

# **National Parks Wales**

## **Response to Positive Planning – proposals to reform the planning system in Wales**

### **Question 23 – should local planning authorities be merged to create larger units?**

#### **Summary of response**

The Commission on Public Service Governance and Delivery has recommended a reduction in the number of local authorities in Wales, which, if accepted, would result in the creation of a number of larger planning units. This would have implications for the planning system in the local authority areas affected. While we recognise the need to review current arrangements, it is the view of National Parks Wales that National Park Authorities (NPAs) should remain independent and should not be part of any merged units thereby retaining the unique characteristics of each of the 3 National Park areas.

Free-standing, independent National Park Authorities were created by the government as it found that local government management was not delivering National Park purposes effectively. The planning system plays a pivotal role in the delivery of National Park purposes. Removing or watering down NPA planning powers would undermine the effective delivery of the purposes.

This principle of park-wide planning has stood the test of time and, within the context set by independent NPAs, has resulted in a coherent approach to land use planning, recreation, land and visitor management functions.

The relatively small scale nature of NPAs has several distinct advantages for planning service delivery. NPAs are close to the people and able to establish and maintain strong local connections.

There is no evidence to suggest that merged planning services would offer better value for public money, or that National Park purposes would be delivered more effectively.

#### **The importance of independence**

When the National Parks were first established in the 1950s they were managed through committees of County Councils. In the early 1990s, an independent panel chaired by Cardiff University Professor Ron Edwards reviewed the history and operation of the Parks over the past 40 years and set out a vision for their future, culminating in a report known as the Edwards report<sup>1</sup>.

One of the review's principal recommendations was for the creation of free-standing, independent National Park Authorities as it found that local government management was not delivering National Park purposes effectively.

The review concluded that:

“Independence would allow the National Park Authority to set its own agenda and pursue it resolutely... Despite evidence of some increasing flexibility by county councils over the devolution of responsibilities, national parks need authorities with complete freedom to manage finance, personnel and property resources and to organise their own administrative procedures, including the commissioning of professional services.”

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<sup>1</sup> Report of the National Parks Review Panel (1991)

The principle of and rationale for free-standing, independent authorities was subsequently accepted by the Government, which agreed that a county council, with its wider remit, would not be able to give the same focus and resources to a National Park that an NPA would.

The Government considered that independent status would have a number of advantages, including “a greater clarity of vision and self-confidence, a higher profile, freedom to manage their own affairs as well as a more undivided commitment to National Park objectives”<sup>2</sup>.

NPAs were established in Wales in 1996, following the 1995 Environment Act. Since then, they have operated independently from local government, while maintaining strong collaborative links.

The Government also recognised that for consistency of policy-making, each National Park should be considered in its entirety and that responsibility for detailed planning in these areas should rest with NPAs. To this end the 1991 Planning and Compensation Act required the production of one local plan covering the entire Park.

This principle of park-wide planning has stood the test of time and, within the context set by independent NPAs, has resulted in a coherent approach to land use planning, recreation, land and visitor management functions, with Park communities and businesses benefiting from a consistent policy framework covering the whole of the National Park whilst retaining the unique characteristics of each of the National Park areas.

### **Welsh Government Policy Reviews on National Parks**

The Welsh Government periodically reviews National Parks and NPAs as part of its ongoing sponsorship of these bodies, so there is a historical trail of policy reviews and statements on which to draw when considering the efficacy of current management arrangements.

In 2004, the Welsh Government published the results of an independent review of the National Parks. In 2007, the Welsh Government produced a policy statement on National Parks and NPAs<sup>3</sup> which states that:

“the NPAs’ role as the local planning authorities for their areas is a vitally important one, and one that fully underpins their key statutory purposes and one that contributes to the delivery of sustainable development”.

The Welsh Government has recently consulted on a replacement policy statement<sup>4</sup>.

In 2012, the Planning Division of the Welsh Government commissioned a study<sup>5</sup> on the Delivery of Planning Services in Statutory Designated Landscapes in Wales (the LUC evaluation). This recognised:

“...the importance of statutory designated landscapes having their own clear identity, separate from that of the constituent local authority(s). This enables consistency in the delivery of planning functions across the statutory landscape”.

