

North York Moors National Park Authority

Public Minutes of the meeting held at The Old Vicarage, Helmsley on Monday 23 March 2015.

Present:

Jim Bailey, Malcolm Bowes, David Chance, Alison Fisher, Janet Frank, David Hugill, David Jeffels, Christopher Massey, Ted Sanderson, Andrew Scott, Hawson Simpson, Bill Suthers, Richard Thompson, Herbert Tindall, Jeremy Walker.

Apologies:

Bryn Griffiths, Jane Mitchell, Heather Moorhouse, Sarah Oswald, Caroline Patmore

Officers in Attendance:

Andy Wilson (Chief Executive), Richard Gunton (Director of Park Services), Irene Brannon (Director of Corporate Services), Karl Gerhardsen (Head of Recreation and Park Management), Ian Nicholls (Assistant Director of Corporate Services), Richard Smith (Authority Solicitor), Graham Stubbs (Head of Volunteer Services), Chris France (Director of Planning), Michael Graham (Assistant Director of Park Services), Vanessa Burgess (Committees & Customer Services Officer), Donna Magson (Administration Assistant), Rebecca Jackson and Andrew Tyson (Solicitors- Authority Trust advisers)

01/15 Minutes

At the start of the meeting the Chief Executive informed Members that there was a point of clarification required regarding charging for retrospective planning as shown at point 55/14 of the NPA minutes of December 2014.

Richard Smith, Authority Solicitor asked Members to confirm that they were happy with the wording of the resolution as stated that the resolution doesn't allow for fees to be doubled in relation to retrospective planning.

Resolved:

That the public minutes of the meeting held on 15 December 2014, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

02/15 Public Question Time

There were no questions from Members of the public.

03/15 Members Interests

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

04/15 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
22	1,2,3
23	10

Authority Chair, Jim Bailey, advised Members that Hawson Simpson and Herbert Tindall wouldn't be standing again as Authority Members and would therefore be retiring in May. The Chair thanked both Members for their work and guidance over the years and wished them well in their future retirement.

05/15 Interest Group to speak to Members, (Chris Hall – Building Conservation Volunteer)

Chris Hall spoke to Members about his work as a NYMNPA volunteer, helping with the Buildings at Risk Survey work, including the use of tablets, loaded with a Buildings at Risk app, and purchased specifically to help with the work.

Chris Hall informed Members that the flow chart used to prioritise buildings needing attention was developed by English Heritage in the 90's and that by using volunteers to collect such data, valuable officer time was freed up for other purposes.

Members asked/commented as follows:

- Whether green lanes were included in the survey work
- Did the survey just cover buildings within the Park
- Did volunteers help in the prioritisation of work based on data collected
- Worried that using too many volunteers will lead to increasingly fewer paid positions in the Park
- Can other things be listed besides buildings
- Whether the Officer/Members could do anything more to help volunteers

Chris Hall informed Members that the prioritisation part of the process was down to Officers to decide on. Chris went on to say that volunteers had a good working relationship with Officers and it was a friendly environment to work in. Chris concluded by saying the tablet technology was good, though sometimes a little temperamental.

All Members thanked Chris for his support/time given to the project and for his presentation and agreed that it was an important function, helping the Authority to formulate its funding policy. Members were impressed with the Survey app and the use of technology and the data which could be collected.

06/15 Volunteer Strategy

Considered:

The report of the Director of Park Services, The Head of Volunteer Services and the Assistant Director of Corporate Services

The Director of Park Services updated Members, on the following key items:

- More in house groups
- New arrangements in field services
- Associate, Corporate and Virtual volunteers
- First 6 months Apr-Aug – framework in place
- August onwards – New groups

Members asked/commented on the following:

- Excellent report, ambitious but realistic
- Implications for management roles ‘different relationship’
- Volunteering a good way of developing friendships, cutting down on isolation, using acquired expertise, health and well being
- Need to provide incentives to keep volunteers
- Attract younger volunteers
- Concerns about liability/insurance
- Volunteering of other things such as technology, machinery, vehicles (non-human)
- Limitations of volunteer roles, they shouldn't be decision makers
- Commitment to ongoing investment
- Volunteer expenses/mileage costs for work undertaken

Graham Stubbs, Head of Volunteer Services, told Members that the key to the Volunteer strategy was the one team approach. With staff targeting what they want from their volunteers, whilst trying to keep costs down by allocating tasks to volunteers closest to the geographical area of the work required. Richard Gunton, Director of Park Services, told members that he thought the non-human volunteering idea was an excellent one and should be given more thought. Richard went on to say that there was no real reason why a volunteer couldn't do anything, so it was hard to set limitations to a volunteer's input.

