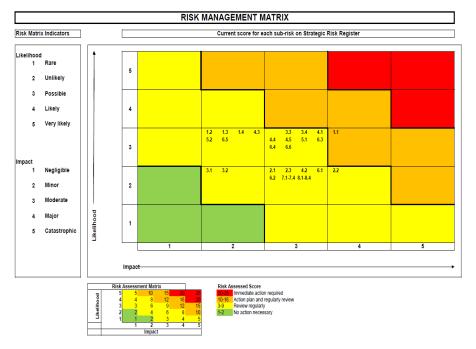
#### **Improvement Recommendation One:**

- (a) integration of performance management and risk management through mapping risks to corporate objectives and risk rating the performance delivery of these objectives; and
- (b) monthly discussion of integrated risk and performance at Leadership Team with quarterly reporting to the Authority.

### Governance (continued)

#### Monitoring and Assessing Risk (continued)

The risks are mapped onto a risk management matrix, which is RAG rated. The Authority introduced a fourth category of "yellow" to better focus the management of the middle amber risks into higher (amber) and lower (yellow) risks. However 31 of its 32 risks are now rated as the lower 'yellow' risks which, therefore, does not seem to have addressed the issue.



With the introduction of an integrated risk and performance management approach, the Authority's risk profile should show a more realistic spread of risks as it reflects the delivery of the Corporate Strategy. For example, the risk around achieving future savings plans will be a higher red risk as these are more difficult to identify and achieve. As well as the Authority identifying, assessing and scoring its strategic risks,

It also needs to identify additional control measures that can be implemented along with any resources that might be required to give a lower "Residual Risk" rating to show how the Authority is either reducing its risk profile or tolerating the risk. The Authority has the option to apply more controls to treat, transfer, terminate or tolerate (known as the 4 T's) its risks depending on the corporate priority and the resulting "risk appetite" for each risk. The Authority has yet to determine its "risk appetite" and therefore may wish to clarify what level of residual risks it will tolerate in order to achieve the delivery of its corporate objectives. (Improvement Recommendation Two: Determine the Authority's risk appetite for its strategic risks.

#### Internal control

Internal audit is provided by Devon Audit Partnership, a shared service agreement between a number of the local authorities in Devon. Internal audit agrees an annual audit plan with the Chief Finance Officer and then presents the plan to the Authority for approval in July each year. The Authority use the work and findings of internal audit to consider the operation of key controls during the year which is used to draft the Annual Governance Statement. Internal Audit also issue an Annual Report summarising their work each year, along with the Head of Internal Audit Opinion which provided Reasonable Assurance for 2022-23.



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### Governance

#### **Budget Setting Process**

The Authority has an established budget-setting process in place. The budget for 2023-24 was approved at full Authority in March 2023. The budget is reviewed regularly to forecast outturn results throughout the year, with a final outturn being presented to the July Authority. The Authority provides an appropriate level of routine review, particularly in light of the Authority's track record of delivering a balanced year end outturn position. The current and prior year periods both show small variances which are indicative of the effectiveness of the budget setting and monitoring processes in place.

#### **Budgetary Control**

There are good systems in place for oversight of the budget. Budget monitoring is performed on a monthly basis led by the Chief Finance Officer. Matters arising are considered by the Leadership Team at regular meetings. Variances are identified and explained on a monthly basis, with actions to mitigate these agreed at Leadership Team level, where required. Quarterly reporting to members of the Authority against the forecast financial outturn position ensures members are aware of budget variances and how these are being managed. Detailed scrutiny of financial performance was undertaken by the reinvigorated Finance and Performance Advisory Panel in June 2023.

#### Conclusion

Overall, we found no evidence of significant weaknesses in the Authority's arrangements for ensuring that it makes informed decisions and properly manages its risks. As outlined above, we have raised two improvement recommendations to strengthen governance arrangements as detailed overleaf.



### Improvement recommendations

Improvement Recommendation 1	We recommend that the Authority integrate performance management and risk management through mapping risks to its corporate objectives and risk rating the performance delivery of these objectives. It should discuss performance and risk at each of its monthly Leadership Team meetings with quarterly reporting of performance and risks to the Authority.
Improvement opportunity identified	The Authority's arrangements for both performance management and risk management could be better streamlined so there is one integrated reporting framework for the corporate objectives, business plan, KPIs and the Strategic Risk register. Each risk on the Strategic Risk Register is based on themes from the Institute of Risk Management, including business continuity, employee retention, well-being, funding, cyber security and data management. However better mapping its risks to the achievement of its objectives in its Corporate Strategy would be more efficient.
Criteria impacted	(math) Governance
Auditor judgement	Our work has enabled us to identify a weakness in arrangements which we do not consider to be significant. We have raised a recommendation to support management in making appropriate improvements.
Management comments	Agreed, the Leadership Team and Delivery Teams will be working with our assurance provider to further enhance Risk Management mapping and ownership. Risk Management has been included as a standing item for Leadership Team. RM will be included within our suite of Corporate Plan reporting which is presented to full Authority on a quarterly basis.

Progressing the actions management has identified to address the recommendations made will support the Authority in addressing the improvements identified from our work. We consider that the timescales provided by management are appropriate and encourage the Audit Committee to monitor progress of implementation to gain assurance over the arrangements in place. The range of recommendations that external auditors can make is explained in Appendix B.

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### Improvement recommendations

Improvement Recommendation 2	The Authority should determine the risk appetite for each of its strategic risks once it has mapped them to the delivery of its corporate objectives.
Improvement opportunity identified	The Authority has the option to apply more controls to treat, transfer, terminate or tolerate (known as the 4 T's) its risks depending on the corporate priority and the resulting "risk appetite" for each risk. The Authority has yet to determine its "risk appetite" and therefore should determine what level of residual risks it will tolerate in order to achieve the delivery of its corporate objectives.
Criteria impacted	(a) Governance
Auditor judgement	Our work has enabled us to identify a potential improvement in arrangements which we do not consider to be significant. We have raised a recommendation to support management in making appropriate improvements.
Management comments	The Authority has set aside a training day in March 2024 with our assurance provider (Devon Audit Partnership). This day is aimed at introducing and agreeing ownership of operational risks and linking these to strategic risks. Alongside this Leadership Team will remap and determine its appetite for strategic risks

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## 6. Improving economy, efficiency and effectiveness



#### We considered how the Authority:

- uses financial and performance information to assess performance to identify areas for improvement
- evaluates the services it provides to assess performance and identify areas for improvement
- ensures it delivers its role within significant partnerships and engages with stakeholders it has identified, in order to assess whether it is meeting its objectives
- where it commissions or procures services assesses whether it is realising the expected benefits.

