

BRECON BEACONS NATIONAL PARK AUTHORITY

Dear Member

A meeting of the **NATIONAL PARK AUTHORITY** will be held **ON FRIDAY, 1ST JULY, 2022 AT 10.00 AM** when your attendance is requested.

Yours sincerely

Catherine Mealing-Jones

Chief Executive

**PLEASE NOTE THAT THE NATIONAL PARK AUTHORITY FILMS AND
WEBCASTS ALL ITS PUBLIC MEETINGS LIVE -**
<http://www.breconbeacons.public-i.tv/core/>

Fire Evacuation Advice

In the event of a fire, please exit the building via the main staircase,
and assemble in the car park at **Assembly Point 3**

- 1 **APPOINTMENT OF CHAIR OF THE AUTHORITY F_PR**
- 2 **APPOINTMENT OF DEPUTY CHAIR OF THE AUTHORITY F_PR**
- 3 **APPOINT PRESIDING MEMBER IF CHAIR AND DEPUTY CHAIR
ARE ABSENT F_PR**
- 4 **APOLOGIES FOR ABSENCE F_PR**
- 5 **DECLARATIONS OF INTEREST F_PR**

To receive any declarations of interest from Members relating to items on the agenda. Members' attention is drawn to the sheet attached to the attendance sheet and the need to record their declarations verbally and in writing, specifying the nature of the interest.

If Members have declared an interest in an item please ensure that you inform the Chair when you are leaving the room, so that this can be recorded in the minutes.

6 MINUTES F_PR

To approve the following minutes and authorise the Chair to sign them as a correct record:

National Park Authority 25 March 2022
EGM 20 May 2022

7 PUBLIC SPEAKING F_PR

To give opportunity for members of the public to address the meeting in accordance with the Authority's Public Speaking Scheme.

8 CORRESPONDENCE F_PR

To receive and consider the attached Schedule of Correspondence and any recommendations thereon (below).

9 CHAIR'S ANNOUNCEMENTS F_PR

To receive a verbal report on meetings and events attended by the Chair since the last meeting of the Authority.

10 CHIEF EXECUTIVE'S ANNOUNCEMENTS F_PR

To receive a report from the Chief Executive on meetings attended and progress made on Authority business since the last meeting of the Authority.

11 MEMBERSHIP OF AUTHORITY F_PR

12 APPOINTMENT OF MEMBERS TO COMMITTEES F_PR

- a** Planning Committee F_PR
- b** Audit and Risk Committee F_PR
- c** Finance and Performance Committee F_PR
- d** Standards Committee F_PR
- e** Sustainable Development Fund Committee F_PR
- f** Corporate Joint Committees F_PR

13 APPOINTMENT TO OUTSIDE BODIES F_PR

14 ANY OTHER BUSINESS F_PR

Any other business that the Chair considers of sufficient urgency and has been notified to him in advance.

SCHEDULE OF CORRESPONDENCE

1. To receive apologies for absence
2. Such other correspondence as, in the opinion of the Chair, is of such urgency as to warrant consideration.

Any enquiries about this agenda should be addressed to the Democratic Services Team

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Appointment of Presiding Member if Chair and Deputy Chair are Absent

Name of Committee	National Park Authority
Date	1 July 2022
Report Author	Legal & Democratic Services
Item 3	For Decision
Public Interest Test	Not Applicable

Recommendation: It is recommended the Authority:

- I. Adjourns the consideration of this item until the next meeting of the Authority on 29 July 2022**

I. Introduction

- I.1. Standing Orders provide at an AGM of the Authority, Members must consider the appointment of a presiding Member if the Chair and Deputy Chair are absent.
- I.2. The order of business for the consideration of this item at the AGM is set out in Standing Orders and cannot be displaced.