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<sup>2</sup> Fit for the Future, a statement by the Government on policies for National Parks (January 1992)

<sup>3</sup> Policy Statement for National Parks and National Park Authorities, Welsh Government (March 2007)

<http://wales.gov.uk/about/cabinet/cabinetstatements/2007/1321477/?lang=en>

<sup>4</sup> Consultation on the draft Policy Statement for Protected Landscapes in Wales, Welsh Government (June 2013)

<http://wales.gov.uk/consultations/cultureandsport/landscape/?lang=en>

<sup>5</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)

These reviews and statements have reaffirmed the continuing importance of independent NPAs to manage National Parks and the benefits of NPAs retaining their planning powers.

### **Commission on Public Service Governance and Delivery**

The rationale for and importance of NPAs operating independently was recognised explicitly by the Commission on Public Service Governance and Delivery<sup>6</sup>, which considered question 23 as part of its work.

Following extensive inquiry and evidence gathering, the Commission concluded that:

“Overall, we do not believe there is a convincing case for abolishing NPAs and transferring their functions to local authorities...” (para F.21).

It concluded that the distinctive focus of NPAs on conserving and promoting sustainable access to National Parks would be at risk if their functions were transferred to local authorities (para 2.60). Instead, the Commission recommended that NPAs build on their existing collaborative efforts and develop clear and consistent ways of collaborating with each other, and with local authorities and other bodies such as Natural Resources Wales, to avoid duplication and maximise the use of resources and scarce expertise.

As far as we are aware the views of some local authority leaders that NPA functions should be delivered by their respective councils are not formal corporate positions of their authorities. The Commission on Public Service and Delivery did not find such views convincing, nor are they backed up by evidence. We note that the Welsh Local Government Association has made no representations for local authorities to be given NPA planning or other functions.

There is no evidence to suggest that merged planning services would offer better value for public money, or that National Park purposes would be delivered more effectively by local authorities, who have a much wider remit and are themselves facing a sustained period of change and significantly reducing resources.

Transfer of NPA functions to local government would in effect recreate a model that has previously been tried and failed in terms of delivering National Park purposes and which has been rejected by the Commission on Public Service Governance and Delivery.

### **Advantages of small scale nature of NPAs for planning service delivery**

The relatively small scale nature of NPAs has several distinct advantages for planning service delivery, which include:

- Reduced potential for bureaucracy and enhanced delivery capability and service quality
- Greater accessibility and responsiveness of decision makers
- A close interface with farmers, landowners, local businesses and the general public
- Good working relationship with local planning agents
- Flexible and proactive approach to development management

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<sup>6</sup> Commission on Public Service Governance and Delivery, Full Report (January 2014) <http://wales.gov.uk/docs/dpsp/publications/psgd/140120-psgd-full-report-env2.pdf>

- Reliance on partnership working, delivering more collective value for National Park purposes and communities
- Collaboration becomes the norm, achieving significant savings for the public purse

More detail on these can be found in the National Parks Wales submission to the Commission on Public Service Governance and Delivery<sup>7</sup>.

### **Collaboration – the way forward**

National Parks Wales fully supports the recommendation of the Commission on Public Service Governance and Delivery that NPAs must develop clear and consistent ways of collaborating with each other, with local authorities, with Visit Wales and with Natural Resources Wales. The Commission commended NPAs for sharing ‘back-office’ functions and service delivery capacity but urged them to go further, concluding that “There is very probably scope to improve the efficiency and co-ordination of NPA functions”.

#### Collaboration with constituent local authorities

The three Welsh NPAs are committed to working with their constituent local authorities and other bodies to achieve a greater degree of collaboration on service delivery. Collaboration has already achieved significant savings for the public purse e.g. during 2011-12 the NPAs of Wales saved an estimated £2.2 million through collaborative working. The NPAs also collaborate on a regional basis and on economic as well as other land use issues e.g. Snowdonia NPA is leading on the preparation of a North Wales Employment Land Strategy in collaboration with all North Wales LPAs. This is looking at strategic employment sites across the region and their land requirements for the next 20 years.

