

**Unconfirmed minutes – to be confirmed at the next meeting of the Authority**

**SOUTH DOWNS NATIONAL PARK AUTHORITY  
AUTHORITY MEETING**

Held at 2pm on 19 October 2017 at the Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH

Present:

Alun Alesbury	Sebastian Anstruther	Heather Baker	Ken Bodfish
Tim Burr	David Coldwell	Norman Dingemans	Chris Dowling
Philip Ede	Barbara Holyome	Helen Jackson	Doug Jones
Gill Mattock	Russell Oppenheimer	Margaret Paren (Chair)	Pete West

SDNPA Officers:

Andrew Lee (Director of Countryside and Policy Management), Tim Slaney (Director of Planning), Steven Bedford (Finance Officer), Louise Read (Monitoring Officer), Robin Parr (Head of Governance), Richard Sandiford (Senior Committee and Member Services Officer)

Also attended by:

Andy Beattie (Countryside and Policy Manager)

**OPENING REMARKS**

267. The Chair informed those present that:

- The meeting was being web-cast by the National Park Authority and would be available for subsequent on-line viewing. By coming into the Meeting Room members of the public were considered to have given their consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.
- SDNPA Members have a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regard themselves first and foremost as Members of the Authority, and would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

268. The Authority was asked to note Agenda Items 13, 14 and 16 along with the tabled update on the Sustainable Communities Fund. These would be taken as read unless anyone indicated that they wished to discuss these items. No Members indicated they wished to discuss anything relating to these items so they were taken as read.

**ITEM 1. APOLOGIES FOR ABSENCE**

269. Apologies were received from Jo Carr, Janet Duncton, Mark Dunn, Neville Harrison, Daniel Humphreys, Tom Jones, Gary Marsh, Robert Mocatta, Ian Philips and Sue Saville.

**ITEM 2. DECLARATION OF INTERESTS**

270. The following declarations of interest were made in relation to Agenda Item 10.

- Alun Alesbury - Personal Interest: Brother in law was resident in Tortington near Arundel; he was associated with one of the groups opposing the Arundel bypass and was in attendance in the public gallery.
- Norman Dingemans - Public Service Interest: Member of Arun District Council, Councillor for the Ward of Arun and Walberton.

**ITEM 3. MINUTES OF PREVIOUS MEETING HELD ON 11 JULY 2017**

271. Subject to the recording of apologies from Doug Jones on Agenda Item 1, the minutes were approved as a correct record of the Authority meeting held on 11 July 2017.

**ITEM 4. MATTERS ARISING**

272. There were none.

**ITEM 5. URGENT MATTERS**

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273. There were none.

**ITEM 6. PUBLIC PARTICIPATION**

274. The Chair informed those present that as all the public speakers in attendance were here in regards to Agenda Item 10 they would be called to speak at that point.

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

275. The Authority was asked to consider whether, in respect of Agenda Items 15 and 16 the public, including the press, should be excluded from the meeting on the basis that it was 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 & 5 of Part 1 of Schedule 12A to the Local Government Act 1972, being (3) information relating to the financial and business affairs of the Authority, and (5) 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.

276. **RESOLVED:** It was resolved that the meeting would not move into private session to consider Agenda Items 15 and 16 as no Members indicated they wished to discuss these Items. Hence the minutes would be recorded as approved and noted at the appropriate time.