A number of members commented on the wording of the current vision statement in Appendix 1, page 18 of the agenda and asked that it might reflect the following:

People of all abilities and backgrounds and from all walks of life can gain fulfilment whilst contributing to every aspect of the Authority's work

Resolved: That the Volunteer Strategy and Action Plan 2015 be approved, subject to a minor amendment to the current vision statement as suggested above in bold type. Members asked that officers update them on progress in due course.

07/15 **Budget Estimate**

Considered:

The report of the Director of Corporate Services.

Resolved: That Members approved the content of the report and the **Appendix** as the start budget 2015/16.

Non-Members left the room as Committee went into Private session

Private Business – Minutes/Reports circulated to Members only, public summary available at the end of these public minutes

08/15 Private Minutes of the meeting held on 15 December 2014

09/15 Long term Income Generation Strategy

Public Business Resumes

Non-Members return to the room.

David Chance left the room at 11.50am, declaring a prejudicial interest as he had been involved in Treasury Management issue at NYCC

10/15 Treasury Management and The Prudential Code for Capital Finance

Considered:

The report of the Treasurer to the North York Moors National Park.

The Treasurer sent apologies so the Director of Corporate Services presented the report and informed Members that there was only one change to note since the FRASC paper on 2 February 2015, which was to reflect changes to estimated capital expenditure and capital receipts following a decision to improve play area facilities at Sutton Bank and to replace Rangers vehicles following a review of the current fleet.

Members made two comments:

- Questioned whether the National Park Authority's resources were being used to offset NYCC's borrowing requirements
- Other National Park reserves, join them up for bigger investment opportunity

The Director of Corporate Services informed Members that these monies were accounted for separately from NYCC's own resources and were not being used to reduce NYCC's own borrowing needs. The possibility of joint investment between National Park Authority's had been discussed at a recent Director of Corporate Services meeting in Birmingham but there was a lot of work to do before a decision could be made.

Resolved: That Members, as recommended by Finance, Risk Audit and Standards Committee on 2 February 2015:

- (i) approved the Annual Treasury Management Strategy for 2015/16 as detailed in the **Appendix**, including the Prudential Indicators set out in Section 3, and the Minimum Revenue Provision policy set out in Section 9 of that Strategy.
- (ii) adopted the Annual Investment Strategy agreed by the County Council for 2015/16.
- (iii) approved the affordable borrowing limit of £428.4k for 2015/16, under section 3(i) of the Local Government Act 2003 as set out in Paragraph 3 (iv) of the **Appendix**.
- (iv) confirmed the delegation to the Treasurer, as agreed in previous years, for the following matters:-

- (a) any need to effect changes between the separate agreed limits for borrowing and other long term liabilities (such as finance leases) in accordance with option appraisal, value for money or other relevant factors. This applies to the Prudential Indicators in paragraph 3(iv) and 3(v) of the **Appendix**.
- (b) decisions to borrow from the PWLB and money markets at the most advantageous rate, as set out in Paragraph 6.3 of the **Appendix**.
- (v) that officers discuss how best to maximise returns with Corporate Directors at other National Park Authorities as per **paragraph 10.8**.

David Chance returned to the meeting after the Treasury Management item

11/15 Business Plan 2015/16

Considered:

The report of the Director of Corporate Services

The Director of Corporate Services gave a presentation to Members advising them that the Authority had produced a one year interim business plan together with an appendix showing the timetable for a longer term plan.

