

SOUTH DOWNS NATIONAL PARK AUTHORITY AUTHORITY ANNUAL GENERAL MEETING

Held at 2.00pm on 16 October 2018 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	Jo Carr	Norman Dingemans	Janet Duncton
Neville Harrison	Barbara Holyome	Roger Huxstep	Helen Jackson
Doug Jones	Tom Jones	Gill Mattock	Graham Morrison
Russell Oppenheimer	Margaret Paren (Chair)	Ian Phillips	Anthony Watts Williams

South Downs National Park Authority Officers:

Trevor Beattie (Chief Executive), Andrew Lee (Director of Countryside and Policy Management), Tim Slaney (Director of Planning), Nigel Manvell (Chief Finance Officer), Louise Read (Monitoring Officer), Robin Parr (Head of Governance), Richard Sandiford (Senior Committee and Member Services Officer).

Also attended by:

James Winkworth (Head of Marketing and Income Generation), Julie Fawcett (Chair of the South Downs National Park Trust), Nick Heasman (Central Downs Country and Policy Manager), Alison Field (Forestry Commission England), Mike Hughes (Major Planning Projects and Performance Manager) and Andy Beattie (Wealden Heath Country and Policy Manager).

OPENING REMARKS

52. The Chair informed those present of general housekeeping matters.
53. The Authority was asked to note Agenda Items 16 and 17. These items were taken as read as no Members indicated they wished to discuss anything related to these items.

ITEM 1. APOLOGIES FOR ABSENCE

54. Apologies were received from David Coldwell, Chris Dowling, Philip Ede, Robert Mocatta and Pete West.

ITEM 2. DECLARATION OF INTERESTS

55. The following declarations of interest were made:
 - Jo Carr – Agenda Item 12, Public Service Interest as a trustee of the South Downs National Park Trust and withdrew from the meeting for this item.
 - Helen Jackson – Agenda Item 12, Public Service Interest as a trustee of the South Downs National Park Trust and withdrew from the meeting for this item. Also withdrew from the meeting for Agenda Item 13 as the previous Joint Deputy Chair of Policy and Resources Committee.
 - Sebastian Anstruther – Withdrew from the meeting for Agenda Item 13 as the previous Joint Deputy Chair of Policy and Resources Committee.

ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 3 JULY 2018

56. The minutes were approved as a correct record of the Authority meetings held on 3 July 2018.

ITEM 4. MATTERS ARISING

57. Agenda Item 13 – The Public Affairs Strategy aide memoire cards had been produced and were being circulated to Members.
58. Agenda Item 15 – The section 42 consultation process for the ESSO Southampton to London Pipeline Project was being undertaken and a further consultation would be held in spring 2019.

ITEM 5. URGENT MATTERS

59. There were none.

ITEM 6. PUBLIC PARTICIPATION

60. There were no public speakers.

ITEM 7. AUTHORITY CHAIR UPDATE

61. Authority Members considered the report from the Authority Chair (Report NPA25/18).

62. Members made the following comments:

- On paragraph 2.2, it was good to note the Environmental Land Management Scheme would be discussed with the National Farmers Union (NFU), would this also be discussed with the Country Land and Business Association (CLA)?
- On paragraph 2.6, further details were requested on the purpose and role of the Shadow Board of Transport South East.

63. In response to questions Members were advised:

- The Environmental Land Management Scheme would be discussed with the CLA.
- In order to encourage a regional view, Boards of Transport were being set up across the country comprising Leaders of Highways Authorities or their nominated representatives and others including LEPS and a representative of the region's district councils. An officer group to support the Board had also been set up and the Director of Countryside and Policy Management represented the Authority on this group.

ITEM 8. CHIEF EXECUTIVE'S PROGRESS REPORT

64. Authority Members considered the report from the Chief Executive (Report NPA26/18).

65. The Chief Executive updated Members on the following:

- On paragraph 3.1, the venue for the third week of local plan examinations would be the AMEX stadium in Brighton.
- On paragraph 4.1, the Authority was planning three launches of the new National Park entry signage with press attendance.
- On paragraph 6.8, the planning condition had been varied to allow the first floor of the Landport Building at the Weald and Downland Museum to be used as the Central Downs Area Office.
- The process for the allocation of Community Infrastructure Levy (CIL) funds had been finalised and allocation would be confirmed by Planning Committee in November 2018.

66. Members made the following comments:

- On paragraph 4.1, would the National Park Entry Signs belong to the Authority and would the maintenance costs and insurance liability also reside with the Authority?
- Members would like to receive a list of where the entry signs would be erected.
- On paragraph 3.4, was the Authority planning to become a housing developer?

67. In response to questions Members were advised:

- The entry signs would be owned by the Authority. Maintenance may in the future be contracted out, but in the short term could be handled by rangers and volunteers. The signs would be covered by the Authority's liability insurance, however, there would be some residual risk as there was with all road side signs.
- The Authority was not planning to become a housing developer. The Revolving Rural Land Bank was a pledge to support rural housing backed by the Ministry of Housing, Communities and Local Government (MHCLG), Defra and Homes England. Five pilot projects had been identified in Dartmoor, Exmoor, Hampshire, the Peak District and the Cotswolds.