#### Performance review, monitoring, and assessment

The Authority's vision and priorities are set out in its Corporate Plan which is updated and presented to the Authority meeting in March each year. Progress against plan is presented to the Authority twice a year in May and November. The Corporate Plan links the five-year Exmoor Partnership Plan to the National Park's individual strategic priorities for the year, and also where relevant to the detailed annual revenue budget and the Medium Term Financial Plan.

Our review identified that performance against the priorities and actions set out in the plan is also monitored routinely by the Leadership Team. There are 60 milestones setting out key actions across priority areas in the plan, with detailed descriptions of each action, the desired outcome, target start and end dates.

In addition to the Business Plan, there is a Performance Indicator framework in place comprising 37 indicators, a mix of "State of the Park" indicators, national indicators required by central government or agreed with other National Park Authorities, and local indicators set by the Authority.

The Authority is now in a position where it needs to achieve improvements in efficiency and productivity in order to achieve savings to maintain financial sustainability. We set out, in the Governance Section of this report, how the alignment of risk with performance would allow the Authority to identify what additional measures are needed to achieve its service and financial plans and if necessary where it needs to reconsider those plans.

#### Partnership working and working with stakeholders

Partnership working continues to be a key feature of the Authority's working, the most significant during the past year being the Exmoor Mires Projects with Southwest Water and the Farming in Protected Landscapes scheme (FiPL). FiPL has provided new opportunities of working with farmers and land managers while investing in a range of schemes primarily around nature, ecology and agricultural developments. Generation Green funding allowed the Authority to engage with young people that are passionate about the environment.

Clear understandings are agreed with Partners and where the Authority takes the lead role, all matters are conducted in accordance with the Authority's Standing Orders and Financial Regulations. The Authority's Partnership Plan 2018 – 2023 is a statutory plan that the Authority is required to produce every five years. In preparation for an updated Partnership Plan from 2024, an online public opinion survey ran for a five month period from 4 April to 4 September 2023, asking all those with an interest in Exmoor to share their views on what makes Exmoor special to them, and what key issues they think are most important to tackle going forward.

The Partnership Plan does not try to identify all the activities and people involved in its delivery. It provides the framework for action, and a separate Delivery Programme developed with the partnership groups, sets out the actions required. This reflects the uncertainties regarding future policy and funding, and enables the Authority to be

## Improving economy, efficiency and effectiveness

flexible in how they respond to the challenges and opportunities ahead. The Delivery Programme will be updated and used to assess progress on the achievement of the Ambitions. A vital component of delivering the Plan will be securing the necessary resources to carry out the actions identified.

#### **Procurement**

The Authority has procurement procedures within its Financial Regulations which sets out the approach to delivering effective procurement. This supports budget holders who have responsibility for procurement decisions. Budget holders are also supported by the Finance team. The Authority utilises Devon County Council's procurement services for professional advice, pro forma tender documents, and framework contracts in order to improve its own procurement processes.

#### Conclusion

Overall, we are satisfied that the Authority has appropriate arrangements in place for ensuring economy, efficiency, and effectiveness in its use of resources.



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### 7. Follow-up of prior year recommendations

	Recommendation	Type of recommendation	Date raised	Progress to date	Addressed?	Further action?
1	2021/22 In order to enhance clarity and transparency for Members and other key stakeholders, the Authority should include a projection of its useable reserves position across the life of the MTFP.	Improvement	April 2023	The 2024/25 budget will include this.	Yes	No
1	2020/21 The Chief Finance Officer's budget setting report should explicitly report to the Authority on the robustness of estimates made for the purposes of calculations within the budget. This is a requirement of the Local Government Act 2003.	Improvement	April 2022	The 2023-24 budget includes this.	Yes	No
2	Consideration should be given to identifying in advance a range of savings options and schemes which would be available to be implemented should they be required. These proposals should be included within the MTFP and annual budget.	Improvement	April 2022	These proposals are being prepared for inclusion in the 2024-25 annual budget and MTFP to 2027-28	Yes	No
3	The Authority should approve a capital budget as part of the budget setting process, and set a capital programme for expected capital spend over the period of the Medium Term Financial Plan (MTFP).	Improvement	April 2022	The 2023-24 budget includes this.	Yes	No
4	The Authority should report to Members on its financial performance against budget periodically during the year.	Improvement	April 2022	This is now performed, with months 3 and month 9 reporting undertaken in year.	Yes	No

### 7. Follow-up of prior year recommendations

	Recommendation	Type of recommendation	Date raised	Progress to date	Addressed?	Further action?
5	Introduce an annual self-assessment effectiveness review of the Audit and Governance Committee which is the Committee considered to be Those Charged With Governance.	Improvement	April 2022	This has been completed in year as reported to the Standards Committee on 19 July 2022.	Yes	No
6	The Authority's Financial Regulations should be reviewed and updated to ensure that they remain up to date.	Improvement	April 2022	These regulations were updated in December 2022 along with a number of other policies.	Yes	No
7	The Authority participates in the annual National Park performance indicator set, which is co-ordinated by the Yorkshire Dales National Park. The Authority's performance against all of these indicators should be included within the performance monitoring reporting to members.	Improvement	April 2022	These indicators are now reported as part of the Corporate Plan.	Yes	No

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### 8. Opinion on the financial statements



#### Grant Thornton provides an independent opinion on whether the Authority's financial statements:

- give a true and fair view of the financial position of the Authority as at 31 March 2023 and of its expenditure and income for the year then ended, and
- have been properly prepared in accordance with the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2022/23

We conducted our audit in accordance with:

- International Standards on Auditing (UK)
- the Code of Audit Practice (2020) published by the National Audit Office, and
- applicable law

We are independent of the Authority in accordance with applicable ethical requirements, including the Financial Reporting Authority's Ethical Standard.