2. Issues for consideration

- 2.1. Senior Member positions within the Authority will not be determined until later in the meeting and Members may wish to be aware of their commitments to the Authority before self-nominating as presiding Member.
- 2.2. Where the Chair is absent from Authority business, or at any meeting of the Authority or its Committees, the Deputy Chair would preside. Where the Deputy Chair is also absent, Members have the power to nominate and appoint a Chair for that meeting.
- 2.3. Standing Orders were last reviewed and revised in their entirety in 2015. The Authority adopted a new Scheme of Delegation this year and has agreed to embark on a review of essential documents including Standing Orders.
- 2.4. Therefore, Members are asked to adjourn the consideration of this item until the next meeting to enable Members to be aware of their commitments to the Authority. In any event the Authority has the power to appoint a Chair/Deputy Chair should the situation arise.

3. Equality And Diversity Implications

3.1. None

4. Legal Implications

4.1. None other than set out in this report

5. Financial implications

5.1. None

MINUTES OF BRECON BEACONS NATIONAL PARK AUTHORITY NATIONAL PARK AUTHORITY HELD AT VIRTUAL TEAMS MEETING ON FRIDAY, 20TH MAY, 2022

PRESENT:

Cllr Gareth Ratcliffe, Powys County Council (Chair)
Canon Aled Edwards, Welsh Government (Deputy Chair)
Cllr Michael Jones, Powys County Council
Cllr Edwin Roderick, Powys County Council
Cllr John Hill, Blaenau Gwent County Borough Council
Cllr Jeremy Davies, Merthyr Tydfil County Borough Council
Mr Julian Stedman, Welsh Government Appointed Member

Members appointed by the Welsh Government

In Attendance

Apologies

McNicholas, A Webb, S Evans, G Thomas and S Holden

46/21 Correspondence

The Chair welcomed Members and Officers to the meeting.

Apologies for absence were noted.

47/21 Declarations of Interest

No declarations of interest were made.

48/21 Public Speaking

There were no requests to speak.

The Chair noted that with a new Senior Management Team in place and new Members to come following the election; the Authority is open and encouraging of engagement from the public. Anyone wishing to speak at upcoming meetings should put in a request with Democratic Services.

49/21 Chief Executive's Announcement

The Chief Executive introduced the Authority's new Executive Board as Simone Lowth-Thomas (Director of Nature Recovery and Climate Change), Gareth Jones (Director of Planning and Place) and Rotimi Akinsiku (Programme and Portfolio Manager).

She acknowledged the big job ahead, and the importance of Members and Officers working as one team. Having the right senior management in place would make this possible.

She gave updates on key engagements and new funding that had been made available.

The Chair noted that this was an exciting time for the National Park Authority and that Members were looking forward to working with the new Executive Board, and would look to them to drive the National Park forwards.

50/21 Inter-Authority Deputising Agreement Report

The Monitoring Officer presented a report to seek approval for an inter-authority agreement between Brecon Beacons NPA and Pembrokeshire Coast NPA for the role of Section 151 Officer.

Members were asked to appoint the S151 Officer for Pembrokeshire Coast National Park Authority as temporary interim and subsequent Deputy S151 Officer for the Authority which is to be recorded by agreement between the two National Parks.

The Monitoring Officer advised in response to a Member's enquiry that the interim S151 Officer may be required to prepare a draft statement of accounts.

RESOLVED:

- 1. Appoint the S151 Officer of Pembrokeshire Coast National Park Authority as:**
 - a) interim S151 Officer; and**
 - b) deputy S151 Officer on the appointment of the new post holder by the Authority**

- 2. Authorise the Chief Executive in consultation with the Monitoring officer to settle and conclude the S151 Officer agreement with Pembrokeshire Coast National Park Authority.**

Signed as a correct record
Chair of the National Park Authority

MINUTES OF BRECON BEACONS NATIONAL PARK AUTHORITY NATIONAL PARK AUTHORITY HELD AT VIRTUAL MEETING ON FRIDAY, 25TH MARCH, 2022

PRESENT:

Cllr Gareth Ratcliffe, Powys County Council (Chair)
Canon Aled Edwards, Welsh Government (Deputy Chair)
Cllr Gwilym Williams, Powys County Council
Cllr Michael Jones, Powys County Council
Cllr Edwin Roderick, Powys County Council
Cllr Mrs Ann Webb, Monmouthshire County Council
Cllr Steven Evans, Torfaen County Borough Council
Cllr John Hill, Blaenau Gwent County Borough Council
Cllr Graham Thomas, Rhondda Cynon Taf County Borough Council
Mr James Marsden, Welsh Government Appointed Member
Mrs Sue Holden, Welsh Government Appointed Member
Mr Julian Stedman, Welsh Government Appointed Member

Members appointed by the Welsh Government

In Attendance

Catherine Mealing-Jones, Chief Executive
Julia Gruffydd, Democratic Services Manager
Sean O'Connor, Monitoring Officer
Miss Naomi Davies, Planning Officer (Policy)

Apologies

A James

32/22 Correspondence

The Chair welcomed members and officers to the meeting. As this would be his last meeting he thanked everyone for their support and their dedication to the National Park.

Apologies for absence were noted.

33/22 Declarations of Interest

No declarations of interest were made.

34/22 Minutes

RESOLVED: To approve the following minutes and authorise the Chair to sign them as a correct record:

- **National Park Authority – 11 February 2022**
- **National Park Authority (EGM) - 11 March 2022**

35/22 Public Speaking

There were no requests to speak.

36/22 Chair's Announcements

The Chair welcomed the new Democratic Services Team, Stephanie Davies and Gemma Turner.

He advised that three key staff were leaving the Authority and paid tribute to Elaine Standen (Finance Manager) and Julia Gruffydd (Democratic Services Manager), who were both retiring, and Angharad Hawkes (Democratic Services Officer) who was moving to another job. All of them had given long service to the Authority. He invited former Chair of the Authority, Melanie Doel, to say a few words. The Chief Executive referred to the recent resignation of Liz Lewis (HR Manager) who would be greatly missed.

The Chair presented leaving gifts to officers.

The Chair advised that as per the resolution taken at the last meeting following the discussion of the Audit Wales report into progress in delivering statutory recommendations the Chief Executive had written to the Minister for Climate Change to request help, and a response was now awaited. He acknowledged that the Authority was still in a difficult position.

He reported on meetings he had attended on behalf of the Authority and paid tribute to the respective Chairs of Pembrokeshire Coast and Y Eryri National Park Authorities, who were both standing down.

37/22 Chief Executive's Announcements

The Chief Executive agreed that it would take time to address all the issues highlighted in the two Audit Wales reports, and she remained particularly concerned about officer capacity and resilience. She was working closely with Welsh Government and would keep members informed.

She advised that the Authority had received additional funding from Welsh Government to maintain resilience in sustainable tourism, biodiversity and decarbonisation. Members noted the welcome revalidation of the Geopark status, and the award for Small Fleet of the Year, and welcomed the reopening of the refurbished Caffi y Fan at the National Park Visitor Centre.

She added her thanks to the officers who were leaving.

38/22 Revised Governance Documents

The Democratic Services Manager presented changes to the Cost of Care Policy to meet the requirements set out in the Independent Remuneration Panel's published report for 2022-23. These were also reflected in the Schedule of Member Remuneration.

RESOLVED:

- a) To approve changes to the Cost of Care Policy for publication;**
- b) To approve changes to the Schedule of Member Remuneration for publication and submission to the Independent Remuneration Panel for Wales.**

39/22 Summary of consultation responses provided on behalf of the Authority

Members noted the consultation responses sent in relation to the Welsh Language Communities Housing Plan and the Water Resources West Regional Plan.

RESOLVED: To note the report.

40/22 Affordable Housing Strategy Update

Members considered proposed changes to the Affordable Housing Strategy to reflect the most up to date housing needs data and funds held by the Authority. Officers confirmed that this was a fully transparent process with regular reports with financial information made to the Planning, Access and Rights Committee.

