

## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **AUTHORITY MEETING 26 March 2015**

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

Present:

Alun Alesbury	Sebastian Anstruther	Ken Bodfish	David Burden	Norman Dingemans
Jennifer Gray	Barbara Holyome	Doug Jones	Tom Jones	Barry Lipscomb
Gary Marsh	Gill Mattock	Margaret Paren(Chair)	Charles Peck	Ian Phillips
Andrew Shaxson	Jim Sheppard	Deborah Urquhart		

SDNPA Officers: Trevor Beattie (Chief Executive Officer), 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), Alan Brough (Business Services Manager), & Rebecca Haynes (Member Services Officer).

### **OPENING REMARKS**

228. The Authority Chair informed the Authority that Member Jeremy Leggett would be resigning from the Authority from 31 March 2015. She took the opportunity to give thanks to Jeremy on behalf of herself and the Authority Members for the valuable contribution he made to the SDNPA since his appointment in 2010 and in particular, his knowledge of rural communities.

### **ITEM 1 - APOLOGIES**

229. Apologies were received from, Jo Carr, Vaughan Clarke, Neville Harrison, David Jenkins, Diana Kershaw, Jeremy Leggett, Sue Saville, Pete West & Paul Yallop

### **ITEM 2 - DECLARATIONS OF INTERESTS**

230. All Members present at the meeting declared a personal interest in Item 13 as an SDNPA Member.

Alun Alesbury	Sebastian Anstruther	Ken Bodfish	David Burden
Norman Dingemans	Jennifer Gray	Barbara Holyome	Doug Jones
Tom Jones	Barry Lipscomb	Gary Marsh	Gill Mattock
Margaret Paren	Charles Peck	Ian Phillips	Andrew Shaxson
Jim Sheppard	Deborah Urquhart		

231. During Item 12 Sebastian Anstruther declared a disclosable pecuniary interest in item 12 and left the room during deliberation and decision as detailed in minute 255.

### **ITEM 3 - MINUTES**

232. The minutes of the Authority meeting held on 3 February 2015 were agreed as a correct record and signed by the Chair.

### **ITEM 4 - MATTERS ARISING**

233. In response to questions, officers clarified:

- In regard to minute 221, Affordable Housing & Infrastructure Contribution Threshold; to date, the following local authorities had agreed in principle:
  - Adur/Worthing
  - Arun
  - Lewes
  - Eastbourne
  - Chichester

The following local authorities had not yet agreed although the Director of Planning would continue dialogue with them:

- East Hants
- Winchester

The following authorities had not yet responded:

- Brighton & Hove
- Wealden
- Horsham.

- To ensure clarity it was noted that future minutes would note the item number as well as the report title.

#### **ITEM 5 - URGENT MATTERS**

234. There were none.

#### **ITEM 6 - PUBLIC PARTICIPATION**

235. There were none.

#### **ITEM 7 - NEED FOR PART II EXCLUSION OF PRESS AND PUBLIC**

236. **RESOLVED:** that the Authority would not move into Part II for Agenda item 22.

#### **ITEM 22 - AUTHORITY MINUTES PART II**

237. The PART II minutes of the Authority meeting held on 3 February 2015 were agreed as a correct record and signed by the Chair

#### **ITEM 8 - CHIEF EXECUTIVE'S PROGRESS REPORT**

238. Authority Members considered the report by the Chief Executive Officer (Report 5/15) Purdah: Authority Members were reminded that those who were standing or campaigning on behalf of their parties, may not lobby or campaign in their capacity as a Member of the National Park Authority, or use National Park Authority resources or facilities. For this reason the Authority would avoid issuing publicity or organising events in which Members standing in the local elections were involved. The Authority will therefore be applying the Code of Practice restrictions from Monday 30 March until the results of the elections had been declared.

Triathlon World Championships: The Director of Corporate Services would be competing as part of Team GB for the triathlon world championships in Sweden.

239. In response to questions, officers clarified:

Airports Commission consultation: the SDNPA was aware of the timetable for the consultation. Should Gatwick be recommended by the Commission in its report to Government there would still be a process whereby any incoming administration would need to decide whether to accept the recommendations.