#### Audit opinion on the financial statements

We plan to issue our opinion on the Authority's financial statements in March 2024.

Further information on our audit of the financial statements is set out overleaf.



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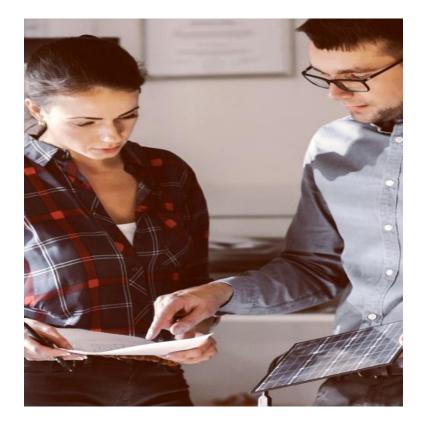
### 8. Opinion on the financial statements



#### **Audit of the financial statements**

The 2022/23 Audit Plan was presented to the Authority in May 2023. The Authority provided draft financial statements in line with the national timetable of 31 May 2023.

The final audit visit will be carried out in February 2024. The Audit Findings Report will be presented to the Authority in March 2024. Requests for the Audit Findings Report should be directed to the Authority.



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### Appendices

## **Appendix A - Responsibilities of the Authority**

Public bodies spending taxpayers' money are accountable for their stewardship of the resources entrusted to them. They should account properly for their use of resources and manage themselves well so that the public can be confident.

Financial statements are the main way in which local public bodies account for how they use their resources. Local public bodies are required to prepare and publish financial statements setting out their financial performance for the year. To do this, bodies need to maintain proper accounting records and ensure they have effective systems of internal control.

All local public bodies are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. Local public bodies report on their arrangements, and the effectiveness with which the arrangements are operating, as part of their annual governance statement

The Chief Financial Officer (or equivalent) is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Chief Financial Officer (or equivalent) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Chief Financial Officer (or equivalent) is required to prepare the financial statements in accordance with proper practices as set out in the CIPFA/LASAAC code of practice on local authority accounting in the United Kingdom. In preparing the financial statements, the Chief Financial Officer (or equivalent) is responsible for assessing the Authority's ability to continue as a going concern and use the going concern basis of accounting unless there is an intention by government that the services provided by the Authority will no longer be provided.

The Authority is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.



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## Appendix B: An explanatory note on recommendations

A range of different recommendations can be raised by the Authority's auditors as follows:

Type of recommendation	Background	Raised within this report?	Page reference
Statutory	Written recommendations to the Authority under Section 24 (Schedule 7) of the Local Audit and Accountability Act 2014.	No	
Key	The NAO Code of Audit Practice requires that where auditors identify significant weaknesses as part of their arrangements to secure value for money they should make recommendations setting out the actions that should be taken by the Authority. We have defined these recommendations as 'key recommendations'.	No	
Improvement	These recommendations, if implemented should improve the arrangements in place at the Authority, but are not a result of identifying significant weaknesses in the Authority's arrangements.	Yes	12 and 13



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the purpose of this process and must not be disclosed to any other parties without express consent from Grant Inornton UK LLP.

Item 6 - Page 23



#### **Committee Report**

Application Number:	WTCA 24/01
Registration Date:	03-Jan-2024
Target Determination	13-Feb-2024
Date:	
Extension of Time:	
Applicant	Mrs S Bryan
Agent:	
Case Officer:	Bettina Broadway-Mann (Assistant Woodland Officer)
Site Address:	Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP
Proposal:	Works to trees in a conservation area: To cut and lay Beech
	hedge and to fell 2 no. Cherry trees (2&3)
Recommendation:	Approve
Reason for bringing	The applicant is the Chief Executive of the Authority.
before Authority	
Committee:	

#### **Relevant History**

WTCA 21/09 Works to Trees in Conservation Area: T2, T3 Plane (Platanus x hispanica) – repollard. Approved 07/06/2021

#### **Site Description & Proposal**

The site is the rear garden of the above property, which is located within the settlement of Dulverton. Trees 1 and 2 within the middle of the garden, and the Beech hedgerow forming the boundary around the south-west corner of the garden. These trees are semi-mature ornamental flowering Cherries, both growing beneath the canopy spread of larger, taller trees. It is proposed to remove these trees to allow the adjacent larger trees more space and resources to develop to maturity.

#### **Consultee Representations**

**ENPA - Historic Buildings Officer** – no objections.

SC - Highways Authority – no observations.

#### Representations

No representations were received for this application.

#### **Policy Context**

N/A.

#### **Planning Considerations**

It is an offence to lop, top or wilfully damage or destroy a tree within a Conservation Area without giving the required notice to Exmoor National Park Authority.

Trees 1 and 2 are not visible from any nearby public path or vantage point, and the Beech hedgerow is clearly seen from the adjacent public footway.

Both trees have had some previous pruning back works leaving one-sided crowns and old pruning wounds.

The Beech hedge has been laid in the past, and its current form is of many upright small diameter closely spaced stems with competing crowns. Re-laying a hedgerow is an accepted management practice and widely used across the Exmoor area.

I therefore have no objections to the proposals, and it is considered that the proposal will not have an impact upon the setting or character of the Listed Building or the surrounding Conservation Area.

Legal protection afforded to bats and bat roosts are afforded legal protection under legislation including the Conservation of Habitats and Species Regulations 2017. No evidence has been identified that the proposed works would significantly, and adversely affect any protected species.

#### **Human Rights**

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

#### Conclusion

The proposed works are considered appropriate and proportionate and are therefore considered acceptable.

