

## **SOUTH DOWNS NATIONAL PARK AUTHORITY AUTHORITY MEETING 3 February 2015**

Held at Memorial Hall, South Downs Centre, Midhurst, West Sussex at 2pm

Present:

Alun Alesbury	Sebastian Anstruther	David Burden	Jo Carr	Vaughan Clarke
Norman Dingemans	Neville Harrison	Barbara Holyome	David Jenkins	Doug Jones
Tom Jones	Diana Kershaw	Barry Lipscomb	Gary Marsh	Gill Mattock
Margaret Paren(Chair)	Charles Peck	Andrew Shaxson	Jim Sheppard	Deborah Urquhart
Pete West	Paul Yallop			

SDNPA Officers: Trevor Beattie (Chief Executive Officer), Phil Belden (Director of Operations), Andrew Lee (Director of Strategy & Partnerships), Tim Slaney (Director of Planning), Nigel Manvell (Chief Finance Officer), Louise Read (Monitoring Officer), Robin Parr (Governance & Support Services Manager), Gareth Giles (CIL Project Manager), & Rebecca Haynes (Member Services Officer).

### **OPENING REMARKS**

183. The Authority Chair thanked:

- Mel Hughes (Area Manager for Sussex and Kent Natural England) and Nigel James (Area Manager Central Downs), for their informative pre NPA presentation on the Post Common Agricultural Policy Review (CAP), new Countryside Stewardship Scheme, and;
- The expert facilitators that attended the morning workshop on Delivering Access in Partnership.

### **APOLOGIES**

184. Apologies were received from, Ken Bodfish, Jennifer Gray, Jeremy Leggett, Ian Phillips & Sue Saville

### **DECLARATIONS OF INTERESTS**

185. The Monitoring Officer reminded Members of the Authority that any decisions they took as part of the meeting must be in the best interests of the SDNP and must leave behind the interests of the Authority they were appointed by.
186. Norman Dingemans declared a public service interest in item 10 as a member of Arun District Council.
187. David Jenkins declared a public service interest in item 10 as a member of Horsham District Council.
188. Tom Jones declared a public service interest in item 10 as a member of Lewes District Council.
189. Jim Sheppard declared a public service interest in item 10 as a member of Lewes District Council.
190. Barry Lipscomb declared a public service interest in item 10 as a member of Winchester City Council.
191. Gill Mattock declared a public service interest in item 10 as a member of Eastbourne Borough Council.
192. Charles Peck declared a public service interest in item 10 as a member of Wealden District Council.
193. Andrew Shaxson declared a public service interest in item 10 as a member of Chichester District Council.
194. Pete West declared a public service interest in item 10 as a member of Brighton & Hove City Council.
195. Paul Yallop declared a public service interest in item 10 as a member of Worthing Borough Council.
196. Sebastian Anstruther declared a disclosable pecuniary interest in item 10 and would leave the room during deliberation and decision.
197. Prior to Item 10 Gary Marsh declared a public service interest in item 10 as a member of Mid Sussex District Council as detailed in minute 212.

### **MINUTES**

198. The minutes of the Authority meeting held on 3 December 2014 were agreed as a correct record and signed by the Chair.

## **MATTERS ARISING**

199. In response to questions, officers clarified:

- In regard to minute 162; to date, there was no further information on the proposed Broadband Summit
- In regard to minute 167; to date, the Authority had not received a response from the Department for Transport (DfT) in regard to the invitation by the Authority asking them to present the proposed options for the A27 improvements. Officers will continue to press for a response.

## **URGENT MATTERS**

200. There were none.

## **PUBLIC PARTICIPATION**

201. There were none.

## **NEED FOR PART II EXCLUSION OF PRESS AND PUBLIC**

202. In response to questions, officers clarified that the report was exempt because it contained legally privileged advice and information relating to the financial and business affairs of the Authority. The Authority would need to discuss the business case which contained figures provided by NPUK, these details were to remain confidential until the NPUK meeting where it was to be discussed.

203. It was proposed and seconded to exclude the Press and Public during item 14 on the basis that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if a member of the public were present during the items there would be disclosure to them of exempt information within Paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972, being information relating to the financial and business affairs of the Authority, and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and that in all the circumstances of the case, the public interest in maintaining the exempt information outweighs the public interest in disclosing the information, for the reasons set out in the Report. Following a vote the proposal was carried.

204. **RESOLVED:** that the Authority will move into Part II for Agenda item 14 and exclude any members of the public and press from the meeting at that time.

## **CHIEF EXECUTIVE'S PROGRESS REPORT**

205. Authority Members considered the report by the Chief Executive Officer (Report 1/15)

Paragraph 2.3 -Stanmer Park (home farm project): the Heritage Lottery Fund's Committee had considered this application and refused the funding bid. The Authority was awaiting clarification on the reasons and whether they would encourage a re submitted bid. Whilst this was unfortunate the Authority was currently investigating other options. The decision had not yet been announced by HLF.