Early on in the consultation period the Senior Management Team decided not to divert limited resources to make a detailed response as the scope of the consultation was almost entirely around the benefits to the economy and did not include the comparative analysis of the options in terms of direct and indirect impacts on protected landscapes such as noise, air pollution, induced travel patterns etc.

If Gatwick was chosen as the preferred option, a major infrastructure proposal would have to be brought forward in a similar way to that for the Rampion project, and the SDNPA would certainly need to engage in that process as a consultee. These consultation responses would be dealt with by the Planning Committee as detailed in their Terms of Reference.

At the January P&P Committee meeting, Committee members requested that the SDNPA should make a formal response to the public consultation, and that the format for the previously agreed A27 Position statement should form the basis for the response. Given the urgency due to the deadline of the close of the consultation, a response was submitted by officers and as it was an action from a previous meeting, it was reported back to the P&P Committee at the 3 March meeting.

The Authority response to the consultation is available on the SDNPA website [here](#).

SDNPA FEZ Local Development Order: the reuse of farm buildings in this order must be related to the dairy industry. The Authority could set conditions on LDOs and they would have strict design guidance.

The Infrastructure Act; Hydraulic Fracturing: it was understood that the intention of parliament was for the word 'Under' to be included in the legislation, however full clarification on this was expected in July.

A Fresh Perspective campaign: It was difficult to precisely quantify the impact of this campaign as there was no way to measure the number of people who had seen the posters. This campaign was funded by LSTF monies, however the SDNPA was keen to continue once the LSTF was finished.

Cycle Ambition Projects: additional monies had been made available as the New Forest had decided not to take up some of the funds allocated to them. Following consultation between LSTF partners, the Brighton & Hove scheme was selected as the only one ready to go within the timescales. The Authority has a 10 year strategic vision on cycle routes, which will be shared with Members.

- 240. David Burden joined the meeting at 2:35pm
- 241. Disused Railway lines could be safeguarded, if it was possible for the route to come back into force and if sufficient evidence met planning policy statements and conformed to the Local Plan.
- 242. **RESOLVED:** that the Authority noted the progress made by the South Downs National Park Authority (the Authority) since the last report.

#### **ITEM 9 - AUTHORITY CHAIR UPDATE**

- 243. Authority Members received a verbal report from the Chair on the following:
  - Direct Elections: The Secretary of State had said that the draft Governance of National Parks Bill would be published when it was ready. In regard to discussions regarding the Bill; the SoS also responded that she regularly met with a wide range of people and organisations to discuss a wide range of issues.
  - National Parks England: Lord de Mauley attended the last meeting and expressed his full support for national parks and encouraged parks to work at their relationships with LEPs. The rest of the meeting covered the forthcoming election and how national parks might engage with the incoming government particularly in relation to funding issues.
  - National Park Chairs: The new Chairs of the Lake District National Park and the Broads will be visiting the South Downs over the next few months.
  - Leader meetings: WSCC: It was agreed there was a shared concern regarding the impact on tranquillity on the possible expansion of Gatwick Airport. The Local Plan was also discussed as were mutual issues around roadside clutter. It was agreed that the National Park fitted perfectly into the WSCC strategy 'Beautiful Outdoors'; this aimed to increase rural tourism by providing a higher quality experience for visitors as well as being important to their Health & Well-being Strategy. A series of possible uses of the shared Identity was discussed and it may be possible for WSCC library cards to display the identity. SDNPA officers have followed up on this.
  - ESCC: The focus of this meeting was on the importance of the National Park in regard to tourism, the rural economy, health & well-being, and the need to prioritise rights of way into the National Park. The Egrets Way and its importance to the local economy was also discussed.
  - These meetings will continue regularly to discuss issues as they arise.
  - Longmoor Ranges: The Chair and Deputy Chair met with the Colonel in charge as this area incorporates a large and ecological important heathland. An invitation was extended for the Heathland Forum to visit Longmoor. Their possible future activities on the ranges and a possible new cycle track were discussed along with the possibility of using the shared identity.
  - Octagon Walks: The Chair attended the launch of this. This is one of the many projects undertaken by local communities to provide visitors with well described walks in their locality to enrich their visit.