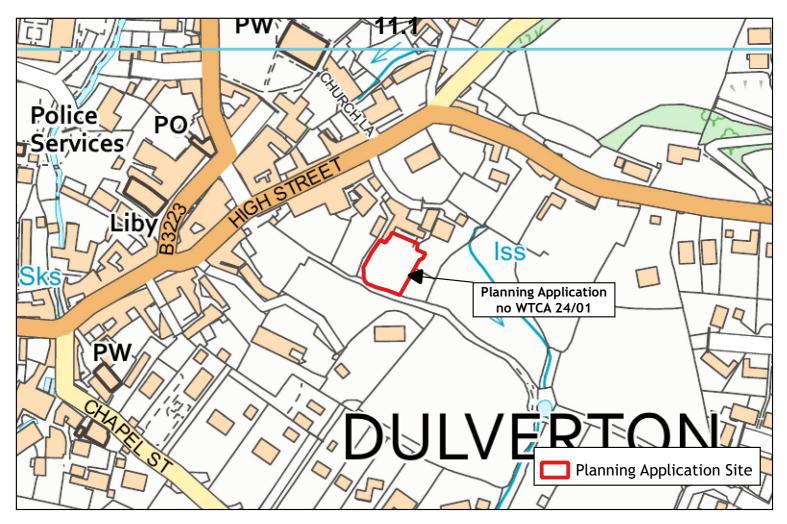
#### Recommendation

Approve as proposed.

#### Informatives

Bats and nesting birds.

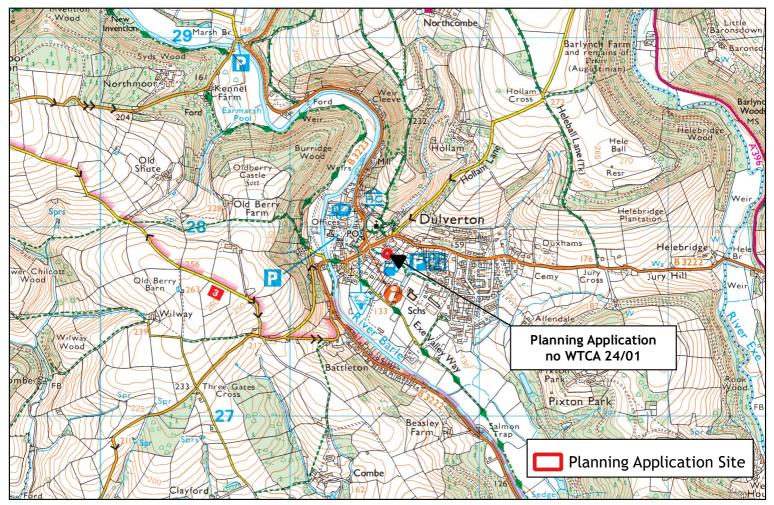
In the event that bats or nesting birds are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000



#### **Committee Report**

Application Number:	6/14/23/003
Registration Date:	21-November-2023
Determination Date:	15-January-2024
Applicant:	Mrs C Binney-Winfield, Exmoor National Park Authority.
Agent:	N/A
Case Officer:	Joseph Rose
Site Address:	Blackpits, Simonsbath, Minehead, Somerset, TA24-7LB.
Proposal:	Application under Regulation 3 of The Town & Country Planning General Regulations 1992 lawful development certificate for the proposed recladding of building and works to existing walling and roof.
Recommendation:	Approve & Issue Lawful Development Certificate.
Reason for bringing	In accordance with the Scheme of delegation as the
before Authority	Application has been submitted by and is to be decided by
Committee:	the Exmoor National Park Authority.

#### **Relevant History**

None Relevant.

#### **Site Description & Proposal**

#### Site Description:

The First World War barrack hut is an independent simple single storey rectangular corrugated iron sheeted timber framed building which sits high in the moors overlooking Simonsbath and is in an exposed location set just off the B3223, approximately 2.6km North of the centre of Simonsbath. The barrack hut measures at a floor space of approximately 137.23 m sq. It is known that the building was put up originally by the Fortescue Estate to provide accommodation for shepherds in the 1920s.

The building is set on a very slight slope which runs in both directions along and across the principal axis of this long shed, consequently the northeast end is set into the hillside with the floor level at or just below external ground level and at the southwest end the floor is at a significant height above ground level, the base of the timber frame structure being set on a random slate masonry plinth. Attached to the western end of the long WWI hut is a modern lean-to roof corrugated iron shed which

houses the standby electrical generator which serves the detached bungalow nearby.

### Proposal:

The applicant is looking to take care of some landlord's repair works to the building.

It was originally believed that planning permission would be needed for these repairs, due to the historical nature of the building. However, after research and internal discussion with various National Park departments, it is now believed planning permission is not required to take forward these repairs. The Authority is therefore looking to have this confirmed by a Certificate of Lawfulness for Proposed Use or Development.

The applicant is proposing to re-clad the building with a like-for-like material (corrugated iron) and also brush paint said material to return the building to its original state and colour (dark green). The Authority is also looking to carry out timber repairs where needed and also rake out and repoint, with lime mortar, the stone plinth that supports the western end of the building.

The site is also with Exmoor's Dark Skies Reserve, and it is also noted that in 2022, two outdoor lights on the building were replaced to ensure they were dark sky compliant. If any replacements are needed, these too will be dark sky compliant.

### **Consultee Representations**

No comments received.

### Representations

Exmoor National Park Planning Authority has received no letters from local residents in respect of the proposals at Blackpits.

### **Policy Context**

The Town and Country Planning Act 1990 sets out how CLOPUD applications should be approached.

This application is for a CLOPUD and it is therefore not a matter of considering the planning merits of the scheme, but a legal determination based on the facts to ascertain whether the stated works constitute 'development' under Section 55 of the Town and Country Planning ACT 1990, and if so whether the applicant has permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 making the proposed works 'lawful' without requiring planning permission.

#### **Planning Considerations**

This application seeks a Lawful development certificate for the proposed recladding of building and works to existing walling and roof.

Based on the provided information, it is determined that the proposed restoration works involve re-cladding the shelter with like-for-like corrugated tin sheeting to be painted in a green color to maintain the original aesthetic of the structure. The project also includes timber repair works, re-pointing the lower wall using lime mortar, installing new like-for-like timber doors in their current positions, replacing metal guttering and downpipes, and the installation of Tex screws with rubber washers on the existing roofing to minimize roof leaks. Importantly, these actions will not materially alter the shelter's appearance, as all materials will be replaced on a like-for-like basis without changing the existing roofing. It is considered that these operations will not materially change the appearance of the shelter as all materials to be used will be fitted on a like-for-like basis.

As such, these building operations do not constitute development under Section 55 of the Town and Country Planning Act 1990, and therefore does not require the need for planning permission to be sought from the local planning authority. This exemption however is contingent upon strict adherence to the provided written specifications and plans supplied by The National Park Authority.