**ITEM 8. AUTHORITY CHAIR UPDATE**

277. Authority Members received a verbal report from the Chair who updated on the following:
- Two meetings of the Board of National Parks England (NPE) had been held, the second of which being the AGM included the election of the Chair and Deputy-Chair. Discussions included progress against the National Parks 8-point plan, the draft of a paper on the environment due to be finalised in December, the change in emphasis from conservation to enhancement which would be fed into a round table discussion with Michael Gove on 13 November 2017 and the DEFRA 25 year environment plan, reaction to the Future of Farming paper, engagement with the new Government and Parliament post General Election, and forestry and the relationship with the Forestry Commission.
  - Two formal meetings had been held with Lord Gardiner at which discussions were had on the 8-point plan, the Secretary of State appointments process, the Future of Farming Paper, the Environment White Paper, the 25 year environment plan, apprenticeships and rural broadband.
  - Meetings had been held with Therese Coffey to discuss woodland and forestry; the Lord-Lieutenant of West Sussex, Susan Pyper, who agreed to be the first President of the South Downs National Park Trust; Rob Humby, Cabinet Member for the Environment and Transport at Hampshire County Council; and the Leaders of West Sussex County Council, Winchester City Council, and Chichester and Lewes District Councils.
  - She had attended the meeting of the Shadow Board of Transport South East representing the protected landscapes of the south east. A new business plan had been created due to expected changes in funding from the Department of Transport.
  - Meetings had been held with a number of local MPs: Steve Brine (MP for Winchester) at which the Public Health Accord was signed, Maria Caulfield (MP for Lewes), George Hollingbery (MP for Meon Valley), Stephen Lloyd (MP for Eastbourne) and Nick Herbert (MP for Arundel and the South Downs).
  - The Area of Outstanding Natural Beauty Conference and the Campaign for National Parks Protector Awards Ceremony had been attended.

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- Plans were also in place to meet with the MP for Chichester, and to attend the meeting of the All Party Parliamentary Group on National Parks.

**ITEM 9. CHIEF EXECUTIVE'S PROGRESS REPORT**

278. Authority Members considered the report from the Chief Executive (Report NPA19/17 page 9). The Director of Planning provided the following updates on behalf of the Chief Executive:

- All Members were urged to comment on the pre-submission Local Plan and to encourage responses from their authorities, parishes and partners.
- Further to para 4.4 in the Chief Executive's Report Members were updated that the delays on the re-instatement of the Rampion cable route were due to contractual arrangements, ground conditions, and delays in relevant mitigation. SDNPA was in discussion to ensure resource was in place going forward for monitoring.
- Preparations for the NPUK conference were nearly complete. Members involved were encouraged to ensure that they attended for events they were signed up for. Also, for Members who were not involved at this point in the conference, there were unfortunately no further opportunities to be involved.
- An Apprentice in his first year at Chichester College is working with the Planning Team and we aim to recruit further apprentices in the future.

279. **RESOLVED:** The Authority resolved to note the progress made by the South Downs National Park Authority (the Authority) since the last report.

**ITEM 10. RESPONSE TO HIGHWAYS ENGLAND CONSULTATION FOR ROUTE OPTIONS FOR THE PROPOSED A27 ARUNDEL BY PASS**

280. The Chair outlined the order of proceedings for Agenda Item 10. That the Officer would present his report which would be followed by the public speakers. Following public speakers Members would be asked to determine whether to move into private session in order to consider an exempt document. If this was agreed, Members of the public would be asked to leave the room until invited to re-join the meeting and the Members would proceed with a wider debate. Following the debate each recommendation would be proposed in turn for the Members to vote upon.

281. Members of the public were reminded that this was a meeting held in public, not a public meeting, and should therefore respectfully observe the speakers and the debate.

282. Authority Members considered a report from the Countryside and Policy Manager - Wealden Heaths (Report NPA 20/17 page 15). Members were informed that although the Highways Agency consultation period ended on 9 October 2017 the Authority had been given an extension to submit a response. Members were advised that the missing evidence that prevented the Authority from being fully informed on these options was the detailed information primarily regarding mitigation and compensation which would not be provided until the preferred route was announced.

283. The Director of Planning reminded Members that the Authority's role in this case was as a statutory consultee, not as a Planning Authority balancing the issues; that was ultimately the role of the Secretary of State. The Authority's remit was to assess proposals against the purposes and duty of the National Park. There were clear guidelines on how Members should consider this matter set out in the National Planning Policy Statement on National Networks which was the key framework.

