

## North York Moors National Park Authority

Public Minutes of the meeting held at The Old Vicarage, Helmsley on Monday 14 December 2015.

### Present:

Lesley Atkinson, Jim Bailey, Malcolm Bowes, Guy Coulson, Ena Dent, Michael Dick, Alison Fisher, Janet Frank, Bryn Griffiths, Christopher Massey, Heather Moorhouse, Sarah Oswald, Caroline Patmore, Clive Pearson, Ted Sanderson, Andrew Scott, Jeremy Walker.

### Apologies:

David Hugill

### Officers in Attendance:

Andy Wilson (Chief Executive), Richard Gunton (Director of Park Services), Chris France (Director of Planning), David Renwick (Director of Conservation), Karl Gerhardsen (Head of Recreation and Park Management) Ian Nicholls (Assistant Director of Corporate Services), Andre Muir (Team Leader, Enforcement), Rebecca Thompson (Natural Environment Team Leader), Rona Charles (Ecology Officer), Vanessa Burgess (Committees & Customer Services Officer), Richard Smith (Authority Solicitor), Karen Iveson (S151 Officer, NYCC),

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### Copies of All Documents Considered Are In The Minute Book

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#### 60/15 Minutes

**Resolved:**

That the public minutes of the meeting held on 21 September 2015 having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

#### 61/15 Public Question Time

There were no questions from Members of the public.

#### 62/15 Members Interests

Members were reminded of their responsibility to declare any personal and prejudicial interests relating to any agenda item prior to its consideration.

#### 63/15 Exclusion of the Public

**Resolved:**

That the public be excluded from the meeting during consideration of each of the items of business shown in column 1 of the following table on the grounds that each involves the likely disclosure of exempt information as defined in the paragraph of Part 1 Schedule 12A to the Local Government Act 1972 specified in column 2:-

| Item No on the Agenda | Paragraph No |
|-----------------------|--------------|
| 19                    | 1,2,3,4      |
| 20                    | 1,2,3,4      |

**64/15 Interest Group to speak to Members, David Brewster – DAG**

The Chair welcomed David Brewster from Ryedale Special Families, who had been invited to speak to members about his work in relation to the National Park.

David explained to members about his organisation's key areas of work:

- Information/advice – supporting disabled family members and their carers
- Respite Care
- Social Groups
- Family activities – many taking place within the NP

David informed members that his organisation had very good/strong links with the National Park, noting that some families with disabled children had made a conscious decision to move into the NP area, for the space and solitude the area offered. David told members that a lot of their family activities took place within the NP and it was a good place in which to bring parents/families together.

**Sarah Oswald arrived at the meeting at 10.15am**

David Brewster went on to explain about his other role as a member of the Disability Action Group (DAG), which worked to help people with disabilities access the National Park. David urged members and the Authority to carry on the good work, protecting and maintaining the NP which in turn offered his clients the continuation of a 'wilderness experience'. David asked that members continued to promote/listen to DAG to further develop access for disabled users and reported that the offer of volunteering opportunities for disabled people in the NP continued to be very important.

The Chair thanked David Brewster for giving members vital evidence on how the NP was benefitting others and one member Jeremy Walker asked how members/the NP could help more in relation to volunteering opportunities for disabled people.

David Brewster, whilst understanding the current financial difficulties, urged members to try and maintain the current level of resources to support volunteers.

**65/15 Budget Estimate 2016/17**

Considered:

The report of the Chief Executive and Karen Iveson, s151 Officer (NYCC).

The Chief Executive, Andy Wilson updated members on the 2016/17 budget and the current grant settlement situation. Key points for member's information were:

- No announcement yet on grant settlement figure, but monies will be 'protected' for next four years.
- Plan to place more money into reserves
- Plan to increase spending next year

- Officers will undertake further work to refine the budget before the next FRASC/NPA meeting.
- Emphasis on income generation
- The Authority is already close to achieving its car park target for this year, but Members were reminded that the target had been reduced for this year.
- Should the Authority continue with its current income targets, or review?

Members commented on the following:

- Clarification as to what 'protected' means.
- Change of culture good re: income generation
- When budget announcement due?
- Possibilities for investment (Sutton Bank)
- Apprentice Levy, impact on the Authority, are there jobs afterwards?
- Alternative plans if TEL project not funded
- Plans for encouraging people from Teesside/Durham into the northern area of the NP.
- Concerns that some staff are earning below living wage rate.

Ian Nicholls, Assistant Director of Corporate Services explained further on the Apprentice Levy, saying that the Authority's payroll wasn't a big enough to have to pay the Levy, but may be able to benefit from funding from the Levy. Further details are awaited on how the Levy monies will be used/distributed.

**Resolved:** Members noted the proposals for the budget 2016/17 and the contents of the Budget report, and approved the work to date including the allocation of reserves in section 5.

## 66/15 Review of Car Park Charges

Considered:

The report of the Head of Recreation & Park Management

Karl Gerhardsen, Head of Recreation and Park Management, informed members that there had been no change in the NP car park charges since April 2012 and that the main purpose of the car parks remained the same; to give the Public access to the National Park.