### **Human Rights**

The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

### Conclusion

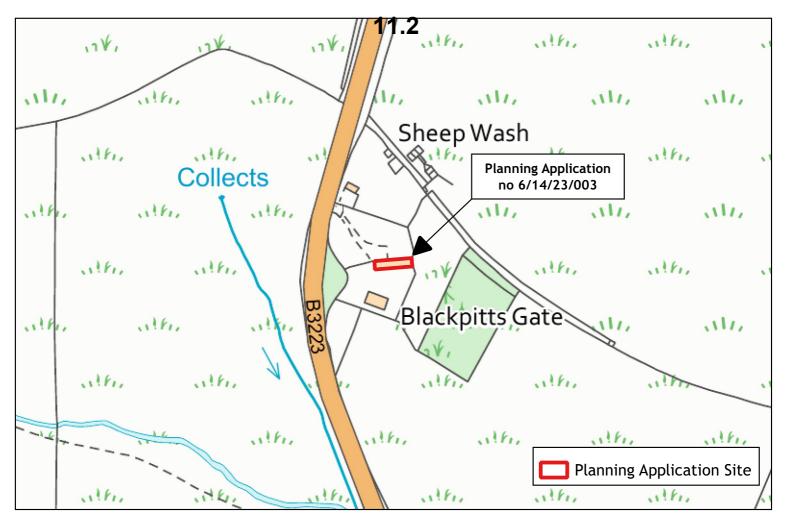
Taking into account the issues noted above and all other relevant material considerations, it is concluded that the proposals do not constitute 'development' under Section 55 of the Town and Country Planning Act 1990, and as such the issuing of a Certificate of Lawful Use is recommended.

#### Recommendation

That a Certificate of Lawful Use be issued.

### **Informatives**

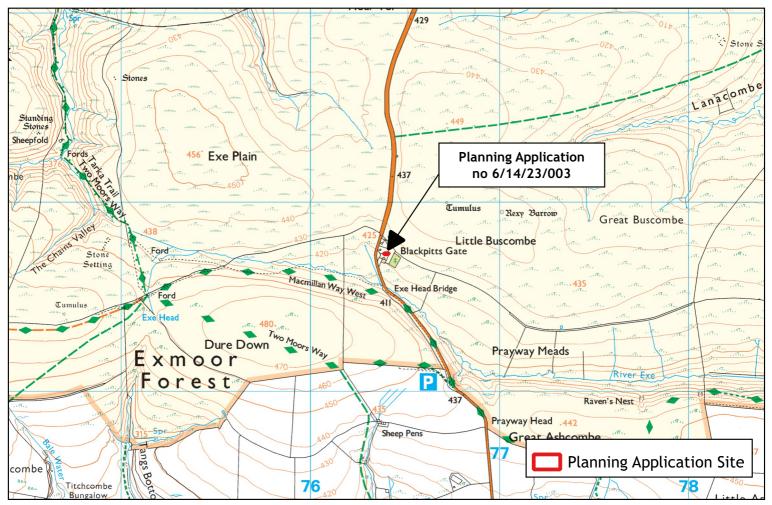
It is imperative to emphasize that this certificate exclusively applies to the information provided in reference to application number: 6/14/23/003. It does not, in any way, authorise any additional developments beyond those explicitly outlined in the aforementioned description.



Site Map

Scale 1:2,500

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Overview Map Scale 1:20,000

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Application Ref	Applicant & Location	<b>Decision and Date</b>
6/29/23/012DC	Ms J Allsop - Proposed discharge of condition 3 (Glazing Sections) of approved application 6/29/23/009LB (Discharge of Condition ) - CLEMENTS COTTAGE, TIVINGTON, MINEHEAD, TA24 8SU	30-Oct-2023 Approved
6/13/23/006DC	Mr & Ms Atkins & Edgington - Proposed discharge of conditions 8 (slate sample), 11 (gravel/surface finish) & 12 (landscape details) of approved application 6/13/22/103 (Discharge of Condition ) - Melcombe, EXFORD, MINEHEAD, TA24 7LU	15-Nov-2023 Approved
6/34/23/004DC	Messrs Lamacraft - Discharge of condition 1 (time limit) of approved application 6/34/19/104. (Discharge of Condition ) - KNOWLE FARM, DUNSTER, MINEHEAD, TA24 6TZ	13-Nov-2023 Approved
62/41/23/024	Mr J Hodges - Proposed alterations to rear dormer window and erection of external fire escape stair. (Full ) - CHOUGHS NEST HOTEL, NORTH WALK, LYNTON, EX35 6HJ	08-Nov-2023 Approved with Conditions
WTCA 23/10	Mr P Taylor - Work to trees in a conservation area: To fell 8no. Ash Trees (A1-A8) and the reduction of Laurel & Rhodedendron bushes as labelled on Plan. (WTCA) - THE GARDEN HOUSE, SELWORTHY, MINEHEAD, TA24 8TW	17-Nov-2023 Approved
GDO 23/11	Mr R. Dod - Prior notification for agricultural storage building (23.2m x 9.2m) (GDO - Agricultural/Forestry ) - WITHIEL FARM, WITHIEL FLOREY, MINEHEAD, TA24 7DE	24-Oct-2023 Prior Approval Refused
GDO 23/10	Cellnex UK Ltd Prior notification for the removal of 6no. Antennas and supporting apparatus and the proposed installation of 3no. antennas, supporting steelwork, 1no. GPS node on gantry support pole, cabinet upgrades and other ancillary apparatus and equipment. (GDO - Telecomms ) - Silverdown Hill (E: 308487 N: 136236), Monksilver, Stogumber, Somerset, TA4 3PY	17-Nov-2023 Prior Approval Not Reqd
6/29/23/010LB	Mr & Mrs Clarke - Listed building consent for the proposed replacement of patio doors and removal of internal porch. (Listed Building Consent ) - WEST LYNCH, ALLERFORD, MINEHEAD, TA24 8HJ	14-Nov-2023 Approved with Conditions

