

Contact details

Governance Officer. Tel: 01730 814810

Email [committee.officer@southdowns.gov.uk](mailto:committee.officer@southdowns.gov.uk)



**SOUTH DOWNS NATIONAL PARK AUTHORITY**

**AUTHORITY ANNUAL GENERAL MEETING**

All Members are hereby summoned to attend the Meeting of the South Downs National Park Authority to be held at **10.30am on 6 July 2021** at the **Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.**

**Trevor Beattie**

Chief Executive (National Park Officer)

**AGENDA**

**PART I**

- 1. Apologies for absence**
- 2. Election of Chair**  
To elect a Chair for the following year.
- 3. Election of Deputy Chair**  
To elect a Deputy Chair for the following year.
- 4. Declaration of Interests**  
To enable Members to declare to the meeting any disclosable interest they may have in any matter on the agenda for the meeting.
- 5. Minutes of the previous meetings held on 25 March 2021.**  
To approve as a correct record the minutes of the Authority meeting held on 25 March 2021 (Page 5).
- 6. Matters arising**  
To enable any matters arising from the 25 March 2021 Authority Meeting minutes that are not covered elsewhere on this agenda to be raised.
- 7. Urgent Matters**  
To consider any matter on the agenda which the Chair agrees should be considered as a matter of urgency to due special circumstances (if Members have any urgent matters they are asked to consult the Chair before the meeting commences).
- 8. Public Participation**  
The Chair will allow members of the public to ask questions, make statements or present a petition on any matter on the agenda for this meeting or on any matter that falls within the Authority's powers, subject to procedures set out in Appendix 3 to the Authority's Standing Orders.
- 9. Need for Part II Exclusion of Press and Public**  
The Authority is asked to consider whether, in respect of Agenda Item 18, the public, including the press, should be excluded from the meeting on the basis that it is 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 item there would be disclosure to them of exempt information within paragraphs 1 and 3 of Part I of Schedule 12A to the Local Government Act 1972, being information relating to an individual and information relating to the financial and business affairs of a particular person including the Authority, 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 the transparency of Authority proceedings, the individual's right to privacy outweighs any public interest in releasing this information at this time. Further, 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 consider matters in relation to its business and fully consider the implications of its actions or proposed actions particularly in relation to decisions which may have implications for an ongoing competitive tendering process without the disclosure of information that could undermine its position or its ability to deliver value for money through its procurement processes.

**10. Chief Executive's Progress Report**

To consider a report from the Chief Executive (Report NPA21/22-01 Page 17).

**11. Appointment of Committees and Outside Bodies**

To consider a report from the Head of Governance & Support Services (Report NPA21/22-02 Page 23).

**12. New Promotional Videos from Planning**

To receive a verbal update from the Director of Planning.

**13. Budget Monitoring 2020/21: Provisional Outturn Position**

To consider a report from the Chief Finance Officer (Report NPA21/22-03 Page 37).

**14. Response to Highways England's Section 42 Statutory Consultation on the M3 Junction 9 Improvements Scheme**

To consider a report from the Director of Planning (Report NPA21/22-04 Page 55).

**15. Updates to the Scheme of General Delegation of Authority to the Chief Executive and Directors**

To consider a report from the Head of Governance & Support Services (Report NPA21/22-05 Page 79).

**THE FOLLOWING ITEMS ARE INCLUDED ON THE AGENDA FOR INFORMATION ONLY**

**16. Planning Committee**

Minutes of the Planning Committee meetings held on 11 March 2021 and 15 April 2021.

**17. Policy & Resources Committee**

Minutes of the Policy & Resources Committee meeting held on 25 February 2021 and 29 April 2021.

**PART II**

**THE NEXT ITEM IS FOR MEMBERS OF THE AUTHORITY ONLY**

**18. Part II Minutes of the previous meetings held on 25 March 2021.**

To approve as a correct record the part II minutes of the Authority meeting held on 25 March 2021.

These minutes are not for publication as they contains exempt information within Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972, being information relating to an individual and information relating to the financial and business affairs of a particular person including the Authority, 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.

## **TO ALL MEMBERS OF THE SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **Members' Interests**

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 will act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

Members are required to declare any disclosable pecuniary interest that is not already entered in the Authority's register of interests, and any personal interest and/or public service interest (as defined in Paragraph 18 of the Authority's Code of Conduct) they may consider relevant to an item of business being considered at the meeting (such disclosure to be made at the commencement of the meeting, or when the interest becomes apparent).

### **Access to Information**

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### **Recording of Meetings**

The Openness of Local Government Bodies Regulations give a right to members of the public to record (film, photograph and audio-record) and report on proceedings at committee meetings. The Authority has a protocol on 'Filming, Recording and Reporting of South Downs National Park Authority Meetings' which is available [on our website](#).

As part of the Authority's drive to increase accessibility to its public meetings, this meeting will be filmed for live and/ or subsequent broadcast via the internet; at the start of the meeting the Chair will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training or any other purposes by the Authority. By entering the virtual meeting room you are consenting to being filmed, recorded or photographed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the Governance Officer [committee.officer@southdowns.gov.uk](mailto:committee.officer@southdowns.gov.uk)

### **Public Participation and Meeting Attendance**

Anyone wishing to speak at the meeting should register their request no later than 24 hours before the meeting by emailing [public.speaking@southdowns.gov.uk](mailto:public.speaking@southdowns.gov.uk). The public participation protocol is available on our website [www.southdowns.gov.uk/](http://www.southdowns.gov.uk/)

Due to Covid restrictions there will be limited spaces in the public gallery at the meeting. Anyone wishing to attend the meeting should reserve a place by emailing [public.speaking@southdowns.gov.uk](mailto:public.speaking@southdowns.gov.uk). Priority will be given to anyone who has registered to speak at the meeting; other places will be allocated on a first come, first served basis.

### **Feedback**

If you wish to give us feedback on your experience of the meeting please e-mail [committee.officer@southdowns.gov.uk](mailto:committee.officer@southdowns.gov.uk)



## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **AUTHORITY MEETING**

Held at 12.00pm on 25 March 2021 using Zoom Video Conferencing.

Present:

Alun Alesbury, Heather Baker, Annie Brown, Tim Burr, Helen Burton, Chris Dowling, Angus Dunn, Janet Duncton, Therese Evans, Barbara Holyome, Melanie Hunt, Doug Jones, Baroness Jones of Whitchurch, Michael Lunn, Gary Marsh, William Meyer, Robert Mocatta, Russell Oppenheimer, Martin Osborne, Ian Phillips (Chair), Henry Potter, Vanessa Rowlands, Andrew Shaxson, Isabel Thurston, Richard Waring and Stephen Whale.

South Downs National Park Authority Officers:

Trevor Beattie (Chief Executive), Andrew Lee (Director of Countryside Policy and 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 Catherine Sydenham (Governance Officer).

Also attended by:

Ruth James (Communications and Engagement Manager), Anne Rehill (Performance and Projects Manager), Tanya Hibberd (Performance and Research Lead) and Kirsten Williamson (Planning Policy Lead).

### **CHAIR'S OPENING REMARKS**

180. The Chair welcomed all present and stated that:

- Due to the current Coronavirus pandemic the South Downs Centre and Memorial Hall remained closed for public meetings 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
- The Chair advised the meeting that the order of agenda items would be revised with Agenda Item 10 coming ahead of Agenda Item 8.

### **ITEM 1. APOLOGIES FOR ABSENCE**

181. Apologies were received from Diana Van Der Klugt

### **ITEM 2. DECLARATION OF INTERESTS**

182. The following declarations of interest were made:

- Robert Mocatta declared a Public Service Interest in Item 15 as a Member of Hampshire County Council.
- Andrew Shaxson declared a Public Service Interest in Item 14 as a Member of Harting Parish Council.
- Stephen Whale declared a Personal Interest in Items 16 and 21 as the prospective Chair of the Board of the Directors of the South Downs Commercial Operations Ltd and withdrew from the meeting for these items.
- Janet Duncton declared a Public Service Interest in Item 14 as a Member of West Sussex County Council.
- Vanessa Rowlands declared a Personal Interest in Items 16 and 21 as a prospective Director of the South Downs Commercial Operations Ltd and withdrew from the meeting for these items.

- Gary Marsh declared a Public Service Interest in item 21 as a Seven Sisters Project Board Member.
- Martin Osborne declared a Public Service Interest in item 12 as a Member of Brighton and Hove City Council.
- Russell Oppenheimer declared a Public Service Interest in Item 15 as a Member of Hampshire County Council.
- William Meyer declared a Personal Interest in Items 16 and 21 as a prospective Director of the South Downs Commercial Operations Ltd and withdrew from the meeting for these items.
- Janet Duncton declared a Personal Interest in Item 12 as a Trustee of the South Downs National Park Trust
- Richard Waring declared a Personal Interest in Item 12 as a Trustee of the South Downs National Park Trust.
- Chris Dowling declared a Personal Interest in Item 17 as his wife was a member of the East Sussex County Council Cabinet.

183. Angus Dunn joined the meeting.

**ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 17 DECEMBER 2020**

184. The minutes of the Authority meetings held on 17 December 2020 were approved as a correct record and signed by the Chair.

**ITEM 4. MATTERS ARISING**

185. There were none.

**ITEM 5. URGENT ITEMS**

186. The Authority Chair informed the meeting that he had been notified of one urgent item of business. It related to a decision, to be taken in private session, which was required to consider a request to increase the contingency funds, and the use of grant funding received for the Seven Sisters project. The Chair had agreed that there were special circumstances that required the Authority to take this as an urgent item of business. These circumstances were the price volatility in the construction market at present with the implications of Covid-19, and to a lesser extent Brexit, impacting on the industry supply chains, meaning that if a decision was not taken before the May NPA meeting to increase the contingency funds and allocate the grant funding for the refurbishment of the properties at Exceat and Foxholes, there was a significant risk of further increases in costs as a result of the supply chain issues and, in addition, a potential delay to the project time line. Therefore, the Chair agreed that it was not in the interests of the Authority to defer consideration of this item to a future meeting.

187. The Chair also confirmed to the meeting that the exempt supporting paper was sent to all Members on Tuesday 23 March.

**ITEM 6. PUBLIC PARTICIPATION**

188. There were none.

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

189. The Authority was asked to consider whether, in respect of Appendix 2 to Agenda Item 18 and the urgent Agenda Item 21, 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 1 (Appendix 2 to Agenda Item 18) and 3 (Agenda Item 21) of Part 1 of Schedule 12A to the Local Government Act 1972, being information relating to an individual and information relating to the financial and business affairs of a particular person including the Authority,

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 was a public interest in the transparency of Authority proceedings, the individual's right to privacy outweighs any public interest in releasing this information at this time. Also, in relation to the business of the Authority it was felt that on balance this was outweighed by the requirement of the National Park Authority to be able to consider matters in relation to its business and fully consider the implications of its actions or proposed actions particularly in relation to decisions which may have implications for an ongoing competitive tendering process without the disclosure of information that could undermine its position or its ability to deliver value for money through its procurement processes.

190. **RESOLVED:** The Authority resolved that the meeting would move into private session at the appropriate point to consider Appendix 2 of Agenda Item 18 and Agenda Item 21 and that the public, including the press, would be excluded from the meeting at that point.

#### **ITEM 10. DARK NIGHT SKIES FESTIVAL UPDATE**

191. The Communications and Engagement Manager gave a verbal update on the successes of the dark Night Skies Festival, which was held in February 2021. Within the update, it was explained that due to the Covid-19 pandemic the event had been held virtually and had engaged over 240,000 people both from within and outside the SDNP boundary. The festival also generated over 225 pieces of individual media, which reached 10 million people and gave a PR value of £309,000.
192. A short film explaining the successes of the Dark Night Skies Festival was played to Members.
193. In response to questions, Officers advised Members of the following:
- The film had only recently been produced and a link would be shared with members for circulation to their wider networks.
  - Officers were working within powers to offer advice to the Falmer Stadium on how to reduce light pollution.
194. Members commented that:
- The figures of engagement and reach were excellent and the whole festival had been a fantastic achievement.
  - The virtual events had been an excellent outcome as a result of the Covid-19 Pandemic with the increased reach and interest in the SDNPA events.
  - The Dark Night Skies films make people think about light pollution and what could be done to minimise it.
  - Members' thanks went to all involved in the Dark Night Skies Festival.

#### **ITEM 8. AUTHORITY CHAIR UPDATE**

195. The Authority Chair introduced report (NPA20/21- 24) and reminded Members of the content. The Chair gave an update on:
- A recent meeting with other National Park Chairs and the National Park England (NPE) proposals submitted to Defra & Ministers on the National Landscape Service. The Chair advised that a Government Announcement was imminent.
  - The ongoing process to find a chair of the South Downs Partnership and advised members that announcement on an appointment would be made in the not too distant future.
  - The attendance at the Volunteer Ranger Service AGM and awards presented to volunteers, some of whom had given in excess of thirty years of volunteer service.

196. In response to questions, Officers advised Members of the following:
- The second year of a flat cash settlement from Defra was disappointing. A further year of a flat cash settlement may leave the Authority with nothing to invest in projects other than what was generated by the Authority itself. The 2022/23 budget round may require a third workshop with Members to allow the Authority's Medium Term Financial Strategy to be discussed.
197. **RESOLVED:** The Authority resolved to note the update from the Chair of the South Downs National Park Authority.

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

198. The Chief Executive introduced report (NPA20/21-25) and reminded Members of the content. The Chief Executive referred to the following updates since the report had been published:
- A recent meeting with Lord Gardiner with highlights including praise for the Authority's positive plans around visitor management and approach to increasing diversity and new audiences. Lord Gardiner passed a message to all staff, members and volunteers to thank them for their work and provide assurance around the future.
  - Ongoing work around the Environment Land Management (ELM) National Pilot.
  - The Vaccination Centre in the Memorial Hall had vaccinated a total of 12,000 people since it started, approximately 950 people a day.
  - South Downs volunteer, Rod Gentry, had been awarded the first ever Campaign for National Parks "Volunteer of the Year" award.
  - The pre-election period for the May 2021 local elections would begin on the 29 March 2021.
199. In response to questions, Officers advised Members of the following:
- Powers for Local Authorities, including National Park Authorities, to hold remote virtual meetings would expire on the 7 May 2021 with the Government advising there was no time to extend the powers. This view was not supported by the majority of Local Authorities or National Park Authorities and was now with the courts with a judgement expected by the end of April 2021. Officers advised that due to the delegations in place the Authority could continue to operate until physical meetings could be held again.
  - As soon as there was clarity and detail around the Environmental Land Management Schemes information would be shared with the farm clusters.
  - Once the Seven Sisters Landscape Management Plan was agreed it would be shared widely amongst the local communities, including local farmers.
200. Members commented that:
- They were pleased to see that another Staff Health and Wellbeing survey had been completed and expressed thanks to the Youth Ambassadors for the work that they were undertaking.
201. Helen Burton joined the meeting.
202. **RESOLVED:** The Authority resolved to note the progress made by the South Downs National Park Authority (the Authority) since the last report.

**ITEM 11. CORPORATE PLAN 2020-25 YEAR 2 ACTION PLAN FOR 2021/22**

203. The Performance and Research Lead introduced the report (NPA20/21-26), reminded Members of the content and gave a presentation.
204. The Chair of the Policy & Resources Committee commented that at its recent meeting the Committee had studied the year 2 action plan in depth and had a presentation on the new areas of work and projects, all of which the Committee supported.



205. In response to questions, Officers advised Members of the following:
- Members highlighted errors within the Cycling and Walking Strategic Routes map that the red dot was referred to as a railway station and that a number of the locations identified such as Wickham, Bishops Waltham and Denmead did not have railway stations. Officers advised that the map key would be amended to reflect that the red dots should be referred to as 'Transport Hubs'.
  - Outcome 9.3 '*support improvement in the digital infrastructure, speed and coverage throughout the South Downs National Park*' was a priority in the Partnership Management Plan with the delivery mechanism through the County Councils and Open Reach; not all priorities within the Partnership Management Plan are within the remit of the SDNPA.
206. Members commented that:
- This week had been the one year anniversary of England going into lockdown and the way the Authority had worked became very different. Members praised all staff and fellow Members that despite the many difficulties, stresses and challenges with the pandemic the Authority had achieved a huge amount including implementing some of the changes recommended by the Glover review.
  - The Corporate Plan Action Plan for Year 2 was presented in a very clear format easily being able to see how the work contributed to each aspect of the Partnership Management Plan.
207. **RESOLVED:** The Authority resolved to approve the Corporate Plan 2020-25 Year 2 action plan for 2021/22, as set out in Appendix I of the report, subject to:
- a) any amendments required to address any issues raised by the NPA
  - b) the final design of the Corporate Plan 2020-25 Year 2 action plan for 2021/22, and
  - c) any minor text amendments considered appropriate,
- being approved by the Chief Executive, in consultation with the Chair of the Authority.
208. William Meyer and Michael Lunn left the meeting.
209. The meeting adjourned for a 30 minute break.

**ITEM 12. REVENUE BUDGET 2021/22, CAPITAL STRATEGY 2021/22, TREASURY MANAGEMENT STRATEGY 2021/22 AND MEDIUM TERM FINANCIAL STRATEGY**

210. The Head of Business Services advised members that the Authority would receive a flat cash settlement for 2021/22, the second year in a row. This scenario had been planned for through the budget workshops with the £300,000 budget for the Theme Programme Boards coming from the 2020/21 underspend; however it was advised that a flat cash settlement was not sustainable in the long term.
211. The Chief Finance Officer introduced report (NPA20/21-27) and reminded Members of the content.
212. In response to questions, Officers advised Members of the following:
- Investment returns were currently poor but returns for SDNPA were outperforming market rates. The Authority Investment Strategy was to maintain security and liquidity, and therefore there were limitations on where investments could be deposited. In the previous financial year, the Treasury Management Strategy had been altered to include investment with short dated bonds, but the advisors were not currently recommending this due to the volatility within the market and the risk to capital this presented, but a watching brief would be kept.
  - Funds were flexible with some funds on 12 month deposits with a reasonable rate but there was a lot of liquid resource that could be acted quickly with if the market did pick up.

- The SDNPA used the Defra Grant to fund the Authority's operating costs with additional funds raised for projects by the South Downs National Park Trust, and hopefully in the future the Trading Company. This flexible funding approach allowed the Authority to use 100% of grants received on projects. The flexible funding approach also allowed the Authority to fund projects that it saw as a priority and that were in the Partnership Management Plan, and not just focus on projects that a grant was able to be obtained for.
- The Community Infrastructure Levy funds were ring fenced and held until the projects that they had been allocated for had been delivered. The Authority did not want to hold onto these reserves for any longer than it needed to, but due to the Covid-19 pandemic many of the projects had been paused and it was hoped that this reserve would reduce as Covid restrictions were lifted.
- The payment per planning application model with the Host Authority Service Level agreements had proved to be financially resilient under the Covid-19 crisis. The number of planning applications that had been received was steady and officers felt that was likely to continue.
- There were a number of affordable Housing scheme projects in the pipeline and it was hoped that the Affordable Housing Reserve would therefore be reduced.

213. **RESOLVED:** The Authority resolved to agree:

1. Approve the Revenue Budget 2021/22 of £10.669m, including a contribution from General Reserves of £0.233m, as detailed in paragraphs 3.1 to 3.7 and Appendix 1.
2. Approve the Capital Strategy 2021/22, including new capital projects totalling £0.050m and a capital variation of (£0.196m), as detailed in paragraphs 3.8 to 3.11 and Appendix 2.
3. Approve the Treasury Management Strategy 2021/22 at Appendix 3.
4. Note the reserves position as detailed in paragraphs 3.15 to 3.21 and Appendix 4.
5. Note the Medium Term Financial Strategy 2021/22 to 2025/26 at Appendix 5.

### **ITEM 13. SDNPA HEALTH AND WELLBEING STRATEGY**

214. The Performance and Projects Manager introduced report (NPA20/21-28, reminded members of the report content and gave a presentation.
215. The Chair of the Policy and Resources Committee commented that the draft Strategy had been considered by the Committee at the recent meeting with a good discussion drawing on the morning workshop and amendments suggested.
216. In response to questions, Officers advised Members of the following:
- The Authority did work in co-ordination with other bodies to deliver health and well-being work and were an active member in the 'Sussex Local Nature Partnership'.
  - The map contained within the strategy was an indicative map to show where work would be focussed, both inside and outside the SDNP boundary. The circles could, in many cases, also be overlaid with natural capital investment areas.
  - The Health and Wellbeing hubs were already physically existing structures such as the Sustainability Centre and Youth Hostel at Truleigh Hill, the aim being to make links with existing providers and not develop new buildings. Good transport links were needed and conversations would be happening with local communities to develop facilities that could be opened up for social prescribing.
  - The 'other implications' table at the bottom of all Committee reports set out the minimum requirements that Members needed in order to make a decision and included the Public Sector Equalities Duty.

