

SOUTH DOWNS NATIONAL PARK AUTHORITY

AUTHORITY MEETING

Held at 2.00pm on 21 May 2020 using Zoom Video Conferencing.

Present:

Alun Alesbury	Sebastian Anstruther	Heather Baker	Ken Bodfish
Helen Burton	Chris Dowling	Janet Duncton	Thérèse Evans
Barbara Holyome	Doug Jones	William Meyer	Robert Mocatta
Russell Oppenheimer	Margaret Paren (Chair)	Ian Phillips	Henry Potter
Vanessa Rowlands	Andrew Shaxson	Isabel Thurston	Diana van der Klugt
Richard Waring			

South Downs National Park Authority Officers:

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

Also attended by: Martin Johnson (Public i), Sara Osman (Governance Officer) and Holly Taylor-Bagheri (Executive Support Officer).

OPENING REMARKS

200. The Chair opened the meeting.

201. The Chair welcomed all present and stated that:

- Due to the current Coronavirus pandemic the South Downs Centre and Memorial Hall remained closed until further notice, hence the meeting of the South Downs National Park Authority was held using the Zoom Cloud Meetings software.
- The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purpose
- SDNPA Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded 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.

202. The Senior Governance Officer reminded Members of the protocol that would be followed during the meeting.

203. The Chair and Chief Executive expressed their thanks to the officers involved in ensuring this meeting could take place under difficult circumstances.

ITEM 1. APOLOGIES FOR ABSENCE

204. Apologies were received from Pat Beresford and Gary Marsh.

ITEM 2. DECLARATION OF INTERESTS

205. The following declarations of interest were made:

- Janet Duncton declared a Public Service Interest as member of West Sussex County Council and Chichester District Council.
- Chris Dowling declared a Personal Interest in Agenda Items 15 as his wife was a Cabinet Member of East Sussex County Council. Chris Dowling withdrew from the meeting for Item 15.

- Sebastian Anstruther declared a personal interest in Agenda Item 10 as a landowner that was involved in producing a Whole Estate Plan

ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 19 DECEMBER 2019 AND 26 MARCH 2020

206. The minutes of the Authority meetings held on 19 December 2019 and 26 March 2020 were approved as a correct record and signed by the Chair.

ITEM 4. MATTERS ARISING

207. There were none.

ITEM 5. URGENT ITEMS

208. Members agreed to consider the Part II minutes from the 19 December 2019 Authority meeting, which were omitted from the agenda in error, under Item 7 for the exclusion of press and public.

ITEM 6. PUBLIC PARTICIPATION

209. There was none.

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

210. Members were asked to consider the exclusion of the public, including the press, from the meeting for the urgent item to approve the Part II minutes of the 19 December 2019 Authority meeting and consider Agenda Item 15 for the following reason:
- That in respect of the Part II minutes of the 19 December 2019 Authority meeting and 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 be disclosure to them of exempt information within paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, being information relating to the financial and business affairs of a particular person including the Authority, and paragraph 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. This conclusion was reached on the basis that whilst there is a public interest in maintaining transparency of Authority proceedings in relation to the business of the Authority it is felt that on balance this is outweighed by the requirement of the National Park Authority to be able to undertake considerations in relation to its business and fully consider the implications of its actions or proposed actions without the disclosure of information that could undermine its position.
211. **RESOLVED:** That the meeting move into private session to approve the Part II minutes of the 19 December 2019 Authority meeting and consider Agenda Item 15 of this meeting and to exclude the public, including the press, from the meeting.

ITEM 8. UPDATE FROM THE CHAIR

212. Authority Members considered a verbal update from the Authority Chair on the following points:
- At a recent meeting of Transport for the South East, the draft Transport Strategy was considered, this would then be reconsidered with the amendments suggested before being sent for approval by Ministers.
 - Recent meetings with Gillian Keegan MP and Andrew Griffiths MP, which identified strong support for the work of the SDNPA.

- A round table meeting with West Sussex County Council with discussions on highways and the re-opening of the Rights of Way Network following lock-down.
- The micro-forum on climate change had been successful and dates for further micro-forums would be scheduled.
- Interviews for the 5 new Secretary of State Members had happened and recommendations were passed to the Minister. Defra hoped to make the appointment announcements by 1 July 2020, but that date could slip due to Covid-19 implications.