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

ITEM 9. REPORTS FROM MEMBERS APPOINTED TO OUTSIDE BODIES

69. Authority Members received the report on the Sustainable Communities Fund (SCF) (Report NPA27/18).
70. The Chair of the SCF Panel commented that the SCF awarded funding to a wide range of projects which contributed to the Partnership Management Plan (PMP). Members would have the opportunity to view some of these projects on the Member Day in November.

ITEM 10. SOUTH DOWNS NATIONAL PARK TRUST UPDATE

71. Authority Members received a verbal update and presentation from the Chair of the South Downs National Park Trust on the following:
 - Initial work undertaken to build relationships with landowners, businesses and philanthropists and the production of policies and plans around the corporate cycle and organisational strategy.
 - Return on investment, current sources of income and the forecast and ambition for future years.
 - Partnership working which included funding projects from other organisations in addition to the SDNPA, such as the National Trust and Butterfly Conservation.
 - Potential for engaging the public in future projects.

ITEM 11. NATIONAL ACCORD BETWEEN FORESTRY COMMISSION ENGLAND AND NATIONAL PARKS ENGLAND

72. Authority Members considered the report and presentation from the Central Downs Country and Policy Manager and Alison Fields from Forestry Commission England (Report NPA28/18).
73. Members made the following comments:
 - Would reintroduction of Elm trees in Eastbourne be successful and how disease resistant would they be?
 - What mix of trees was being considered in planting?
 - Was the Forestry Commission (FC) actively involved in increasing woodland coverage of the public forest estate or was the private sector being relied on to expand? Was this increase likely to contribute to carbon sequestration?
 - As a significant amount of construction timber was imported it would be good if the local accord supported the use of local materials for building.
 - Deer and grey squirrel management was key in the maintenance of woodland. The SDNPA had an opportunity to sell the positive message of this management.
 - Tree planting was not currently included in stewardship schemes, would this be progressed as part of this accord?
 - The use of trees to support water treatment was excellent and the Authority would like to be involved in this change. It would be good to get a picture of what these changes to the landscape could look like.
74. In response to questions Members were advised:
 - A trial of different Elm species in key areas was underway and research was showing excellent disease resistance. A diversity of trees was needed in new woodland.
 - There should be a wide variety of species. Work with partners was needed to ensure the right tree in the right place.
 - One of the key drivers for woodland creation was reduction of carbon. The emphasis on private sector planting was likely to continue.
 - The ideal would be integrated land management and a whole farm concept including woodland. Challenges arose from catchment sensitive farming, previous stewardship schemes and farming running in parallel with grants from National England.

75. **RESOLVED:** The Authority resolved to note the National Accord between Forestry Commission England and National Parks England attached at Appendix I, and the future development of a local accord between the SDNPA and the Forestry Commission.

ITEM 12. OPTIONS PAPER FOR THE FUTURE OF THE SUSTAINABLE COMMUNITIES FUND

76. Authority Members considered the report and presentation from the Head of Marketing and Income Generation (Report NPA29/18).
77. Members were informed that on page 35 of the report, under Resource Implications the amount should read £100k, not £80k.
78. Helen Jackson commented that she supported the recommendations. The endowment option was an opportunity to provide a sustainable future for the SCF. This would be a partnership with the trust whose constitution and objectives aimed to provide additional resources for the National Park and were supportive of the PMP.
79. Jo Carr commented that she supported the recommendations. This option would increase funding to and the profile of the SCF.
80. Helen Jackson and Jo Carr left the meeting at 15.34.
81. Members made the following comments:
- It was important that the SCF had adequate funds, that it continued to support small projects from a wide range of organisations, that the SDNPA continued to be recognised as a part of the SCF and that representatives of the SDNPA continued to be part of the decision making panel.
 - The continued support from SDNPA officers was welcomed. It would also be beneficial if, at least in the short term, current panel members were retained for their experience along with additional panel members joining from the trust.
 - This was a helpful precedent as it made clear the trust was independent from the Authority. Also, there was a benefit in having the trust as a vehicle that allowed a greater risk appetite so that a cautious but balanced approach could be taken to investment.
 - As the SCF would become part of the trust's income generation why would a person or organisation bid to the SCF rather than to the trust directly?
 - No limit should be put on the amount that the trust could give through the SCF fund.
 - Additional work needed to be undertaken on the detail, it would be useful if the recommended delegation in recommendation 2 included the Chair of Policy and Resources Committee in addition to the Chief Executive and the Chair of the Authority.
 - The SCF must not be absorbed into the trusts general objectives, but retain its focus on smaller projects that were widely distributed across the park.
 - If this went ahead it would take 5 years before the SCF reached £35k again. Was this short term reduction considered acceptable for a longer term increase?
 - What was envisioned for the future of the panel and engagement of officers?
 - The limit on the SCF fund could be useful so as to not inhibit the work of the trust. The trust would then have the freedom to find suitable outlets for any additional funds.
82. In response to questions Members were advised:
- If a community group wanted to apply for funding they would be aware that the SCF fund was a partnership between the trust and the Authority. The SCF would be one of the ways the trust supported communities.
 - Members would have the opportunity to consider the short term funding of the SCF in the next budget round.
 - The future of the panel and the engagement of officers could be set out in the agreement.