- Not everyone had access to a vehicle and thought had to be given to the location of Health and Wellbeing hubs so that transport was not a barrier.
  - There was an action plan that sat behind the Health and Wellbeing Strategy and it was a travel grants scheme could be developed, similar to the schools travel grant scheme, for community groups to access to bring social prescribing activities to the Downs.
217. Members made the following comments:
- Good to see a geographical spread from east to west across the park.
  - Some members of the public needed to understand that there was a Countryside Code.
218. The Chair proposed and Members agreed that as no changes had been suggested to the Strategy that Recommendation 2 '*Delegate authority to the Director of Countryside Policy and Management, in consultation with the Chair of the Authority, to make any amendments to the Health and Well-Being Strategy required to address any issues raised by the Authority*' be withdrawn.
219. **RESOLVED:** The Authority resolved to:
1. Approve the Health and Well-Being Strategy as set out at Appendix 1.

**ITEM 14. ADOPTION OF THE SOFT SAND REVIEW OF THE WEST SUSSEX AND SDNPA JOINT MINERALS PLAN**

220. The Planning Policy Lead introduced the report (NPA20/21-29), reminded Members of the content and gave a presentation. Within the introduction the Planning Policy Lead informed Members that West Sussex County Council had now agreed the Soft Sand Review for adoption.
221. The Chair of the Planning Committee commented that the Soft Sand Review had been scrutinised at Planning Committee and expressed thanks to both SDNPA and West Sussex County Council Officers.
222. In response to questions, Officers advised Members of the following:
- SDNPA did work with the other Authority areas of East Sussex and Hampshire on similar mineral plans for those areas, including ensuring cross boundary and collaborative working across all three areas and also had representation on national groups.
  - The wording within the Sustainability Appraisal Addendum had been approved by the inspector and therefore was what would be used, but explanation would need to be offered to explain that where you can't avoid, you minimise the impact.
  - Community liaison groups would be established at the point that a developer submitted a planning application; therefore, it was difficult to add a timescale to when this would be.
  - The naming of site allocations did not reflect the Parish in which they were located but that of the nearest settlement.
  - There was still commitment for the development of the Midhurst to Petersfield non-motorised user route but no time period has been added to leave it flexible as possible.
223. William Meyer joined the meeting.
224. **RESOLVED:** The Authority resolved to:
1. Note the content of the Inspector's Report and his conclusion that the Soft Sand Review of the Joint Minerals Local Plan provides an appropriate basis for the planning for soft sand within the West Sussex including that area which lies within the National Park, provided that a number of Main Modifications are made to it;
  2. Note the findings of the Sustainability Appraisal (incorporating Strategic Environmental Assessment) and the Habitat Regulations Assessment of the Soft Sand Review of the Joint Minerals Local Plan;

3. Delegate authority to the Director of Planning in consultation with the Chair of the Authority to make any other inconsequential changes to the text required prior to publication of the updated West Sussex Joint Minerals Local Plan;
4. Adopt the Soft Sand Review of the Joint Minerals Local Plan as amended by the Inspector's recommended Main Modifications to form revised policies M2 and M11 of the statutory minerals plan for the South Downs National Park within West Sussex, and use these policies as the basis for planning decisions for soft sand minerals development across this area of the National Park along with neighbourhood development plans and the South Downs Local Plan, where relevant; and
5. Publish an updated version of the West Sussex Joint Minerals Local Plan (2018) and the relevant Policies Map.

225. The Authority adjourned for a 5-minute break

**ITEM 15. UPDATE ON THE PROGRESS OF THE REVIEW OF THE HAMPSHIRE MINERALS AND WASTE PLAN (2013)**

226. The Planning Policy Lead introduced the report (NPA20/21-30) and reminded Members of the content.
227. The Chair of Planning commented that the progress of the review of the Hampshire minerals and waste plan had previously been to Planning Committee where a number of questions had been asked and comments provided. It was explained that it was out of alignment with other reviews as a quirk of history as previous plans were made before SDNPA became the Minerals Planning Authority and had the Statutory Duty to do so.
228. In response to questions, Officers advised Members of the following:
- Since the creation of the existing Hampshire Minerals and Waste plan in 2013 oil and gas policies had changed at a national level and therefore it would be considered as part of the review. However, policies were required to deal with any type of application that was received and officers had identified those policies within the plan that were working and those that needed reviewing.
229. **RESOLVED:** The Authority resolved to:
1. Approve the 2020 Review of the Hampshire Minerals & Waste Plan (2013)
  2. Progress a partial update to the Hampshire Minerals & Waste Plan (2013) as indicated in the review document and the revised timetable (Appendices 1 and 2)
  3. Agree to the publication of a summary of the review process and the decisions on the Hampshire County Council website

**ITEM 16. SDNP TECKAL COMPANY - PROVISION OF EQUITY**

230. William Meyer, Vanessa Rowlands and Stephen Whale left the meeting for Item 16.
231. The Head of Business Services introduced the report (NPA20/21-31) and reminded Members of the content.
232. In response to questions, Officers advised Members of the following:
- The trading company, South Downs Commercial Operations Ltd, would be registered in May 2021 and would begin operating in January 2022, once the visitor centre was completed.
  - Under TUPE staff would be transferred to the SDNPA and then seconded to the trading company for the reason that SDNPA was a member of the Local Government pension scheme. This would also apply to any new staff recruited.
  - SDNPA would own 100% of South Downs Commercial Operations Ltd and would be a single shareholder. It would be the responsibility of South Downs Commercial Operations Ltd Directors to determine how much of the profits and at what timescale dividends would be returned to the SDNPA. It was envisaged that the return might not

be for a number of years as it was likely that any profits would be re-invested into the Seven Sisters Country Park.

233. **RESOLVED:** The Authority resolved to approve an initial investment in the South Downs National Park Authority's Teckal Company of £100,000.

234. William Meyer, Vanessa Rowlands and Stephen Whale returned to the meeting.

**ITEM 17. GOVERNANCE MATTERS AND ETHICAL FRAMEWORK UPDATES**

235. The Chair and the Head of Governance introduced the report (NPA20/21-32) and reminded Members of the content. Within the update the Head of Governance informed Members that the extension to the powers for Local Authorities including National Park Authorities to hold virtual meetings could not be confirmed at the point in time and more information would be circulated to members once known.

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

- The changes proposed to the 'cooling off' period for the resignation of the Authority Chair, Deputy Chair or Committee Chair or Deputy had been added to the Standing Orders to avoid a position where a resignation was tendered in the heat of the moment without due consideration being given.
- Up until now, each Committee had taken its own decisions regarding the appointment of the Committee Chair and Deputy. The decisions would now be taken by the NPA which would also allow the opportunity for gender balance across the positions but would still require Members to put themselves forwards.
- The current bylaws were made by East Sussex County Council under Section 41 of the Countryside Act in 1968. The bylaws could be updated and amended to reflect the changing circumstances but if the Authority was to stray too far from the current bylaws they could be considered as new bylaws. To minimise this risk and avoid a situation where there were no bylaws covering the Seven Sisters Country Park it was proposed to make the same bylaws as those currently in force at the site.
- The Coast to Capital had a joint committee status with the Authority, which other Local Enterprise Partnerships did not and was the reason why it was only the Coast to Capital Heads of Terms that appeared in the Standing Orders.
- If the powers for the Authority to hold virtual meetings were not extended beyond the 7 May 2021 and until social distancing regulations were relaxed the Authority may not be able to hold meetings and in extreme circumstances planning decisions could be made by the Director of Planning in consultation with the Chair of the Planning Committee and these would be published on the Authority's website.

237. Michael Lunn joined the meeting

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

1. Agree the changes to Standing Orders for the Regulation of Authority Proceedings and Business ("Standing Orders") set out at para 2.1 of this report and adopt the revised Standing Orders set out at Appendix 1.
2. Agree the revised Local Protocol for Members and Officers Dealing with Planning Matters (Appendix 2).
3. Agree the revised Arrangements for Assessment, Investigation and Determination of a Complaint that a Member has failed to Comply with the Member Code of Conduct (Appendix 3).
4. Note the position regarding Byelaws at the Seven Sisters Country Park Site and delegate authority to the Chief Executive to make such decisions and take such actions, up to and including submission for confirmation by the Secretary of State, as required for the NPA to make, in relation to the Seven Sisters Country Park, the same byelaws as those currently in force at the site (updated and amended as appropriate).

5. Agree that, pursuant to section 7 of the Countryside Act 1968, once the Seven Sisters Country Park site has been transferred to the Authority by East Sussex County Council, the Authority will provide a country park on the site for the purpose of providing, or improving, opportunities for the enjoyment of the countryside by the public

**ITEM 18. APPOINTMENT OF CO-OPTED MEMBERS TO THE POLICY AND RESOURCES COMMITTEE**

239. The Deputy Chair and the Head of Governance introduced the report (NPA20/21-33) and reminded Members of the content. Within the update Members were reminded of the process that had been undertaken to find up to 3 co-opted Members from under-represented groups in the Authority's formal decision making structure. As a result of the interviews the panel was recommending 2 candidates to become co-opted Members of the Policy and Resources Committee for 1 year with a third candidate still to be found.
240. The panel further commented that the Glover Review had highlighted that the co-opted Members would add diversity to the voices that were heard when the Committee was making decisions. The co-optees would also play a role in advocating and championing the SDNP.
241. The meeting was closed to the public, including the press, and moved into private session at 4.30pm.
242. The meeting returned to public session at 5.43pm.
243. An alternative recommendation was proposed, seconded and agreed that '*The Authority is recommended to appoint Lawrence Leather and Morris Findley to serve as non-voting Co-opted Members on the Policy and Resources Committee, to serve for the period from now until the date of Authority's Meeting in March 2022*'
244. **RESOLVED:** The Authority resolved to appoint Lawrence Leather and Morris Findley to serve as non-voting Co-opted Members on the Policy and Resources Committee, to serve for the period from now until the date of the Authority Meeting in March 2022.

**ITEM 19. PLANNING COMMITTEE MINUTES**

245. Authority Members noted the minutes of the Planning Committee meetings held on 10 December 2020 and 21 January and 11 February 2021.

**ITEM 20 POLICY AND RESOURCES COMMITTEE MINUTES**

246. Authority Members noted the minutes of the Policy and Resources Committee meeting held on 26 November 2020.
247. Chris Dowling, Janet Duncton, William Meyer, Vanessa Rowlands and Stephen Whale left the meeting.

**ITEM 21 SEVEN SISTERS COUNTRY PARK REFURBISHMENT CONTRACT – ADDITIONAL CONTINGENCY FUNDS AND ALLOCATION OF GRANT FUNDING**

248. The meeting was closed to the public, including the press, and moved into private session at 5.50pm.
249. The meeting returned to public session at 6.06pm.
250. **RESOLVED:** The Authority resolved to:
  1. Approve a potential further borrowing by the Authority of £240,000 to provide additional contingency for the project to refurbish properties at Exceat and Foxholes within Seven Sisters Country Park.
  2. Agree to revise the project delivery costs of phase 1 from £1.9m to £2.025m (funded by the secured grant applications) plus the additional £240,000 contingency as set out at recommendation 1.

251. The Chair closed the meeting at 6.07pm.

Signed \_\_\_\_\_

Dated \_\_\_\_\_





Report to	<b>South Downs National Park Authority</b>
Date	<b>6 July 2021</b>
By	<b>Chief Executive Officer</b>
Title of Report <b>Note</b>	<b>Chief Executive's Progress Report</b>

**Recommendation: The Authority is recommended to note the progress made by the South Downs National Park Authority (the Authority) since the last report**

## **1. Summary and Background**

- 1.1 This report provides an overview of the work that has been underway since my report to the 25 March 2021 NPA.

## **2. Introduction**

- 2.1 There has been a huge amount of activity across the organisation over the last few months working with Defra to support the Ministerial Statement of 24 June, which provided an initial response to the Glover Review and launched the associated Farming in Protected Landscapes programme. I have written separately about this in a note to all Members so I will not repeat the details here. It is, however, worth noting that the experience has generated strong links at every level across Government and that the release of the Statement signals a more open and proactive phase of engagement.
- 2.2 The next stage is for us to become as closely involved as possible in the Department's preparation of the promised consultation document, both as SDNPA and through National Parks England. This document, which Defra plan for the summer, will respond to the whole of the Glover Review, covering the many topics that they did not have space to include in the Ministerial Statement. The task now is for us all to focus on delivery whilst doing all we can to ensure that Defra registers the whole range of our work and awards proper credit for the innovation and vision that we are developing here in the South Downs.
- 2.3 Members will hear at this meeting about the launch of our Nature Recovery Campaign and the imminent transfer of Seven Sisters. This, alongside our major new support for farmers, will generate national attention for our innovative work on nature recovery, just as we have done with our viticulture report, which was debated in Parliament on 23 June. In this way, we will build locally upon the positives in the Ministerial Statement and develop a strong profile in the forthcoming consultation.

## **3. Planning**

- 3.1 Year-end **planning performance** is subject to a comprehensive report at Policy and Resources Committee on 15 July so I will keep my comments here short. I am pleased to report however that planning performance continues to be strong with all government targets being met. This is despite difficulties the pandemic has brought in the year, such as the suspension of site visits for a time during the first nationwide lockdown. Our appeal

performance in the financial year was good and we continue to see strong support from Inspectors for the ground breaking policies in our Local Plan.

- 3.2 In terms of the **Community Infrastructure Levy (CIL)**, which Members will recall we are the only National Park to operate, £1.836m has been collected in the 2020/21 financial year (compared to £1.877m in 2019/20). This was despite a number of deferrals of payments being granted in line with Government guidance on account of the economic impact of the pandemic.
- 3.3 In accordance with England-wide CIL regulations payments are made to our parishes from CIL receipts twice a year. These direct payments to parishes are made before SDNPA's share of the levy is allocated by the Planning Committee. In April 2021 £306k was distributed to 23 parishes across the Park, providing Parish and Town Councils with important funds for improvements in their areas.
- 3.4 In June **Planning Committee** had its first face to face meeting since March 2020. With the Memorial Hall at the South Downs Centre currently acting as a vaccination centre this meeting was held in Lewes Town Hall. This enabled us to hold a Covid-safe meeting with the added benefit of being able to consider the significant Old Malling Farm application in the town itself. The meeting was broadcast live on YouTube, and it was impressive that Member Services, the Committee Members and planning officers had together managed to move the whole operation to Lewes in this way.
- 3.5 We have recently adopted a **Parking Supplementary Planning Document (SPDs)** which covers car and cycle parking for both residential and non-residential development. The SPD adds further detail and guidance on the policies in our Local Plan and joins two other existing SPDs on Affordable Housing and Sustainable Construction.
- 3.6 In relation to the proposal for an extension to the **Rampion** offshore windfarm Rampion will be presenting their proposal to Members at a meeting later in July and Rampion will be undertaking a public consultation between 14 July and 16 September. Whilst the benefits of the scheme in terms of renewable energy generation are clear, there remains concern regarding the landscape and seascape impact the turbines would have on the National Park, in particular on the Sussex Heritage Coast, as well as concern regarding the direct impact the proposed onshore cabling route would have on the National Park. Officers will continue to work with the applicant to try and address these issues.
- 3.7 Previous reports have described **Esso's** plans for an underground aviation oil pipeline between Fawley refinery in Southampton and Heathrow Airport. This would replace an existing pipeline and will run across 25km of the National Park in Hampshire, entering west of Bishops Waltham and leaving adjacent to Chawton. The Secretary of State for Business, Energy and Industrial Strategy granted the Development Consent Order in October 2020. This is only the second such Order granted in the National Park, the other being the original Rampion windfarm and the onshore cabling that passes through the National Park.
- 3.8 Esso have indicated that they will be carrying out main construction works to build the pipeline in 2022. The **Development Consent Order** requires further details on a number of operational matters (Construction Traffic Management Plan, Construction Environmental Management Plan, Archaeology, Landscape Ecological Management Plan and Community Engagement Plan) to be submitted to the Authority for approval - in much the same way as conditions apply to planning permissions. These details follow pre-application discussions and officers have 6 weeks to determine the applications.
- 3.9 Work has now restarted on the Area Action Plan (AAP) for **Shoreham Cement Works**. A project plan for the AAP has been completed and we are now looking to establish a Task & Finish Group to drive this work forward. The purpose of the group would be to oversee the development of the AAP that delivers the allocation of an exemplar sustainable development and a substantially enhanced landscape. The intention is for the Task & Finish Group to meet on Thursday 29th July to discuss the development scenarios for the site. It will then meet in at least six weekly intervals, however the timetable will be driven by the evidence base as it becomes available.

- 3.10 In April, WCC, in partnership with SDNP, celebrated a notable result at the High Court relating to an extremely sensitive planning issue at **Long Road, Soberton**. Both parties had been taking planning enforcement action over many years against those occupying an area of land as a residence unlawfully. On 8 April the High Court confirmed that those responsible must comply with the requirements set out in the Injunction obtained to enforce the planning requirements. Importantly, the outcome of this is that the occupants have moved from the site. The Authority was praised by Mr Justice Cavanagh for its 'reasonable approach' during the summing up.

#### 4. Progress of Existing Projects

- 4.1 We have made excellent progress towards the formation of the new **South Downs Partnership (SDP)**. The former Permanent Secretary of Defra, Clare Moriarty, has accepted the role of Independent Chair and we are privileged to have someone with so much knowledge and experience to help us in this way. Of the fifteen roles on the Partnership, all but two (biodiversity and health & wellbeing) have been filled, and names are being approached for these. Thanks are due to all the officers and Members who have suggested names and made approaches.
- 4.2 The range of individuals on the new SDP bring with them a great diversity of experience, background and expertise. This is an important step in creating a more open and inclusive SDNPA and National Park. The first, virtual, meeting of the SDP will take place on 7 July and will include an introduction to the PMP, a discussion about how it can feed into the Government consultation mentioned above and support the Nature Recovery Campaign. The latter provides an early opportunity for the SDP to add value by spreading the message, championing the issue and bringing it to wider audiences. There will be four SDP meetings a year, mirroring the annual cycle of SDNPA business, and, though independent, we will be looking to create at least one event where members and the SDP can get together.
- 4.3 As we transition from the European Union's Common Agricultural Policy (CAP) to a new agricultural support system, farming is going through a significant period of change. To help farmers and land managers in the country's protected landscapes during this time and in recognition of the role they play in managing these areas, Defra has developed the **Farming in Protected Landscapes (FiPL)** programme, which will run from July 2021 to March 2024. Through the programme, farmers and land managers within protected landscapes can apply for funding to carry out projects that:
- support nature recovery
  - mitigate the impacts of climate change
  - provide opportunities for people to discover, enjoy and understand the landscape and cultural heritage
  - support nature-friendly, sustainable farm businesses.
- 4.4 FiPL is open to all farmers and land managers (including from the private, public and charity sectors) where activity on the ground can bring benefit to one or more of the above objectives. It is important to recognise that it is a programme of funding for one-off projects, not an agri-environment scheme, and will work alongside – not in competition with – Defra's existing and new schemes, adding value where it is most needed. A 'National Framework' document has been developed by Defra to ensure consistency in aspects of governance and decision-making across all protected landscapes, while respecting local priorities and expertise.
- 4.5 Within the South Downs National Park, FiPL will be delivered by the Authority's Farming Team. A Local Assessment Panel, comprising predominately of farmers, is being developed. The Panel will meet regularly to decide on which projects, based on guidance from Defra and relevance to our Partnership Management Plan, should be supported. For the first year of the programme, applications can be received from 1st July 2021 until 31st January 2022.
- 4.6 At a national level, it will be essential for FiPL to demonstrate what protected landscapes can deliver collectively, putting into practice recommendations of the Landscapes Review

through facilitating greater coordination and joint-working across National Parks and AONBs.

## 5. Volunteers and Delivery

- 5.1 Since the last CEO's report the National Park has not experienced the frequency or intensity of **anti-social issues** encountered in the lockdowns of last year. Over the last two months as society has gradually begun to reopen, providing people with greater choice in where to go and what to do, the number of reports received from area rangers and members of the public relating to anti-social behaviour has generally declined each week. Despite this trend, when issues have arisen, their impact on the landscapes, habitats and communities of the National Park are still significant. Issues over this last quarter have included; inconsiderate roadside / verge parking resulting in the obstruction of highways, people not keeping to public rights of way or areas of access land, illegal camping and fly-tipping. A number of farmers have liaised with their area ranger over this quarter to express their concerns about dogs not under control.
- 5.2 Whilst the last year has brought challenges from the behaviour of a small proportion of visitors, it has also led to many people visiting the National Park for the first time. We continue to use positive communications and engagement to welcome and support first time visitors and promote responsible behaviour. At the start of the summer we launched our **Visitor Management Plan**, which included – clear, positive communications, presence on the ground at hotspots, providing onsite support at key locations and promoting local businesses.
- 5.3 Our **Happy Nature, Happy You, Happy South Downs** campaign has been very well received by both the public and land managers. To date the team has spoken to 2,000 people at over 23 events at hotspots across the National Park. We have promoted the unfortunately rather lacklustre revised Countryside Code, and have been involved in a project with all 15 UK National Parks called "Love Your Litter" which encourages younger visitors to take their litter home and to leave no trace.
- 5.4 **Volunteering** has now resumed with continued limitations on tasks and volunteer numbers. This will be reviewed again in line with Government and SDNPA guidance after 19 July. Volunteer Ranger Service groups are operating to a limit of 6 people to maintain consistency across the SDNPA's programmes and to ensure task sites and public access are not blocked up with personal vehicles. Feedback from area teams has confirmed this is an effective policy.
- 5.5 The first round of awards for the **South Downs Youth Action Fund (YAF)** have been approved by a panel which includes staff and our two youth ambassador volunteers. Projects include funding for visits to Butser Ancient Farm for Brighton's Young Archaeologists Group, a litter picking and cycling mission for a youth group in Petworth and a night under the stars for a group of young women near Chichester. The YAF is being funded through the SDNP Trust and includes grant funding from #iWill4Nature and Clarion Futures.
- 5.6 The first posting to the **micro-volunteering** mailing list was sent out in April. This is a public list which will be the core communications mechanism encouraging people to support flexible volunteering initiatives. These initiatives include the new NPUK-wide iNaturalist project LookWild, which launched in May. Members of the public can download the iNaturalist app and post sightings to the project, building a web of species records and community science in National Parks.