ITEM 9. UPDATE FROM THE CHIEF EXECUTIVE

213. Authority Members considered a verbal update from the Chief Executive on the following points:

- The way the organisation as a whole had responded to the Global pandemic of Covid-19 had been impressive with trust and flexibility demonstrated on all sides. It had been a team effort and at all times safety first had been the guiding principle.
- Under urgency powers the Chief Executive had taken a decision that the current SDNPA Member allowances scheme, as published on the SDNPA website, and the rates of allowances payable in that scheme as at 31 March 2020, would continue until 21 May 2020 when the Authority would consider the matter further.
- Weekly virtual meetings were happening with other UK NPAs to share knowledge and challenges.
- Work on the Seven Sisters project had continued with surveys now completed, Heads of Terms agreed with East Sussex County Council and Secretary of State Approval was now awaited. Further details, including budget, would be brought to the next NPA.
- The website had been relaunched which had been a formidable achievement and was now much more user friendly. The Covid-19 guidance was excellent and Ruth James was thanked for all her hard work.
- A range of media interviews for both National and Local media had been conducted.

214. The Members commented that:

- They expressed their thanks to the response to the crisis with particular mention to the Governance team.
- The new website was excellent and a huge improvement which was gathering new audiences.
- The range of activities that the Authority was involved in as a result of the Covid-19 pandemic was to be commended, particularly that of the interactive map, and all staff were thanked for how they had reacted and worked through the crisis.
- The 3 R's (Restraint, Responsibility and Respect) was very clear and sensible advice.

ITEM 10. CONFIRMATION OF PREVIOUS DECISIONS

215. The Head of Governance introduced report (NPA19/20-35) and reminded Members of the report contents. The Head of Governance explained that the decisions taken on the 26 March 2020 virtual meeting were taken ahead of the new regulations and therefore Members were asked to consider and ratify the decisions that they took in relation to the budget and associated Capital Strategy, Treasury Management Strategy, Climate Change Action fund and transfer to the Strategic Fund reserve and to confirm the decision to agree the 2020-25 Corporate Plan.

216. In response to questions, Officers advised Members of the following:

- There were lots of different phases of the Egrets Way project with the final section linking to Lewes and Newhaven. The Director of Countryside and Policy Management would provide further information to Members.

- The Whole Estate Plan process had been looked at by Officers in conjunction with the Chair and Deputies of both the Planning and Policy and Resources Committees. The process had been ‘tweaked’ to allow for more member input and engagement earlier into the process. Officers agreed to share the review with the wider membership. Officers also clarified that once a Whole Estate Plan had been endorsed by the Policy and Resources Committee it was a material consideration in the Planning System but could not be considered to result in automatic planning approval.

217. Members made the following comments:

- That Whole Estate Plans needed to be kept under review as practical problems had arisen with how Planning Committee took into consideration a Whole Estate Plan when determining a planning application.
- The Whole Estate Plan process allowed the SDNPA to build key relationships in the National Park and have influence over how the landscape was managed through building key relationships and trust with estates.
- Consideration should be given as to whether there was enough scrutiny by the Policy and Resources Committee on Whole Estate Plans and whether local communities could be involved further.

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

1. Confirm its decisions to approve the Revenue Budget 2020/21, the Capital Strategy 2020/21, the Treasury Management Strategy 2020/21, the creation of a new Climate Change Action Fund reserve and the transfers to the Strategic Fund reserve as detailed in the report presented to the Authority meeting held on 26 March 2020
2. Confirm its decision to agree the Corporate Plan 2020-25 as presented to the Authority meeting held on 26 March 2020 subject to:
 - a) any amendments required to address the comments made by the NPA;
 - b) the final design of the Corporate Plan; and
 - c) any minor text amendments considered appropriate,

being approved by the Chief Executive, in consultation with the Chair of the Authority

ITEM 11. GOVERNANCE ISSUES

219. The Head of Governance introduced report (NPA19/20-36) and advised Members that there was an error in the report circulated: the reference in paragraph 3.7 should refer to appendix 2 and para 3.10 should refer to appendix 3 of report NPA19/20-36.

220. In response to questions, Offices advised Members of the following:

- It was the Authority Chair that made a recommendation to the Full Authority in regards to Committee Appointments and not individual Members, the Full Authority then agreed Committee appointments. The proposed change to Standing Orders would allow Members to express a preference in writing for which Committee they wished to be considered for appointment to. This information would then be available to assist the Chair in making their recommendations to the Full Authority. The Committees must contain a balance of Secretary of State and Local Authority Members to ensure a quorum could be achieved and should, preferably, be geographically balanced.
- Standing Orders are reviewed every year by the Monitoring Officer and Head of Governance and the proposed change to allow Members to express an interest in writing to the Chief Executive about preference for Committee places was brought forward as Officers felt it was appropriate and timely ahead of the Authority AGM on 7 July 2020.