Para 3.15 of the LUC Evaluation<sup>8</sup> reported that all NPAs have entered into formal arrangements to share resources / expertise on several planning related issues, including:

- Pembrokeshire Coast NPA shares a minerals planning applications officer with Carmarthenshire County (not a constituent LPA) and the NPA sits on the Minerals Liaison Group for the wider area. There are also very strong relationships with Pembrokeshire County Council with a joint affordable housing enabler, close working on housing delivery, highways, and tourism and economic development.
- Brecon Beacons NPA has a service level agreement with Carmarthenshire for the delivery of minerals planning and legal services; undertakes some of Powys County Council’s planning function on their behalf in the vicinity of the National Park; and has worked with Monmouthshire County Council and Merthyr Tydfil County Borough Council in relation to buildings conservation advice. The NPA, amongst other things, is also heavily involved in regeneration partnerships located along its southern boundary.
- Snowdonia NPA jointly funds rural housing enablers with their two constituent local authorities, Gwynedd and Conwy, and forms part of a consortium of north Wales LPAs that has set up a joint minerals planning unit in Flintshire to deliver minerals planning on their behalf. The Chief Executive and Director of Planning of Snowdonia NPA lead and sit on a number of Boards including Gwynedd and Ynys Môn and

<sup>7</sup> Page 9, [http://www.nationalparkswales.gov.uk/\\_data/assets/pdf\\_file/0017/383111/National-Parks-Wales-Evidence-to-the-Commission-on-Public-Service-Governance-and-Delivery-FINAL.pdf](http://www.nationalparkswales.gov.uk/_data/assets/pdf_file/0017/383111/National-Parks-Wales-Evidence-to-the-Commission-on-Public-Service-Governance-and-Delivery-FINAL.pdf)

<sup>8</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)

Conwy and Denbighshire County Council Local Service Boards, Gwynedd Housing Partnership, Green Economy for the Conwy County Borough Council Local Service Board and the North Wales Economic Forum.

The NPAs are keen to develop collaborations with their constituent local authorities that allow for the exchange of information but which also maximise the use of limited resources e.g. Snowdonia NPA has worked closely with Gwynedd and Conwy LPAs on Welsh Language issues, CIL viability and has jointly commissioned with Gwynedd a study on Landscape Sensitivity. Brecon Beacons NPA has a Service Level Agreement with Carmarthenshire County Council to provide the Solicitor function to the Authority.

### Collaboration between the three NPAs

It is accepted that there is scope for further collaboration between the three NPAs on the delivery of corporate services, building on the excellent progress already made. The three NPAs in Wales already have a number of active work programmes looking at opportunities for collaboration and the pursuit of shared outcomes on planning e.g. the NPAs have commissioned a study into the joint working opportunities for our planning departments and, following a successful joint Planning Improvement Fund bid, are producing joint supplementary planning guidance on sustainable development, which aims to define what kind of sustainable development is appropriate in National Parks. This work is a direct response to recommendation 7 of the LUC evaluation<sup>9</sup> and is a good example of a quick and proactive collaboration to assist in the promotion of sustainable economic development which will assist local businesses in bringing forward new economic proposals.

Given that the three NPAs each now have adopted LDPs there is greater scope for collaboration on LDP production. The generally slower progress of constituent LPAs on preparing their LDPs would be another factor counting against the merger of planning functions e.g. Snowdonia NPA merging with Gwynedd / Môn may slow down any LDP review process that Snowdonia NPA is proposing, as the Gwynedd / Môn LDP will not be adopted until 2016 at the earliest. Furthermore, four of the nine constituent Authorities within the Brecon Beacons (Neath Port Talbot, Powys, Monmouthshire and Carmarthenshire (the latter 3 being the largest authorities in the National Park area)) do not have adopted LDPs to date.