## 6. Corporate Update

- 6.1 To date, the Midhurst Pharmacy team have vaccinated 33,000 patients through the **Memorial Hall**. During June the vaccination centre have been operating 5 days a week to achieve this figure. Recently the team managed to vaccinate over 1000 people in one day, a record so far. Some staff are volunteering with marshalling.
- 6.2 OMT are currently looking at the changes we may need to our policies and procedures in order to offer a **Blended Working Model** to staff which meets organisational needs alongside supporting as far as possible, individual requests for working more flexibly and

remotely. A small OMT working group met in May and agreed key principles which are currently being developed. The proposals will then be presented to staff at the autumn all staff event. The goal is to implement changes from October 2021.

- 6.3 Work has been progressing on the legal transfer of **Seven Sisters Country Park** from East Sussex County Council to the SDNPA. We submitted a planning application in May 2020 which was granted permission in October 2020. A Heads of Terms was agreed with ESCC and presented to the Secretary of State in August which resulted in formal approval from the Secretary of State of both DEFRA and MHCLG before Christmas. The formal process of legal conveyance with ESCC started in January and is close to completion. We hope to exchange contracts in early July. Following ownership we will start our agreed Phase 1 building works, with contractors starting in July/August and completing in early 2022.
- 6.4 We have produced a Landscape Management Plan which is due for external public engagement during the summer of 2021. This will become a working document for delivery by the Seven Sisters ranger team as soon as we become owners. We are also producing a visitor experience plan that will feed into our day to day operational considerations of how we manage, engage and involve our visitors to ensure we provide the best possible experience.
- 6.5 Seven Sisters will be operated by the newly formed trading company. This is to be incorporated in late June, though will not take over operation of the site until January 2022 to coincide with the completion of phase 1 of the works. The company is owned entirely by the Authority though will have its own board, 4 of whom (maximum of 6) are appointed by the Authority. The company will enable the site to be operated in a more commercial way whilst still delivering on the Authority's purposes and duty.
- 6.6 With the commitment made to become a carbon neutral organisation by 2025 within the adopted **SDNPA Sustainability Policy**, a pre pandemic carbon and greenhouse gas assessment was carried out for the SDNPA. It found we produce around 130 tons of Co2 a year. As well as addressing our output through adopting technology, sourcing and reduction in the action plan, we are seeking guidance from the Carbon Trust on how we can offset some of our inevitable carbon outputs. The aim is to be not just carbon neutral but carbon positive as we reduce our carbon output and then offset within the National Park, providing other benefits to the environment at a local level. I will keep Members posted on this development which we hope will encourage other individuals and organisations to do the same.
- 6.7 By the end of the last financial year, the **Income Generation** team had secured just under £1.7 million for National Park projects. Of this, just over £1.1 million was secured through statutory sources, including support for the Egrets Way, a landscape improvement initiative in Woolbeding and funding for Charleston, through our assistance and support for their access improvement bid to the Get Britain Building Fund. In addition, the Trust secured £534,000. From this, the Trust made contributions of £370,000 for SDNPA projects, with additional funding distributed to our partners.
- 6.8 This year we are off to a flying start, with £420,000 already secured, the majority of this is currently sitting with the Trust. In addition, we have just over £1.7 million in submitted bids. This includes a large and small bid to the second Green Recovery Challenge Fund. The large bid "Downs to the Sea" seeks to establish and restore 21 nature/dew ponds, fund capital works to improve Pulborough Brooks and Pagham harbour and work with the Arun and Rother Rivers Trust to reduce pollutants entering the catchment. The smaller project, "Hampshire's Hedgerows", seeks to restore hedges across the Selborne and Winchester Farm Clusters.
- 6.9 We have just held three **County-based parish workshops** to update parishes on key areas of work for the Authority and to host a Q&A session where parishes can ask questions on those issues and other relevant issues. The topics for this round have been our visitor management campaign, including detailing our pop-up events for the summer, our nature recovery work, an update and information on CIL and wider national and local

developments in planning. These county-based meeting followed on from our first successful parish webinar on Dark Night Skies. At these webinars we examine a single topic in detail and provide an opportunity for parishes to share learning and experiences. We are now beginning work on our next parish webinar on nature recovery and which will take place on 13 October

## 7. Media and Communications

- 7.1 We continue to deliver against our three **public affairs objectives**: future of farming, nature recovery and engaging young people. We are putting the finishing touches to our Nature Recovery Campaign which will launch on 5 July and will form the basis for information and engaging people with our nature recovery work, while we also engage with partners and work towards a call for sites in the last Autumn. I will show Members at the Meeting the new animation which is the focus of this campaign.
- 7.2 The past quarter has been strong for **media coverage**, with the launch of several initiatives, including the Health and Wellbeing Strategy, the new Trees for the Downs campaign, the revamped Serpent Trail and the new “In Their Footsteps” walking app. We have had 152 separate pieces of coverage, reaching 4.8m people with an equivalent advertising value of £96,000.
- 7.3 *South Downs National Park Ranger Walks*, produced by Harper Collins with the help of our rangers and communications team, is flying off the shelves nationally and is already on the second reprint, just a month after launch. The book is the best-selling among all the guides produced for National Parks.
- 7.4 Our revised website and focus on digital continues to pay dividends, with unique visitors to our website almost doubling between March to May 2020 and March to May this year (482,956, up from 247,423 in 2020). The careful management of our social media channels also continues to show results, with followers increasing from 42,375 in May 2020 to 58,859 in May 2021. We reach an average of over 222,000 people through our social media.

## 8. Conclusion

- 8.1 As with previous reports, my aim has been to provide an overview of the highlights of the busy period since my report to the 25 March NPA, leaving Members to follow up any issues on which they would like more detail or which they would like to discuss further at the Meeting.

## TREVOR BEATTIE

### Chief Executive Officer

### South Downs National Park Authority

Contact Officer:	Trevor Beattie
Tel:	01730 819313
email:	<a href="mailto:trevor.beattie@southdowns.gov.uk">trevor.beattie@southdowns.gov.uk</a>
Appendices	None
SDNPA Consultees	Chief Executive; Director of Countryside Policy & Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, Business Service Manager
External Consultees	None
Background Documents	N/A

Report to	<b>South Downs National Park Authority</b>
Date	<b>6 July 2021</b>
By	<b>Head of Governance and Support Services</b>
Title of Report	<b>Appointment of Committees and Outside Bodies</b>
Decision	

**Recommendation: The Authority is recommended to:**

- 1. Appoint the Planning Committee, Policy and Resources Committee and Appointments, Management & Standards Committee with the updated Terms of reference set out at Appendix 1, as the committees necessary to discharge the functions of the Authority.**
- 2. Appoint the Membership of Committees until the Authority AGM in 2022 as set out in Appendix 3 to this report.**
- 3. Appoint the Chair and Deputy Chair of Planning Committee until the Authority AGM in 2022 as set out in Appendix 6 of this report.**
- 4. Appoint the Chair and Deputy Chair(s) of Policy & Resources Committee until the Authority AGM in 2022 as set out in Appendix 6 of this report.**
- 5. Appoint the Members to outside bodies and panels until the Authority AGM in 2022 as set out in Appendix 5 to this report.**
- 6. Agree, for the purposes of Standing order 8.1(e), that, in line with the Authority's established practice, the Committees appointed by the Authority may not arrange for the discharge of the Authority's functions by a sub-committee. All Committees retain powers under Standing Order 27 to establish Member Task and Finish Groups.**

**1. Introduction**

- 1.1** This report enables the Authority to carry out its annual review of arrangements for discharging its decision-making responsibilities, in particular the delegation of responsibilities, and making of appointments, to Committees. The recommendations for Member appointments are made by the Chair of the Authority.
- 1.2** The report asks the Authority to appoint Members to represent the Authority on a variety of external organisations, fora and outside bodies (for the purposes of this report, the term 'Outside Bodies' is used to encompass all of these bodies).
- 1.3** Under Schedule 7 Para 13 of the Environment Act 1995, the Authority has a duty to secure that the division of local authority appointed Members and Secretary of State appointed Members on any Committee is (as nearly as possible using whole numbers) in the same proportion as required in the case of the Authority itself.

## **2. Issues for consideration**

- 2.1 It is proposed that the existing committees of the Authority be reappointed for the forthcoming year with the Terms of Reference set out at **Appendix 1**.
- 2.2 It is further proposed that the Terms of Reference for the Policy and Resources Committee be updated with regard to the Committee's role in the submission of bids for grant funding. Due to the frequency of such bids and the timeframes within which bids often have to be submitted it is proposed that this be removed from the Committee's remit and added to the standing delegations to the Chief Executive. This approach provides for senior management oversight of grant funding bids being made, whilst reducing the risk that opportunities are missed due to the reporting requirements of the Committee. Where significant grant bids are submitted (whether in terms of finance or scale of project) these will be reported to the Policy and Resources Committee through the regular project /performance reporting mechanisms. With regard to the allocation of grant funding, in practice the conditions applied to grant funding are generally very prescriptive and this leaves little room for meaningful Member input on how funds received can be used, It is considered that it is more efficient for these matters, which are often largely administrative, to be considered by officers.
- 2.3 The current membership of Committees is set out at **Appendix 2**. The proposed membership of Committees for approval is set out in **Appendix 3** to the report. The NPA has previously made four Co-opted Member appointments to the Policy and Resources Committee which shall continue to have effect for the duration of the terms of office previously approved.
- 2.4 In order to ensure the effective operation of the Appointments, Management and Standards Committee it is proposed that a number of substitute members be appointed. Substitute members are to be drawn from both Secretary of State Appointees and Local Authority members and will act in place of Committee Members who are absent or who have a conflict of interest.
- 2.5 At its meeting in October 2020 the NPA endorsed the principle of a small number of Members not being appointed to committees in order to undertake, within the parameters of the Member role description, other roles to support the work of the Authority.
- 2.6 The proposed Members not to be appointed to committee are set out within Appendix 3. The proposed remits for the two Members will continue to be as follows:
- Chris Dowling – work with the appropriate officers to support the emerging business support agenda and develop a South Downs wide business support network to help deliver against the National Park Authority's Duty and the “thrive” elements of the PMP / Corporate plan
  - William Meyer –appointed as a Director of the new Trading Company and to act as the link between the Trading Company and Chief Executive for day to day operational matters.
- 2.7 In line with the Authority's established practice, it is proposed that the Committees appointed by the Authority may not arrange for the discharge of the Authority's functions by a sub-committee. All Committees retain powers under Standing Order 27 to establish Member Task and Finish Groups.

## **3. Appointment of Chairs and Deputy Chairs of Committees**

- 3.1 At its meeting in March 2021, the Authority amended its standing orders to enable the appointments of Chairs and Deputy Chairs to Committees to be made at the AGM. The proposed Chairs and Deputy Chairs of Committees are set out at Appendix 6

## **4. Appointments to Outside Bodies**

- 4.1 The role of a Member appointed to an Outside Body will vary according to the requirements of each external organisation. The Member may be a decision maker, a representative of the Authority, or simply a first point of contact for the external



organisation. In some cases, Officers may also attend in support.

- 4.2 Except in cases where Members perform a role that has separate legal duties e.g. as a company director, Members will represent the Authority's interests and, where appropriate, report back to the Authority. Any issues arising from these external contacts requiring consideration by the Authority will form part of a report compiled by the appropriate Member and taken to a full Authority meeting.
- 4.3 The process governing appointments to outside bodies is set out at SO26 of the Authority's Standing Orders. This provides that appointments will be made by the Authority at its Annual Meeting where it considers that the appointment will support and be consistent with its purposes and objectives. SOs require that the Chief Executive seek expressions of interest from Members in relation to outside bodies. Members are required to express an interest, where applicable at least two working days before the meeting, in writing.
- 4.4 SO26 further sets out that any appointments to outside bodies not made at the Annual Meeting of the Authority will be made by the Chief Executive in consultation with the Chair of the Authority and will be reported to the next available meeting of the Authority.
- 4.5 The current appointments to outside bodies is set out in **Appendix 4**. The proposed appointments to outside bodies for approval is set out in **Appendix 5** to the report.

## 5. Options & cost implications

- 5.1 The Authority could decide not to establish committees to discharge its decision-making responsibilities and/or not appoint to outside bodies. However, the proposed committees and outside body appointments represent the most effective way of exercising the powers and influence of the Authority.
- 5.2 The costs associated with the administration of the decision-making structures of the Authority are met from within the Authority's core budget.

## 6. Next steps

- 6.1 Officers will take the necessary administrative steps to deliver the new committee memberships and outside body appointments.

## 7. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Following the appointment of Members to Committees the Committees will need to elect their own chair and deputy chair.
Does the proposal raise any Resource implications?	The administration and meeting costs of Committees is covered by existing Authority staff and budgets.  Attendance at Outside Bodies' meetings will be a valid duty for the purpose of travel and subsistence allowances.  Members of the Authority are paid allowances in accordance with the Authority's Scheme of Allowances.
How does the proposal represent Value for Money?	Effective decision making contributes to the efficient running of the Authority.
Are there any Social Value implications arising from the proposal?	None
Have you taken regard of the South Downs National Park Authority's equality	All Members are eligible to be considered for Committee places and outside bodies. The operation of Committees meets the obligations of the Equalities Act and reasonable adjustments will

duty as contained within the Equality Act 2010?	be made to support Members
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Data Protection implications?	Personal data relating to this decision will be managed in accordance with the Authority information security policy and in compliance with Data Protection legislation. The proposal does not require any additional processing.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy?	The report adheres to the principle of Promoting Good Governance as set out in the Authority's Sustainability Strategy.

## 8. Risks Associated with the Proposed Decision

- 8.1 Members who have been newly appointed to Committees may be required to undertake training in the role and responsibilities of such Committee.
- 8.2 The Authority is the planning authority for the South Downs National Park, and any new appointees to the Planning Committee must undertake the required level of training before they can take part in the decision making process.

## ROBIN PARR

### Head of Governance & Support Services South Downs National Park Authority

Contact Officer: Robin Parr, Head of Governance & Support Services

Tel: 01730 819207

email: [Robin.parr@southdowns.gov.uk](mailto:Robin.parr@southdowns.gov.uk)

#### Appendices

1. Committee terms of reference
2. Committee appointments 2019/20
3. Proposed Committee Appointments (to be tabled at the meeting)
4. Outside Bodies appointments 2019/20
5. Proposed Outside body Appointments (to be tabled at the meeting)

SDNPA Consultees Chief Executive Officer, Director of Countryside Policy & Management,  
Director of Planning & Monitoring Officer;

External Consultees None

Background Documents [Standing orders](#)

**COMMITTEE TERMS OF REFERENCE**

**PLANNING COMMITTEE: TERMS OF REFERENCE**

- I.1. To exercise all development Management functions which are conferred upon the local planning authority except where, and to the extent that, the exercise of such functions has been delegated to local councils.
- I.2. To decide Planning policy matters of local, or non-strategic, significance, including neighbourhood plans, Supplementary Planning Documents and development orders but excluding non-planning related community-led plans. At the key milestone stages of planning policy, matters of strategic significance are to be determined by the Authority, including Regulation 19 stage (pre-submission) of the SDNP Local Plan, planning policy matters of strategic significance relating to adjoining authorities, and strategically significant planning policy matters of partner organisations such as LEPs, LSPs etc. All such matters will be reported to the Planning Committee for comment prior to consideration by the Authority.
- I.3. To provide an Authority response to consultations from neighbouring authorities on planning matters, unless the response is of strategic significance.
- I.4. To provide an Authority response to government and other consultations on planning matters unless the response is of strategic significance.
- I.5. To approve consultation documents and arrangements on SDNPA policy matters such as development briefs, conservation area appraisals, joint LDF consultation documents where either the policy issues are of local or non-strategic significance, or no policy commitment is implied.
- I.6. To authorise enforcement action which requires prosecution, the service of a “Stop Notice” or any other Notice or action which in the opinion of the Director of Planning might potentially have significant financial risks for the Authority.
- I.7. To determine administrative and procedural matters relating to planning, such as Statements of Community Involvement and Local Development Scheme.
- I.8. To determine the arrangements for charging the community infrastructure levy.
- I.9. To determine the allocation of resources received through the community infrastructure levy.
- I.10. To authorise the preparation of planning obligations under Section 106 of the Town and Country Planning Act 1990 on such applications that are before the Committee.
- I.11. To consider and report to the Authority on any other matter delegated to it by the Authority.

**POLICY AND RESOURCES COMMITTEE: TERMS OF REFERENCE**

**1. AUDIT**

- 1.1 To meet the requirements of the Accounts and Audit Regulations 2015 in respect of:
- Conducting an annual review of the effectiveness of the system of internal control;
  - Conducting an annual review of the effectiveness of internal audit;
  - Reviewing the outcome of annual review of governance arrangements and approving the Annual Governance Statement, ensuring it contains any actions for improvement; and
  - Considering and approving the Authority's annual Statement of Accounts
- 1.2 To ensure the robustness of risk management and performance management arrangements.
- 1.3 To provide assurance as to the adequacy of arrangements for the prevention and detection of fraud and corruption.
- 1.4 To agree the internal audit plan and annual report, and receive progress and other relevant internal audit reports.
- 1.5 To agree the External Auditor's Annual Audit Plan, and receive the District Auditor's Audit Results Report and other relevant reports.
- 1.6 To provide assurance as to compliance with the Authority's Treasury Management Policy, Financial Regulations and Procedures and Capital Strategies
- 1.7 Consider and recommend to the Authority the approach to the appointment of the Authority's external Auditor
- 1.8 To recommend to the authority any material and/or substantial changes to the Financial regulations and Financial Procedures

**2. STRATEGIES AND POLICIES**

- 2.1 To recommend annually to the Authority:
- The Corporate and Business Plans including strategies and priorities, appropriate objectives and key performance measures; Treasury Management Policy and Capital Strategies.
- 2.2 To review and recommend to the NPA the adoption or revision of the Partnership Management Plan and monitor and review its delivery
- 2.3 To approve appropriate resource plans (including workforce plans, information strategies, procurement and estates strategy), and policies, procedures and systems to support effective resource management
- 2.4 To develop and consider policies and strategies for recommendation to the NPA save for when these are delegated to another Committee or Officer.
- 2.5 To consider, and where the Committee considers it appropriate, endorse Whole Estate Plans.
- 2.6 To consider, and where the Committee considers it appropriate, endorse non-planning related community led plans, including Parish Plans, Market Town Health Checks and Landscape Character Assessments
- 2.7 To decide applications for, or reviews, of directions for restrictions on Access Land referred to the Committee by the Chief Executive
- 2.8 To agree a strategy for the South Downs National Park Authority brand and identity, and to monitor and review its implementation.

**3. GRANTS AND PROJECTS**

- ~~3.1 To agree the submissions of bids for grant funding, and the arrangements for application of grant funds received (subject to any urgent decisions required being made by the Chief~~

## **Agenda Item 11 Report NPA21/22-02 Appendix I**

~~Executive in accordance with Standing Order 18 and in consultation with the Chair of the Committee).~~

- 3.1 To have oversight of the Strategic Fund including approving project bids to the Fund in excess of £50k up to a maximum SDNPA contribution of £100k. To recommend for approval by the NPA any Strategic Fund project bid where the SDNPA contribution exceeds £100k.

- 3.2 To receive updates from the South Downs National Park Trust on the financial position and operational activities of the Sustainable Communities Fund.

### **4. PERFORMANCE AND PROCUREMENT**

- 4.1 To monitor and identify improvements arising from the outcomes and evaluation of projects identified by the Committee, audits, survey and other feedback and make recommendations as appropriate.

- 4.2 To monitor and review the performance, including financial performance, of the Authority in the context of its business delivery, and the management and maintenance of the Authority's assets in accordance with the Authority's agreed budget, Corporate Plan and other approved plans, and make recommendations for changes as appropriate.

- 4.3 To agree arrangements for the procurement and ongoing monitoring of external contracts for support services, and to authorize entering into contracts of a value of £100k or greater in accordance with Contract Standing Orders.

- 4.4 To monitor and review the performance including financial performance of South Downs Commercial Operations Limited in the context of its business delivery against the agreed operating agreement and annual business plan and make recommendations to the NPA as appropriate.

- 4.5 To review the operating agreement agreed between the Authority and South Downs Commercial Operations Limited and make recommendations to the Authority, as appropriate.

- 4.6 To exercise any function of the Authority with regard to audit and/or inspection arising under the operating agreement agreed with South Downs Commercial Operations Limited.