RESOLVED:

- a) That members endorse the **Affordable Housing Strategy (edition 4, March 2022)** for use in the processing of commuted sums collected by the Authority for the purposes of providing Affordable Housing.
- b) That the previous edition of the **Affordable Housing Strategy (edition 3, September 2019)** be revoked).
- c) That members authorise the Authority to transfer the collected **Affordable Housing contribution funds** to the allocated **Unitary Authorities**, as follows:
 - £321,818.00 to Monmouthshire County Council,
 - £234,939.20 to Powys County Council, and
 - £89,172.00 to Carmarthenshire County Council

41/22 Member Reports

No reports were received.

42/22 Gifts & Hospitality

No declarations were made.

43/22 Access to Information

RESOLVED: To exclude the press and public from the meeting during consideration of item 13 in accordance with section 100A of the Local Government Act 1972, as amended, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 12, 13 and 14 of Schedule 12A to the Local Government Act 1972.

The Chair had not been advised of any further business so this concluded the public part of the meeting.

Members and officers thanked him for his support from the Chair over the last three years and wished him well in the future.

44/22 Endorsement of additional Sites of Importance for Nature Conservation (SINCs) in the Brecon Beacons National Park

Members considered details of additional sites for notification as Sites of Importance for Nature Conservation in the Park.

The officer was congratulated on her comprehensive report and due process.

It was noted that while this represented a small percentage of the total area of the Park it was important. In answer to a question the officer advised that the data would be included in the s6 report to Welsh Government and discussions were ongoing about inclusion in the State of Nature Report.

The officer also confirmed the consultation and ongoing liaison with landowners, and that some funding had been secured to support the work of Algae Wales to work with local authorities. She also agreed to talk to Algae Wales about linking SINCs to the new Sustainable Farming Scheme.

RESOLVED:

- a) That NPA review the attached reports and that NPA agree to endorse the 15 additional Sites of Importance for Nature Conservation in the BBNP;**
- b) That NPA review the attached reports and that NPA agree to endorse the recommended adjustments to existing Sites of Importance for Nature Conservation in the BBNP.**

45/22 Any Other Business

Signed as a correct record
Chair of the National Park Authority

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Membership of the Authority

Name of Committee	National Park Authority
Date	1 July 2022
Report Author	Legal & Democratic Services
Item 11	For Noting
Public Interest Test	Not Applicable

I. Purpose of Report

I.1. To report the current membership of the Authority as set out overleaf.

	Member	Appointing body
1	Gareth Ratcliffe	Powys County Council
2	Edwin Roderick	Powys County Council
3	William Powell	Powys County Council
4	Iain McIntosh	Powys County Council
5	Huw Williams	Powys County Council
6	Ed Jones	Powys County Council
7	Jeremy Davies	Merthyr County Council
8	Peter Baldwin	Blaenau Gwent County Council
9	Scott Emanuel	Rhondda Cynon Taf County Council
10	Simon Howarth	Monmouthshire County Council
11	Andrew Davies	Carmarthenshire County Council
12	Liam Cowles	Torfaen County Council
13	Julian Stedman	Welsh Government
14	Aled Edwards	Welsh Government
15	James Marsden	Welsh Government
16	Vacancy	Welsh Government
17	Vacancy	Welsh Government
18	Vacancy	Welsh Government

Appointment of Members to Committees

Name of Committee	National Park Authority
Date	1 July 2022
Report Author	Legal & Democratic Services
Item 12	For Decision
Public Interest Test	Not Applicable

Recommendation: It is recommended the Authority:

- 1. Until the appointment of Members by Welsh Government or the Authority AGM in 2023 (whichever is the first in time).**
 - a. Appoint the Chair and Deputy Chair of Planning Committee, Audit and Risk Committee, Finance and Performance Committee, and Social Development Fund Committee; and**
 - b. Appoint the Membership of Committees as set out in Appendix 1 to this report.**
- 2. Subject to 1.2 and 1.4 below agrees that the Authority Solicitor and Monitoring Officer amends Standing Orders and the Scheme of Delegation to reflect the required amendments detailed in the above recommendations and makes any consequential changes.**
- 3. Such amendments and changes remain in place until the original requirements of Standing Orders and the Scheme of Delegation would be satisfied for each Committee by the Welsh Government appointed Member taking office. Any other amendments remain in place until satisfied in accordance with this recommendation.**

1. Introduction

1.1. This report enables the Authority to carry out its annual review of arrangements for discharging its decision-making responsibilities, in particular the delegation of responsibilities, and making of appointments to Committees. The recommendations for Member appointments are made by the Authority.

1.2. The report asks the Authority to appoint Members to its Committees

- 1.3. Under Schedule 7 Para 13 of the Environment Act 1995, the Authority has a duty to secure that the division of local authority appointed Members and Welsh Government appointed Members on any Committee is (as nearly as possible using whole numbers) in the same proportion as required in the case of the Authority itself namely 2/3 appointed by the respective local authorities and 1/3 appointed by Welsh Government. The Authority also requires all its meetings must have at least one local authority and one Welsh Government member in attendance.

Similarly, the quorum on committees must contain one local authority and one Welsh Government appointed Member

2. Issues for consideration

- 2.1. The Authority has 18 members, 12 appointed by the respective Local Authorities and 6 by Welsh Government. There are 3 Welsh Government vacancies that will take several months to fill. Consequently, the Authority will need to appoint to its committees without the required proportion of Welsh Government appointed members in office
- 2.2. Further restrictions on appointment of Chairs and Deputy Chairs are contained within the Authority's Scheme of Delegations are set out generally in **Appendix One**.
- 2.3. Subject to the appointments by the Authority, the Committees may not contain the required ratio of local authority to Welsh Government appointed members, nor may they satisfy the quorum requirements contrary to Standing Orders and the scheme of Delegations.
- 2.4. Therefore, once the Authority has appointed the Chair and Deputy Chairs to its committees the Authority will need (until such time as Welsh Government members have been appointed and received their required training to become a member of a respective committee) to suspend Standing Orders/the Scheme of Delegation removing the requirement for the
 - 2.4.1. Ratio of members; and
 - 2.4.2. Quorum at Committee meetings to include one local authority and one Welsh Government member

3. Procedural Requirements

- 3.1. The Authority has the power to suspend Standing Orders (S.O. 26) and the Chair of the Authority will be required to make a motion to amend Standing Orders 6.1 and 30.8.21 requiring that the quorum at committees contain at least one local authority and one Welsh Government member. Such amendment should apply only to a committee that would not have a Welsh Government appointed member.

- 3.2. Similarly, the Authority will need to resolve to amend the Scheme of Delegation to reflect the same changes regarding the effected committee
- 3.3. Further details of the amendments will not be known until members have elected the Chairs of the committees and hence Members are asked to delegate the amendments to the Authority Solicitor and Monitoring Officer.

4. Equality And Diversity Implications

- 4.1. None

5. Legal Implication

- 5.1. The fact that the Authority has three Welsh Government appointed member vacancies does not invalidate the proceedings of the Authority¹
- 5.2. The Environment Act 1995 states² the proceedings of a committee shall not be invalidated by any failure of a National Park authority to perform its duty regarding the ratio of local authority to Welsh Government members. Consequently, the fact the Authority is unable to maintain the 2/3 LA member to 1/3 WG member or may not have a WG member on the committee at all, will not invalidate the decision of any committee.
- 5.3. Where a meeting is inquorate, Standing Orders (6.3, 6.4 and 30.8.6.2) require the business of that meeting is adjourned to the next meeting of the NPA/Committee.
- 5.4. The Authority has the power to amend Standing Orders and the Scheme of Delegation regarding the composition of committees and their quorum and can delegate its effect to the Authority Solicitor and Monitoring Officer.

