

## **SCHEDULE 1**

### **Developer development consent obligations**

The Developer covenants with the SDNPA on behalf of itself and its successors in title as follows:

#### **Part 1**

##### **Obligations not contingent on the Confirmatory Agreement**

- 1 To notify the SDNPA prior to or upon Implementation.
- 2 Prior to or upon notification of Implementation, to pay the SDNPA the sum of £242,500 for the purposes specified in paragraph 1 of Schedule 2 (the **Mitigation Fund**).
- 3 To notify the SDNPA of the date of Completion of Commissioning.

#### **Part 2**

##### **Obligations to be included in the Confirmatory Agreement**

- 1 Prior to or upon:
  - 1.1 notification of Implementation; or
  - 1.2 the completion of this Agreement(whichever is the later) to pay the SDNPA the sum of £116,000, for the purposes specified in paragraph 2 of Schedule 2 (the **Monitoring Fund**).

## SCHEDULE 2

### SDNPA development consent obligations

#### Part 1

#### Obligations not contingent on the Confirmatory Agreement – the Purpose Trust

- 1 The SDNPA may only use the Mitigation Fund for the following and for no other purpose:
  - 1.1 to enhance the natural beauty, wildlife and cultural heritage of the South Downs National Park; X
  - 1.2 to promote opportunities for public enjoyment and understanding of the South Downs National Park through tourism and the relationship of the South Downs National Park with the Development within 5km of the section of cable route which runs through the South Downs National Park; X
  - 1.3 For improvement to the conservation and management of chalk grassland in accordance with the following South Downs Way Ahead Nature Improvement Area objective: X
 

*'Linking the Fragments' – to achieve real improvements to the conservation and management of chalk grassland at the heart of the matrix of downland habitats.*

    - 1.3.1 Specific works linked to this objective shall include:
      - (a) enhancement of areas of poor quality chalk grassland.
      - (b) enhancement of chalk stream habitats.
      - (c) scrub clearance and investigation of scrub encroachment patterns on chalk grassland.
      - (d) enhancement and reconnection of priority chalk downland species, for example sympathetic management of the woodland at Old Erringham Farm Valley and Road Cutting SNCI to enhance the site for Duke of Burgundy butterfly populations.
      - (e) creation of a viable chalk grassland ecological network including enhancing and reconnecting Duke of Burgundy butterfly populations, conserving and enhancing farmland bird populations by working with land managers and other works and promotion an understanding of the benefits and necessity to respect biodiversity habitats.
  - 1.4 For additional enhancement measures of the impacts of the Development as follows:
    - (a) dormouse conservation for example setting up a long-term dormouse monitoring site in The Mountain woodland and Lynchpole Hill woodlands.
    - (b) enhance accessibility to the South Downs Way.

- (c) hedgerow enhancement.
  - (d) funding to improve the visitor experience by explaining the links between the National Park objectives for sustainability and the Development.
- 2 The Trust shall expire at the date 10 calendar years after the date of payment of the Mitigation Fund and any sums remaining (including accrued interest) shall become due to the person who paid the Mitigation Fund to the SNDPA.

## **Part 2**

### **Obligations to be included in the Confirmatory Agreement**

- 1 SDNPA shall use the Monitoring Fund for all of the following (unless otherwise agreed in writing with the Developer):
  - (a) to provide dedicated resource during the two years of construction.
  - (b) for provision of information to users of the National Park during works with particular regard to revised access arrangements on public rights of way and open access land.
  - (c) to provide for a reduced ongoing resource within the South Downs National Park to monitor the reinstatement of the works, including the production of an annual monitoring report of the planting and reinstatement associated with the connection works within the boundaries of the South Downs National Park for a period of 10 years following Completion of Commissioning.
- 2 To keep the Funds in an interest bearing account.
- 3 After a period of ten years from Completion of Commissioning, to repay the Funds to the person who provided the Funds to the SNDPA, or any part of the Funds which have not been used for the purposes for which they were paid.
- 4 To maintain full accounting records of the operation of the Funds, such records shall be available for public inspection on reasonable notice and shall include details of the landscaping works and measures carried out using the Funds.