### **5. OTHER**

- 5.1 To consider and report to the Authority on any other matter delegated to it by the Authority.

**APPOINTMENTS, MANAGEMENT AND STANDARDS COMMITTEE: TERMS OF REFERENCE**

1. To determine the terms and conditions of employment of the Chief Executive (National Park Officer), including relocation payments, etc.
2. To determine the remuneration, annual pay award/performance pay, any accelerated progression of the Chief Executive (National Park Officer) (taking into account the contractual and other pay remits and agreements entered into in respect of the wider staff establishment)
3. To set the performance objectives and assess the performance of the Chief Executive (National Park Officer) annually
4. To manage all other aspects of the Chief Executive (National Park Officer)'s and SDNPA's contractual employment relationship, including, but not limited to, performance during the probationary period, capability, conduct and grievance matters, and matters relating to extension of ill-health leave (including the extensions of sick pay) or other terminations of employment.
5. Where the Authority determines to appoint a Chief Executive (National Park Officer) and it decides not to make the appointment exclusively from among existing officers, to undertake the recruitment, selection and appointment process in accordance with the relevant requirements of the statutorily prescribed standing orders contained in Appendix 6 of the Authority's Standing Orders.
6. Before making an appointment of a Chief Executive (National Park Officer) or assigning additional responsibilities to a person holding such an appointment, to consult with Natural England or DEFRA, as appropriate, and to extend an invitation to the consultee to attend the relevant meeting of the Committee.
7. Where the Committee considers it appropriate, to extend an invitation to a Member of the Authority to attend a particular meeting of the Committee.
8. To promote training and advice to Members and Co-opted Members on the Code of Conduct, relevant protocols adopted by the Authority, and related matters to enable high standards of conduct to be maintained.
9. To advise the Authority on the revision or replacement of its Code of Conduct for Members and Co-opted Members, and on the review of protocols relevant to ethical standards.
10. To advise the Authority on the arrangements to be applied for the investigation and determination of allegations of failure to comply with the Code of Conduct for Members and Co-opted Members, including advice on the involvement of at least one independent person in those arrangements, and to handle and determine such allegations in accordance with the approved procedures.
11. To consider and determine an application by a Member or Co-opted Member for the grant of a dispensation under Section 33 Localism Act 2011, relieving the restrictions on participation in, and voting on, a matter in which the Member or Co-opted Member has a disclosable pecuniary interest
12. To consider and report to the Authority on any other matter delegated to it by the Authority.

**Current Committee Appointments (to AGM in 2021)**

<b>Planning Committee (11)</b>	<b>Policy and Resources Committee (12)</b>	<b>Appointments management and Standards Committee (3)</b>
Robert Mocatta (LA)	Doug Jones (SoS)	Chair of the Authority
Therese Evans (LA)	Russell Oppenheimer (LA)	Deputy Chair of the Authority
Janet Duncton ( LA)	Henry Potter (LA)	Russell Oppenheimer (LA)
Richard Waring (SoS)	Martin Osborne (LA)	
Diana van der Klugt (LA)	Melanie Hunt (SoS)	<i>Substitute members:</i>
Gary Marsh (LA)	Isabel Thurston (LA)	Janet Duncton
Barbara Holyome (SoS)	Michael Lunn (LA)	Gary Marsh
Heather Baker (SoS)	Stephen Whale (SoS)	Alun Alesbury
Vanessa Rowlands (SoS)	Annie Brown( SoS)	
Alun Alesbury (SoS)	Tim Burr (SoS)	
Andrew Shaxson (SoS)	Maggie Jones ( SoS)	
	Angus Dunn( LA)	
	+ independent & co-opted members	

Members not appointed to committee: Helen Burton, Chris Dowling, William Meyer

**Proposed Committee Appointments until AGM in 2022**

<b>Planning Committee (11)</b>	<b>Policy and Resources Committee (12)</b>	<b>Appointments management and Standards Committee (3)</b>
Robert Mocatta (LA)	Doug Jones (SoS)	Chair of the Authority
Therese Evans (LA)	Amanda Morris (LA)	Deputy Chair of the Authority
Janet Duncton ( LA)	Henry Potter (LA)	Russell Oppenheimer (LA)
Richard Waring (SoS)	Martin Osborne (LA)	<b>Substitute members:</b>
Diana van der Klugt (LA)	Melanie Hunt (SoS)	Janet Duncton (LA)
Gary Marsh (LA)	Isabel Thurston (LA)	Gary Marsh (LA)
Barbara Holyome (SoS)	Michael Lunn (LA)	Alun Alesbury (SoS)
Heather Baker (SoS)	Stephen Whale (SoS)	
Vanessa Rowlands (SoS)	Annie Brown( SoS)	
Alun Alesbury (SoS)	Tim Burr (SoS)	
Andrew Shaxson (SoS)	Maggie Jones ( SoS)	
	Angus Dunn( LA)	
	+ independent & co-opted members	

Members not appointed to committee: Chris Dowling, William Meyer

Independent Members and Co-opted members of Policy and Resources Committee – Tom Fourcade, Carole Nicholson, Morris Findley, Lawrence Leather



**Current Appointments to Outside Bodies 2020/21**

<b>Proposed appointee</b>	<b>External Body</b>	<b>Representation only or decision making</b>	<b>Meetings per annum</b>
Helen Jackson	South Downs National Park Trust	Decision making	3
Janet Duncton	South Downs National Park Trust	Decision making	3
<i>Vacant</i>	West Sussex Rural Partnership	Representation	4
Doug Jones	South Downs Local Access Forum	Representation	
<i>Vacant</i>	South Downs Local Access Forum	Representation	
Barbara Holyome	Hampshire Rural Forum	Representation	
<i>Vacant</i>	Campaign for National Parks	Representation	3
Robert Mocatta	Petersfield Town Council Development Committee	Representation	1
Heather Baker	Coast to Capital (C2C) LEP	Representation	4
Barbara Holyome	Hampshire Alliance for Rural Affordable Housing (HARAH)	Representation	
Chair of Planning Committee	Coastal West Sussex Forum	Representation	
Chair of Planning Committee	East Sussex Strategic Planning Group	Representation	
Authority Chair	Coast to Capital Joint Committee	Decision making	
Authority Chair	National Parks England	Decision making partner	
Authority Chair	National Parks UK	Decision making	
Authority Chair	Transport for South-East (Sub Regional Transport Board)	Representation	

**Others:** Appointments to the SCF Chair and panel will be made by the relevant Director, in consultation with Chair of the Authority in advance of the next meeting of the Panel. **\*\*\*All members appointed to outside bodies are required to provide feedback to the NPA on any meetings attended and any relevant issues discussed. A template is available from Member Services to assist members in this reporting.**

**Proposed Member Outside Bodies Appointments until the AGM in 2022**

<b>Proposed appointee</b>	<b>External Body</b>	<b>Representation only or decision making</b>	<b>Meetings per annum</b>
Vanessa Rowlands	South Downs Commercial Operations Limited	Decision making	
Stephen Whale	South Downs Commercial Operations Limited	Decision making	
William Meyer	South Downs Commercial Operations Limited	Decision making	
Janet Duncton	South Downs National Park Trust	Decision making	3
Richard Waring	South Downs National Park Trust	Decision making	3
Doug Jones	South Downs Local Access Forum	Representation	
Richard Waring	South Downs Local Access Forum	Representation	
Barbara Holyome	Hampshire Rural Forum	Representation	
Vanessa Rowlands	Campaign for National Parks	Representation	3
Robert Mocatta	Petersfield Town Council Development Committee	Representation	1
Heather Baker	Coast to Capital (C2C) LEP	Representation	4
Barbara Holyome	Hampshire Alliance for Rural Affordable Housing (HARAH)	Representation	
Chair of Planning Committee	Coastal West Sussex Forum	Representation	
Chair of Planning Committee	East Sussex Strategic Planning Group	Representation	
Authority Chair	Coast to Capital Joint Committee	Decision making	
Authority Chair	National Parks England	Decision making partner	
Authority Chair	National Parks UK	Decision making	
Authority Chair	Sub Regional Transport Board	Representation	

**Others:** Appointments to the SCF Chair and panel will be made by the relevant Director, in consultation with Chair of the Authority in advance of the next meeting of the Panel. **\*\*\*All members appointed to outside bodies are required to provide feedback to the NPA on any meetings attended and any relevant issues discussed. A template is available from Member Services to assist members in this reporting.**

**Proposed Chairs and Deputy Chairs of Committees until AGM in 2022**

<b>Planning committee</b>	<b>Policy and Resources Committee</b>
Heather Baker (Chair)	Melanie Hunt (Chair)
Alun Alesbury (Deputy Chair)	Tim Burr (Deputy Chair)
	Vacancy (Deputy Chair) <i>In line with Standing orders the P&amp;R committee will look to fill this vacancy at its meeting in September 2021</i>



Report to	<b>South Downs National Park Authority</b>
Date	<b>6 July 2021</b>
By	<b>Chief Finance Officer</b>
Title of Report	<b>Budget Monitoring Report 2020/21: Provisional Outturn Position</b>
Decision	

**Recommendation: The Authority is recommended to:**

- 1. Note the provisional 2020/21 revenue outturn position of a net £496,000 below budget variance for the 2020/21 financial year.**
- 2. Approve the revenue budget carry forward requests from 2020/21 to 2021/22 of £1,174,000 as set out in Appendix 2.**
- 3. Approve the following Capital variations as detailed in paragraph 3.5;**
  - i) (£275,000) reprofile to the 2020/21 financial year to fund completion of Phase 2 and future phases of the National Park Signage Project;**
  - ii) (£26,000) reprofile to the 2020/21 financial year to fund two new vehicles to replace the aged Nissan Navara pickup trucks.**
- 4. Approve the use of £35,000 revenue below budget variance as a contribution to the Affordable Housing Reserve and the balance of £461,000 be transferred to the General Reserves as set out in section 3.6**
- 5. Note the Treasury Management overview and position as at financial year-end 2020/21.**

**1. Introduction**

- 1.1** The South Downs National Park Authority (the Authority) approved the revenue and capital budget for the 2020/21 financial year on the 26 March 2020 (confirmed on 21 May 2020). In accordance with financial procedures, reports on the Authority's projected income and expenditure compared with the budget shall be submitted at least quarterly to Policy & Resources Committee. This report sets out the Authority's provisional outturn position for the 2020/21 financial year.
- 1.2** The Treasury Management Policy Statement and Annual Investment Strategy were approved by the Authority on 26 March 2020 (confirmed on 21 May 2020). In accordance with financial procedures, the Policy & Resources Committee shall receive quarterly treasury management update reports. This report gives an overview of the current economic and treasury management position of the Authority's provisional outturn position for the 2020/21 financial year.

**2. Policy Context**

- 2.1** The revenue and capital budgets are developed to align with the Partnership Management

Plan and Corporate Plan priorities. The budget monitoring process reports on variances against approved budgets to identify changes and resource requirements at the earliest opportunity.

### 3. Issues for consideration.

#### Provisional 2020/21 Revenue Outturn

- 3.1 The provisional 2020/21 revenue outturn position is a net below budget variance of (£496,000), subject to the approval of carry forward requests detailed in this report. This represents approximately 4.9% of the revised service net budget.

2020/21 Month 9 Variance £'000	Service Area	2020/21 Outturn Budget £'000	2020/21 Outturn Actual £'000	2020/21 Outturn Variance £'000
(17)	Corporate Services	3,872	3,852	(20)
(197)	Countryside Policy and Management	3,431	3,152	(279)
(37)	Planning	2,512	2,297	(215)
18	Strategic Investment Fund	297	315	18
<b>(233)</b>	<b>Total Budget</b>	<b>10,112</b>	<b>9,616</b>	<b>(496)</b>

- 3.2 The provisional outturn position represents a movement of (£263,000) from the month 9 forecast variance of (£233,000) below budget reported to Policy & Resources Committee. The most significant movements are detailed at Appendix I to this report.
- 3.3 The main reasons for the net variance position for the full financial year are summarised below. There are a number of less significant variances and these are reported at Appendix I to this report.
- £260,000 less planning fee income than anticipated resulting from the impact of the Covid-19 pandemic. This represents a 21% reduction of income for 2020/21.
  - (£140,000) net below budget for delegated agreements. This is a result of good contract management and an example of 'payment per application' working within the revised agreements. This may create an income pressure for District Councils, but they are able to recover the majority of this from MHCLG Covid-19 compensation grants.
  - (£88,000) net above budget variance on CIL and section 106 admin income; this is due to the reduction in budget for 2020/21, in line with the expected impact of Covid-19.
  - (£117,000) net below budget variance within local plan and minerals waste policy budgets. This is due to the Soft Sand Single Issue Review of the West Sussex Minerals Local Plan examination having been held virtually and no requests from the Inspector to commission further work. On the Local Plan, several projects did not proceed during the year such as the West Sussex & Greater Brighton Partnership's Local Strategic Strategy and air quality monitoring work in Ashdown Forest.
  - £67,000 net above budget variance on legal costs within planning recovered services.
  - £22,000 costs allocation within planning for a provision for legal costs for judgement in a planning application case.

- (£115,000) net below budget variance on mileage, public transport, fuel costs, subsistence for staff and hospitality costs due to the impact of Covid-19 and the reduction of face to face meetings, both internally and externally.
- (£115,000) net below budget variance on property and office costs which includes a refund of business rates for the South Downs Centre of (£38,000) from Chichester District Council due to the impact of Covid-19.
- (£41,000) net below budget variance on training costs due to the impact of Covid-19 and the reduction of external training being held.
- (£98,000) net below budget variance on Theme Board Projects due to the impact of Covid-19.
- (£34,000) net below budget variance for volunteer operations and management costs due to the impact of Covid-19.
- £30,000 net above budget variance on monitoring costs due to governance advice, in relation to Covid-19.
- (£55,000) net below budget variance for research and consultancy costs within Performance and Projects team resulting from projects not occurring this financial year due to Covid-19, but which will be included in next year's budget.
- (50,000) net below budget variance for consultancy costs within the CIL budget.
- £36,000 costs allocated for contribution to bad debt provisions. The provisions are for two unpaid invoices for Chapel Common Heathlands.
- (£33,000) net below budget variance across all areas due to staff vacancies during the year. The approved salary budget for 2020/21 includes an estimated 14% net employee turnover rate, which reduced the salary budget by (£148,000).

#### Budget Carry Forward Requests

- 3.4 Budget carry forward approval is required for both unringfenced grant funded budgets and non-grant funded budgets in accordance with accounting requirements and Financial Regulations and Procedures. All carry forward requests have been reviewed by the Senior Management Team to ensure that they reflect approved commitments and are affordable in the context of the overall financial position. Budget carry forward requests total £1,174,000 and detailed explanations for these are given at Appendix 2.

#### Provisional 2020/21 Capital Outturn

- 3.5 There is a zero forecast variance on the capital programme at outturn, subject to approval of recommended variations to reflect the purchase of a replacement vehicle and for the National Park Signage Project. A summary of the capital programme, including the variations, is provided at Appendix 3 to this report.

#### Impact on Reserves and Implications for the Medium Term Financial Strategy (MTFS)

- 3.6 The Authority's approved MTFS sets out resource assumptions and projections over a 5 year term. The provisional below budget revenue position of (£496,000) will have a favourable impact on the Authority's reserves position. It was assumed as part of the budget proposals considered by the NPA in March 2021 that any below budget variation to the 2020/21 revenue budget would be allocated to the general reserve for subsequent transfer to earmarked reserves to meet identified priorities. It is further requested that £35,000 of the below budget revenue variance be used as a contribution to the Affordable Housing Reserve and the balance of £461,000 be transferred to general reserve. The reserves position is provided in Appendix 4.

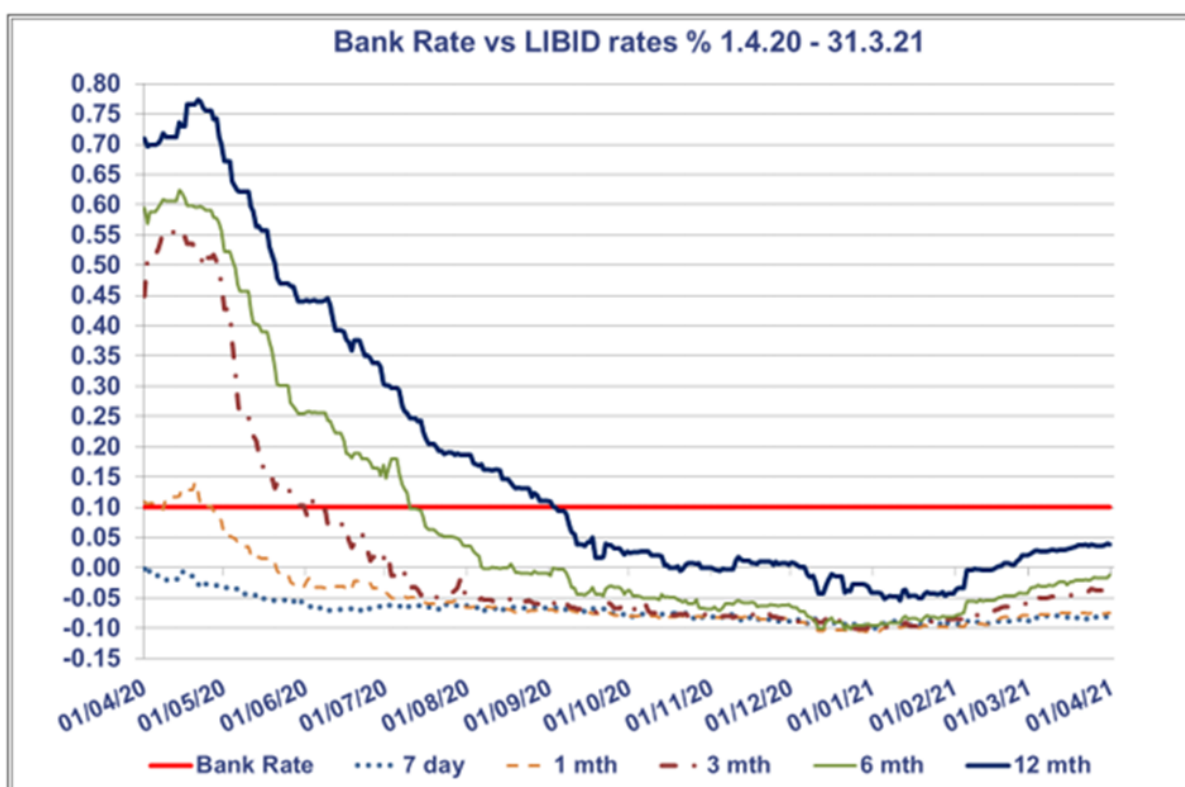
#### Treasury Management Overview and Position

- 3.7 The economic news in 2020/21 was dominated by the impact of the coronavirus pandemic. The first national lockdown in late March 2020 significantly impacted the economy, causing an economic downturn greater than the financial crisis of 2008/09. A short second

lockdown in November did relatively little damage and by the time of the third lockdown in January 2021, businesses and individuals had become more resilient in adapting to working in new ways during a three month lockdown so much less damage than was caused than by the first one. The advent of vaccines has been instrumental in speeding economic recovery and the reopening of the economy in the last part of 2020/21. In addition, the household saving rate has been exceptionally high since the first lockdown in March 2020, which has led to an expectation of pent-up demand and purchasing power stored up for hospitality services as they reopen. It is therefore expected that the UK economy could recover its pre-pandemic level of economic activity during quarter 1 of 2022.

- 3.8 The Monetary Policy Committee (MPC) cut Bank Rate from 0.75% to 0.25% and then to 0.10% in March 2020 and embarked on a £200bn programme of quantitative easing (QE: purchase of gilts so as to reduce borrowing costs throughout the economy by lowering gilt yields). The MPC increased QE by £100bn in June and by £150bn in November to a total of £895bn. While Bank Rate remained unchanged for the rest of the year, financial markets were concerned that the MPC could cut Bank Rate to a negative rate; this was firmly rejected at the February 2021 MPC meeting when it was established that commercial banks would be unable to implement negative rates for at least six months – by which time the economy was expected to be making a strong recovery and negative rates would no longer be needed.
- 3.9 The Bank of England added some key additional wording to its forward guidance in August 2020 around inflation, which stated “it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably”. This appears to be designed to signal that markets should not expect the MPC to increase the Bank Rate to respond to higher inflation unless they can clearly see that the level of inflation will be persistently (rather than temporarily) above target level. This sets a high bar for raising Bank Rate and no increase is expected by March 2024, and possibly for as long as five years. Inflation has been well under 2% during 2020/21; it is expected to briefly peak at just over 2% towards the end of 2021, but this is expected to be a temporary factor and so not a concern to the MPC.
- 3.10 The Authority’s investments at 31 March 2021 are made up of the following:
  - £2.0m fixed deposit held with Santander (UK) plc;
  - £2.0m fixed deposit held with Coventry City Council;
  - The remaining cash balance is invested via Brighton & Hove City Council (£11.8m at 31 March 2021).
- 3.11 The table at Appendix 5 summarises the performance of these investments to 31 March 2021. The actual average interest rate earned in period was 0.51% (a decrease from the average rate of 0.65% earned to Month 9 2020/21). The average interest earned for the whole of 2020/21 was 0.73% (compared to 1.11% in 2019/20). The decrease is as a direct result of the reduction of Bank Rate in March 2020 and therefore the maturity of investments made when the Bank Rate was at 0.75%, which are now being held within the balance with Brighton & Hove City Council (which has also seen the average rate reduce due to the Bank Rate decrease). At this time, the interest earned with Brighton & Hove City Council is greater than would be earned with any of the Authority’s approved counterparties, which has resulted in the increased balance held with Brighton & Hove City Council to maintain the best level of yield for the Authority without compromising the security of the portfolio. The investment rates continue to fall, and therefore other external investment options continue to be explored but none are without additional risk to capital security.
- 3.12 The interest rate earned on the investment portfolio has been strong in comparison to benchmark rates, as can be seen by the below graph which sets out the Bank rate and London Interbank (LIBID) benchmark rates during 2020/21:





- 3.13 The average rate is expected to continue to reduce over into 2021/22 as investments mature (both directly, and within BHCC's portfolio) and funds are reinvested at a lower rate. Officers regularly review cash flow forecasts closely and regularly to ensure sufficient liquidity remains within the portfolio.