Application Ref	Applicant & Location	<b>Decision and Date</b>
62/19/23/003LB	Mr. G Lilley, National Trust - Listed building consent for the proposed acoustic and fire compartment wall between cottage and store/plant room. (Listed Building Consent ) - WEST CHALLACOMBE MANOR, COMBE MARTIN, ILFRACOMBE, EX34 ODS	13-Nov-2023 Approved with Conditions
6/9/23/014	Mrs A. West - Proposed erection of a garden shelter (Householder ) - HORNER COTTAGE, DULVERTON, TA22 9HR	01-Nov-2023 Approved with Conditions
6/10/23/016	Mr R Pearce - Proposed creation of 2 No. flat roof dormers, other alterations to roof including installation of roof lights and sun tunnel, removal of chimneys, installation of air source heat pump, and photovolvic panel. alterations to windows and doors and associated works. (resubmission of withdrawn application 6/10/23/003). (Householder ) - 1, PARK STREET, DUNSTER, MINEHEAD, TA24 6SR	09-Nov-2023 Approved with Conditions
6/26/23/010	Mr R Cote - Proposed erection of agricultural barn (4m x 16m) and 2 no. polytunnels (5.6m x 14m) together with creation of access track (3m x 75m). Resubmission of withdrawn application 6/26/23/005. (Full ) - STAMBOROUGH COTTAGE, ROADWATER, WATCHET, TA23 0RW	26-Oct-2023 Approved with Conditions
6/27/23/012	Cellnex UK Ltd Proposed replacement of 3 no. antennas, /gps node, cabinet upgrades and ancillary apparatus.	26-Oct-2023 Approved with Conditions
	(Full ) - Porlock Arquiva Site, Parsons Hill, Porlock, TA24 8QW	
6/13/23/003	P. Hendrie - Proposed removal of extension and erection of conservatory and terrace. (Full ) - EXFORD Y H A, EXFORD, MINEHEAD, TA24 7PU	01-Nov-2023 Withdrawn
62/62/22/004LB	Mr D Ortan - Listed building consent for the proposed installation of natural slate floor, French doors and kitchen alcove together with the proposed replacement of a door with a window on the west elevation. Retrospective. (Listed Building	27-Oct-2023 Approved with Conditions

Application Ref	Applicant & Location	Decision and Date
	Consent ) - TRENTISHOE COOMBE, TRENTISHOE, PARRACOMBE, BARNSTAPLE, EX31 4QB	
62/62/22/003	Mr D Ortan - Proposed installation of natural slate floor, French doors and kitchen alcove together with the proposed replacement of a door with a window on the west elevation. Retrospective. (Householder ) - TRENTISHOE COOMBE, TRENTISHOE, PARRACOMBE, BARNSTAPLE, EX31 4QB	27-Oct-2023 Approved with Conditions
6/9/22/110	Mr & Mrs Cox - Proposed porch extension to front elevation, change in fenestration to rear, new steps and ramp, small dormer for lift, and new timber carport. (Householder ) - Little Highercombe, Highercombe to Mounsey Hill Gate, Somerset, TA22 9PT	17-Nov-2023 Refused

Application Ref	Applicant & Location	<b>Decision and Date</b>
6/43/23/007	Mr and Mrs Thomas - Propose conversion of part of loftspace together with creation of dormer window. (Householder) - FERNDALE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	20-Nov-2023 Approved with Conditions
6/19/23/003DC	Mr. D Raymond, National Trust - Proposed discharge of conditions 4 (ecology license) & 7 (ecology) of approved application 6/19/23/001 (Discharge of Condition ) - THE HORNER TEA GARDENS, HORNER, MINEHEAD, TA24 8HY	21-Nov-2023 Approved
6/40/23/009DC	Mr J Smith - Proposed discharge of condition 14 (Lighting) of approved application 6/40/20/114 (Discharge of Condition ) - Ash Lane, Winsford, Minehead, Somerset, TA24 7JH	21-Nov-2023 Approved
6/9/23/015	Mr and Mrs Ames - Proposed erection of two storey extensions, new parking area, glazed link to new wine cellar, first floor extension over garage and single storey extension. (Householder ) - KENNEL COTTAGE, DULVERTON, TA22 9QG	21-Nov-2023 Withdrawn
6/9/23/020	Mr P Govier - Non-material amendment – Householder – of approved application 6/9/21/112 to increase the height and width of building, repositioning of external staircase internally, extension of mezzanine to allow the creation of first floor, installation of 3no. Velux and 3 no. dormer windows and installation of double barn style doors to all bays at ground level. (NMA - Householder ) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	22-Nov-2023 Withdrawn
6/9/23/016	Mr J Pugsley - Proposed removal and rebuild of 2 no. chimney stacks, construction of 2 no. dormer windows and alteration of ground floor shop window to include central entrance door. (Full ) - 23, HIGH STREET, DULVERTON, TA22 9HB	22-Nov-2023 Approved with Conditions
62/11/23/009	Mr and Mrs S. Fox - Proposed erection of a single storey side extension and retention of existing garden room extension (part retrospective). (Householder) - Desolate, COUNTISBURY, LYNTON, Devon, EX35 6NG	22-Nov-2023 Approved with Conditions
WTCA 23/12	Mrs. A Dallaway, Porlock Parish Council - Works to trees in conservation area: Crown lifting work to T1 -	23-Nov-2023 Approved