83. An amendment to the recommendation was proposed and seconded to include the Chair of Policy and Resources Committee in recommendation 2.

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

1. Approve the principle of establishing an endowment for the Sustainable Communities Fund in partnership with the South Downs National Park Trust as set out at option 3 paragraph 4.5 of this paper.
2. Delegate authority to the Chief Executive, in consultation with the Chair of the Authority and the Chair of Policy and Resources Committee, to develop and approve the necessary legal agreements, documentation and associated decisions required to establish the endowment.

85. Jo Carr returned to the meeting at 3.58pm.

ITEM 13. APPOINTMENT OF DEPUTY CHAIR(S) TO POLICY AND RESOURCES COMMITTEE

86. Sebastian Anstruther left the meeting at 3.58pm.

87. Authority Members considered the report from the Head of Governance (Report NPA30/18).

88. Members noted that the minutes of the Policy and Resources Committee at Agenda Item 17 indicated that two deputy chairs had been beneficial to the set up and running of the Policy and Resources Committee.

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

1. Agree, in accordance with the Authority's Standing Order 8.3, that the Policy and Resources Committee may appoint up to two Deputy Chairs of the Committee for the period up to the first meeting of the Committee following the Authority AGM in 2019; and
2. Agree that, within this period, a review be undertaken with regard to the number of deputy chairs for the Policy and Resources Committee and, if appropriate, a recommendation be made to the Authority in advance of, or at, the Authority AGM in 2019.

90. Helen Jackson and Sebastian Anstruther returned to the meeting at 16.00

ITEM 14. APPOINTMENT OF COMMITTEES AND OUTSIDE BODIES

91. Authority Members considered the report from the Head of Governance (Report NPA31/18).

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

1. Appoint Anthony Watts Williams to the SDNPA Planning Committee with immediate effect; and
2. Appoint Graham Morrison to the SDNPA Policy and Resources Committee with immediate effect.

ITEM 15. A27 ARUNDEL JUDICIAL REVIEW

93. Authority Members considered the report from the Major Planning Projects and Performance Manager (Report NPA32/18).

94. The Authority Chair informed Members that although this discussion was in public session, if any Members wished to discuss legal advice or costs related to the Judicial Review the meeting would need to consider moving in to private session at the appropriate time.

95. Members were informed that:

- The deadline for Highways England (HE) to serve detailed grounds for contesting the Authority's claim was 18 October 2018, rather than 16 October 2018 as had been noted in the report.
- The court hearing for the Judicial Review had been scheduled for 27, 28 and 29 November 2018.

- HE had announced an additional non-statutory consultation on the A27 Arundel Bypass due to new evidence.
 - The Authority Chair, as Chair of National Parks England (NPE), had held a number of meetings with senior members of HE discussing improvements to the process with the aim of a memorandum of understanding or an accord being signed between HE and NPE.
96. Members made the following comments:
- Some public figures at parish council meetings had sought to bring the Authority into disrepute based on the cost of the Judicial Review.
 - HE undertaking an additional consultation exercise seemed like a response to the two Judicial Reviews against them regarding the A27 at Arundel.
 - That it was right and proper to be holding this discussion in public session.
 - Did the additional consultation from HE still not include consultation on other routes outside the SDNP or a revisiting of the methodology by which decisions on which routes would be included in public consultations were reached?
 - Which Members of the Authority had been invited to participate in the A27 Elected Representatives Forum?
 - As the Authority's Judicial Review was scheduled to be held along with another judicial review, was it known which would be heard first?
 - Could officers confirm that no package of mitigation or compensation had currently been put forward by HE?
97. In response to questions Members were advised:
- Additional information would be available shortly on what the additional consultation did or did not include.
 - Tim Burr and Alun Alesbury would be attending the forum.
 - It was expected that the Authority's Judicial Review would be heard first.
 - No details of mitigation or compensation had been received from HE.
98. As a Member had indicated that they wished to discuss a matter relating to legal advice the authority was asked to consider whether, in respect of further discussions on Agenda Item 15 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 have been 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 have been maintained in legal proceedings, and that in all the circumstances of the case, the public interest in maintaining the exempt information outweighed the public interest in disclosing the information. It was proposed that whilst there was a public interest in maintaining transparency of Authority proceedings and ensuring public understanding it was felt that on balance this was outweighed by the requirement of the National Park Authority to be able to take legal advice and fully consider the implications of its actions or proposed actions without confidential information being released into the public domain.
99. The motion to move into private session was proposed, seconded, voted upon and not carried.
100. **RESOLVED:** The Authority resolved to note the progress of the Authority's application for Judicial Review.
101. The Chair closed the meeting at 4.22pm.

Signed _____