

## South Downs

### Local Access Forum

#### **Hampshire Countryside Access Plan**

The attention of the South Downs Local Access Forum (SDLAF) has been drawn to this current consultation exercise.

This letter constitutes formal advice from the South Downs Local Access Forum.

As a body listed under Section 94(4), Hampshire County Council is required, in accordance with Section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to advice from this forum in carrying out its functions.

It will also be important for the County Council to take account of the strengthened duty on all local authorities (and others) within The National Parks and Access to the Countryside Act 1949 (S.11A) (as amended by the recent Levelling-up and Regeneration Act 2023 (S.245)):

*In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a relevant authority must seek to further National Park purposes and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.*

The comments of the Local Access Forum are as follows:

- References to the National Parks are rather thin and there should be a clearer statement somewhere about the new Section 245 duty in the Levelling-up & Regeneration Act 2023 that: *Local authorities, in exercising or performing any functions that relate to or affect land in a National Park, must seek to further the purposes of National Parks and, if it appears that there is conflict between the purposes, must attach greater weight to the first statutory purpose.*
- The diagram on page 6 makes no mention of National Parks at all. Whilst our planning role may be covered by the “Local Plans” blob, I think we should ask for “National Park Partnership Management Plans” to be added as an extra blob
- At the bottom of page 12 it’s explained that, whilst the existing CAP had moved away from the initial 7 sub-areas (covering different landscapes) and had created a single county-wide plan, these new (2025) proposals are intending to retain a single overarching plan but with additional plans “aligned with District/Borough Council areas” to help to direct efforts, “especially in tying in with the planning and development system”. We need to make sure that the SDNPA part of Hampshire is one of these areas!
- Solely using “District/Borough Council areas” would not be acceptable for at least 2 significant reasons (1) SDNPA is the Planning Authority (not East Hants or Winchester) and we produce our own Local Plan for our area and are responsible for all planning decisions etc and (2) different legislation applies to National Parks and so we need to have a bespoke

set of plans/policies etc as distinct from all the Districts & Boroughs (the same should apply to New Forest NPA)

- There are also references to these “District/Borough areas” on pages 14 and 15 which will need to be reworded to explain that both National Parks will also have additional plans to help to direct efforts, especially in tying in with the planning and development system as well as taking account of the different legislation and guidance which applies to National Parks etc.

The Local Access Forum have noted that these are their main observations at this time and that more detailed comments will be provided during the consultation if necessary. It is hoped that these comments are helpful to you.

Yours Sincerely

Ben Marsh

On behalf of

**Doug Jones**  
**Chair of the South Downs Local Access Forum**

Please reply to:

South Downs Local Access Forum  
South Downs Centre, North Street, Midhurst, GU29 9DH  
Email: [access@southdowns.gov.uk](mailto:access@southdowns.gov.uk)

For more information about the South Downs Local Access Forum: [www.southdowns.gov.uk/laf](http://www.southdowns.gov.uk/laf)