#### 4. Options & cost implications

- 4.1 It is proposed that the provisional below budget variance will be transferred to reserves as set out in this report, therefore increasing the resources available in future years to support priorities. The proposed transfer to reserves are considered to be the best use of available funding following a review of reserves and expected future commitments.

#### 5. Next steps

- 5.1 The final outturn position will be reflected in the 2020/21 Statement of Accounts.

#### 6. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	Yes. The provisional budget variance will result in contributions to the Authority's financial reserves. This has implications for the Medium Term Financial Strategy of the Authority as it impacts on the future resource assumptions and financial projections. The resource implications have been covered within the main body of the report.
How does the proposal represent Value for Money?	The proposed carry forwards ensure delivery of initiatives already approved and committed. Internal controls and governance are in place to ensure the economical, efficient and effective use of resources.

Are there any Social Value implications arising from the proposal?	No
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	There are no implications arising directly from this report. The Authority's equality duty shall be taken into account in respect to all expenditure and programmes undertaken by the National Park Authority.
Are there any Human Rights implications arising from the proposal?	Not directly applicable to decisions in this report, however, Human Right implications relating to all expenditure and programmes undertaken by the Authority should be considered.
Are there any Crime & Disorder implications arising from the proposal?	No
Are there any Health & Safety implications arising from the proposal?	No
Are there any Data Protection implications?	No
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	No

## 7. Risks Associated with the Proposed Decision

- 7.1 There are no direct risks associated with this report as the recommendations are for noting or are within approved budgets and/or available resources.

### **NIGEL MANVELL**

**Chief Finance Officer**

**South Downs National Park Authority**

Contact Officer: Nigel Manvell – Chief Finance Officer

Tel: 01273 293104

email: [Nigel.Manvell@brighton-hove.gov.uk](mailto:Nigel.Manvell@brighton-hove.gov.uk)

Appendices

1. 2020/21 Provisional Revenue Outturn by Service Area
2. 2020/21 Budget Carry Forward Request
3. 2020/21 Provisional Capital Outturn
4. 2020/21 Treasury Management Position
5. 2020/21 Reserves Position

SDNPA Consultees

Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, Business Services Manager

External Consultees

None

Background Documents

This report is presented in accordance with the Authority's Financial Regulations and Standard Financial Procedures.

## Agenda Item 13 Report NPA21/22-03 Appendix I

### 2020/21 Provisional Revenue Outturn by Service Area

#### Explanation of Main Movements

Service Area	2020/21	2020/21	2020/21	Explanation of Main Movements
	Month 9	Outturn	Movement	
	Variance	Variance	Variance	
	£'000	£'000	£'000	
Corporate Services	(17)	(20)	(3)	Minor net Variance.
Countryside Policy and Management	(197)	(279)	(82)	Variances were greater than forecast at month 9 for the following budget areas; Volunteer Management and Operation, Theme Boards, and Research and Projects.
Planning	(37)	(215)	(178)	(£87,000) below budget variance for consultants on Local Plan and Minerals and Waste budget, (£50,000) over-achievement of planning Income and (£88,000) over-achievement on CIL and section 106 income. There is a below budget variance of (£50,000) on consultants within the CIL budget. These below budget variances are offset by £89,000 above budget variance of legal costs within Development Management.
Strategic Projects	18	18	0	
<b>Total</b>	<b>(233)</b>	<b>(496)</b>	<b>(263)</b>	

#### Explanation of Main Variances

Service Area	2020/21	2020/21	Explanation of Main Variances
	Month 9	Outturn	
	Variance	Variance	
	£'000	£'000	
Chief Executive's Service	5	8	Salary variance due to the standard employee turnover rate.
Business Services	28	13	£108,000 above budget on Salaries due to agreed additional hours to meet temporary service requirements and a new post for Seven Sisters; this is offset by (£115,000) below budget variance on property and office costs such as gas/electricity, repairs and maintenance, refund of business rates, office stationary and venue hire costs. (£41,000) below budget on Staff Training due to Covid-19. £30,000 above budget variance on monitoring costs due to governance advice, in relation to Covid-19. £36,000 contribution to the provision of bad debt. There are other minor below budget costs for transport costs.
Marketing and Income Generation	(5)	6	£27,000 salary variance due to the standard employee turnover rate. There are other minor below budget costs such as mileage and supplies and services costs.
Governance and Support Services	(45)	(47)	(£19,000) salary variance due to staff not in the pension scheme and a reduction in costs for casual staff covering reception, due to closure of the Midhurst office to Covid-19. (£18,000) mileage and hospitality variance due

			to the impact of Covid-19 and the reduction of face to face meetings both internally and externally and (£10,000) variance on members training.
<b>Total Corporate Services Variance</b>	<b>(17)</b>	<b>(20)</b>	
Director of Countryside Policy and Management	5	20	Salary variance due to employee turnover, offset by below budget variance of mileage costs.
Countryside and Policy Central	(38)	(89)	(£32,000) variance is due to salaries where there was a vacant post, now filled, (Landscape and Biodiversity Lead – Woodland), (£40,000) below budget variance on theme board projects and other minor budget variance on mileage and supplies and services
Countryside and Policy Wealden Heath	(12)	(41)	(£31,000) variance due to salaries where a contribution of £25,000 was received for secondment of staff member to National Parks England. There are other minor variances of mileage costs and supplies and services.
Countryside and Policy Eastern	(43)	(90)	£19,000 salary variance due to employee turnover this is offset by (£57,000) below budget variance on theme board projects and (£34,000) variance on volunteer operations and management costs due to Covid-19, and other minor budget variances on mileage costs and supplies and services.
Countryside and Policy Western	(54)	(42)	(£45,000) variance is due to theme board projects below budget due to Covid-19 and £12,000 salary variance due to the employee turnover rate and minor budget variance on mileage costs.
Research and Performance	(55)	(37)	(£55,000) net below budget for research and consultancy costs due to projects not occurring this year due to Covid-19, but this is offset by above budget variance of £40,000 on theme board projects. (£14,000) below budget variance is due to salaries, where some posts are currently filled with less hours than budgeted and other minor budget variance on mileage costs.
<b>Total Countryside Policy and Management Variance</b>	<b>(197)</b>	<b>(279)</b>	
Director of Planning	2	2	Salary variance due to the standard employee turnover rate, offset by below budget variance of mileage costs.
Planning Development Management	(29)	48	(£22,000) below budget salary variance due to vacant post. £89,000 above budget due to legal fees but this is offset by (£15,000) below budget variance on direct action costs and other minor budget variance on mileage costs.
Performance and Technical Management	35	(123)	£260,000 less planning fee income than budgeted, due to the impact of Covid-19; this is offset by a below budget variance of (£88,000) on CIL and section 106 income and below budget variance of (£50,000) on consultancy costs within the CIL budget. (£140,000) below budget within delegated agreements payments and (£54,000) below budget variance on salaries due to vacant posts within the service. (£50,000) below budget on mileage and hospitality, bank charges and consultancy costs. £35,000 has been requested to be transferred from the underspend to the Affordable Housing reserve – see the section on reserves.

Planning Policy	(45)	(142)	(£22,000) salary variance due to vacant Planning Policy post and (£117,000) net below budget within local plan and minerals waste policy budgets. This is due to the Soft Sand Single Issue Review of the West Sussex Minerals Local Plan examination been held virtually and no requests from the Inspector to commission further work. On the Local Plan projects did not proceed during the year such as the West Sussex & Greater Brighton Partnership's Local Strategic Strategy and air quality monitoring work in Ashdown Forest.
<b>Total Planning Variance</b>	<b>(37)</b>	<b>(215)</b>	
Strategic Projects	18	18	The variance is due to the Centurion Way Project which incurred extra costs of £37,000 due to the changes in the route, which required plans to be redesigned and additional studies completed before planning was approved. £19,000 of these costs were paid in 19/20 with the balance due in 20/21.
<b>Total Strategic Projects</b>	<b>18</b>	<b>18</b>	
	<b>(233)</b>	<b>(496)</b>	<b>Total Revenue Budget Projects</b>

## **2020/21 Budget Carry Forward Requests**

Note, 'Contractual' carry forwards are primarily for information and indicate that a Purchase Order or other contractual commitment has been raised by the Authority.

<b>Amount</b>	<b>Service Area</b>	<b>Type</b>	<b>Description</b>
3	Marketing & Communications	Contractual	SCF Grant budget balance left as at the 31/03/2021, One Project to be funded from SCF in 2021/22.
83	Marketing & Communications	Contractual	Capital Funding for Signage Project - project in phase 2 and not completed until 2021/22 so balance of budget needs to be carried forward.
30	Marketing & Communications	Project	Nature Recovery Campaign was tendered for and commissioned and PO for £27,100 for WeAReTilt should have been raised before end of year as the project started before end of year. The remaining £2,100 is for social media promotion for the campaign. The budget was authorised by SMT in December 2020.
24	Marketing & Communications	Contractual	Website Development - Outstanding elements of website contract yet to be delivered.
6	Marketing & Communications	Contractual	Your National Park Campaign - outstanding films to be delivered – delayed because of Covid restrictions.
1	Marketing & Communications	Contractual	Film for Ed Hughes musical Composition - Project delayed due to Covid (almost complete).
3	Marketing & Communications	Contractual	University of Sussex - Ed Hughes musical composition Project delayed due to Covid (almost complete).
7	Marketing & Communications	Contractual	Design and print of Spring/Summer South Downs View - Delayed due to Covid lockdown.
4	Marketing & Communications	Contractual	Peter Anderson Photo Shoot - Delayed due to Covid restrictions.
1	Marketing & Communications	Contractual	Brochure Connect distribution of Spring/Summer South Downs View - delayed due to Covid lockdown.
4	Marketing & Communications	Contractual	Fitzpatrick Woolmer - Bluebell Interpretation - delayed due to Covid lockdown.
1	Marketing & Communications	Contractual	Fitzpatrick Woolmer - Design of SDC signage- delayed due to Covid lockdown.
1	Marketing & Communications	Contractual	Way Design – Interpretation panels at Hesworth Common - delayed due to Covid lockdown.
3	Marketing & Communications	Grant	Grant from Theme Board for Audit Trails Project work to be completed in 21/22.
1	Marketing & Communications	Contractual	Ministry of Design - Design of SDNPA Corp Plan - work delayed and ongoing.
2	Marketing & Communications	Contractual	Petersfield Museum Interpretation - work delayed due to Covid.
4	Marketing & Communications	Contractual	Interpretation – design work - delayed due to Covid.

1	Marketing & Communications	Contractual	Ministry of Design - design work delayed due to Covid.
<b>179</b>	<b>Total Corporate Services Carry forwards</b>		
12	Research & Performance	Contractual	Carbon Audit - contract partially completed and paid, remaining delayed due to Covid.
1	Research & Performance	Contractual	WinACC Parish Accounting - contract partially completed and paid, remaining delayed due to Covid.
30	Research & Performance	Project	Health and Wellbeing audit currently out to tender.
4	Research & Performance	Contractual	WEPS Review - report not yet completed until 2021/22.
3	Research & Performance	Contractual	Corporate Plan review not yet completed.
2	Research & Performance	Contractual	Citizens Panel- work partially completed in 20/21 but due to be finished in 21/22.
14	Research & Performance	Contractual	GIS Data Licence renewals required in 21/22.
9	Research & Performance	Contractual	Kingley Vale Interpretation project will not be finished until 21/22.
25	Research & Performance	Contractual	SuDs in School project started but not completed until 21/22.
25	Research & Performance	Contractual	Artscape 2 expenditure delayed due to impact of Covid.
78	Countryside Western Area	Grant	Farm officer post and contribution from the Rural Payment Agency, Defra income for Farm Clusters to be carried forward to 21/22.
20	Countryside Western Area	Grant	Income received from Gatwick Airport in 19/20 for Miles without Stiles Project, balance of income to be carried forward into 21/22. Conditions all met.
1	Countryside Western Area	Contractual	Contribution to repair of Lynch Gate path adjacent All Saints Church, Farringdon.
4	Countryside Western Area	Contractual	SDNPA contribution to the bridleway enhancement project in Binstead. The project will improve the surface and drainage of bridleways 504 and 62, enabling safe, off-road access for riders and other bridleway users from Binstead and connecting with both the Shipwrights Way long-distance trail and the woodland trails at Alice Holt.
1	Countryside Western Area	Contractual	Ecological Consultancy services.
10	Countryside Western Area	Contractual	Delay by Forestry Commission in granting felling licence has resulted in contractor being unable to carry out works until May 2021.

35	Countryside Western Area	Contractual	Natural England will currently not grant consent for bat surveys within disused railway tunnels to be undertaken due to the risk of transferring C-19 from humans to bats.
9	Countryside Western Area	Contractual	Still awaiting planning approval for this C-19 Recovery Fund project at St Catherine's Hill.
2	Countryside Western Area	Contractual	Rother Valley Way route - contractor has yet to complete remaining survey work.
27	Countryside Western Area	Contractual	Contractor unable to carry out extensive ash die-back clearance work along Centurion Way Phase 1 until May 2021.
1	Countryside Western Area	Grant	Carry forward contribution received for the Channel Payments for Ecosystem Services Project (CPES) income will be spent in 21/22.
6	Countryside Western Area	Contractual	Ecological surveys on the Rother valley Way route to be undertaken.
4	Countryside Eastern Area	Contractual	Funding for Battle of Lewes Project.
3	Countryside Eastern Area	Contractual	Installation of three kissing gates.
4	Countryside Eastern Area	Contractual	Purchase order raised for Site Surveys of 15 sites in Eastern Downs.
1	Countryside Eastern Area	Contractual	Pyecombe Golf club for grazing of 14 lambs.
4	Countryside Eastern Area	Contractual	Grants awarded to schools as part of these Learning Network Covid recovery projects. These have been ring-fenced for visits which should have taken place this term but have been cancelled so they can go ahead once restrictions allow.
5	Countryside Eastern Area	Contractual	Grants awarded to schools and ring-fenced for visits which should have taken place this term but have been cancelled so they can go ahead once restrictions allow.
4	Countryside Eastern Area	Contractual	On Course to Flail - Interp panels - but work will not be completed to 21/22.
4	Countryside Eastern Area	Contractual	Equestrian TAN project which provides guidance on a whole-system approach to conservation-based land management, the work is due to be finished in 21/22.
7	Countryside Eastern Area	Contractual	Ewe Dean Fencing Project work not completed in 20-21.
1	Countryside Eastern Area	Contractual	Sussex Heritage Coast Project to facilitation support to finish Strategy & Action Plan review.
25	Countryside Eastern Area	Contractual	Natural Capital in Public Open Spaces - Project set up delayed, delivery starting April. Partnership project with SXLNP, ESCC, A&W and Wealden DC.
10	Countryside Eastern Area	Contractual	Cockshut project to be completed in 21/22.



43	Countryside Central	Grant	Contribution received towards Forestry Partnership. Ongoing for number of years; reducing budget over number of years; Combination of different partners over number of years including Woodland Trust. Part funding a temporary post Woodland Officer).
55	Countryside Central	Grant	Partners contribution for Heathlands Reunited project - which has not yet been spent. Funding claimed in advance from HLF and other partners. Project due to finish in 21/22.
85	Countryside Central	Project	Theme Board underspend to be carried over to support the South Downs Enterprise Partnership development to support the comms and development of the partnership through marketing and platforms including a feasibility into the 'Made in the South Downs' SDNP product marque.
33	Countryside Central	Grant	Carry forward budget is for the ongoing costs for the Rural Sussex Partnership scheme.
6	Countryside Wealden Heath	Contractual	SDNP Scheduled Ancient Monuments study 2020/21. The commissioned research will undertake a data and evidence review to count monuments, map ownerships and volunteer coverage, review systems, expertise, data sharing and training/guidance needs. 50% fee paid in 20/21 balance due next financial year.
9	Countryside Wealden Heath	Contractual	Artist in residence at SSCP - a multi- strand programme delivering youth programmes, community involvement, artist/writers retreats etc, all inspired by the landscape. 50% fee paid in 20/21 balance due next financial year.
2	Countryside Wealden Heath	Contractual	The project is still ongoing, and filming won't be happening until April 21, unable to progress designs of the plaques yet due to needing the links that the QR codes and NFC tags will be connecting to.
2	Countryside Wealden Heath	Contractual	Outstanding project budget requires c/f as project has been impacted by Covid (restrictions on filming, plaque production delayed as a knock on from filming delays etc.) Filming due to start in April 2021.
2	Countryside Wealden Heath	Contractual	Cultural Heritage Theme Programme Board approved project 'Stop a Minute', delivering two site-based installations with associated engagement activities in the western area of the National Park. 50% fee paid in 20/21 balance due in 21/22.
2	Countryside Wealden Heath	Contractual	Costs for the support, development and build of two new virtual tours for the SDNPA Footsteps App, focused on Pallant House Gallery and Gilbert White's House and Gardens. Delivery details covered by signed agreement between SDNPA, ATS Heritage and partner. 80% Fee paid in 200/21 balance due at the end of the project.
1	Countryside Wealden Heath	Contractual	Project is still awaiting planning consent, and we are thus unable to proceed with the work that requires the archaeological watching brief.
9	Countryside Western Area	Grant	Additional ecological works due to bats and soft ground conditions, so must delay work until May when ground conditions improve.

1	Countryside Western Area	Grant	Belle PCX13/40 compactor plate due for delivery in March but delayed with supplier. Expected delivery in April 21.
5	Countryside Western Area	Grant	TT3017 lfor Williams Tipper Trailer expected delivery in March. Delayed with the supplier. Expected delivery now April 21.
5	Countryside Western Area	Grant	Production of oak finger post arms for the England Coast Path. Order only part completed. Delivery expected April 21. Funded through external NE grant funding.
14	Countryside Western Area	Grant	Carry forward of underspend on South Downs Way Budget due, as Covid prevented some scheduled work to be completed in 20/21 that needs to be completed in 21/22.
<b>665</b>	<b>Total Countryside and Policy Carry forwards</b>		
45	Planning Policy	Grant	Income received from DCLG in 2018/19 and 2019/20, so budget needs to be carried forward into 2021/22. Conditions already met.
60	Planning Policy	Grant	Shoreham Cement Works. A scope for transport work has been agreed with West Sussex County Council and Highways England but we can't yet give the go ahead for the work given the current pandemic and the profound impact that this has had on traffic levels. Project delayed due to Covid 19.
142	Planning Policy	Grant	Balance of Grant Income received in previous years for Neighbourhood Planning, so needs to be Carry Forward.
13	Planning Policy	Contractual	Balance of Defra income received in 16/17 (50K) cost centre ring-fenced for income to be spent on this project Business Development Fund - help other LAS advice in neighbourhood planning.
10	Planning Policy	Contractual	Minerals and Waste - West Sussex Soft Sand Single Issue Review Carry forward of one-off funding.
10	Planning Policy	Project	East Sussex transport model project.
50	Performance & Technical Mgr.	Project	Shoreham Cement Works. A scope for transport work has been agreed with West Sussex County Council and Highways England but we can't yet give the go ahead for the work given the current pandemic and the profound impact that this has had on traffic levels. Project delayed due to Covid 19.
<b>330</b>	<b>Total Planning Carry Forwards</b>		
<b>1,174</b>	<b>Total Carry forwards for 20/21</b>		

## Agenda Item 13 Report NPA21/22-03 Appendix 3

### 2020/21 Provisional Capital Outturn

Capital Project	2020/21 Month 9 Adjusted Budget	2020/21 Outturn Variation	2020/21 Outturn Adjusted Budget	2020/21 Outturn Actual	2020/21 Outturn Variance	2020/21 Outturn Variance
	£'000	£'000	£'000	£'000	£'000	%
National Park Signage Project Phase 2	286	(275)	11	11	0	0.0%
New Vehicle	26	(26)	0	0	0	0.0%
Seven Sisters	0	0	150	150	0	0.0%
<b>Total Capital Budget</b>	<b>312</b>	<b>(301)</b>	<b>161</b>	<b>161</b>	<b>0</b>	<b>0.0%</b>

#### Details of variation requests and explanation of significant variances

Capital Project	Variation Type	Value	Description
National Park Signage Project	Reprofile (subject to NPA approval)	(275)	The variation is due to Covid-19 lockdowns delaying the project through the impact on suppliers who have consequently furloughed many staff.
New Vehicle	Reprofile (subject to NPA approval)	(26)	Due to Covid-19 the decision was taken to delay purchasing of a vehicle in 2020/21. Two new vehicles will be purchased in 2021/22 to replace the aged Nissan Navara pickup trucks.