221. Members made the following comments:
- A full virtual meeting of the Planning Committee would be held on 11 June 2020 by Zoom Cloud Meetings software.
 - The approach taken to date whereby the Authority Chair consulted with the membership through a series of one to one meetings in which Committee appointment preferences were discussed was felt by Members to be the better approach.
222. Robert Mocatta left the meeting.
223. It was proposed and seconded that recommendation 7 *'Agree to insert a new Standing Order 8.2 in the Authority's Standing Orders as set out at para 3.14, to establish a process for Members, in advance of the Annual Meeting each year, to express a preference for a committee place'* be omitted from the recommendations and that the reference to recommendation 7 contained in recommendation 8 be omitted from that recommendation.
224. The Authority voted on the proposal and the amendment to the recommendations was carried.
225. **RESOLVED:** The Authority resolved to:
1. Note The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and their impact upon Authority decision making.
 2. Agree the temporary updates to the Authority's Standing Orders set out at Appendix 1 of the report to be effective for the period during which these regulations apply.
 3. Note the intention for the 2020 Annual Meeting of the Authority to take place as scheduled on 7 July 2020.
 4. Agree to amend Standing Order 18.4 (urgency powers) as set out at para 3.19 of the report, to provide that if the Chair or Deputy Chair cannot be consulted, consultation must take place with either the Chair of the Planning Committee or the Chair of the Policy and Resources Committee.
 5. Agree to amend paragraphs 1.1(a) and 1.1(c) of Appendix 2 of the Authority's Standing Orders (relating to the election of Chair and Deputy Chair) as set out at Appendix 2 of this report.
 6. Agree, only in respect of the first meeting of the Planning Committee and the first meeting of the Policy & Resources Committee following the next Authority Annual Meeting, to:
 - Suspend paragraphs 3.1(a) – (c) & 4.1 (a) – (c) of Appendix 2 of the Authority's Standing Orders (in relation to the election of Chairs and Deputy Chairs of Committee); and
 - Modify paragraphs 3.1(f), 3.1(i), 4.1(e), 4.1(h) (erroneously identified as subparagraph (i)) of Appendix 2 of Standing Orders as set out at Appendix 3 of this report.
 8. Instruct the Monitoring Officer to update the Authority's Standing Orders to reflect the changes made in recommendations 2, 4, and 5 ensuring that it is made clear where amendments are temporary and to republish them on the Authority's website.
 9. Note that an independent review of the Authority's Scheme of Members' Allowances had been conducted and that a report detailing any recommended changes to the Scheme will be presented at a future meeting of the Authority.
 10. Agree that the 19/20 rates of allowances payable under the Authority's Scheme of Members' Allowances shall continue to apply on a provisional basis in respect of allowances payable under the Scheme.
226. The Authority adjourned for a 5 minute recess.