Greater efficiency in delivering corporate services would allow the NPAs to retain a strong focus on the local delivery of core, front-line services such as conservation. These cannot be pursued remotely as they require intimate local knowledge of the unique landscape and culture, and working with local partners, local communities and businesses and local landowners/ managers. The review of NPA governance that will be undertaken by the Welsh Government in 2014 offers an opportunity to review and take forward the progress already made on alternative models for delivering corporate services and support functions.

The NPAs consider that there is also scope for greater collaboration with Wales' five Areas of Outstanding Natural Beauty (AONB) on planning, through closer working approaches and the sharing of expertise and good practice. International guidelines on protected area management<sup>10</sup> and the ecosystem approach point to looking at protected landscapes as a system, which would support a national, multi-area approach. The new Policy Statement on Protected Landscapes that will be issued in 2014 by the Welsh Government<sup>11</sup> provides a framework to allow productive discussion to take place on how this might be achieved in practice, including through a single management plan for all protected landscapes in Wales.

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<sup>9</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)

<sup>10</sup> <http://data.iucn.org/dbtw-wpd/edocs/paps-016.pdf>

<sup>11</sup> <http://wales.gov.uk/consultations/cultureandsport/landscape/?lang=en>

Consideration should be given to how such a plan could be integrated with the plans of Natural Resources Wales and how local distinctiveness would be respected.

## **Conclusion**

In conclusion, no convincing case can be made for merging NPAs with other LPAs to create larger planning units, as was concluded by the Commission on Public Service Governance and Delivery. Instead, greater collaboration should be actively and consistently sought, with constituent local authorities, agencies such as Visit Wales and between the three NPAs.

## **Question 24 – should a National Park Authority continue to have responsibility for planning in its area?**

### **Summary of response**

Yes. The consultation document states that with constituent local authorities retaining social and economic responsibilities close collaborative working with NPAs is essential to ensure that sustainable decisions and outcomes are achieved. We agree and as outlined in our response to question 23, we believe greater collaboration to be the way forward as it reflects both the existing legislative position and the operating culture of NPAs and their strong commitment to partnership working. There are many examples of effective collaboration between NPAs and their constituent local authorities and between the three NPAs themselves. NPAs accept that there is scope for greater collaboration.

There are several benefits of NPAs operating as the LPA not least the ability to plan to National Park boundaries. This provides consistency across the designated landscape, alignment with the National Park Management Plan and a clear focus on National Park purposes. Without an NPA planning function there would be an inconsistent approach to the management of development. The resulting lack of coherence between management and development planning would undermine the delivery of National Park purposes.

An independent evaluation by LUC found that overall the planning system is working well in National Parks. All three Welsh NPAs have made excellent progress on local development plans and perform well on development management. NPAs are recognised as exemplars of good governance in local government, which provides a stable context for the delivery of their planning services. There are high standards of customer-facing service delivery in National Parks, underpinned by a commitment to transparency and openness.

NPAs are key delivery bodies for the proposals in both the Environment and Future Generations Bills. The retention of responsibility for planning is a critical part of NPAs playing their fullest part in assisting with the implementation of the Welsh Government's future agenda on sustainable development.

### **Evidence on effective collaboration**

The claim in the consultation document that evidence of effective collaboration is mixed, especially where an NPA has to work with a significant number of local authorities, is disputed. There are many examples of effective collaboration, including where a number of local authorities are involved. There is no better example of this than the preparation and implementation of National Park Management Plans, which coordinate and integrate all other plans, strategies and actions within the Park's boundaries. In the Brecon Beacons, the Plan lays out 20-year strategies and 5-year actions by and for everyone delivering its purposes and duty, or concerned about the Park's future. The plan promotes coordinated implementation, monitoring and evaluation of activities collectively across a wide range of partners and stakeholders.

There are many actions identified in the Action Plan<sup>12</sup>, with a variety of lead organisations and partners associated with the delivery of each. As stated throughout the Plan this requires the collaborative and concerted efforts of all involved in the Park's management. The future of the Park depends on sustained partnerships, particularly in times of limited resources. The Unitary Authorities that operate within the Brecon Beacons National Park are explicitly identified as essential partners for taking many of the actions forward.