#### **ITEM 10 – SDNPA CORPORATE PLAN FOR YEAR TWO OF THE 2014-17 THREE YEAR PLAN**

- 244. Authority Members considered the report by the Performance & Project Manager (Report 5/15).
- 245. The Chief Executive Officer reminded the Authority that officers were constantly seeking ways to improve the reporting process across the organisation.
- 246. The Chair of the P&P Committee took the opportunity to explain that the Corporate Plan (CP) had already been considered by the P&P Committee and to remind the Authority that page 7 of the Plan sets out the structure of the strategic plans of the organisation.
- 247. Authority Members commented:

- All improvements were to be welcomed
- There was a need to have more measurable targets
- There was a need to ensure that quality was achieved and recording was not a 'box ticking' exercise
- Reference should be made within the Plan that the SDNPA did not receive any direct additional funding from local taxes such as Council Tax
- Reference should be made to the Social Value Act within the document.

248. In response to questions, Officers clarified:

- More measurable targets had been included than previous versions of the Plan. As more base lines were in place for the next iteration of the CP the Authority would move from aspirational to quantifiable targets
- In regard to CPI.4- There was a criterion in place for Host Authorities to measure the proportion of planning decisions made where value was added to the overall outcome through technical advice
- In regard to CPI.9- The River Rother pilot was a nationally significant pilot project, however establishing successful payments for ecosystems services also required a national regulatory framework with policy direction from the Treasury and Defra
- CP2.3 should be made more quantifiable as the State of the Park report included surveys and figures so there was a known baseline. Resources are not available to repeat surveys each year and the next survey would be undertaken in 3 years' time, which was also a condition of the LSTF
- CP2.8 & CP3.8 would have figures included in next year's Plan
- The Annual Review was written with public readership in mind
- The publication of the Plan was part of the budget process and therefore it would need to be published alongside the budget
- The Public Services (Social Value) Act 2012 (the Social Value Act) is on the forward plan for possible consideration at a future P&P Committee meeting.

249. **RESOLVED:** That the Authority:

- 1) Approved the revised Corporate Plan and delegated to the Chief Executive Officer in consultation with the Authority Chair to make the amendments discussed at the meeting in regard to CP2.3, the Social Value Act and clarification regarding additional funding from local taxes
- 2) Noted that following approval, the corporate plan document will be designed for publication on the website along with a short summary version

## **ITEM II SDNPA BUDGET 2015/16 AND MEDIUM TERM FINANCIAL STRATEGY**

250. The Chair of the P&P Committee took the opportunity to explain that the 2015/16 Budget and Medium Term Financial Strategy had already been considered by the P&P Committee

251. Authority Members considered the report by the Chief Finance Officer (Report 6/15). The Authority was reminded that:

- The P&P Committee had recommended the amalgamation of the Major Projects fund and Purpose and Duty Fund to form a new Strategic Fund, but did not agree the merger of the Grassroots Fund (which is a centralised fund for Operations Teams to use to support small projects) and the SCF.
- The Strategic Fund included a one off transfer (as set out in paragraph 3.22) of £60,000 which was approved by P&P Committee in October 2014.
- There were therefore three pots of money from the variable budget to support delivery:
  - One to support land management type projects – Grassroots Fund £120K
  - One to support Communities – Sustainable Communities Fund £20K plus other funds as set out in paragraph 3.22
  - One to support all other of the Authority's project and partnership work – the proposed Strategic Fund £220K plus the £60K previously approved – total £280K.

- Re paragraph 2.22 the SCF would have at least £60K and may have more once a final assessment of the potential claw back of funds from some projects was completed
252. In response to questions, Officers clarified:
- The Authority was responsible for managing the budget for the commitments against funding grants awarded. Officers advised that £60k could be transferred from the previous years underspend in order to be made available to support further projects. This would be made clearer in any future reporting
  - Officers were in the process of reviewing all SCF projects to clarify if all allocated monies were required, and following this review the amount of monies available for community projects may increase
  - The final grant determination had not yet been formally confirmed by letter from Defra despite the best efforts of officers to receive this. All national parks were in the same position. Auditors would require this letter to confirm the 1.74% reduction on which the budget had been based.
253. Authority member Tom Jones left the meeting at 3:40pm
254. **RESOLVED:** That the Authority:
- 1) Approved the 2015/16 Revenue Budget as detailed in Appendices 1, 2 & 3. to report 6/15.
  - 2) Approved the use of Revenue Reserves as set out in Section 4 to report 6/15.
  - 3) Approved the Capital Programme as set out in Section 5. to report 6/15.
  - 4) Noted the Medium Term Financial Strategy and resource projections.