Karl outlined the details of the proposed changes to members as detailed in paragraph 4 of the report. The Authority was proposing a modest increase in charges:

- £2.20 increased to £2.50
- £4.00 increased to £4.50

Karl Gerhardsen advised members that the report was a light touch review which he considered reasonable.

Much discussion took place with members making numerous comments/asking questions as follows:

- Do the car park machines provide change or is exact money required?
- Does the NP monitor the costs associated with providing car parks?
- Could coaches be offered a seasonal pass to access the NP

- Increased signage to explain how revenue from car parks helps support the work of the NP
- Should there be a charge for people parking motorcycles?
- Has Auto number recognition technology been considered?
- Be mindful of salary/pay freezes when considering increasing car park charges. Figures already show an increase of 5% in income without increasing the charges
- Consider letting motorhomes/caravans park overnight
- Promote weekly permits via B&B's etc.
- Vary ticket prices more, could be losing visitors with current pricing structure
- If increases do go ahead, the news needs to be communicated/promoted carefully
- Is now the right time to increase charges?
- Residents permits, may be good PR not to increase or only incur a modest increase
- Possible subject for ARB Forum to consider
- Modest increase proposed, but need to consider the longer term too

Karl Gerhardsen informed members that the car parking machines didn't give change, but that a lot of the machines were nearing the end of their life so the Authority was looking at other payment methods. Karl went on to say that the Authority had already looked at one alternative scheme 'Park with ease', ruled out for now as quite an expensive option. Karl informed members that the Authority was already achieving over 90% compliance from its charging policy and the current costs of running the car parks/toilets/staffing etc. was £176K per annum.

Regarding the 90% compliance rate, one member questioned the robustness of the figure and also voiced agreement with the suggestion of charging for motorcycle parking. Another member drew Officers attention to the wording of the recommendation and asked that a firm figure be set regarding residents permits.

One member asked if the report was time critical or if the decision could be deferred?

The Chief Executive advised members that an agreement would need to be reached at the meeting if the changes were to be implemented in time for next year and went on to remind members that the issue had already been discussed once at FRASC.

One member, Andrew Scott made the following proposal with regard to the report recommendation:

- Select £15 option for residents permit
- Motorcycle charges be retained
- Delegation to officers to look at other vehicle recognition scheme options and greater flexibility in hourly rate charges

13 Members were in favour of the proposal, 3 were against and 2 members abstained

**Resolved:** That NPA car park tariffs be revised with effect from 1 March 2016 by:

- maintaining free use of toilets
- retaining the motorcycle tariff and increase the:-
- short stay (up to two hours) rate from £2.20 to £2.50
- long stay (over two hours) rate from £4.00 to £4.50
- single Goathland tariff from £2.50 to £3.00
- Saltergate long stay from £2.00 to £2.50
- all car parks annual permit from £40.00 to £45.00

- all car parks weekly permit from £20.00 to £22.50
- frequent user pass for our Centres from £20.00 to £22.50
- residents permit pass from £10.00 to £15.00

#### 67/15 **Recovery of Certain Costs incurred in Formal Enforcement Action**

Considered:

The report of the Director of Planning

Chris France, Director of Planning asked Members to reconfirm the adoption of an enforcement cost recovery scheme. Chris France informed members that the Authority may be at risk of legal challenge by adopting the scheme, but the Authority had had the scheme thoroughly checked by its legal team.

Members were very supportive of the scheme, considering it innovative. Members commented on the following:

- How staff hours would be monitored/recorded. Are robust mechanisms in place?
- Clear policy guidance to make judgements
- What was meant by a Staff hourly rate?

Chris France informed members that the Authority's Enforcement Policy was set out on the website and that Enforcement staff did record their time and the process was fully audited. Chris advised members that the hourly rate would be calculated in accordance with costs recovery provisions in the Local Government Act 2003 and would include appropriate "on costs" but overall cost recovery would never exceed 90% of the actual costs incurred by the Authority.

The Chair, Jim Bailey asked that Officers revisit the scheme at Committee in a year's time.

**Action:** Chris France to include as an agenda item for update at NPA, December 2016

**Resolved:** Members agreed to adopt a scheme of enforcement cost recovery based on the principles set out in section 4 of the report and asked officers to draw up and implement a scale of charges consistent with it and calculated in accordance with provisions in the Local Government Act 2003.

#### 68/15 **Health and Safety**

Considered:

The report of the Assistant Director of Corporate Services

Ian Nicholls, Assistant Director of Corporate Services informed members that following the FRAS Committee on 23 November 2015, Officers had been requested to include Health and Safety as a standing item at every FRAS committee.

The Assistant Director informed members of an accident that occurred in late October in which a car park warden fell off a pair of steps and broke his arm. He described the range of actions that had been taken as a result of the accident, including formal reporting to the Health and Safety Executive.