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<sup>12</sup> <http://www.beacons-mpa.gov.uk/the-authority/planning/strategy-and-policy/nmpmp/link-folder/priority-actions-english-1>

Further evidence on existing collaborations is provided in our response to question 23. While we accept that there is scope for greater collaboration with constituent local authorities, we would like to draw attention to the findings of the Commission on Public Service Delivery and Governance which commended NPAs for sharing ‘back-office’ functions and service delivery capacity, while recognising that there was scope to do more.

In 2012, the Planning Division of the Welsh Government commissioned a study<sup>13</sup> on the Delivery of Planning Services in Statutory Designated Landscapes in Wales (the LUC evaluation). Para 3.15 of the evaluation<sup>14</sup> reported that all NPAs have entered into formal arrangements to share resources / expertise on several planning related issues, including:

- Pembrokeshire Coast NPA shares a minerals planning applications officer with Carmarthenshire County (not a constituent LPA) and the NPA sits on the Minerals Liaison Group for the wider area. There are also very strong relationships with Pembrokeshire County Council with a joint affordable housing enabler, close working on housing delivery, highways, and tourism and economic development.
- Brecon Beacons NPA has a service level agreement with Carmarthenshire for the delivery of minerals planning services; undertakes some of Powys County Council’s planning function on their behalf in the vicinity of the National Park; and has worked with Monmouthshire County Council and Merthyr Tydfil County Borough Council in relation to buildings conservation advice. The NPA, amongst other things, is also heavily involved in regeneration partnerships located along its southern boundary.
- Snowdonia NPA jointly funds rural housing enablers with their two constituent local authorities, Gwynedd and Conwy, and forms part of a consortium of north Wales LPAs that has set up a joint minerals planning unit in Flintshire to deliver minerals planning on their behalf. The Chief Executive and Director of Planning of Snowdonia NPA lead and sit on a number of Boards including Gwynedd and Ynys Môn and Conwy and Denbighshire County Council Local Service Boards, Gwynedd Housing Partnership, Green Economy for the Conwy County Borough Council Local Service Board and the North Wales Economic Forum.

### **The benefits of NPAs operating a planning function**

There are several benefits of NPAs operating as the LPA not least the ability to plan to National Park boundaries. This provides consistency across the designated landscape, alignment with the National Park Management Plan and a clear focus on National Park purposes.

Significantly on this point the LUC Evaluation concluded that:

...the key advantage of planning to National Park boundaries is that NPAs can adopt a consistent approach across the whole of the National Park area in their Local Development Plan regardless of local authority boundaries. This allows clear focus to be given to National Park purposes and allows alignment with the National Park Management Plan, creating a coherent approach and a clear focus across each National Park. (para 4.6).

...there is recognition of the importance of statutory designated landscapes having their own clear identity, separate from that of the constituent local authority(s), to try and

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<sup>13</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)

<sup>14</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)



ensure consistency in the delivery of planning functions across the statutory landscape. (para 4.18)

The current Welsh Government policy statement on National Parks and NPAs<sup>15</sup> states that:

“the NPAs’ role as the local planning authorities for their areas is a vitally important one, and one that fully underpins their key statutory purposes and one that contributes to the delivery of sustainable development”.

The Commission on Public Service Governance and Delivery recognised that National Parks are national assets, not just local ones. Independent research by ARUP<sup>16</sup> on the value of Wales’ National Parks found that overall the National Park economies account for £557m of GVA, representing 1.2% of the Welsh economy. Economic activity that is concerned with the protection or management of the environment, or that is dependent in some way on the environment supports 10,738 jobs directly within National Parks and a further 2,033 jobs across Wales. The Parks receive 12 million visitors each year spending an estimated £1bn on goods and services. The NPAs’ operation of the planning function has successfully underpinned and supported this economic activity.

It is therefore evident that National Park status and NPAs’ role as planning authorities is not a bar to positive planning or good performance, as is perceived by some. Further evidence of this includes the recent establishment of two enterprise zones within National Parks – Haven Waterway in the Pembrokeshire Coast and former development sites at Trawsfynydd and Llanbedr in Snowdonia<sup>17</sup>. Major developments can and do take place within National Parks e.g. the South Hook LNG plant in the Pembrokeshire Coast<sup>18</sup>.