Application Ref	Applicant & Location	<b>Decision and Date</b>
	Purple Norway Maple, T2 - Lime, T3 - Purple Plum and Re-pollard T4 - Lime. (WTCA ) - VILLAGE HALL, PORLOCK, MINEHEAD, TA24 8QD	
62/41/23/027LB	Lynton & Lynmouth Lift Co - Listed building consent for the proposed re-roofing of cafe and enclosure of water tanks. (Listed Building Consent ) - CLIFF TOP CAFE, LEE ROAD, LYNTON, EX35 6HW	23-Nov-2023 Approved with Conditions
62/41/23/026	Lynton & Lynmouth Lift Co - Proposed re-roofing of cafe and enclosure of water tanks. (Full ) - CLIFF TOP CAFE, LEE ROAD, LYNTON, EX35 6HW	23-Nov-2023 Approved with Conditions
62/41/23/025	Ms K. Willmington - Proposed replacement of existing conservatory with side extension, together with, the installation of solar panels. (Householder ) - HOLLERDAY GATE, LONGMEAD, LYNTON, EX35 6DQ	24-Nov-2023 Approved with Conditions
6/40/19/102	The Honourable M Samuel - Lawful Development Certificate for the existing use, development and construction of game bird rearing pens including engineering works to create level ground bases. (CLEUD) - Land North East of Withycombe Farm, Winsford, Minehead, Somerset	27-Nov-2023 Final Disposed of
62/13/22/002	D E & R E Kingdon - Outline planning application with all matters reserved for a proposed succession dwelling (Outline ) - WHITEFIELD BARTON, CHALLACOMBE, BARNSTAPLE, EX31 4TU	28-Nov-2023 Approved with Conditions
62/50/23/017	Mr S James - Proposed erection of outbuilding together with installation of door, roof light and flue to existing outbuilding. (Householder ) - VENTION COTTAGE, PARRACOMBE, BARNSTAPLE, EX31 4QA	30-Nov-2023 Approved with Conditions
6/13/23/005	Mrs. A Lake, Cruso & Wilkin - Proposed erection of stables and store/feed room (retrospective)	30-Nov-2023 Approved with Conditions
	(Full ) - MONKS CLEEVE, EXFORD, MINEHEAD, TA24 7NA	
6/3/23/009	Messrs E & O Matthews - Proposed single storey extension. (Householder ) - SHEPHERDS COTTAGE, WITHIEL FLOREY, MINEHEAD, TA24 7DE	01-Dec-2023 Approved with Conditions

Application Ref	Applicant & Location	<b>Decision and Date</b>
GDO 23/12	Cellnex UK - Prior notification for proposed replacement of 3 No. Antennas with additional supporting steelwork, installation of 1 No. GPS node together with cabinet upgrades and associated apparatus. (GDO - Telecomms ) - Arquiva Site, Lower Thorne, Exford, TA24 7PZ	04-Dec-2023 Prior Approval Not Reqd
62/62/23/001	Mr. A Palmer, National Trust - South West Region - Proposed raising of existing stream to allow rewetting of existing field. Creating new ponds and wetland habitat, together with, the creation of gulley into existing pond. (Full - Major ) - Land adjacent to Tattiscombe Farm, Easting: 263120, Northing: 146416, EX31 4PH	04-Dec-2023 Approved with Conditions
6/40/23/011	Mr & Mrs R Thomson - Non Material Amendment - Full - of approved application 6/40/22/113 to change door to a window and alter extension roof on West Elevation and to omit window and the erection of a porch canopy over door on South Elevation. (NMA - Full ) - BRIDGE COTTAGE, WINSFORD, MINEHEAD, TA24 7JE	05-Dec-2023 Approved
62/11/23/010	Mr & Mrs Folland - Proposed replacement single storey extension (Householder ) - DOGSWORTHY, COUNTISBURY, LYNTON, EX35 6NG	05-Dec-2023 Approved with Conditions
6/29/22/128LB	Mr. J Percival, National Trust - Listed Building Consent for the proposed removal of a section of 1st floor brickwork to store room to be replaced with load bearing studwork clad with vertical weatherboarding. (Listed Building Consent ) - NATIONAL TRUST, ESTATE OFFICE, HOLNICOTE, MINEHEAD, TA24 8TJ	05-Dec-2023 Approved with Conditions
WTCA 23/11	Mr. K Harris, Lynton and Lynmouth Parish Council - Work to trees in a conservation area: to cut back 3 No. Chestnut trees. (WTCA) - Riverside Road, Lynmouth, EX35 6EX	06-Dec-2023 Approved
6/43/22/116	Mr & Mrs Downes - Proposed removal of condition 3 of approved application 6/43/11/103 (Alteration/Lift Condition) - DUNKERY BEACON COUNTRY HOUSE, THE ANNEXE, WOOTTON COURTENAY, MINEHEAD, TA24 8RH	06-Dec-2023 Approved with Conditions

Application Ref	Applicant & Location	Decision and Date
6/29/23/011LB	Mr G Dewdney - Listed building consent for the proposed internal alterations to create 2no. en-suite bathrooms. (Listed Building Consent ) - BOSSINGTON HALL, ALLERFORD, MINEHEAD, TA24 8HJ	07-Dec-2023 Approved with Conditions
6/43/23/006	Mr & Mrs Van Den Berg - Proposed construction of verandah and conversion of existing garage to allow extension of habitable space to main dwelling, together with, re-roofing of dwelling and installation of solar panels and roof lights. (Householder ) - WILLSFIELD HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	07-Dec-2023 Approved with Conditions
6/3/23/012DC	Mr K Steer - Proposed discharge of conditions 4 (Licence), 8 (Weatherboarding) & 9 (Rainwater goods) of approved application 6/3/21/115 (Discharge of Condition ) - Zion Chapel, Brompton Regis, Dulverton TA22 9NW	08-Dec-2023 Approved
6/3/23/011DC	Mr K Steer - Proposed discharge of conditions 4 (Rainwater goods) and 5 (Weatherboarding) for application 6/3/21/116LB (Discharge of Condition ) - Zion Chapel, Brompton Regis , Dulverton. TA222 9NW	08-Dec-2023 Approved
62/43/23/005	Mr S. Arbis - Proposed demolition of conservatory and erection of replacement orangery. (Householder ) - KITTITOE HOUSE, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4QW	08-Dec-2023 Approved with Conditions
6/43/23/010LB	Mr & Mrs Popplewell - Listed building consent for the proposed re-roofing of property, replacement roof lights, conversion of part of loft space into accessible storage area including new staircase access. (Listed Building Consent ) - MANOR HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	11-Dec-2023 Approved with Conditions
6/43/23/009	Mr & Mrs Popplewell - Proposed re-roofing of property, replacement roof lights, conversion of part of loft space into accessible storage area including new staircase access. (Householder ) - MANOR HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	11-Dec-2023 Approved with Conditions
6/26/23/012LB	Mr B. Oates - Listed building consent for the proposed installation of extractor fan vents to	11-Dec-2023