Paragraph 3.6 -Food Enterprise Zones: the Authority had submitted their expression of Interest (Eol), which focused on supporting local dairy producers, and was expecting to hear from the Government by the end of February 2015.

Defra Grant Settlement: The Authority's grant for next year had been confirmed as a cut of 1.74%. This was the anticipated figure and on which the draft budget, agreed by the P&P Committee had been based.

Infrastructure Bill Amendments: amendments had been made to require the DfT to set targets and identify investment in support of walking and cycling. The draft delivery plan should identify future funding commitments and how local authorities could apply for funding. Enquiries had been made to ask if the Authority was able to apply for such funding directly rather than in partnership.

Appointment to Campaign for National Parks (CNP): Using delegated powers the Chief Executive Officer confirmed that Barry Lipscomb had been appointed to the Outside Body of CNP. This followed the resignation of Diana Kershaw as the meetings had clashed with the SDNPA Planning Committee.

206. Authority Members commented:

Stanmer Park Projects: It was disappointing news on the Lottery bid however not unexpected as HLF resources were heavily over subscribed. It was hoped that the Authority would re submit the bid.

207. Authority Member Gary Marsh joined the meeting at 2:20pm
208. In response to questions, officers clarified:  
Community uses of the South Downs Centre (SDC): the SDC had generated an income to the Authority of approximately £1500 in the first few months of opening. Lettings were increasing and rates for hire of the Memorial Hall would be increased in the forthcoming year.  
Stanmer Park Projects: The Authority was committed to the projects at Stanmer Park and was examining other options for securing the regeneration of Home Farm, which was an important listed building at risk. Part I of the HLF 'Parks for people' bid had been successful and the Authority Estates Strategy included the necessary matching funding.  
Food Enterprise Zones: The Authority had discussed the EoI with dairy Farmers prior to submission.
209. **RESOLVED:** that the Authority noted the progress made by the South Downs National Park Authority (the Authority) since the last report.

### **AUTHORITY CHAIR UPDATE**

210. Authority Members received a verbal report from the Chair on the following:  
MP meetings: Meetings had been held with Damian Hinds MP and Steve Brine MP. They were briefed on the progress of the SDNPA Local Plan and the forthcoming release of information on housing supply. They were thanked for their support over the housing threshold issue. Both MPs were interested in the issue of:
- Broadband coverage across the National Park
  - The Shared Identity and the likely interest from local businesses
  - The resurfacing of major roads through the National Park, including the relevant stretches of the M3 and A3 that would be resurfaced using quiet tarmac.
- Ministerial Statement on the ban of fracking in national parks: the ministerial statement on 26 January banned fracking in national parks. However since then it is understood that a further amendment to the Infrastructure Bill would be required for this to take place. The Authority is awaiting clarification on this, and it is hoped that the Defra Ministerial would address this issue at the National Parks England Board Meeting on 4 February 2015.
- Direct Elections, draft bill: It was anticipated that there might be further news on this during the National Parks England meeting on 4 February 2015.
- SHLAA: The SHLAA documents together with briefing notes on tranquillity and viewshed analysis was published on the Authority Website on 21 January. Prior to this there was extensive briefing of parish councils and district councils.
- Local Plan: Members were reminded that over the coming months, the Planning Committee and the Local Plan Member Working Group (LPMWG) would be considering some of the key issues for the Local Plan including; the core Policies, such as Housing, Affordable housing, Spatial Strategy, Allocations, Key sites, Settlement boundaries and Landscape policies. All Members were encouraged to attend the LPMWG meetings.
- Community Liaison Groups: These groups are set up with the assistance of the Authority when highly controversial planning developments threaten to dominate the SDNPA relationships with local communities. The Authority arranged a KEVII Liaison Group for the King Edward VII hospital site, which is the largest planning application the Authority has approved to date. The Authority Chair regularly attends these meetings with the Director of Planning, and they have proved to be a great success and were an example of how the Authority adds value. However, such groups were time consuming for offices and required long term Member commitment, therefore could only be considered for the largest and most controversial of developments.
- Member Allowances: This Scheme is due for review and would be carried out by an independent consultant during February and March 2015, with the outcomes reported to the NPA meeting on 26 March 2015. Members would have an opportunity to be interviewed as part of this review and should contact the Governance and Support Services Manager if they would like to participate.
211. Authority Member Sebastian Anstruther left the meeting room.

212. Authority Member Gary Marsh declared a public service interest in item 10 as a member of Mid Sussex District Council.