## Agenda Item 13 Report NPA21/22-03 Appendix 4

### 2020/21 Reserves Position

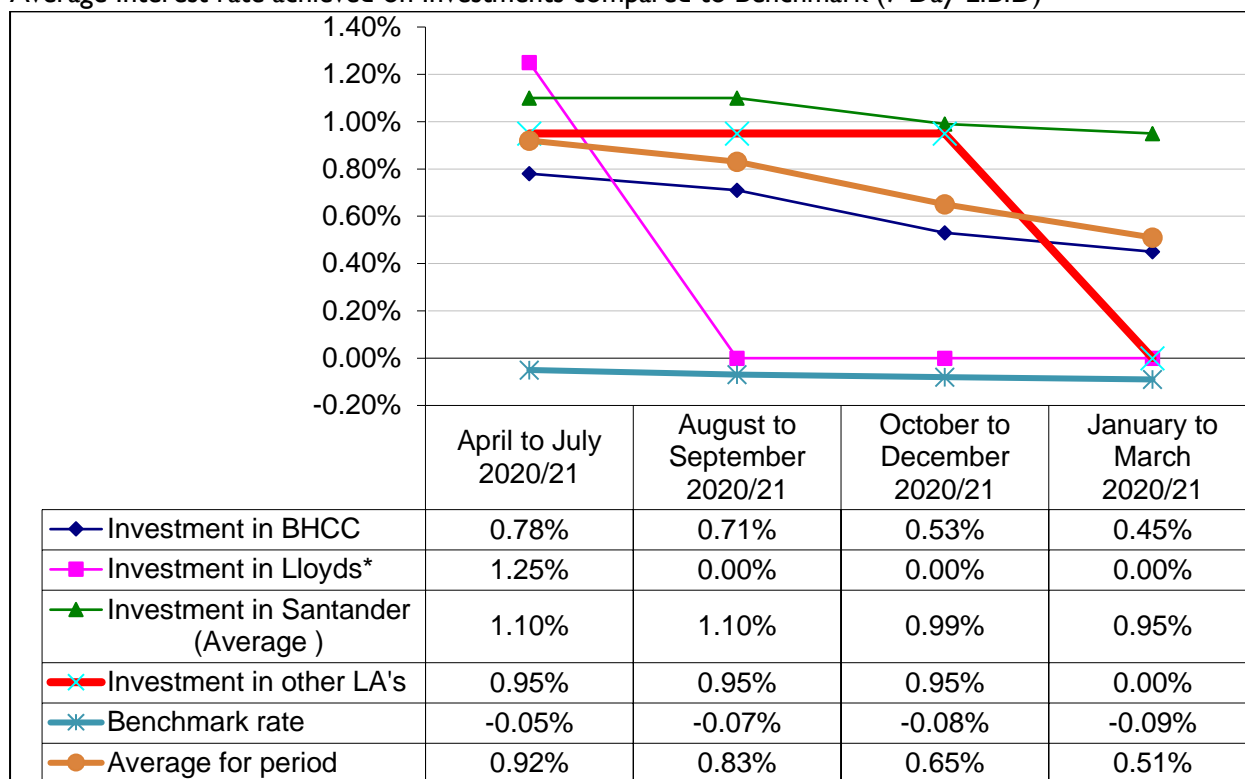
Reserve Type and Title	Purpose of Reserve	2020/21 Month 9 £'000	Move-ment Between Reserves £'000	Contrib-utions to/from Reserves £'000	2020/21 Provisional Outturn £'000
<b>General Reserves:</b>					
Working Balance	Working Balance	595	0	0	595
General Reserve	General Reserve representing the 2020/21 approved budget surplus	0	(35)*	496	461
<b>Earmarked Reserves:</b>					
Partnership Management Plan Reserve	To fund outcomes identified in the Partnership Management Plan	301	0	0	301
Planning Reserve	To fund unforeseen planning inquiries, changes to future delegation arrangements, significant income falls and support for neighbourhood plans	558	0	0	558
Strategic Fund	Reserve to hold unspent Strategic Fund allocations.	520	0	214	734
Affordable Housing	Funds to implement an Affordable Housing Strategy within the National Park	126	35*	0	161
Climate Change Fund Reserve	Funds to support the Authority becoming a 'net-zero' organisation by 2030.	141	0	(15)	126
South Downs Way	Funding transferred from South Downs Joint Committee	20	0	0	20
Section 106 Receipts Reserve	Receipts primarily used to develop infrastructure within the National Park	558	0	(34)	524
Section 106 Interest on Statutory Receipts		146	0	31	177
Community Infrastructure Levy Reserve**	Receipts to fund infrastructure in development areas	4,609	0	1,144	5,753
<b>Capital Reserves:</b>					
Capital Receipts	Proceeds from disposal of assets available for use on capital expenditure	23	0	0	23
Estates Management Reserve	To support refurbishment of area offices.	1,028	0	(150)	878
Vehicle Repairs and Renewals	To fund purchase of replacement vehicles	32	0	0	32
<b>Total Reserves Balance</b>		<b>8,657</b>	<b>0</b>	<b>1,686</b>	<b>10,343</b>

\* Subject to approval by the Authority.

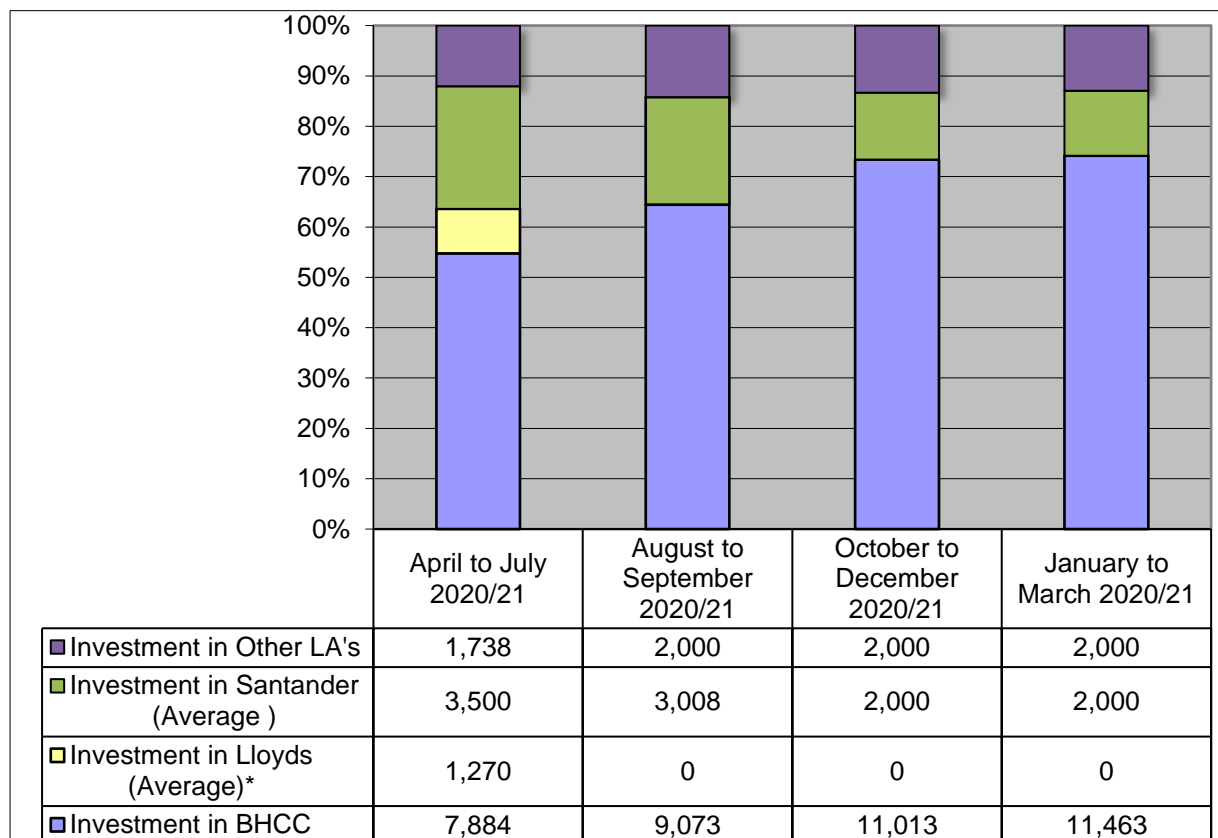
\*\* The value of the Community Infrastructure Levy reserve represents amounts receivable in accordance with Financial Regulations and the Town and County Planning Act 1990. The reserve value may not represent the value of actual income received due to agreed payment terms and profile of payments for some developments.

## 2020/21 Treasury Management Performance

Average Interest rate achieved on Investments compared to Benchmark (7 Day-LIBID)



Average amount invested (weighted by amount per day)





Report to	<b>South Downs National Park Authority</b>
Date	<b>6 July 2021</b>
By	<b>Director of Planning</b>
Title of Report Decision	<b>Response to Highways England's Section 42 Statutory Consultation on the M3 Junction 9 Improvements Scheme</b>

**Recommendation: The Authority is recommended to:**

- 1. Approve the proposed consultation response to Highways England's as set out in Appendix 5, and**
- 2. Delegate authority to the Director of Planning, in consultation with the Chair of the Authority, to make any amendments to the consultation response as he considers appropriate following the discussion by the NPA as well as any inconsequential amendments he considers necessary and submit the consultation response.**

**1. Introduction**

- 1.1 This report is seeking approval of the Authority's consultation response to Highways England's proposals for improvements to the M3 Junction 9.

**2. Background and Policy Context**

- 2.1 Section 42 of the Planning Act 2008 – 'duty to consult on a proposed application' refers to the Nationally Significant Infrastructure Projects (NSIP) planning process. This is a formal statutory consultation that Highways England are legally required to undertake before they submit a 'Development Consent Order' (DCO) application to the Planning Inspectorate (the Inspectorate).
- 2.2 This is the second 'Section 42 consultation' that Highways England have undertaken for their proposals to alter Junction 9 on the M3.
- 2.3 The first consultation took place in 2019. At that time, the Authority issued a 'holding objection' and a copy of the consultation response is available to view as part of the papers listed for 1 October 2019 Authority meeting (a link is provided under the background documents listed below).
- 2.4 Since the 2019 consultation, Highways England have changed their project team (and associated consultants) and reviewed consultation responses received. This has resulted in a new 'preferred option' being developed. It is this redesign that is subject to this Section 42 consultation process, with a closing date for comments of 8 July 2021.
- 2.5 Consultees and other interested parties have been invited to comment on the information made available on Highways England's website. This information includes:
  - The Indicative General Arrangement Plan (copy attached as **Appendix 1**);

- The Indicative Land Use Plan (copy attached as **Appendix 2**);
  - A Preliminary Environmental Information Report which provides an initial statement of the main environmental information available, along with descriptions of likely environmental effects and mitigation measures envisaged for the Scheme (copy not attached to report however this can be viewed via web link listed under the background documents below);
  - The Environmental Mitigation Design Plan (copy attached as **Appendix 3**), and
  - The Walking and Cycling Proposals Plan (copy attached as **Appendix 4**).
- 2.6 In summary, the new 'preferred option' requires more land from within the National Park (mainly on the eastern side of the M3) when compared to the original consultation. The larger area now proposed for the DCO application boundary (referred to in consultation material as the 'indicative application boundary') is required to construct the new roads / links and provide additional land for mitigation measures, including land for managing the excess spoil.
- 2.7 The M3 connects south Hampshire with London, the Midlands and the North and forms a key freight route. With traffic particularly heavy between the M3 and the A34. The purpose of the overall project is to reduce congestion and improve journey times, reduce queuing traffic and delays and support economic growth by improving the road capacity.
- 2.8 The detailed proposed highway changes are set out below (and as shown on the Plan in Appendix 1):
- The existing M3 northbound (south of Junction 9) would be converted to a four-lane motorway;
  - North of Junction 9, two lanes would diverge from the M3 to form a new A34 northbound link, while the remaining two lanes would continue north as the M3;
  - The A34 southbound would pass under the M3 and A33 and an offslip would be provided (off the A34 southbound link road) connecting to the new Junction 9 roundabout, while the other would join the M3 southbound carriageway;
  - The Junction 9 roundabout would be replaced with a smaller roundabout;
  - The existing A34 link connecting to the existing Junction 9 roundabout would be converted into a two-way road to connect to the A33, and will provide access to Highways England existing maintenance depot. North of the depot the carriageway would continue with a link to the M3 northbound, and a continuation of the A33 northbound towards Basingstoke, and
  - A new M3 southbound slip road (off the motorway) would merge with the new A34 southbound connector road, which then proceeds along a new link to the Junction 9 roundabout for more local traffic.
- 2.9 The current proposed mitigation measures include (and as illustrated on Plans in Appendices 3 and 4):
- Conversion and re-profiling of existing agricultural land to Chalk Grassland, and Chalk Grass treatment to earthworks and cuttings adjacent to the road network;
  - Proposed Broadleaf Woodland between sections of the new carriageway and linear sections to screen the road from views and to provide habitat connectivity to the existing Site of Scientific Interest;
  - Proposed conversion of existing agricultural land to species rich grassland land;
  - A number of 'Sustainable Urban Drainage Systems' (SuDs) and attenuation features to deal with surface water and drainage;
  - No lighting for the Junction or the slip roads (subways and underpass will be lit);



- The National Cycle Network 23 from the Tesco roundabout, through the Junction 9 roundabout and on to Easton Lane to be upgraded with future provision for horse-riders allowed for;
- A new walking and cycling route through Junction 9 to link up to Easton Lane on both sides of the motorway (the route would descend to a subway provided beneath the new roundabout);
- A new walking route to the west of the M3 to link the A33 / B3047 Junction to Winnall Industrial Estate situated on Easton Lane. The route would be constructed in the existing verge and then continue on part of the existing road network which is to be abandoned. This route would also require a new crossing (not for motorised vehicles) over the River Itchen as well as other subways in certain locations along the route, and
- An additional footpath on the eastern side of the Scheme to link Easton Lane with Long Walk.

2.10 Other elements of the Scheme include:

- Three (3) areas, located on the eastern side of the Scheme and within the National Park, for excess spoil management. In these areas it is proposed that topsoil would be stripped, separated and the material stored in bunds at an approximate height of 4m. It is then anticipated that these areas would be returned to agricultural use.
- Four (4) possible locations for the construction compounds, as shown on the Plan in Appendix 2. Two would be located within the National Park.

2.11 At its 2 July 2019 meeting, the Authority agreed that the following four key priorities (each having equal weight) should be used as the guiding framework for any consultation response:

- The landscape setting, this includes issues such as land re-profiling, lighting and trees / woodland screening (the landscape setting of this particular area featured prominently in the public inquiry into the designation of the National Park);
- Water and its enjoyment (particularly the quality and quantity impacts on the River Itchen Special Area of Conservation and Site of Special Scientific Interest, and Winnall Moors Nature Reserve);
- Chalk grassland (mitigation or compensation for areas directly impacted by the scheme), and
- Access to the National Park from Winchester for walkers, cyclists and other users (preventing any further severance and improving access where possible).

2.12 Under the NSIP process, once the application is submitted to the Inspectorate (on behalf of the Secretary of State) for consideration, the Authority (as a 'relevant Local Authority') will be invited to produce a 'Local Impact Report' and a written representation on our views of the proposal and to take part in the examination hearings. Discussions with Highways England on all aspects of the scheme are expected to occur throughout the lead up to the submission (for example on a Statement of Common Ground) and right up to and including the actual examination hearings.

2.13 Highways England's revised timetable states that the application will be submitted to the Inspectorate in early 2022.

### 3. Issues for consideration

3.1 The Authority is asked to approve the proposed response to the consultation (as set out in **Appendix 5**) which in summary is a holding objection to the proposed scheme due to a lack of detailed information, insufficient mitigation and compensation measures in a number of respects and in particular, the new footpaths proposed are inadequate and should be amended to facilitate their use by cyclists and horse riders, as well as pedestrians.

3.2 The lack of detailed information and clarity and certainty around the mitigation and compensation measures has resulted in the Authority being unable to make a fully informed assessment of all the impacts and the required mitigation and compensation measures.

3.3 The response has been structured around the four key priority areas agreed by the Authority at their 2 July 2019 meeting (as referred to in paragraph 2.11 above).

#### 4. Cost implications

4.1 A considerable amount of officer time has already been invested in preparing an evidence base and in meetings with Highways England. Officers have secured a Planning Performance Agreement with Highways England to mitigate these costs.

#### 5. Next steps

5.1 The Authority is recommended to agree to the response (set out in **Appendix 5**) and give delegated authority to the Director of Planning, in consultation with the Chair of the Authority, to make amendments to the response as agreed by the National Park Authority and to submit the response to Highways England by 8 July 2021.

#### 6. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	No - This is the last legally required formal consultation before Highways England submit the DCO application (unless Highways England chose to carry out another consultation). This response will form the basis for any Authority response to the DCO application and examination in due course.
Does the proposal raise any Resource implications?	Yes – officers have agreed a Planning Performance Agreement with Highways England to mitigate these costs.
How does the proposal represent Value for Money?	N/A
Are there any Social Value implications arising from the proposal?	N/A
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes – no equalities implications arise directly from this paper. The Planning Inspectorate and Secretary of State will have to have regard to this equality duty in their assessment of Highways England's proposals.
Are there any Human Rights implications arising from the proposal?	No
Are there any Crime & Disorder implications arising from the proposal?	No
Are there any Health & Safety implications arising from the proposal?	No
Are there any Data Protection implications?	No
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability	Yes - this is a road building scheme within a National Park.