The benefits of NPAs operating a planning function are also recognised by RTPI Cymru in its draft response<sup>19</sup> to the Positive Planning consultation, which states:

“Ultimately, areas are designated as national parks because of the quality and distinctiveness of their landscape and heritage - their distinctiveness as places. The planning function is a key mechanism for sustaining and enhancing those qualities. To remove this function from NPAs would seriously undermine their effectiveness. It would put the special qualities of the national parks themselves at risk.”

## **Local representation**

The consultation document states that local communities and some businesses expressed opinions that their interests were often overlooked, which they felt in part was due to the absence of effective local representation on NPAs. NPAs already have strong local representation through members appointed by the constituent local authorities and NPA decision makers are generally more accessible than their local authority counterparts. Local accountability was considered by the Commission on Public Service Governance and Delivery, which recommended that local-authority nominated NPA members must represent wards that fall wholly within the Park area or, if that is impossible, partly within the Park area. This position was also advocated by the three NPAs in their submission to the Commission.

The Commission also recommended that the Welsh Government should consider whether direct elections would strengthen local accountability, although it heard no conclusive

<sup>15</sup> Policy Statement for National Parks and National Park Authorities, Welsh Government (March 2007) <http://wales.gov.uk/about/cabinet/cabinetstatements/2007/1321477/?lang=en>

<sup>16</sup> Valuing Wales’ National Parks. ARUP (November 2013)

<sup>17</sup> <http://enterprisezones.wales.gov.uk/enterprise-zone-locations/ebbw-vale/communications>

<sup>18</sup> <http://www.southhooklng.co.uk/>

<sup>19</sup> [http://www.rtpi.org.uk/media/825728/positive\\_planning\\_consultation\\_questions\\_final\\_draft.pdf](http://www.rtpi.org.uk/media/825728/positive_planning_consultation_questions_final_draft.pdf)

evidence on this. The Welsh Government is reviewing the governance of NPAs in 2014 which provides an opportunity to consider these matters in more detail. However, none of these accountability issues are cause for removing planning responsibility from NPAs.

## **Evidence on NPAs' performance as local planning authorities**

### Independent evaluation

The role of the planning system to regulate the use of land in the public interest is a challenging one and is at its most challenging in sensitive landscapes such as National Parks. In 2012 an evaluation<sup>20</sup> of planning services in statutory designated landscapes in Wales was undertaken by Land Use Consultants (LUC) for the Welsh Government. This found that overall the planning system is working well in National Parks. Member training is done very well in the three Welsh NPAs with regular and joint training sessions and pre-application discussions encouraged and found to be useful.

The evaluation found that all three NPAs have entered into formal arrangements to share resources/expertise. The Commission on Public Service Governance and Delivery recognised the progress that had been made on collaboration and commended NPAs for working well together on the sharing of both 'back-office' functions and service delivery capacity.

The LUC evaluation found many examples of good practice within NPAs, as well as good performance in relation to national indicators for planning service delivery. At the local level, each National Park local development plan was found to provide a consistent policy context for planning to the boundary of the statutory designated landscape, in line with National Park purposes. This should be contrasted with the weak and inconsistent position the evaluation found in AONBs, due to the number of LPAs involved in their management. There is no evidence to support allegations that the NPAs are not performing well.

Without an NPA planning function there would be an inconsistent approach to the management of development. This would be particularly problematic in the Brecon Beacons due to the large number of local authorities involved (currently, there are nine unitary authorities in the Brecon Beacons National Park, which would be reduced to six if the recommendations of the Commission on Public Service Governance and Delivery were accepted). The resulting lack of coherence between management and development planning would undermine the delivery of National Park purposes. The importance of planning in supporting biodiversity in National Parks has been recognised by the Minister in his strategic grant letter for 2013-14<sup>21</sup>.