284. The Chair invited the Rt Hon Nick Herbert MP for Arundel and South Downs, to address the meeting.

285. The Rt Hon Nick Herbert MP made the following points:

- The committee should take a balanced view of this proposal and recognise the advantages to this road.

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- The bypass in its offline forms should be called the South Downs National Park relief road as it would take traffic away from the National Park and Arundel.
  - The 'do nothing' option was more damaging than any of the proposals.
  - That the report casually dismissed other arguments and only looked at the impact on the National Park.
286. The Chair invited Derek Waller on behalf of one Arundel to address the meeting.
287. Derek Waller made the following points:
- The report and response were unbalanced and illogical in;
    - their approach to the consideration of the criteria set out in the National Policy Statement for National Networks.
    - their opposition against all 3 options on the basis of insufficient evidence whilst acknowledging that the additional information would not be provided until stage 2 of this process.
  - The report failed to highlight any of the advantages brought by the proposals.
  - Disagreed that it was not possible to rank the options.
  - The Authority should be encouraged to adopt a less confrontational and negative approach to the solution of traffic problems in Arundel.
288. The Chair invited Mike Tristram on behalf of Sompting Estate to address the meeting.
289. Mike Tristram made the following points:
- The Mid Arun valley supported thriving populations of most protected species and should be ring fenced for protection.
  - The Mid Arun Valley Environmental Survey Group (MAVES) had created a habitat and species impact comparison table and Mr Tristram went through some of the results.
  - Highways England had failed to consider all impacts on the National Park and failed to assess the benefits convincingly.
  - This bypass would prove very detrimental to the southernmost village in the National Park.
  - Arundel's traffic delays did not constitute an exceptional need.
290. The Chair invited Steve Ankers on behalf of the South Downs Society, Sussex Campaign to Protect Rural England (CPRE) and the Campaign for National Parks to address the meeting.
291. Steve Ankers made the following points:
- The idea that bigger roads create less congestion, more jobs and environmental benefits was outdated and discredited. It would attract traffic from other routes and induce additional traffic and subsequently more road building as outlined in a recent CPRE study.
  - There was no consideration of public transport or traffic access issues to Arundel or to the National Park.
292. The Chair invited Tony Whitbread on behalf of Sussex Wildlife Trust to address the meeting.
293. Tony Whitbread made the following points:
- Huge environmental damage due to the loss of a large area of ancient woodland and fragmentation of habitat.
  - Any scheme must be of exceptional public benefit to allow for the damage which was not clear in the proposals.
  - This was not a scheme for reducing congestion but for increasing traffic.
  - This would increase traffic on roads in and around the National Park and other road schemes may come up in future because of this.

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294. The Chair invited Kay Wagland on behalf of Arundel SCATE (Community Group) to address the meeting.
295. Kay Wagland made the following points:
- Infrastructure measures were needed in Arundel but the landscape and wildlife should be preserved.
  - Opposed to options 3 and 5A as highly destructive to several communities, heritage, businesses, wildlife and countryside.
  - Irreplaceable species habitat that should be protected.
  - Concern at Highways England poor quality data.
  - Unreliable estimates from Highways England on traffic.
296. The Chair invited Dr Mike Davis speaking as a member of the public to address the meeting.
297. Dr Mike Davis made the following points:
- Locations under threat were of exceptional value due to their location south of the current A27 and on the edge of the Sussex coastal plain.
  - The offline routes represented poor value for money and the incremental benefits were modest and did not justify any harm to the National Park.
298. The Chair proposed that, in respect of an additional document relating to Agenda Item 10, the public, including the press, should be excluded from the meeting on the basis that it was 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 Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972, being 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. This conclusion is reached on the basis that whilst there is a public interest in maintaining transparency of Authority proceedings and ensuring public understanding of an issue that is subject to current debate it is felt that on balance this is outweighed by the requirement of the National Park Authority to be able to take legal advice in confidence to support the development of its response to the current consultation and enable the members of the Park Authority to fully consider the implications of its actions or proposed actions.
299. The proposal was seconded by Sebastian Anstruther.
300. The meeting moved into private session at 14.52 which excluded from the meeting any members of the public and press.