### **AFFORDABLE HOUSING AND INFRASTRUCTURE CONTRIBUTION THRESHOLD**

213. Authority Members considered the report by the CIL Project Manager (Report 2/15) and were informed that there were currently a number of legal matters under consideration by authorities across the country.
214. The Chair invited the Local Authority appointed Members to outline the position of their authorities as the Housing Authority
- Arun District Council were in favour of the proposals
  - Horsham District Council had no comment at this stage
  - Chichester District Council would not accept the officer's recommendation 4
  - Eastbourne Borough Council had no comment at this stage
  - Mid Sussex District Council would not accept the officer's recommendation 4
  - Worthing Borough Council did not believe that the proposal would have a significant effect on their Authority
  - Wealden District Council favoured the proposal in principle and was expected to respond direct
  - Winchester City Council was currently considering the proposal and would be seeking clarification on certain issues, however was willing to reach an agreement with the SDNPA
  - Brighton & Hove had a shortage of affordable housing and the proposal would be consistent with their policies
  - Lewes District Council would be considering the proposal the following day.
215. The Director of Planning explained that some of the local authorities wanted continued dialogue on the proposal. He provided an update on the Authority's legal position. He also explained that there were legal challenges focused on the following issues:
- Was it within the remit of the Government to make this change in the way it had?
  - Was the primacy of the Development Plan such that it was open to have a different approach, notwithstanding Ministerial Statements and subsequent changes to guidance.
- Other national parks had already made the change to reduce the threshold to 6, and whilst the legal challenges were being pursued, the SDNPA were advised to consider making a change to the current arrangements. There was nothing to preclude the Authority from entering into conversations with local housing authorities to agree where to spend the monies within the National Park, if they were unable to provide affordable housing within their area of the National Park. Housing Market Assessments were compiled using a combination of areas across local district authority area boundaries. The SDNPA was the planning authority for the whole of the SDNP and therefore this proposal would allow for cross boundary working.
216. Authority Members commented:
- Local authorities would not be losing out on any monies as they are only receiving contributions at the lower threshold because of National Park status. The SDNPA could enter into discussions with the local authorities in how the monies were spent
  - The officer's recommendation 4 should be supported as it was more difficult to provide affordable housing in rural areas and was an achievable way of providing affordable housing within the SDNP
  - The officer's recommendation 4 should be strengthened to explain that monies would be spent whenever possible in the part of the National Park within their own Local Authority.
217. In response to questions, Officers clarified:
- The potential Judicial Review and legal action should not impact on the Authority decision to reduce the threshold and not taking action could be a risk to the Authority. If however any legal challenge was successful a report would be brought back to the Authority for consideration

- Adur & Worthing, Eastbourne, Chichester and Arun were the only local authorities to contact the SDNPA for further clarification
  - Previous reports on the issue had been considered at the Policy and Programme Committee as it was within the remit of that committee to facilitate discussion on major strategic policy areas.
218. It was proposed and seconded to replace the words 'with a preference for' with 'whenever possible in' in the officer's recommendation 4. Following a vote the proposal was carried.
219. **RESOLVED:** that officer's recommendation 4 would read:  
 Authorised the Director of Planning to continue discussions with partner local authorities to agree to the principle that all commuted sums for affordable housing will be spent only in the National Park, whenever possible in the part of the National Park within their own local authority. Where the Director of Planning considers that such agreement cannot be reached with a partner local authority, the Director of Planning is authorised to pool the contributions for the delivery of affordable housing within any part of the National Park.
220. It was proposed and seconded to vote on the officer's recommendation with the amendment to recommendation 4. Following a vote the proposal was carried.
221. **RESOLVED:** That the Authority:
- 1) Noted the Government changes to affordable housing and tariff style infrastructure contribution requirements and consequent action recommended
  - 2) Applied the lower residential development threshold to allow the SDNPA to seek affordable housing and tariff style infrastructure contributions from development of between 6 and 10 units
  - 3) Applied this threshold with immediate effect
  - 4) Authorised the Director of Planning to continue discussions with partner local authorities to agree to the principle that all commuted sums for affordable housing will be spent only in the National Park, whenever possible in the part of the National Park within their own local authority. Where the Director of Planning considers that such agreement cannot be reached with a partner local authority, the Director of Planning is authorised to pool the contributions for the delivery of affordable housing within any part of the National Park

## **PLANNING COMMITTEE**

222. The Authority noted the minutes of the meeting held on 11 December 2014.

## **POLICY & PROGRAMME COMMITTEE**

223. The Authority noted the unconfirmed minutes of the Policy & Programme Committee meeting held on 16 December 2014.
224. In response to questions, the Chair explained that, in regard to working with the local highways authorities (LHA) and delivering Rights of Way; the SDNPA was committed to this, and would be continuing discussions with them at Leader level. A report would be presented to the Policy & Programme Committee in the future defining the LHA position.

## **REPORTS FROM MEMBERS APPOINTED TO EXTERNAL BODIES**

225. The Authority noted the report on The West Sussex Environment and Climate Change Board.
226. Authority Member Norman Dingemans confirmed that contact had been made with SDNPA officers in regard to the compiling of education packs.

## **NEED FOR PART II EXCLUSION OF PRESS AND PUBLIC**

227. The Authority moved into Part II for Agenda item 14 and excluded from the meeting any members of the public and press

## **Chair**

The meeting closed at 3:15pm