### Local development plans

All three Welsh NPAs have made excellent progress on local development plans<sup>22</sup>. Pembrokeshire Coast NPA was the first local authority in Wales to succeed in getting its plan adopted, Snowdonia NPA achieved adoption in 2011 (and was the first local authority in North Wales to adopt) and Brecon Beacons NPA achieved adoption in 2013. This means that the NPAs are outperforming several other local authorities (including Gwynedd, Powys, Monmouthshire and Carmarthenshire) and that communities and businesses within National Parks have a more certain and up to date policy framework to guide their needs and aspirations than their neighbours.

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<sup>20</sup> Delivery of Planning Services in Statutory Designated Landscapes in Wales, prepared for Planning Division of the Welsh Government by LUC (August 2012)

<sup>21</sup> Letter from the Minister for Culture and Sport to the Chairs of the 3 NPAs (10 May 2013)

<sup>22</sup> <http://wales.gov.uk/docs/desh/policy/130426development-plan-progress-en.pdf>

## Development management

On development management, the three NPAs perform as well as other rural local planning authorities. The NPAs have a good track-record in operating a responsive planning service e.g. in the Pembrokeshire Coast 89% of Planning Enforcement cases are resolved within 12 weeks.

Recent planning statistics<sup>23</sup> from the Welsh Government on speed of determining planning applications show that the NPAs' average speed of determination (about 67%) is on a par with that of the 9 rural local planning authorities (about 68%).

Examination of the planning performance framework – indicator dashboard<sup>24</sup> that was published by the Welsh Government alongside the 'Positive Planning' consultation document demonstrates that the three NPAs are performing well across the planning spectrum.

## Value of the National Park brand

The Commission on Public Service Governance and Delivery found that in light of the evidence "it is hard...to conclude that NPAs are under-performing" (para F.20), expressed doubts that others would have the capacity or expertise to assume management of National Parks and concluded that transferring NPA functions to local authorities would have adverse consequences for the value of the National Park brand and the promotion of the Parks as tourist destinations. The economic value of the National Park brand is recognised in the Valuing Wales' National Parks Report (ARUP, 2013)<sup>25</sup>, with an estimated 12 million visitors per annum spending £1bn on goods and services. In a national survey in 2009 Snowdonia National Park was identified as the most recognised National Park in the UK. There is a risk that this distinctive brand profile would be lost within a larger authority.

Two communities within Snowdonia (represented by Llanberis Community Council and Ffestiniog Town Council) have made a formal request to be included within the National Park because of the benefits that they perceive this would bring for their communities and the competitive advantage provided by the National Park brand.

## Putting customers at the heart of service delivery

There is a great deal of evidence on the high standards of customer-facing service delivery in National Parks e.g. in 2012 Snowdonia NPA received a Customer Service Excellence Standard certificate from the Cabinet Office<sup>26</sup> for achieving an exceptional standard in providing customer service, with particular commendation for listening and understanding the needs of users before investing to improve its service provision. This award was retained in 2013. Snowdonia NPA has been highly commended by the WLGAs in its Excellence Wales Awards for its response to climate change.

NPAs undertake regular surveys of users as part of service monitoring and improvement. In the Brecon Beacons planning customers' overall satisfaction ratings<sup>27</sup> with the service received have increased from 76% in 2010-11, to 88% in 2011-12 to 91% in 2012-13. In Snowdonia, overall satisfaction with the planning service was rated 93% by planning applicants in 2012-13, with satisfaction rates for advice received by planning officers at 97%.

<sup>23</sup> <http://wales.gov.uk/topics/planning/planningstats/development-control-quarterly-survey/january-to-march-2013/?lang=en>

<sup>24</sup> <http://wales.gov.uk/consultations/planning/draft-planning-wales-bill/?lang=en>

<sup>25</sup> [http://www.nationalparkswales.gov.uk/data/assets/pdf\\_file/0009/389727/Valuing-Wales-National-Parks-pdf](http://www.nationalparkswales.gov.uk/data/assets/pdf_file/0009/389727/Valuing-Wales-National-Parks-pdf)

<sup>26</sup> <http://www.eryri-npa.gov.uk/park-authority/newsroom/press-releases-2012/2012-09-05>

<sup>27</sup> Customers who viewed the service as fair and above

In the Pembrokeshire Coast, the overall satisfaction with the service in 2012/13 was 85%. Each NPA has a planning service improvement plan which is regularly monitored and updated.