## ITEM 12- HEATHLANDS REUNITED

255. Authority Member Sebastian Anstruther declared a Pecuniary Interest in this Item as he was unsure if his estate may financially benefit from the bid. He left the room during deliberation and decision.
256. Authority Members considered the report by the Director of Strategy & Partnerships (Report 7/15). The Authority was informed that:
- Recommendation 1 had been amended to clarify that consultation would be with the P&P Committee Chair
  - Recommendation 2 had been amended to clarify monies would come from “the Strategic fund or appropriate fund” as the formation of the Strategic fund was dependent on the outcome of item 17 on the day’s agenda
  - The Authority’s contribution would be “up to” £150k
  - Other commitments such as officer time had not been included in the costing of the £150k
257. **RESOLVED:** That the Authority:
1. Delegated authority to the Director of Strategy & Partnerships, in consultation with the P&P Committee Chair, to agree & submit the Stage II HLF bid for the Heathlands Reunited project
  2. Allocated, subject to the Stage II HLF bid being successful, match funding of up to £150,000 spread over five years from the new Strategic Projects Fund (if approved) or appropriate fund

## ITEM 13 – REVIEW OF MEMBER ALLOWANCES

258. Authority Members considered the report by the Chief Executive Officer (Report 8/15). The Authority was informed that:
- Paragraph 2.2 the review was attached as Appendix 4
  - Paragraph 2.5 the summary of the independently recommended member allowances can be found at Appendix I
  - Paragraph 2.9 the proposed scheme of member allowances was attached as appendix 2

- Legislation required the Authority to 'make' a scheme of allowances each year. If the Authority agreed to indexation, then the Authority would not need to undertake a review for 4 years as it would rely on indexation
  - There would be an opportunity to change the scheme should circumstances change although this would be subject to a review
259. Authority Members commented:
- All local authorities followed some form of indexation.
260. **RESOLVED:** That the Authority:
- 1) Considered the outcomes of the independent review of the Scheme of Allowances and;
  - 2) Adopted a scheme of Members Allowances to take effect from 1 April 2015

#### ITEM 14 - WEBCASTING

261. Authority Members considered the report by the Governance & Support Services Manager (Report 9/15). The Authority was informed that:
- The capital A at the beginning of the word 'authority' in recommendation 4 to be replaced with a lower case a
  - The option of Audio Webcasting would provide the Authority a good test case and information base to establish the demand for this and to explore options for full video webcasting
  - The preferred options did not exclude the Authority from video webcasting large planning applications or controversial meetings in the future.
262. Authority Members commented:
- The sums of money concerned were relatively small, for openness and transparency, the Authority should adopt full webcasting
  - Audio recordings might be problematic for the user in finding the item they are interested in without accompanying indexing which could cost more for the Authority
  - There was a need to have some form of webcasting as soon as possible
  - Full video webcasting would also offer some security for Members.
263. In response to questions officers clarified:
- Video webcasting was not necessarily of an appropriate quality for lip reading; however the Authority could provide a transcript on request.
  - Any decision taken on webcasting would not exclude the IT Team from exploring video conferencing.
264. It was proposed and seconded to vote on the officer's recommendation 1, 3 & 4 and to approve Video and Audio webcasting as set out in paragraphs 5.2 – 5.5 of report 9/15. Following a vote the proposal was carried.
265. **RESOLVED:** That the Authority:
- 1) Approved the principle of webcasting meetings.
  - 2) Approved the options of video and audio webcasting as set out at paragraphs 5.2 – 5.5 of report 9/15.
  - 3) Agreed to webcast all meetings of the Planning Committee and NPA meetings.
  - 4) Agreed that the authority to agree to webcast meetings of the Policy and Programme Committee (P&P) and Governance Committee be delegated the Chief Executive in consultation with the Chair of the relevant Committee