Strategy?	
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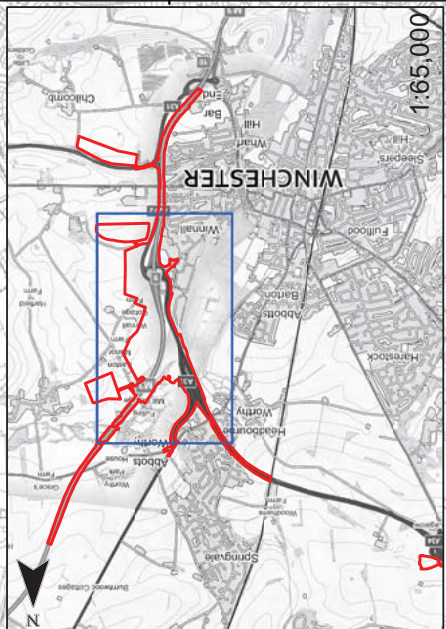
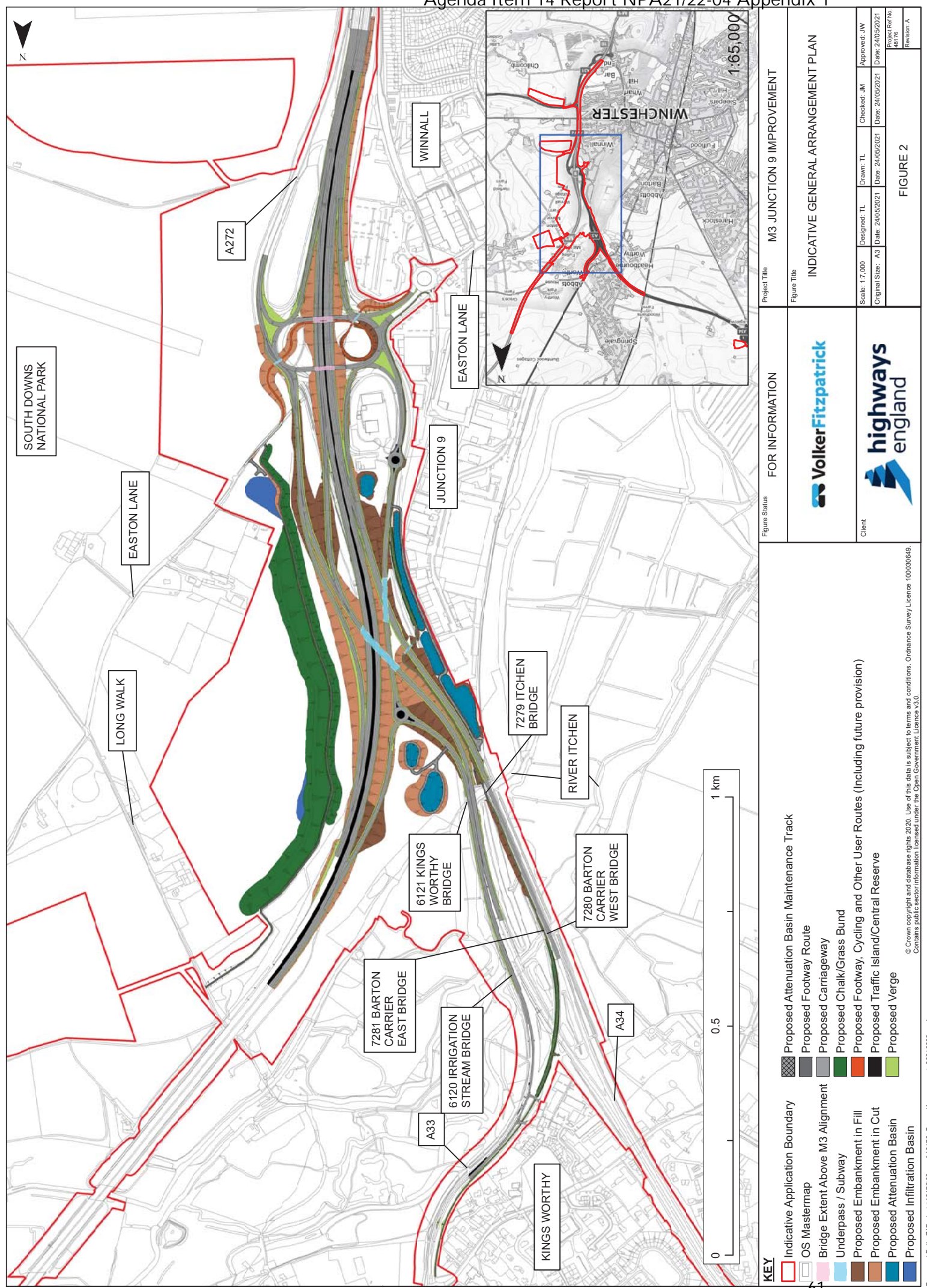
## 7. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Reputational Risk from objecting (or not objecting) to the Scheme	Medium	Low	Risks are mitigated by acting in the best interest of the National Park's purposes, being evidence led, being clear what we are asking for and holding regular meetings with Highways England and other stakeholders.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

Contact Officer:	Kelly Porter, Major Projects Lead
Tel:	01730 819314
email:	kelly.porter@southdowns.gov.uk
Appendices	<ol style="list-style-type: none"> <li>Improvements to M3 Junction 9 – Indicative General Arrangement Plan</li> <li>Improvements to M3 Junction 9 – Indicative Land Use Plan</li> <li>Improvements to M3 Junction 9 - Environmental Mitigation Design Plan</li> <li>Improvements to M3 Junction 9 - Walking and Cycling Proposals Plan</li> <li>SDNPA's proposed response to Highways England</li> </ol>
SDNPA Consultees	Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services
External Consultees	None
Background Documents	<ul style="list-style-type: none"> <li>Highways England proposed improvements to M3 Junction 9 Section 42 Consultation – <a href="https://highwaysengland.co.uk/our-work/south-east/m3-junction-9-improvements/">https://highwaysengland.co.uk/our-work/south-east/m3-junction-9-improvements/</a></li> <li>Memorandum of Understanding between National Parks England and Highways England – October 2019</li> <li><a href="#">National Park Authority – 1 October 2019</a></li> <li><a href="#">National Park Authority – 2 July 2019</a></li> <li><a href="#">National Park Authority – 22 March 2018</a></li> <li><a href="#">Policy and Resources Committee – 27 February 2018</a></li> </ul>





FOR INFORMATION		M3 JUNCTION 9 IMPROVEMENT	
Project Title		INDICATIVE GENERAL ARRANGEMENT PLAN	
Figure Status		Figure Title	
Client		Scale: 1:7,000	
VolkerFitzpatrick		Original Size: A3	
highways england		Designed: TL	
		Drawn: TL	
		Checked: JM	
		Approved: JW	
		Date: 24/05/2021	
		Date: 24/05/2021	
		Date: 24/05/2021	
		Revision A	
		Revision A	
		Revision A	

**KEY**

- Indicative Application Boundary
- OS Mastermap
- Bridge Extent Above M3 Alignment
- Underpass / Subway
- Proposed Embankment in Fill
- Proposed Embankment in Cut
- Proposed Attenuation Basin
- Proposed Infiltration Basin
- Proposed Attenuation Basin Maintenance Track
- Proposed Footway Route
- Proposed Carriageway
- Proposed Chalk/Grass Bund
- Proposed Footway, Cycling and Other User Routes (including future provision)
- Proposed Traffic Island/Central Reserve
- Proposed Verge

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Document Path: Z:\Projects\4817602\_mxd\48176\_GeneralArrangement\_20210330.mxd



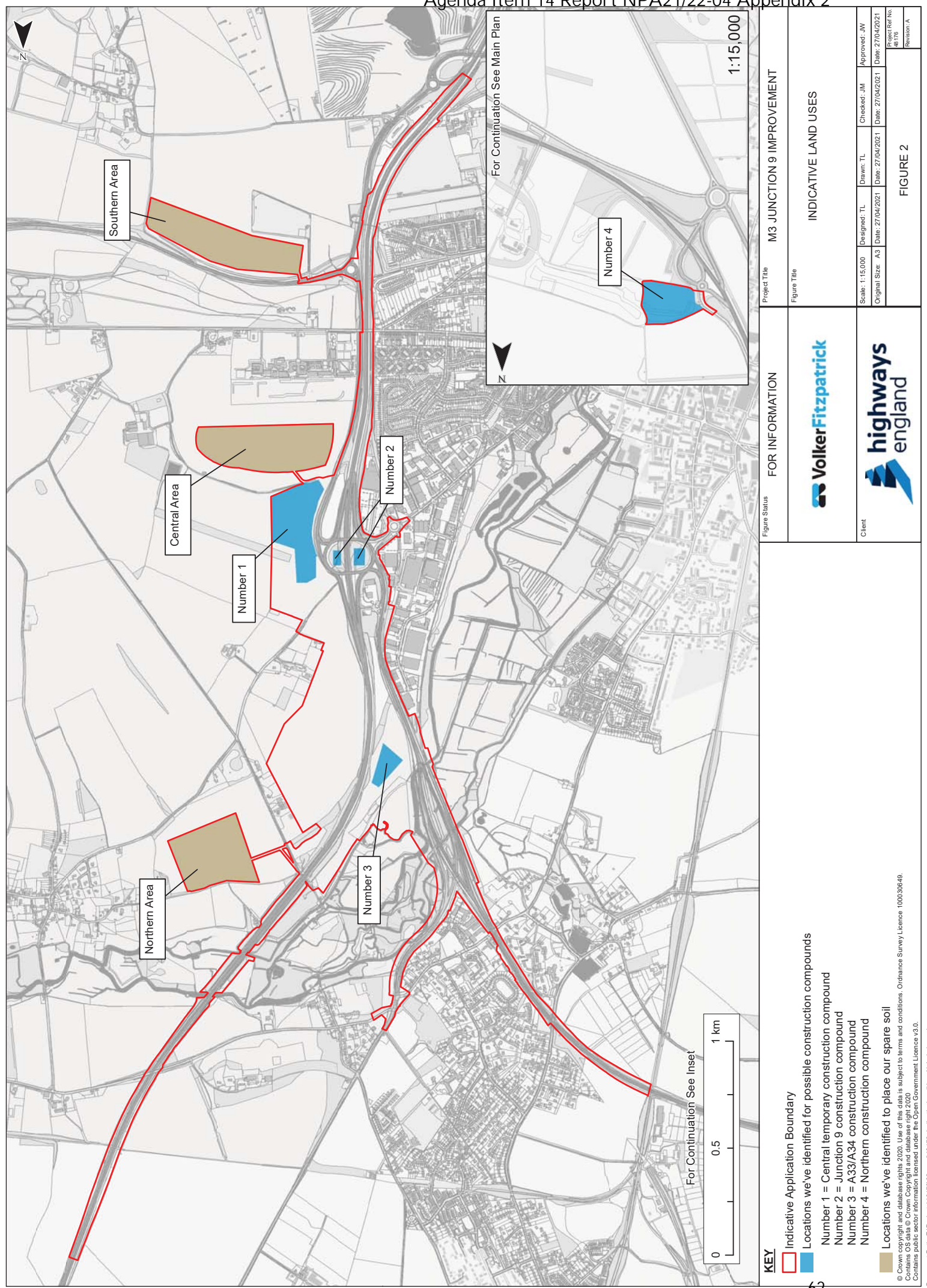

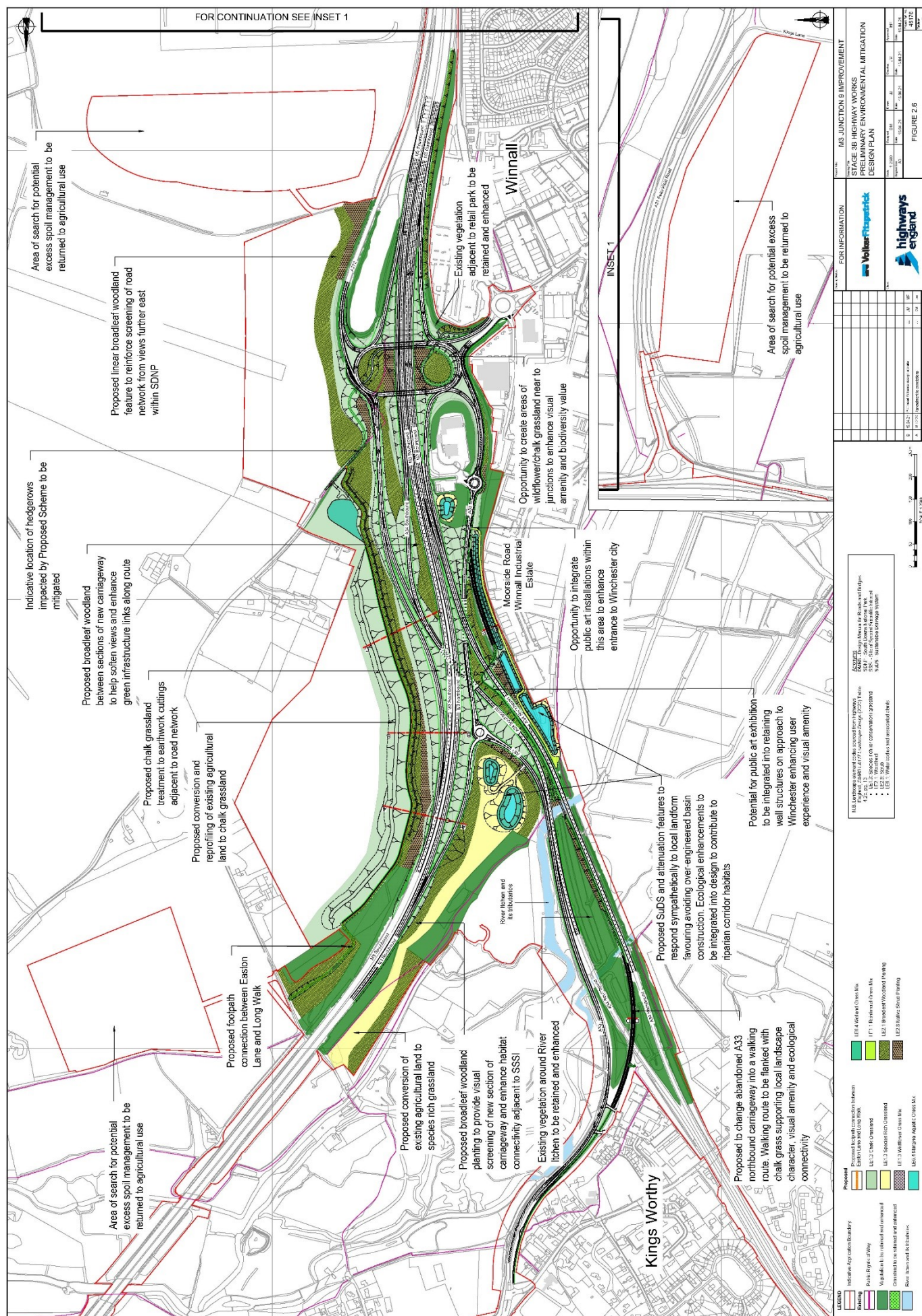
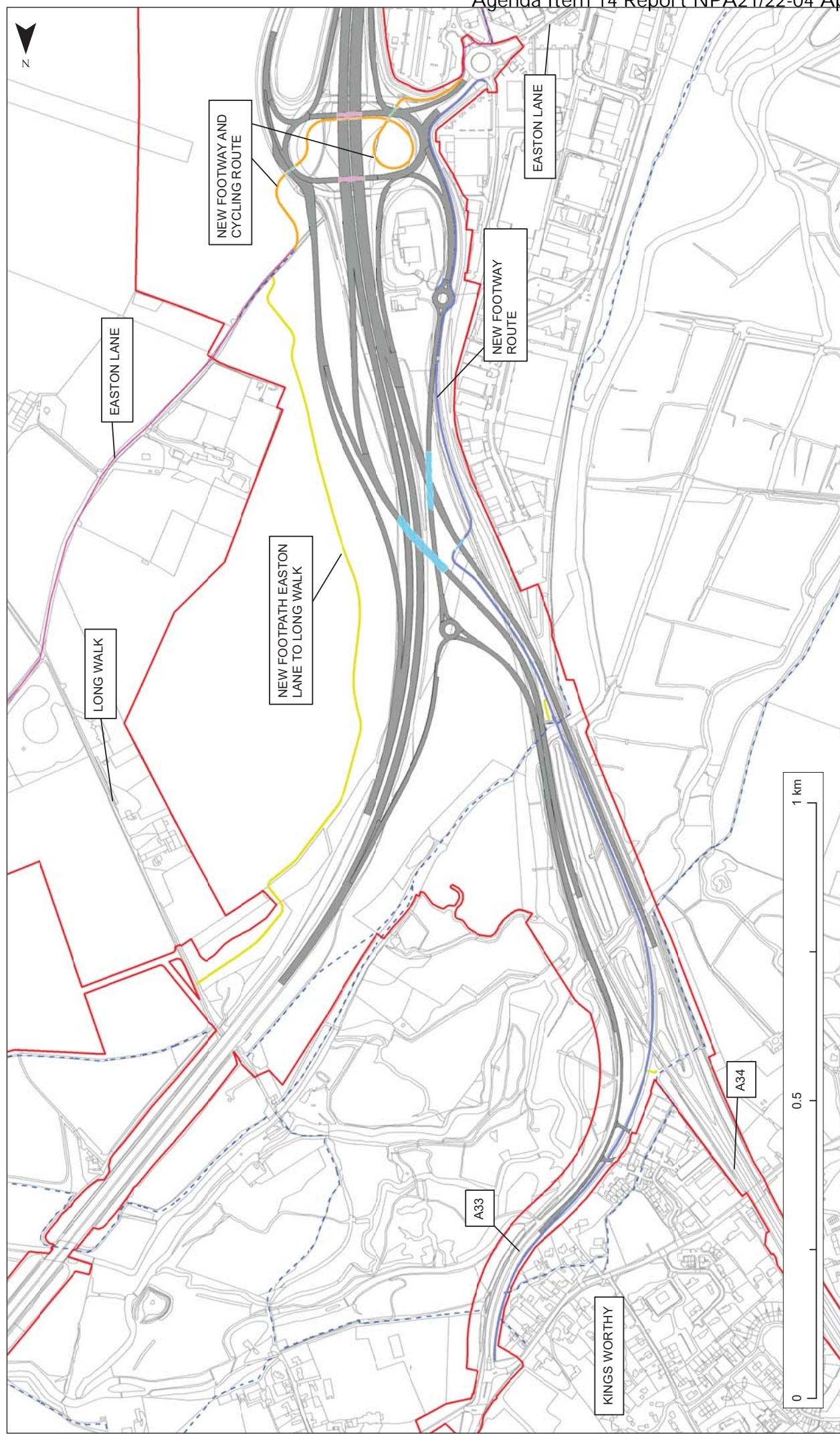




Figure Status	FOR INFORMATION		Project Title		M3 JUNCTION 9 IMPROVEMENT			
			Figure Title		INDICATIVE LAND USES			
Client		Scale: 1:15,000		Designed: TL	Drawn: TL	Checked: JM	Approved: JW	
		Original Size: A3	Date: 27/04/2021	Date: 27/04/2021	Date: 27/04/2021	Date: 27/04/2021	Date: 27/04/2021	
				FIGURE 2		Project Ref No. 48176		Revision A









FOR INFORMATION		M3 JUNCTION 9 IMPROVEMENT	
Figure Status		Figure Title	
		EXISTING AND NEW WALKING AND CYCLING ROUTES	
Client		Scale: 1:6,000	
		Original Size: A3	
		Designed: TL	
		Checked: JM	
		Drawn: TL	
		Approved: JW	
		Date: 14/05/2021	
		Date: 14/05/2021	
		Date: 14/05/2021	
		Project Ref No: 48176	
		Revision: A	

**KEY**

- Indicative Application Boundary
- National Cycle Network (NCN 23)
- Bridge Extent Above M3 Alignment
- Existing Footpath
- New Footway Route
- New Footpath Link
- New Footway and Cycling Route

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**Xx** July 2021

Ms Anne-Marie Palmer  
Project Manager for M3 Junction 9

**Sent via email only**

Dear Ms Palmer,

**M3 Junction 9 Improvements Scheme  
Statutory Consultation – 27 May to 8 July 2021  
Section 42(1)(b) of the Planning Act 2008 and Regulation 13 of the Infrastructure  
Planning (Environmental Impact Assessment) Regulations 2017**

I am writing on behalf of the South Downs National Park Authority (SDNPA) regarding the above Scheme.

In summary, on the basis of the information available, the SDNPA's current position is to issue a **holding objection** to this proposal. This is based on our overarching comments in this covering letter and more detailed technical comments in the attached **Appendix I**. Disappointingly given discussions and evidence we have provided, this repeats some of the same concerns raised during the previous consultation in 2019. I hope following the consultation more can be done thereafter to respond to the issues raised.

**Need for the Scheme**

The SDNPA recognises the need for improvements to this strategically important junction. However, and whilst it is noted that the Preliminary Environmental Information Report (PEIR) acknowledges the proposed scheme will have adverse effects on the South Downs National Park (both during the construction and operational phases), the information provided does not adequately assess the impacts on the National Park. This, together with inadequate mitigation measures leaves the SDNPA unable to come to a definitive view on the level of impacts of the Scheme, hence the holding objection.

**Major Development**

As you are aware this proposal represents '**major development**' within a National Park. The National Policy Statement for National Networks (2014) paragraph 5.150 sets out the high level of protection afforded to National Parks and paragraph 5.151 the assessments necessary to determine the 'exceptional circumstances' in which the public interest may be served by the proposed development. It is required, as part of this test, that any detrimental effects on the environment, landscape and recreational opportunities are assessed as well as the extent to which they could be moderated.

The SDNPA is disappointed that the published consultation material fails to acknowledge the 'major development' test (other than listing out our own Local Plan policy SD3) and how the proposed scheme meets the tests laid down in the National Policy Statement.

We are again concerned that the overall objectives for this Scheme do not specifically include addressing the impacts on the protected landscape (i.e. the South Downs National Park), as referred to in our 2019 consultation response and nor do they provide for the conservation and enhancement of the National Park. This is at odds with the 'Memorandum of Understanding' signed between Highways England and National Parks England in October 2019 (2019 MoU) which states that where a scheme impacts on a National Park there will be an inherent presumption to net enhancement of the wider environment and setting of the National Park rather than just mitigation of the impacts.

### **Mitigation and Compensation Measures**

The current Scheme (and accompanying information) fails to clearly demonstrate the mitigation hierarchy through the evolution of the proposals to show that Highways England have sought to minimise the impact on the National Park (as required under the 2019 MoU) and their duty to have regard to the National Park Purposes and duty.

Overall the Scheme is a missed opportunity to demonstrate how Highways England can help contribute to the Government's commitment to nature recovery (as set out in the Government's 25 year Environment Plan) and the SDNPA's 'People and Nature Network'<sup>1</sup> which specifically identifies the Winchester and Itchen area as a 'natural capital investment area'. Again the published material fails to acknowledge the 2019 MoU which states a key objective is to deliver long term benefits to the environment within the National Park.

In addition, and following the recent announcement by the Government that the Environment Bill will be amended to legislate for biodiversity net gain for new Nationally Significant Infrastructure Projects, it is the SDNPA's view that Highways England should be including within this Scheme proposals to achieve biodiversity net gain.

Therefore, and as set out in our 2019 consultation response, although the SDNPA supports the basic principles of the possible mitigation as set out in the PEIR and accompanying Preliminary Environmental Mitigation Design Plan (Figure 2.6), the published consultation material has limited detail on what the 'embedded mitigation' and 'essential mitigation' actually includes. This effectively makes it impossible to accurately assess the impact of the Scheme and assess the proposal against the National Policy Statement which states high quality environmental standards are required within National Parks (as set out in paragraph 5.153). Therefore, the Authority is issuing a holding objection.

The SDNPA has also reconfirmed four key priorities (each carrying equal weight), in terms of mitigating and compensating the direct impacts of this Scheme on the special qualities of the National Park. It continues to be our view that these should be used as the guiding framework for any Scheme proposal:

- The landscape setting, this includes issues such as land re-profiling, lighting and trees / woodland screening (the landscape setting of this particular area featured prominently in the public inquiry into the designation of the National Park);
- Water (particularly the enjoyment of, quality and quantity impacts on the River Itchen SAC and SSSI and Winnall Moors Nature Reserve);
- Chalk grassland (mitigation or compensation for areas directly impacted by the scheme), and
- Access to the National Park from Winchester for walkers, cyclists and other users (preventing any further severance and improving where possible).