6. Financial implications

- 6.1. None

¹ Local Government Act 1972, Schedule 12, Part IV, paragraph 43. And Environment act 1995, Schedule 6, paragraph 12(4)

² Schedule 7, paragraph 13(5)

Appendix One – Restrictions on Appointments based on Scheme of Delegation

Committee	No of Members	LA Members	WG Members	Independent Members	Quorum	Minimum No of LA & WG members	Restrictions
Full NPA	18	12	6	N/A	6	One of each	N/A
Planning Committee	12	8	4	N/A	6	One of each	The Chair and Deputy of the NPA cannot be Chair/Deputy of Planning Committee
Audit & Risk	6	4	2	N/A	2	One of each	Chair and Deputy of the NPA and Chair and Deputy of Planning Committee and Finance and Performance committee are not eligible to be Chair/Deputy
Finance & Performance***	6	2	1	N/A	2	One of each	Chair and Deputy Chair of Audit & Risk Committee are not eligible to be Chair/Deputy
Standards Committee	6	2	1	3	3*	One of each	Chair and Deputy of the NPA and Chair and Deputy of Audit and Risk Committee are not eligible to be Chair/Deputy
Chairs Committee	6	N/A **	N/A**	N/A	2	One of each	Restricted to Chairs and Deputies Only
SDF	6	4	2	N/A	2	One of each	No restrictions

*Two must be independent members

** The Scheme is silent on any requirement as the members are restricted to Committee Chairs

*** Chair and Deputy Chair of Finance are not remunerated

Planning Committee

To appoint 12 members to the Planning Committee

Election of Chair of the Planning Committee

To elect a Chair of the Planning Committee until the next Annual General Meeting of the Authority

Election of Deputy Chair of the Planning Committee

To elect a Deputy Chair of the Planning Committee until the next Annual General Meeting of the Authority

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Audit and Risk Committee

To appoint 6 members to the Audit and Risk Committee

Election of Chair of the Audit and Risk Committee

To elect a Chair of the Audit and Risk Committee until the next Annual General Meeting of the Authority

Election of Deputy Chair of the Audit and Risk Committee

To elect a Deputy Chair of the Audit and Risk Committee until the next Annual General Meeting of the Authority

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Finance and Performance Committee

To appoint 6 members to the Finance and Performance Committee

Election of Chair of the Finance and Performance Committee

To elect a Chair of the Finance and Performance Committee until the next Annual General Meeting of the Authority

Election of Deputy Chair of the Finance and Performance Committee

To elect a Deputy Chair of the Finance and Performance Committee until the next Annual General Meeting of the Authority

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Standards Committee

To appoint 3 members to the Standards Committee

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Sustainable Development Fund Committee

To appoint 6 members to the Sustainable Development Fund Committee

Election of Chair of the Sustainable Development Fund Committee

To elect a Chair of the Sustainable Development Fund Committee until the next Annual General Meeting of the Authority

Election of Deputy Chair of the Sustainable Development Fund Committee

To elect a Deputy Chair of the Sustainable Development Fund Committee until the next Annual General Meeting of the Authority

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Corporate Joint Committees

To appoint an eligible office holder as a member of the following Corporate Joint Committees (“CJC”):

The Mid Wales CJC;

The South West Wales CJC; and,

The South East Wales CJC.

Including all committees and Sub-Committees of the respective CJC.

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Membership to Outside Bodies

To appoint members to the following outside bodies until the next Annual General Meeting of the Authority.

Alliance of Welsh National Parks
Biodiversity Information Centre
Brecknock Access Groups
National Parks UK
National Parks Wales
Regional Strategic Planning Group (South-East)
Regional Strategic Planning Group (South-West)
Regional Technical Statement Member Forum
Welsh Government Association Council

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