#### ITEM 15 – TREASURY MANAGEMENT POLICY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2015/16

266. Authority Members considered the report by the Chief Finance Officer (Report 10/15).
267. In response to questions officers clarified:
- There was a training session for Members scheduled prior to the July Governance Committee meeting on Treasury Management
  - In regard to Appendix 3 to report 10/15:

- The sentence on page 57 which read “This strategy complies with guidance to be issued by the Secretary of State on investments.” should correctly read “This strategy complies with guidance issued by the Secretary of State on investments.” This recognises that guidance has indeed previously been issued by the Secretary of State.
  - The table heading on Page 58 incorrectly headed ‘Table 1.’ should be amended to read “Table 3 – Schedule of Counterparties and Counterparty Limits”
  - The Social Value Act would not be directly relevant in regard to Treasury Management activities and would not change the Procurement rules the Authority worked within. Brighton & Hove City Council always endeavoured to achieve the best rates possible for the Authority. Companies that B&H City Council traded with on behalf of the SDNPA were reminded, with each and every transaction, about the Authority’s ethical statement, which has also been adopted by the NPA.
268. A question was raised regarding why the Royal Bank of Scotland was still being used when the Governance Committee minutes of the 24 February meeting stated that the RBS was no longer being used for Treasury Management
269. It was agreed that in future all recommendations should detail the considerations where possible rather than refer to paragraphs within the officer’s report.
270. It was proposed and seconded to vote on the officer’s recommendation and amending recommendation 2 to correct the errors in appendix 3 as detailed in minute 267 and to delegate to the Chief Finance Officer in consultation with the Authority Chair to make required amendments to correct these errors and to make the necessary amendment to Table 3 concerning the inclusion of the Bank of Scotland. Following a vote the proposal was carried.
271. **RESOLVED:** that the Authority approved
- 1) The Treasury Management Policy Statement 2015-16 and the Treasury Management Practices 2015-16 as set out in Appendices 1 and 2 to report 10/15
  - 2) The Annual Investment Strategy 2015-16, including the ethical investment statement and benchmark risk factor of 0.05%, as set out in Appendix 3 to report 10/15, with delegated authority given to the Chief Finance Officer in consultation with the Authority Chair to correct the errors identified at the meeting and to make any necessary amendment to Table 3 (Schedule of Counterparties and Counterparty Limits) concerning the Royal Bank of Scotland.
272. In response to questions raised at the meeting that were subsequently clarified by the Chief Finance Officer after the meeting:
- In regard to the unconfirmed minutes of the Governance Committee meeting 24 February 2015 which noted: ‘That the Royal Bank of Scotland was no longer being used for Treasury Management’. The CFO has clarified that the Royal Bank of Scotland (RBS) was not currently being used for Treasury Management investments as RBS investment rates had recently fallen to very low levels and were simply not competitive with rates available from other counterparties. However, the RBS remains a valid counterparty whose credit rating meets the NPA’s minimum credit rating requirements and the Authority is not therefore precluded from investing with RBS in future should their rates improve. Therefore the table containing the “Schedule of Counterparties and Counterparty Limits” on page 58 of report 10/15 was correct.

## ITEM 16 – FINANCIAL REGULATIONS AND FINANCIAL PROCEDURES

273. Authority Members considered the report by the Chief Finance Officer (Report 11/15). It was explained that:
- The P&P Committee’s Terms of Reference currently required that the Authority’s Financial Regulations and procedures be reviewed and recommended to the Authority on an Annual Basis.

- Experience to date indicates this was unnecessary and it was recommended that in the future, there should be a requirement to only submit material or substantial revisions to the Authority for approval
  - Any minor or consequential amendments would be made by the Chief Finance Officer in consultation with the Chief Executive Officer.
274. It was agreed that the officers' recommendation 2 – should be amended and the word P&P should be inserted before the word Committee for clarity.
275. It was agreed that in future recommendations, where possible, should include the details of the proposal and not references to paragraph number in the report.
276. **RESOLVED:** That the Authority:
- 1) Approved the amendments to the Financial Regulations as detailed in paragraph 3.4 of report 11/15
  - 2) Approved the amendments to the P&P Committee's Terms of Reference in respect of the Financial Regulations & Financial Procedures as detailed in paragraph 4.1 of report 11/15
  - 3) Gave delegated authority to the Section 151 Officer to action any required minor and/or consequential changes to the Financial Regulations and Procedures in consultation with the Chief Executive.