**PRIVATE SESSION**

307. The meeting returned to public session at 15.10.
308. Members made the following points during discussion:
- Concern was raised that if the Authority did want to comment on the comparative merits of the proposed routes it should not be left too late.
  - Appreciation was expressed to Officers for the useful site visit, workshop, report, clear closing remarks and thorough appendices.
  - The Highways England impact table clearly showed the marked effect the proposed routes would have on the National Park.
  - In order to comply with para 15 and para 16 of the NPPF it was important that all viable routes were explored and taken into account.
  - Highways England's traffic modelling was unconvincing.
  - In principle, it was not inconsistent to both conserve the South Downs and support a trunk road.

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- Appreciated that there was a lot of exasperation in West Sussex about inadequate infrastructure, that the Authority had a responsibility to communities in that area and that there should be improvements to the A27.
- It was important that the Authority concentrated on the effects on the National Park rather than areas outside, but we did not yet have all the information at hand to fully consider this.
- The need to ensure we were fully protecting the special qualities of the National Park as there were well evidenced arguments that outlined why any of the proposed routes would cause damage to both the National Park and its context.
- It was not the role of the Authority to be pro or anti road building.
- Ancient woodland could not be fully compensated as it was irreplaceable. The Government were looking to increase the materiality of ancient woodland in the planning system.
- Highways England needed to take account of the fact that they required an overwhelming reason for the bypass.
- The Authority had clear purposes and a limited remit. It was for the Secretary of State to consider whether the economic benefits outweighed the purposes of the National Park.
- It should be emphasised to Highways England that we needed to know as soon as possible the details of compensation.

309. Officers provided the following information during discussion:

- HE continued to provide traffic information to the Authority, however, it had been made clear that roads outside of the key feeder routes were not being looked at or researched.
- The traffic modelling only focussed on the Arundel project, there was currently no joined up consideration of the various A27 projects, hence no information on the overall impact of these projects.
- Traffic was a legitimate concern as it had an impact on the purposes of the National Park. The position outlined was that on the current evidence we could not definitively state a preference of one route over another.
- The figures for mitigation costs were based on advice from Natural England to Highways England in regard to other schemes such as HS2.

310. **RESOLVED:** The Authority resolved to:

1. Note that proposals for mitigation measures to address the likely significant adverse impacts on the natural beauty and recreational opportunities provided by the National Park, its purposes and special qualities, and proposals for compensatory woodland planting for the loss of ancient woodland which is irreplaceable and therefore cannot be mitigated, have not formed part of the Highways England consultation at this stage.
2. Note that the Highways England consultation mentions alternative routes, which avoid the National Park and Ancient Woodland completely, but excludes these from the consultation on the grounds of cost and value for money.
3. Note that, in the absence of clear mitigation and compensatory measures as part of the routes proposed, and the exclusion of alternative routes as mentioned above, the Authority's opinion is that an Inspector could not be satisfied that the Major Development test (Paragraph 5.151 of the National Policy Statement on National Networks, which mirrors Paragraph 116 of the National Planning Policy Framework) could be assessed.
4. Agree that the Authority considers that all three route options, as currently presented by Highways England, would represent major development, would have significant adverse impacts on the natural beauty and recreational opportunities provided by the National Park, its Purposes and special qualities, and therefore object to all three

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- options.
- 5. Delegate to the Director of Countryside Policy and Management in consultation with the Chair of the Policy and Resources Committee and the Authority Chair, to finalise and submit the response and any supporting documents to the Highways England consultation.
- 6. Agree that Members and appropriate officers continue to be engaged with the specific consultation and technical groups that Highways England have set up, to ensure National Park purposes are fully represented, including appropriate mitigation and compensatory measures.