Application Ref	Applicant & Location	Decision and Date
	shower, bathroom and kitchen. (Listed Building Consent ) - Oatway House, Roadwater, Watchet, TA23 0QY	Approved with Conditions
62/11/23/011LB	Mr G Halliday - Listed building consent for the proposed removal of concrete water catchment walls and removal of hydraulic ram shed, together with, repairs to fountain structure. (Listed Building Consent ) - Sister's Fountain and Pool, Glenthorne, Brendon, Devon, EX35 6NQ	12-Dec-2023 Approved with Conditions
6/15/23/004	Mr J A'Court - Lawful development certificate for the existing conservatory. (CLEUD ) - CHURCH COTTAGE, EXTON, DULVERTON, TA22 9JT	12-Dec-2023 Approved
WTCA 23/13	Ms J Duncan - Work to trees in a conservation area: Removal of low hanging branches to Copper Beech Tree. (WTCA) - The Walled Garden, Luccombe, Minehead, Somerset, TA2 8TE	15-Dec-2023 Not Determined
6/9/23/012	Mr J Pugsley - Proposed erection of Orangery. Retrospective. (Householder ) - MUSIC PARK FARM, HIGHERCOMBE, DULVERTON, TA22 9PS	15-Dec-2023 Withdrawn
62/43/23/007LB	Mr. May, May Brothers Ltd - Listed building consent for the proposed replacement of roofing slate, rainwater goods, barge and facia boards and rebuilding of chimneys. (Listed Building Consent ) - TOWN FARM, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4QT	18-Dec-2023 Approved with Conditions
62/43/23/006	Mr. May, May Brothers Ltd - Proposed replacement of roofing slate, rainwater goods, barge and facia boards and rebuilding of chimneys. (Householder ) - TOWN FARM, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4QT	18-Dec-2023 Approved with Conditions
6/43/23/013	Mr & Mrs P & G Storey & Mr & Mrs C & J Walker Blair - Proposed variation of conditions 2 and 7 of approved application 6/43/22/102 to allow alterations to the roof. (Alteration/Lift Condition ) - Land at Appledore, Huntscott, Wootton Courtenay, TA24 8RR	19-Dec-2023 Approved with Conditions

Application Ref	Applicant & Location	<b>Decision and Date</b>
WTCA 23/15	Mr M Dobbie - Works to tree(s) in a conservation area: complete removal of the Goat Willow tree. (WTCA) - 9, BRIDGE STREET, DULVERTON, TA22 9HJ	20-Dec-2023 Approved
WTCA 23/14	Mr. J Cordingley, National Trust - Work to 16 No. trees in a conservation area as Tree Work 2023 Plan (WTCA) - DUNSTER CASTLE, DUNSTER, MINEHEAD, TA24 6SL	20-Dec-2023 Approved
62/41/23/028	B Lippett - Lawful development certificate for the existing use of a building and associated land for private storage, garage/workshop and recreational use. (CLEUD) - Land and Buildings East of Barbrook, Lynton, Devon	20-Dec-2023 Approved
WTPO 23/05	Mrs J Riley - Works to trees subject to Tree Preservation Order F/14/2/12R. Proposed removal of Sycamore to ground level. (WTPO) - 3, HOLLAM DRIVE, DULVERTON, TA22 9EL	20-Dec-2023 Refused
6/25/23/005	I Davis-Pugh - Proposed erection of a single storey rear extension - resubmission of approved application 6/25/23/003. (Householder ) - PARSONAGE FARM, OARE, LYNTON, EX35 6NU	20-Dec-2023 Refused
6/8/23/002DC	Ms C Challinor - Proposed discharge of condition 5 (stone cladding sample) and condition 6 (timber cladding sample) of approved application 6/8/20/108. (Discharge of Condition ) - LITTLE OAK FARM, TIMBERSCOMBE, MINEHEAD, TA24 7UF	20-Dec-2023 Approved
6/27/23/015	Mr & Mrs G Lavender - Non-Material Amendment - Full - of approved application 6/27/06/104 for the relocation of plot 1 further to the south west by 3m and alterations to window and door positions to the rear elevation of plot 1. (NMA - Full ) - Land adjacent Bossington Stables, Bossington Lane, Porlock, Minehead, TA24 8HD	21-Dec-2023 Refused

Application Ref	Applicant & Location	<b>Decision and Date</b>
6/9/23/019LB	Mr B Gash - Listed building consent for the demolition of existing log store together with replacement and re-siting of new oil tank and enclosure. (Listed Building Consent ) - Woodliving, 8 Jury Road, Dulverton, TA22 9DU	04-Jan-2024 Approved with Conditions
6/9/23/018	Mr B Gash - Proposed demolition of existing log store together with replacement and re-siting of new oil tank and enclosure. (Householder ) - Woodliving, 8, Jury Road, Dulverton, TA22 9DU	04-Jan-2024 Approved with Conditions
6/43/23/012	C Walker-Blair - Proposed single storey extension (Householder) - Appledore Barn, Huntscott, Wootton Courtenay, TA24 8RR	05-Jan-2024 Approved with Conditions
6/43/23/005	Mr P. Griffin - Proposed conversion of existing single storey ancillary storage space to ancillary residential accommodation, together with, creation of associated first floor living space and dormer windows. (Householder ) - FORGE COTTAGE, WOOTTON COURTENAY, MINEHEAD, TA24 8RE	05-Jan-2024 Approved with Conditions
62/41/23/029	Ms R Oates - Proposed installation of solar PV on existing barn roofs. (Full ) - Lee Abbey, Road from Castle Rock to Woody Bay, Lynton, Devon, EX35 6JJ	08-Jan-2024 Approved with Conditions
62/11/23/012DC	Mr. R Heighes, NJM (UK) Ltd - Proposed discharge of conditions 5 (Lighting Scheme) and 8 (Details of Sewage Treatment Plant) of approved application 62/11/22/012. (Discharge of Condition ) - MEADOWSWEET, OARE, LYNTON, EX35 6NU	16-Jan-2024 Approved
GDO 23/14	Mr R Huxtable - Prior Notification for proposed steel framed agricultural structure (36.5m x 15.25m) to cover existing yard. (GDO - Agricultural/Forestry ) - BARTON TOWN FARM, CHALLACOMBE, BARNSTAPLE, EX31 4TW	17-Jan-2024 Withdrawn
62/41/23/013	Miss A Barlow - Proposed barn conversion from existing agricultural building to 1 bedroom holiday let. (Full ) - WEST LYN FARM, LYNTON, EX35 6LD	23-Jan-2024 Withdrawn