ITEM 12. MOVING OUT OF LOCKDOWN

227. The Director of Countryside Policy and Management and Head of Business Services introduced the report (NPA19/20-37). The Head of Business Services reported to Members that the creation of the £375,000 Recovery Fund was an in year budget change which would be drawn from both underspend and PMP reserves, with any funds left being returned to the reserves. Projects would be approved through the 5 Theme Programme Boards.
228. In response to questions, Officers advised Members of the following:
- Staff Planning Site Visits and enforcement visits would be resuming with a safety first approach. Full risk assessments, protocols and safeguards had been implemented. Member Site Visits would not be resuming in their previous capacity for the time being. Officers would take additional photos and, where appropriate, use drone footage and google maps to present to Members. Under the current government guidance there was nothing to stop Members individually visiting sites as long as they viewed the site from public areas only and did not enter private land.
 - SDNPA did have the powers to provide grants as part of our operations as a National Park Authority and the Recovery Fund would be using the existing mechanism of the Theme Programme Boards to allocate funds following the already existing structure and processes.
 - Through the budget setting process members had already agreed the £503,000 allocation of funds to the Theme Programme Boards. Members were being asked to consider the allocation of an additional £375,000 Recovery Fund to Theme Programme Boards to respond to the emergency and urgent needs of partners and stakeholders who were under considerable stress due to the Covid-19 pandemic.
 - Members would be kept informed about which projects were funded through quarterly reports to Policy and Resources Committee and through the weekly update. All the processes and mechanisms in place for the allocation of the Recovery Fund would be through the Theme Programme Boards. Projects would be prioritised by need and the critical role a project may play in delivering the PMP.
 - There had been much contemplation on the correct end date of the Recovery Fund. The fund should be kept to deal with emergency response to Covid-19 and therefore the project should be concluded by December with the money spent by April at which point any unspent funds would be returned to reserves. If the emergency continued longer than envisaged an extension to Recovery Fund may be considered.
229. Members made the following comments:
- Although supportive of the creation of the £375,000 Recovery fund to provide substantive assistance and support to partners, businesses, stakeholders and communities in need, consideration should be given to nearly 10% of the Authority's Defra grant being delegated to the Chief Executive to allocate to projects through the Theme Programme Boards without additional Member scrutiny.
 - The SDNPA may be inundated with requests for help once the fund was known about and Officers should think carefully about how they would prioritise which partners and stakeholders to assist.
 - Commended the vast and extensive range of initiatives and projects that Officers had been working on to address the emergency caused by the Covid-19 pandemic. Lots of positive social media had been created around the Authority's response to the Covid-19 pandemic.
 - That a possible Micro Forum event could be the way that SDNPA considers influencing the new normal as a result of the Covid-19 pandemic.
230. Ken Bodfish left the meeting.

231. **RESOLVED:** The Authority resolved to:
1. Note the measures currently in place within the SDNPA to ensure business continuity in lockdown and as we come out.
 2. Agree to vary the 2020/21 budget in order to establish a Recovery Fund as set out in paragraphs 3.1 to 3.6 below, incorporating the outcome of the annual audit of the Authority's accounts.
 3. Note the range of activities in place or under development to support businesses, partners and communities and thereby minimise the risks to delivery of the PMP outcomes and priorities during the pandemic period.
 4. Note that it will be necessary to continue with NPA and Planning Committee meetings by virtual means and note that a virtual meeting of the Policy & Resources Committee will take place in July.
232. The Chair on the behalf of herself and Members Sebastian Anstruther and Ken Bodfish who had all served on the Authority for the last 10 years, advised the Authority that this was their last meeting and stated it had been a privilege to serve and wished the Authority the very best for its future.

ITEM 13. PLANNING COMMITTEE MINUTES

233. Authority Members noted the minutes of the Planning Committee meetings held on 16 January 2020, 13 February 2020 and 12 March 2020.

ITEM 14. POLICY AND RESOURCES COMMITTEE MINUTES

234. Authority Members noted the minutes of the Policy and Resources Committee meeting held on 28 November 2019 and 27 February 2020.
235. The Authority adjourned for a 5 minute recess.
236. The meeting was closed to the public, including the press and moved into private session.

URGENT ITEM. PART II MINUTES OF 19 DECEMBER 2019.

237. The Part II minutes were approved as a correct record of the Authority meeting held on 19 December 2019 and signed by the Chair.

ITEM 15. ESTABLISHMENT OF A COMPANY LIMITED BY SHARES

238. **RESOLVED:** The Authority resolved to:
1. Agree that a Company Limited by Shares be established to undertake for a commercial purpose the activities identified in the Seven Sisters Country Park business case and any other activities that may be approved and note that a proposal shall be brought back to the Authority for approval regarding the working capital loan identified in the business case.
 2. Agree to delegate authority to the Chief Executive in consultation with the Chair of the Authority, Chief Finance Officer and the Monitoring Officer, to develop the company documentation, including the Memorandum and Articles of Association which shall be reported to the Authority for agreement prior to the incorporation of the company, and to take all other necessary actions in order to establish the company.
 3. Agree the name of the company to be "South Downs Commercial Operations Limited".
 4. Agree to delegate authority to the Chief Executive, in consultation with the Chair of the Authority, to identify Members of the Authority as potential directors of the company and make recommendations for appointment to the Authority.
 5. Agree to delegate authority to the Chief Executive, in consultation with the Chair of the Authority, to undertake the process of selecting non-executive directors (up to a

maximum of 2) to join the company board with a decision on the appointment(s) to be taken by the NPA at the appropriate time.

6. Note the potential implications of the establishment of the company on the governance arrangements of the Authority and that further recommendations addressing any changes required will be presented to the Authority in due course.

239. The Chair closed the meeting at 4.28pm.