## **ITEM 17 – OFFICER EVALUATION OF IMPLEMENTATION OF THE GOVERNANCE REVIEW**

277. Authority Members considered the report by the Governance & Support Services Manager (Report 12/15). The Authority was informed that:
278. Authority Members commented:
- The words 'for the avoidance of doubt' should be removed from the Planning Committee public speaking protocol under the heading 'What is public speaking at the Planning Committee?'
  - Paragraph 5.1 of the report should be clarified to explain that that the Governance Committee has a role in analysing the performance of the planning service and not just the planning department
  - There may need to be a review of planning performance to raise standards
  - There was a need to give full consideration to items of planning policy regardless of the position of these items on the Committee agenda
  - It was not the role of the Governance Committee to comment on the quality of the planning decisions taken by the host local authorities, but to review performance data
  - The P&P Committee Terms of Reference were clear in that the Committee was able to facilitate discussion on major strategic issues.
279. In response to questions officers clarified:
- As stated in the Public Speaking Protocol for Planning Committee meetings; The Planning Committee Chair could use their discretion and alter the number of public speakers that could speak on an application.
280. It was proposed and seconded to vote to amend the officers' recommendation 2, with an amendment in paragraph 5.1 of report 12/15, so that the reference to the 'planning department' reads 'planning function'. Following a vote the proposal was carried.
281. It was proposed and seconded to vote to amend the officers' recommendation 6, to remove the words 'for the avoidance of doubt' from the Planning Committee public speaking protocol under the heading 'What is public speaking at the Planning Committee? Following a vote the proposal was carried.
282. **RESOLVED:** that the Authority:
- 1) Noted the outcomes of the Officer review



- 2) Agreed the clarifications as set out at paragraph 5 of Report 12/15 with the amendment in paragraph 5.1 of report 12/15 so that reference to the 'planning department' reads 'planning function'.
- 3) Agreed the dissolution of the Major Projects and Purpose and Duty Funds and the establishment of a single strategic fund as set out in paragraph 3.3 of Report 12/15 and Appendix 2 of Report PP5/15
- 4) Amended the terms of reference of the Sustainable Communities Fund (SCF) Grant Panel as set out at Appendix 2 of Report 12/15
- 5) Agreed the appointment of the Chair and Deputy Chair of the Planning Committee as ex-officio (non voting) members of the Governance Committee
- 6) Approved the changes to Standing Orders as set out at paragraphs 5 and 7 of Report 12/15, agreed the adoption of the revised Standing Orders at Appendix 1 of Report 12/15, with the amendment to Appendix 3 of Standing Orders to remove the words 'for the avoidance of doubt' from the Planning Committee public speaking protocol under the heading 'What is public speaking at the Planning Committee?'; and authorised the Monitoring Officer to make necessary consequential amendments in the Authority's governance documentation.

283. Deborah Urquhart left the meeting at 4.55pm

#### **ITEM 18 - PLANNING COMMITTEE**

284. The Authority noted the minutes of the meetings held on 16 January 2015 and 12 February 2015.

#### **ITEM 19 - POLICY & PROGRAMME COMMITTEE**

285. The Authority noted the minutes of the Policy & Programme Committee meeting held on 29 January 2015.

#### **ITEM 20 – GOVERNANCE COMMITTEE**

286. The Authority noted the unconfirmed minutes of the Governance Committee meeting held on 24 February 2015.

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

287. The Authority noted the following reports:

- Rural West Sussex Partnership
- West Sussex Environment and Climate Change Board
- Lewes Neighbourhood Plan Working Group.

288. The Authority Chair informed the Members that Charles Peck and Jennifer Gray would not be standing for re election at their respective local authorities and took the opportunity to thank them both on behalf of the Authority for their valued contribution to the SDNPA during their term of appointment.

289. Both Charles Peck and Jennifer Gray stated that it had been a pleasure and a privilege to be a Member of the SDNPA. Over the years Members had set a high standard and had all worked hard to achieve successes.

#### **Chair**

The meeting closed at 4:55pm