Members were informed regarding progress on the 2015/16 Health and Safety Action Plan. This included;

- Setting up formal refresher training periods to cover all key activities
- All staff now required to sign to say they have read, understood and will comply with the Authority's H&S Policy
- H&S Policy now included a section specifically related to members and their specific responsibilities

Members commented on the following:

- Comprehensive, well written report
- H&S Policy, how does the Authority check that Staff understand?
- 3 lost time incidents in just over 12 months, not particularly good for an organisation the size of NYMNPA, but pleased to see level of work being undertaken to improve things.
- How can H&S information be communicated in a more staff-friendly manner?
- Difficult task to communicate when working with diverse staff, volunteers etc.
- Need to set up more H&S training for NP Volunteers

**Resolved:** Members approved the Authority's Health and Safety Policy, noted and made comments on progress against the Health and Safety Action Plan and the actions taken following the accident on 27 October.

**David Jeffels left the meeting at 12.05pm**

#### 69/15 **Agricultural State Aid**

Considered:

The report of the Natural Environment Team Leader.

Rebecca Thompson updated Members on the two mechanisms, both covered by the State Aid rules:

- The Agricultural Block Exemption Scheme
- The Agricultural de minimis scheme

Members were asked to note a typing error at paragraph 3.2 of the report, report should read de minimis scheme will run for six years from 1 January 2016, not 2015 as indicated in the report.

Members were supportive of the report and asked about the following:

- Explanation regarding Conservation Risk Register?
- Why scheme run for 6 years?
- Co-ordinating administration for other NP's, legal responsibility?

Rebecca Thompson advised members that a timescale of 6 years meant that the Authority had a backup mechanism in place in case there was a delay in starting a new scheme.

David Renwick, Director of Conservation, informed Members that each department had a Risk Register which linked in to the main Authority Risk Register. The State Aid work was seen as risk, hence its inclusion on the register. Although the Authority was co-ordinating the administration for other NP's the NYMNP carried no legal responsibility.

**Resolved:** Members noted the report

Members gave their approval for an officer of the North York Moors National Park Authority to submit to Defra data from any or all of the English and Welsh National Park Authorities relating to payments made by the individual Authorities under an Agricultural Block Exemption Scheme and an agricultural *de minimis* scheme which were to be implemented under the current EU regulations.

#### 70/15 **Devolution – Verbal Update**

The Chief Executive gave members a short presentation on the current situation re: Devolution.

#### 71/15 **Review of Esk Pearl Mussel and Salmon Recovery Project and Future Work**

Considered:

The report of the River Esk Project Officer.

In the absence of the Project Officer, Rebecca Thompson (Natural Environment Team Leader) gave members a presentation on the Esk Pearl Mussel and Salmon Recovery Project and Future Work.

Members considered it to be an excellent project and asked about available budget for on-going maintenance and on farm support.

Rebecca Thompson informed members that there were certain requirements for farmers signing up to the scheme and that the Authority had, for the past 5 years, managed to source external funding to support this work and would continue to seek further external funding to extend the life of the project.

**Resolved:** Members supported the implementation of the current BIFFA AWARD funded project and supported future NYMNP work in the Esk Catchment.

#### 72/15 **Feedback from Lead Members on Forums – Sarah Oswald – ARB Forum**

Sarah Oswald, Authority Member gave an update from the most recent ARB Forum meeting, which took place on 5 October 2015. The group met with the specific remit to consider the issues regarding the reduction of conflict between user groups on public right of way. Bridleways in particular were the focus of attention, where the public have a right to walk horse-ride and pedal cycle.

A brief conversation followed regarding the issue of motorcycles using green lanes. Sarah Oswald informed members that possible future topics for the ARB Forum included; Levisham Estate and Car Parking.

Before moving on to the next agenda item Alison Fisher, Chair of CLM informed members that the previous CLM meeting had been postponed.

**73/15 Parish Forum**

Considered:

The report of the PA to Chief Executive

**Resolved:** the issues raised at the Joint Parish Forum were noted.

**74/15 Reports from Members of Outside Bodies**

Considered:

The report of the Committees Officer

As highlighted in the report two additional reports from members were given out at the meeting: 5.1 – Welcome to Yorkshire report from David Jeffels and 6.1 – Disability Advisory Group report from Sarah Oswald.

**Resolved:** all reports were noted.

**75/15 On The Record**

Considered:

The report of the Committees and Customer Services Officer

**Resolved:** Members noted the contents of the report

**76/15 Cornfield Flowers Project**

Considered:

The report of the Ecology Officer

Rona Charles, Ecology Officer gave members a presentation on the Cornfield Flowers Project. At the end of her presentation, Rona gave members a packet of wildflower seeds.

The Chair thanked Rona for her update on the project, the excellent slide presentation, the packet of seeds and commended her on the success of the project.

**Resolved:** Members noted the contents of the report.

**77/15 Other Business**

The Chair referred to the good news regarding the announcement that the Tour de Yorkshire route for 2016 would again be passing through the NYM National Park.

..... (Chair)  
21 March 2016

**Public Summary of Items considered "in private"  
at the meeting of the Authority  
on 14 December 2015**

**Private Minutes**

Members agreed that the private minutes of the meeting held on 21 September 2015, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

**On the Record – Legal Services Contract with Scarborough Borough Council**

Members were informed of the Authority's intention to extend its Legal Services contract with Scarborough Borough Council for a further two years, to 31 March 2018 as the contract was considered cost effective.