Departmental priorities included:

- Corporate Services – challenge relating to capacity to undertake the work and as much of the work is dependent on decisions by government timing may be a challenge
- Conservation – prioritising between immediate on the ground delivery and future projects, balancing with a view to income generation in the longer term
- Park Services – Embedding new ways of working. Continue with brand, profile, volunteer strategy, public health and well-being and continuing to drive up income (though this was significantly weather dependant)
- Planning – Challenge re: customer satisfaction and pre-application charging, recouping fees on enforcement and timing of policy framework

Members commented on:

- Funds for coastal area
- Stewardship, not sure the Park can do much more towards this
- No mention from Planning on new homes bonus
- Concerns raised re: low amount for grants
- Public transport reductions , hope still money available for deprived communities to access the Park
- Difficult to make sense of the Business Park document, what is it trying to achieve and who is the intended audience?
- The need for more contemporary building designs being permitted in the Park

Jim Bailey, Chair of the Authority advised Members that re: new homes bonus, the Park should get monies following the Helmsley development but suggested that Members should take this issue forward with their own Authorities too.

The Chief Executive advised Member that there was still money available for transportation under the targeted transport and education budget and that the interim business plan whilst not ideal, did have a certain level of usefulness, in house by staff

Resolved: That Members' noted the content of the report and approved the Business Plan 2015-16.

Christopher Massey left the meeting at 12.30pm

12/15 **Progress towards Establishing the NYMNP Trust**

Considered:

The report of the Chief Executive and the Assistant Director of Park Services

The Assistant Director of Park Services introduced Rebecca Jackson and Andrew Tyson, Solicitors who were providing the Authority with legal support regarding the establishment of the Trust.

David Jeffels left the meeting at 12.35pm

Members made the following comments/asked the following questions with regard to the Trust papers:

- Herbert Tindall asked that it be formally noted that he was against the setting up of a NYMNPA Trust
- Andrew Scott queried the inclusion of the word cities in the paragraph at the bottom of first page of appendix 2, page 75, of the agenda. Andrew Scott also asked for clarification of clauses 10 and 11 regarding Company Members and Classes of Membership
- Clarify CEO role within Trust
- Clarification of Clause 27, page 86 – Natural person?
- Selection of Trustees
- Concern re: clause 28, page 86 – any minimum number of National Park Directors defined, this should be included in the documentation
- Wait until have a clear role for Trust before actioning.

Andrew Tyson advised Members accordingly:

- Though the Trust is being set up with only Members being the Trustees, Clauses 10 and 11 give the potential for a wider membership in the future, should this be deemed necessary
- The CEO post would be a permanent Trustee
- Article 34, page 87 sets out the process for appointment of directors. Rotation through retirement

The Chief Executive advised Members that there was no intention to have a wider Membership of the Trust for the foreseeable future and that attracting legacies, grants and other funding opportunities were the main reasons for actioning a Trust.

The Assistant Director of Park Services, Michael Graham suggested to Members that two amendments be made:

Firstly, in Article 2 of the draft Company Articles, that the text in brackets at the bottom of page 75, of the agenda be removed and the word 'communities' added. Therefore the paragraph is amended to read:

‘North York Moors’ means the geographical area comprising the North York Moors National Park, England and all neighbouring land and communities, which the Charity considers is associated with it.

Secondly, the last sentence of point 5.2 in the Assistant Director of Park Services report on page 70 of the agenda to read:

The majority must always be in favour of the external trustees, but only by one.

This amendment should also be reflected in article 28 on page 86 of the Draft Articles of Association of the NYMNP Trust.

Resolved: That Members approved the revised charitable objects and draft Company Articles of the North York Moors National Park Trust (NYMPT), having taken into account the amendment of wording to articles 2 and 28.

That Members approved the proposed governance arrangements and financial input set out in the paper.

That Members, (subsequent to recommendation 11.1 & 11.2) authorised the Chair, Deputy Chair and Chief Executive to appoint trustees.

That Members authorised Officers to instruct the Authorities solicitor to apply to the Companies House and the Charity Commission to register the Trust

Herbert Tindall asked that it be formally noted that he was against the setting up of a NYMNPA Trust. 10 Members were in favour of the Trust, one Member abstained.

Jeremy Walker left the meeting at 1.10pm

13/15 **Establishment & Membership of National Park Partnerships Ltd**

Considered:

The report of the Chief Executive

The Chief Executive advised Members that this work towards a new Company had been through NPUK lawyers and other NP lawyers. It was not a charity and tax advice had been taken.