**ITEM 11. EUROPEAN EXIT WORKING GROUP UPDATE**

- 311. Authority Members received a verbal report from the Director of Countryside and Policy Management providing the following updates:
  - National Parks England Future of Farming group submitted proposals to the Government prior to the election and a response in the form of questions had been received from DEFRA; these were being looked into.
  - There was a meeting between NPE Future of Farming group and DEFRA officials on 6 November and a round table with the Secretary of State and Chairs and Officers of National Parks on 13 November 2017.
  - Officers were working with Natural England to put together proposals for a pilot scheme. There were also discussions on shared cost for the ongoing resourcing with the aim to have a dedicated resource to work on a pilot scheme.
  - There was movement nationally in terms of National Farmers Union (NFU) and Country Land and Business Authority (CLA) and their national policy position.
- 312. Members made the following points during discussion:
  - NFU and CLA were considering that a future post-Brexit scheme should be focussed on public money for public goods; that it should include an ambition for local areas to try out local solutions and those solutions could be results based and would require piloting. There was very broad agreement on first level issues, but there was further work to undertake on the detail.

**ITEM 12. ESTABLISHMENT OF A PARTNERSHIP MANAGEMENT PLAN REVIEW TASK AND FINISH GROUP**

- 313. Authority Members considered a report from the Director of Countryside and Policy Management (Report NPA 21/17 page 343). Members were informed this had been developed in consultation with the Chair of the Authority and the Chair of P&R Committee to address the difficulties encountered in reviewing the strategies as part of the Partnership Management Plan. The approach was modelled on the Local Plan members working group. The Task and Finish group would take a streamlined, prioritised, focussed and better supported approach for taking this forward. The group would have a core Membership but would also be open to all Members to attend.
- 314. Members made the following points during discussion:
  - As outlined in the recent Governance review all Members would have the opportunity to be part of the core group. During meetings the input of all Members would be of equal weight, whether they were members of the core group or not.
  - This group was being set up by the full Authority as it related to the Partnership Management Plan. Recommendations would go to the Policy and Resources Committee then to the full Authority.
- 315. **RESOLVED:** The Authority resolved to:
  - 1. Agree to the establishment of a “Partnership Management Plan Review Task and Finish Group” with the terms of reference set out at Appendix I.
  - 2. Invite written expressions of interest from members to be part of the core group for the above, to be notified to the Head of Governance.

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3. Delegate authority to the Director of Countryside and Policy and Policy Management in consultation with the Authority Chair and Chair of P&R Committee, to appoint the membership of the group.

**ITEM 13. PLANNING COMMITTEE**

316. Authority Members noted the minutes of the Planning Committee meetings held on the 13 July (confirmed), 10 August 2017 (confirmed) and 14 September 2017 (unconfirmed).

**ITEM 14. POLICY & RESOURCES COMMITTEE**

317. Authority Members noted the minutes of the Policy & Resources Committee meetings held on the 20 July 2017 (confirmed) and 19 September 2017 (unconfirmed).

**ITEM 15. MINUTES OF PREVIOUS MEETING HELD ON 11 JULY 2017**

318. Pursuant to the resolution in Agenda Item 7 the meeting did not move into private session to consider Items 15, hence the minutes were approved as a correct record of Part II of the South Downs National Park Authority meeting held on 11 July 2017 (page 389).

**ITEM 16. MINUTES OF PREVIOUS MEETINGS**

319. Pursuant to the resolution in Agenda Item 7 the meeting did not move into private session to consider Item 16.

**ITEM 16a. PLANNING COMMITTEE**

320. Authority Members noted the Part II minutes of the Planning Committee meeting held on the 14 September 2017 (unconfirmed).

**ITEM 16b. POLICY AND RESOURCES COMMITTEE**

321. Authority Members noted the Part II minutes of the Policy and Resources Committee meeting held on the 19 September 2017 (unconfirmed).
322. The meeting closed at 16.08.