Each NPA has annual meetings with planning agents and/or update newsletters to discuss concerns and topical issues. In 2013 100% of planning agents attending the annual liaison meeting in Snowdonia gave positive feedback on a number of aspects of the NPA's planning performance, with one stating "...you should be commended for arranging these regular meetings. I would like to see this being replicated by local authorities"<sup>28</sup>. In the meeting agents openly expressed a preference for Snowdonia NPA to retain independence from its constituent authorities – there were no calls for the planning function of Snowdonia NPA to be merged with the constituent LPAs.

### **Evidence on good governance of NPAs**

NPAs are recognised as exemplars of good governance in local government which provides a stable context for the delivery of their planning services e.g. all three NPAs have achieved the charter for member development and the Brecon Beacons NPA is one of only two authorities in Wales to have achieved the advanced charter for member development<sup>29</sup>. The Brecon Beacons NPA was the first authority in Wales to webcast all of its committee meetings as part of its commitment to transparency. All three NPAs have held the Investors in People Standard for a number of years.

Pembrokeshire Coast NPA's separate code of conduct for planning committee members was cited by the Independent Advisory Group in June 2012 in its report Towards a Welsh Planning Act: Ensuring the Planning System Delivers<sup>30</sup> and informed the Group's recommendation for a national code of conduct for planning committee members.

NPAs employ a range of techniques to involve people in decisions on planning service delivery and performance e.g. the Brecon Beacons NPA has worked with Planning Aid Wales<sup>31</sup> to engage communities in the Local Development Plan process (this has been promoted by Planning Aid Wales as best practice on community engagement). This work was also cited by the Independent Advisory Group in 2012 as best practice and informed the Group's recommendations (para 3.47 and para 4.149 of its report).

### **Experience of other models of planning delivery in National Parks**

National Parks in the UK operate the same planning model, in which NPAs are responsible for both forward planning and development management functions, delivering a consistent policy framework for the National Park and a single decision-making interface for customers. This model has evolved over many years, with changes incorporated to reflect the centrality of sustainable development and the changing needs of the public. Two recently designated National Parks (the Cairngorms and the South Downs) operate a modified version of this model, with responsibility for development management shared with constituent local authorities. Due to their relative youth, there has been no formal evaluation of these models. In the Cairngorms anecdotal evidence suggests that the added complexity has significant disadvantages for customers and is more expensive and bureaucratic to operate. The South Downs model also has added complexity and hidden costs and, while it was adopted to fit the unique planning circumstances of the South Downs National Park, it is not in itself wholly transferrable to other National Parks.

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<sup>28</sup> Annual Snowdonia NPA meeting for agents and planners 26.11.13 – analysis of feedback form

<sup>29</sup> <http://www.wlga.gov.uk/member-development-charter>

<sup>30</sup> <http://wales.gov.uk/docs/desh/research/120917towardsawelshplanningacten.pdf> para 4.161)

<sup>31</sup> <http://www.planningaidwales.org.uk/how-paw-can-help/training/case-studies>

## **Conclusion**

In order to justify removal of the planning functions from NPAs, convincing evidence would need to be provided that this would deliver:

- (a) better value for money
- (b) a more integrated, consistent, accessible and efficient service for customers

No evidence has been provided that this would be the case. The Welsh Government's decision on the responsibility for planning in National Parks should be based on the evidence that has been provided, which is that NPAs are high performing planning authorities on both plan-making and development management and that their focus on National Park purposes would suffer significant detriment were they to lose their planning responsibilities. NPAs have a good track record in operating a responsive planning service, with user surveys showing high levels of satisfaction. NPAs are doing a good job, which was recognised by the Commission on Public Service Governance and Delivery. The planning system in National Parks is clearly not broken, so why fix it?

The benefits of NPAs being local planning authorities have been outlined above. If the Welsh Government is serious about protecting the special qualities of National Parks, which it commits to in the consultation paper, then it should continue to give NPAs responsibility for planning within their area.