Resolved: That Members approved:

the establishment of a new Company Limited by Guarantee (CLG), ‘National Parks Partnerships Limited’ to oversee the development of commercial sponsorship on behalf of the National Park Authorities in the UK;

that the Authority should become a signatory to the Members’ Agreement, which binds all 15 of the UK National Park Authorities in respect of the new Company Limited by Guarantee;

that the Authority sign the agreement with Dartmoor National Park Authority in respect of the equal distribution of licence fees from use of the Britain’s Breathing Spaces brand.

14/15 **Risk Management Strategy Update**

Considered:

The report of the Director of Corporate Services

The Director of Corporate Services asked Members to refer to version 2 of Appendix 1, which was given out at the meeting.

Resolved: That Members noted the contents of the report, discussed the proposed Register and approved the final version contained in version 2 of Appendix 1 together with the proposed changes to the Risk reporting cycle in paragraph 3.1.

15/15 **The Ethical Framework & Employee Code of Conduct**

Considered:

The report of the Assistant Director of Corporate Services. Having given his report, one Member asked the Assistant Director if the onus was on staff to inform the Authority if they had an additional job.

The Assistant Director of Corporate Services advised Members that it was up to staff to make a judgement when they had a second job, if there was any conflict then they should make the Authority aware.

Resolved: That Members approved the Ethical Framework and Staff Code of Conduct.

Bill Suthers left the meeting at 1.25pm

16/15 **Scheme of Delegation for Determination of Planning Applications**

Considered:

The report of the Director of Planning. Chris France advised Members that the change being sought was only to the first part of the existing scheme, the rest remained unchanged. The change was needed so that applications could be dealt with more effectively in terms of cost and time.

Members thought the amendment was a timely one.

Resolved: That Members' agreed to the changes to the first part of the scheme of delegation in relation to the determination of applications under the planning acts as set out in paragraph 4.1 of the report.

17/15 **Large Scale Recreational Events**

Considered:

The report of the Head of Recreation and Park Management

Members made the following comments/asked the following questions:

- 4x4's churning up ground on green lanes, can local people claim for damage
- A number of incidences on green lanes around Ayton area, the police are now de-classifying the roads so they can prosecute
- Possible scope to generate income
- Legality of Motorcycles on green lanes

The Head of Recreation and Park Services advised Members that in the past NYCC had managed to obtain compensation from lane violators. The Authority was currently working with the police regarding illegal activity and vandalism. The Head of Recreation and Park Services would in the future, be contacting event organisers to try and obtain donations from them in support of the Park.

Resolved: That Members noted and commented on the report.

18/15 **On the Record**

Considered:

The report of the Committee Officer.

The Committee Officer advised Members of one change to Committee dates (appendix 1). The CLM Forum date had been moved from 6 May 2015 to 9 July 2015.

Resolved: Members acknowledged the CLM Forum date change and noted the report

19/15 **Feedback from Lead Members of Forums (A Scott – ARB Forum)**

Andrew Scott briefly updated Members on progress made via the ARB Forum in relation to the forthcoming Tour de Yorkshire Cycle race.

Alison Fisher updated Members on the recent CLM Forum meeting, which discussed the Monument Management Scheme

20/15 **Reports from Members on Outside Bodies**

Considered:

The report of the Committee Officer

Reports were received from Alison Fisher for the Housing Board and the Tourism Advisory Board

A late report was also given out at the meeting on behalf of David Jeffels – Campaign for National Parks Representative

Resolved: All the reports were noted.

21/15 **Parish Forum Update**

Considered:

The report of the PA to the Chief Executive

Resolved: The issues raised at the Parish Forums were noted.

..... (Chair)
22 June 2015

**Public Summary of Items considered "in private"
at the meeting of the North York Moors National Park Authority
on 23 March 2015**

Private Minutes

Members agreed that the private minutes of the meeting held on 15 December 2014, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

Long Term Income Generation Strategy

The Chief Executive and Irene Brannon (Director of Corporate Services) presented to Members the strategic focus and current projections relating to the generation of additional income in the short, medium and long terms. Plans to inform the Business Planning process for 2016-2019.

Members noted the content of the report and appendices and made suggestions as to how the approach could be adopted for incorporation into the Business Plan. Members approved Appendix 1 as a working document.