As you are aware, these key priority areas were used to create a joint package of mitigation measures in conjunction with the DEFRA Statutory Agencies and the Hampshire & Isle of Wight Wildlife Trust.

<sup>1</sup> For further information visit [People And Nature Network \(PANN\) - South Downs National Park Authority](#)

These measures were produced at the request of HE to be clear on types of mitigation that would be required, and have been shared a number of times (most recently as part of a 'joint asks' paper signed off by both the SDNPA and Winchester City Council). Therefore, it is again disappointing that no reference has been made to that joint package of measures or how the Scheme specifically addresses them. A copy has been attached again at **Appendix 2**.

Notwithstanding an overall lack of information with regards to mitigation, **Appendix 1** contains details of where the SDNPA considers the mitigation to be inadequate, examples include:

- Re-profiling earthworks – Sections A-A and B-B (on Figures 2.7 and 2.8) show a 'zone of reprofiling earthworks with undulating chalk grass land creating screening of works'. This element appears to be completely artificial on the high flank of the Downland, would interrupt and truncate views to the higher ground to the east, and would not appear to be beneficial as a screening function given their proposed position;
- The location of some of the proposed Chalk Grassland and woodland – the site is located within and on the sides of a river valley. Typically the valley floor is wooded pastoral mosaic floodplain with valley sides more open. This would seem to suggest that the Scheme would be best located within woodland as a strategic approach with refinements and Chalk Grassland reversion to create a second tier of mitigation within the outer / higher elevation areas of the Scheme. However, Section B-B (Figure 2.8) shows that the proposed M3 south slip road and the A34 southbound will be in open Chalk Grassland;
- Loss of trees and woodland – there is no information on the amount of existing trees and woodland which would be lost by the Scheme and no tree survey or a detailed Arboricultural Impact Assessment;
- Adverse impacts on the perceptual qualities of the National Park, such as tranquillity. It is unclear what mitigation is proposed to address these impacts and likely timescales for any proposed mitigation planting. The SDNPA needs to see a substantial planting plan and confirmation of the locations where advanced planting is proposed to help mitigate the significant impacts caused by the construction phase;
- Proposed attenuation ponds – some of the proposed locations for attenuation ponds would appear to be uncharacteristic of the chalk geology and landscape and may require substantial engineering works in their own right;
- Lighting – there is no light assessment, however, the Scheme should demonstrate that there will be no net increase in light spill in the National Park and that any new lighting proposed will comply with the guidance in the Authority's Dark Skies Technical Advice Note (April 2018);
- Excess spoil management - the current proposals for use of excess spoil material is a missed opportunity to deliver mitigation and enhancement measures, for example to support St Catherine's Hill and Magdalen Hill Down;
- New Footpaths – it is proposed that the two largest footway improvements (to both the east and west of the Scheme, as highlighted yellow and blue on Figure 2.9) would be for pedestrians only. This would appear to be in direct conflict with the HE's stated strategic objectives for the Scheme to create a 'more accessible and integrated network', the second statutory purpose of a National Park and other national guidance, including from the Department of Transport, which seeks to promote opportunities for active travel modes.

In addition, it would also contradict HE's assurance to the SDNPA in August 2019 (following the previous consultation and concerns raised about the then proposed new route on the eastern side of the M3) that '*a new walking, cycling and horse riding route is proposed on the eastern side of the M3, between Easton Lane and Long Walk*'.

We would also like to repeat, the Environmental Statement and other information which will accompany the Development Consent Order application needs to set out in detail how the specific mitigation measures will be delivered and secured. If these specific measures are not secured through any Development Consent Order then they cannot be taken into account when assessing the likely significant effects of the proposed Scheme.

### **Temporary Construction Compounds**

We are disappointed that the proposed location for construction compounds and in particular the central construction compound and potential temporary soil treatment area have been moved back inside the National Park, with little information on what consideration, if any, has been given to sites outside of the National Park. Therefore, we re-instate our objection as these construction compounds would be harmful for the appearance of the National Park and could be sited outside of it.

### **Conclusion**

The SDNPA maintains its holding objection to the Scheme as currently presented. However, we will to continue to work with HE to address these issues prior to a Development Consent Order application being submitted in early 2022.

If you have any queries regarding the above please contact Kelly Porter, Major Projects Lead, on 01730 819314 or [kelly.porter@southdowns.gov.uk](mailto:kelly.porter@southdowns.gov.uk)

Yours sincerely

Tim Slaney  
Director of Planning  
South Downs National Park Authority

South Downs Centre, North Street,  
Midhurst, West Sussex, GU29 9DH

T: 01730 814810  
E: [info@southdowns.gov.uk](mailto:info@southdowns.gov.uk)  
[www.southdowns.gov.uk](http://www.southdowns.gov.uk)

Chief Executive: Trevor Beattie

## Introduction

The following detailed comments are structured around the SDNPA's four key priorities (as identified in the covering letter) and where relevant cross references the published consultation material.

The SDNPA expects the issues set out below to be addressed and the SDNPA afforded the opportunity to comment before the Development Consent Order (DCO) application is submitted.

## 1. Landscape Setting

### *Landscape Strategy*

Design Manual for Roads and Bridges (DMRB) LA117 Landscape Design Standards for Highways (2019), sets out in Point 2.4 (Section 2 Principles and Purpose) 'A project's design strategy shall establish a landscape strategy (design vision) and/or a set of defined landscape objectives for the project early on in the development of motorway and all-purpose trunk road projects as an **essential** part of the design process' (our emphasis).

A landscape strategy has not been included in the PEIR and although a range of measures have been referred to, there is no overall project objective which refers to protecting and enhancing a nationally designated landscape (which benefits from the highest levels of protection) and it is unclear what mitigation measures are proposed.

### *Landscape Sensitivity*

The SDNPA welcomes the recognition at 7.7.9 of the PEIR that the National Park will be treated as having very high sensitivity and that as set out in Table 7-2, landscape receptors will be considered of high value depending upon location relative to the National Park. However, this approach appears to be inconsistent with other landscape receptors which are generally components of the National Park and have been given a high (not very high) level of sensitivity, for example topography.

The Authority would suggest that a consistent approach is taken and 'very high' sensitivity is the norm where landscape components are part of the National Park. This would correctly represent the worst case scenario and provide a consistent approach towards the National Park within the assessment.

### *Topography*

As highlighted in the concerns above about landscape sensitivity, it is considered that the topography baseline is poorly described and this failing has implications for the design and mitigation sections of the Landscape Chapter in the PEIR and future Environmental Statement to support the DCO. In addition, this issue emphasises the concerns raised (in the covering letter) about the major development test and the lack of a project objective to protect and enhance a nationally designated landscape.

The existing topography of the site and the study area is bold and dramatic and there are significant geophysical features. The topography then has a marked effect on land use patterns, circulation and transport routes, settlement patterns, biodiversity, heritage and hydrology and visibility.

For example, the topography is formed by chalk which is a distinctive geology and presents particular issues for cuttings and embankments. The chalk Downland, cut through by the River Itchen (which has formed its floodplain along the valley floor), Winchester City rising up the western valley side with largely arable Downland to the east (rising to 100m within the study area) and with the existing M3 passing along the lower part of the eastern valley side. The valley context coupled with rising Downland to east and west together with the nature of the proposals makes topography a very highly sensitive receptor.

The Authority considers that whilst the PEIR acknowledges the National Park as a high sensitive receptor, the topography has not been understood or used to help shape the Scheme and the proposed mitigation measures. Examples of this lack of understanding are set out below.

The site is within and on the side of a river valley, the valley floor is typically a wooded pastoral mosaic floodplain, with the valley sides more open and intensively arable farmed, some pasture and woodland further east. This would suggest that the Scheme would be best located within woodland as a strategic approach with refinements and Chalk Grassland reversion to create a second tier of mitigation within the outer / higher elevation areas of the Scheme. However, Section B-B (Figure 2.8) shows that the proposed M3 south slip road and the A34 southbound will in fact be in open Chalk Grassland.

The use of Chalk Grassland within the lower embankments and inter-structural parts of the Scheme is questioned. These areas will be difficult to maintain properly as Chalk Grassland (for example due to the sloped angles and issues with access for long term maintenance) and it is considered that these elements will not provide any screening or noise reduction benefits and will not mitigate for the loss of the existing highway vegetation.

Sections A-A and B-B (on figures 2.7 and 2.8) show an area called '*zone of reprofiling earthworks with undulating chalk grass land creating screening of works*'. This element appears to be completely artificial on the high flank of the Downland and would interrupt and truncate views to the higher ground to the east. The SDNPA would question whether this is actually a suitable location for surplus spoil and the proposed screening function of these works would not appear to be beneficial to receptors to the east (in the short or long term) due to their elevation and distance.

#### Viewpoints

The SDNPA welcomes the clarification set out in Table 7-I. However, and as set out in previous correspondence to HE in February 2021, the Authority would like further clarification on the following:

- In relation to our suggested viewpoints C, D, F, G and K, it would be very helpful if HE could overlay the viewpoints on the ZTV image as it would appear that viewpoints C, D, F and K would be visible, and;
- The position of Viewpoint 10 has not moved since the Scoping Opinion Report (albeit it is acknowledged that at the Scoping Opinion Report stage there were two locations marked '10' on the plan and now there is only one). As highlighted in the Authority response to the Scoping Opinion Report, Whiteshute Lane is also an area of Open Access Land and there are open elevated views from this publicly accessible location. Therefore the Authority suggested, and continues to suggest, that the viewpoint should be moved to the open Downland to ensure it reflected an appropriate worst case scenario.

#### Trees / Woodland / Vegetation

We welcome the intention that a UK Forestry Standard (UKFS) compliant woodland management plan will be integrated as part of any Outline Landscape and Ecological Management Plan.

However, the published information does not adequately disclose the amount of existing trees and woodland which will be impacted by the Scheme. There are various references through the document to 'retained where reasonably practical', that a tree survey has been undertaken, that the Scheme could potentially include advanced planting and that opportunities for landscape enhancement or improvement through the management of any retained areas will also be explored.

As per our 2019 consultation response, the SDNPA has not seen a tree survey nor a detailed Arboricultural Impact Assessment. Without this information, the SDNPA is unable to provide comprehensive comments on all the likely significant impacts and mitigation and compensation

measures which will be required, and has no option to conclude other than that the impact on trees would be substantial and harmful.

The SDNPA would expect advanced mitigation in the form of planting to screen views of the construction works and that any advanced mitigation also be designed to improve habitat connectivity.

Although no ancient woodland has been identified within the application boundary, and as acknowledged in the PEIR, woodland under 2 ha may not appear on the Ancient Woodland Inventory but may still have ancient woodland characteristics. The SDNPA would like to see any surveys have been undertaken. Consideration also needs to be given to increasing and enhancing the connectivity of woodlands and hedgerows and these should be clearly stated as part of any mitigation and enhancement measures.

We note the acknowledgement within the PEIR, that the Scheme will have adverse effects on the perceptual qualities of the National Park, such as tranquillity. However, it is unclear what mitigation measures are proposed to address this issue and we are concerned about the likely timescales before the proposed planting referred to the PEIR has matured to provide sufficient mitigation. Therefore, the SDNPA would expect to see the DCO application accompanied with a substantial planting plan and in certain locations advanced planting to help mitigate the significant impacts caused by the construction phase.

As set out in our 2019 consultation response, any assessment of the Scheme also needs to acknowledge and consider the multiple benefits provided by the current landscape characteristics and how the Scheme impacts upon those multiple benefits.

#### *Boundary of Scheme*

The SDNPA welcomes the expansion of the 'Indicative Application Boundary' (IAB) since 2019 to include land for potential mitigation and enhancement measures. However, we do have some concerns with the extent of the IAB in relation to areas for potential excess spoil management. This is because in these areas, spoil will need to be graded to tie in with existing contours and will require sufficient room to achieve this effectively. Currently the red line of the IAB has straight edges which cut across contours and this may not be conducive to achieving this aim.

In addition, the lack detailed information on the proposed landforms (for example, references are made to the spoil being a height of up to 4m) it is not possible to comment, therefore a holding objection is raised.

Please also see our additional comment on the proposed excess spoil areas in the Chalk Grassland section below.

#### *Site Compounds*

As highlighted in the covering letter, the SDNPA objects to the proposed locations of the site compounds within the National Park.

Of significant concern, is the proposed location for the central compound and soil treatment area (as shown as Number 1 on Figure 2). It is unclear what process has been gone through to establish why this is the preferred location (when it was removed from the previous proposal) and whether it has been included in the initial landscape impact assessment work (for example it is unclear if it has been included in the ZTV in Figure 7.8).

The proposed location for the central compound is high on the valley side and whilst screened from the 'Spitfire Link' and to the west by the existing highway woodland belt, it would be highly visible from the National Park in closer views.

The SDNPA considers that a compound in this location would be an unacceptable incursion beyond the existing highway into open landscape of the National Park beyond the valley side and it would have detrimental effects on Easton Lane (the main NMU connection from Winnall). In addition, it is considered that there may be conflict with the existing site entrance and entrance to the existing Highway Depot which could result in the entrance to the proposed compound being relocated for safety reasons, resulting in further tree and hedgerow loss.

#### *Proposed SuDs and Attenuation Ponds*

As highlighted in our 2019 response, whilst the principle of SuDs and attenuation ponds is supported (and can provide multiple benefits) the SDNPA has significant concerns if they are to be located in sensitive areas (for example due to topography or habitat sensitivities) and if the form and locations are uncharacteristic of chalk geology and landscape. For example, the location of the proposed attenuation basin close to the River Itchen SAC / SSSI and the basins shown on the eastern side of the Scheme (shaded blue on Figure 2)

#### *Biodiversity / Habitat Connectivity*

As set out in the covering letter, following the recent announced by Government that the Environment Bill is to be amended to extend the requirements of biodiversity net gain to include Nationally Significant Infrastructure Projects, this Scheme should clearly demonstrate how it could achieve that requirement. Other specific comments relating to biodiversity are set out below.

In Table 8.5 of the PEIR the SDNPA would question the rationale for determining the importance of some species given their legal status. For example, the table refers to the fact that ‘*Dormouse are present within suitable woodland scrub and hedgerow habitat within the IAB and adjacent habitats. Whilst dormouse are distributed across southern England, they live at low densities and are becoming increasingly scarce due to habitat fragmentation. They are listed as common in Hampshire (PTES, 2013) and so would not meet the threshold for ‘county’ importance, but their general scarcity makes them of importance at the local level.*’ Dormice are a European protected species and protected under the Wildlife and Countryside Act 1981. The SDNPA considers that the fact that they are a species in decline means that the presence of a healthy population is of far greater than local importance. Another example is that Badgers are listed as only locally important.

On the issue of habitat connectivity, whilst chalk grassland verges and species poor hedgerows may have low value they often contribute to connectivity. Habitat corridors and connectivity is an area that is not covered within the PEIR, where cumulative impacts rather than individual habitat impacts should be given more weight.

In addition, the current Scheme is a missed opportunity to provide habitat connectivity / enhancements (and biodiversity net gain) through the design and materials proposed for the many bridges and other structures within the scheme. For example, it is noted that the Kingsworthy Bridge will need to be ‘reconfigured’, there is an opportunity to use green wall cladding, as demonstrated by the Millbrook Roundabout in Southampton (referred to as the Living Wall at Millbrook), to demonstrate mitigation and improvements for biodiversity and provide as many opportunities as possible to connect up habitats across the whole Scheme.

#### *Cultural Heritage*

We welcome the amendments / clarifications provided in the PEIR following on-going discussions with SDNPA (such as those set out in 6.3.7).

With regards to the statement at 6.6.15, we would like see some acknowledgement that waterlogged archaeological remains includes the potential for levels of preservation specific to materials that comprise rare findings in the archaeological record (such as textiles).



For the proposed mitigation and enhancement measures (set out in section 6.7 of the PEIR) the SDNPA stress that appropriate time must be allocated to proposed archaeological mitigation activities.

In terms of the palaeoenvironmental remains (referred to in 6.7.2 of the PEIR), the SDNPA would expect to see the mitigation measures to include the use of a recognised palaeoenvironmental specialist (i.e. someone with recognised experience of the palaeoenvironmental potential within the South Downs).

With regards to 6.7.3 - 6.7.4 of the PEIR, any assessment also needs to acknowledge that mitigation is effectively preservation by record, which is in itself a destructive process and mitigation through design includes preservation in situ.

The SDNPA would also like to repeat that any archaeological mitigation both identifies enhancement opportunities in relation to archaeological sites, interpretation and research, and in turn revisits the archaeological findings from the original road construction and subsequent development of the M3 to ensure advancement of knowledge and understanding draws on previous research, finds and archives.

#### *Lighting*

We welcome the acknowledgment within the PEIR of the South Downs International Dark Skies Reserve and references to no lighting on the junction and slip roads. However, in the absence of a Lighting Assessment the SDNPA cannot comment in detail on the lighting impacts of the proposal.

As set out in our 2019 consultation response, the Authority would look for this proposal to take the opportunity to enhance dark night skies in the National Park by reducing light spill and, at the very least, to result in no net increase in light spill in the National Park.

The SDNPA would also expect to see any new lighting comply with the lighting guidance in the Authority's Dark Skies Technical Advice Note (April 2018). Such a requirement has been secured on other NSIPs in the National Park.

#### *Climate Change*

As per our 2019 consultation response, whilst the focus on climate change mitigation in terms of impacts from CHG emissions is welcomed, it is the SDNPA's view that there is scope for the Scheme to make a positive contribution to landscape scale adaptation responses to climate change and it is disappointing that even at this stage, the PEIR makes no reference to this and how the Scheme could provide mitigation and enhancement measures to help tackle climate change (for example selecting plant species for water capture or to help with air quality).

## **2. Water**

In terms of impacts to water, the SDNPA's concerns relate to the protection of groundwater and the potential for increased pollutants and the proposed mitigation measures in the form of SuDs and attenuation ponds. The concerns about the form of the mitigation measures are set out in the Landscape Setting section above. The comments below relate to water quality issues.

Of principal concern is the siting of the works on Source Protection Zone I for groundwater and the potential for operational discharges to soakaways. Ideally, future drainage schemes should not be direct to a soakaway without additional interventions.

Also of concern is the protection and enhancement of the ecological balance and species within the River Itchen and surrounding areas (including biodiversity net gain). The River Itchen has a number of specific designations and is one of our best examples of a lowland chalk river.

There are major risks of contamination of the River Itchen during construction and operation of the scheme, as the only river in the National Park that has good 'Water Framework Directive' (WFD) status, all necessary measures, should be put in place to avoid any pollution incidents or impact on the chemical composition of the river water.

Whilst we acknowledge that the PEIR recognises these important issues, and we welcome the references to SuDs and their design being developed in consultation with the project ecologist, without the detailed information which is referred to being contained in the Surface Water Drainage Strategy (and other information) the SDNPA cannot assess whether the overall effects (including mitigation) on water quality will be 'neutral' as asserted in the PEIR.

We also welcome the acknowledgement within the PEIR that the River Itchen discharges directly to further, coastal European sites (the Solent and Dorset Coast SPA and Solent and Southampton Water SPA/Ramsar site) and the issue of 'Nitrate Neutrality' has not been scoped out of the assessments.

However, we are disappointed that Scheme does not propose mitigation or enhancement measures to address this issue. For example, during the operational phase, the Scheme could have a significant positive benefit taking land out of agricultural use and converting it to a use (for mitigation) that does not artificially increase the nitrogen load of the land and / or creating wetland environments that act as a nitrogen sink and remove nitrogen from the river (a catchment management solution).

### **3. Chalk Grassland**

The SDNPA welcomes the principle of proposed Chalk Grassland as a form of mitigation for the Scheme, and we would welcome Chalk Grassland creation on current scrub land (such as parts of St Catherine's Hill) and the arable land (east of the M3).

However, and as highlighted in comments earlier, the SDNPA would question the proposed the location of some of the Chalk Grassland and is seeking assurances that the long term management of the Chalk Grassland has been 'designed in' from the start as this type of habitat is 'man made' and will quickly scrub over unless it is cut or grazed regularly.

The proposed areas of Chalk Grassland need to be designed with good management in mind, in terms of access, degree of slope, and if grazing is proposed, water supply and fencing into suitable grazing cells. The SDNPA is concerned that failure to address these issues now will affect the viability of the mitigation proposals.

#### *Geology and Soils*

As set out in our 2019 consultation response, whilst it is noted that the PEIR makes reference to a search for designated 'Regionally Important Geological Sites' (RIGS) and none being found within the area, in the SDNPA's experience this does not mean that there are no features of significance in that area. At the present time, the SDNPA would advise that there is a shortfall in the identification and designation of significant Geological and Geomorphological sites and features, which means there is risk they could be missed entirely.

The SDNPA would suggest that a scheme of investigation be established alongside the site works, similar to the approach taken for archaeological investigations. This would be especially desirable in relation to any work on cutting or the exposure of new chalk faces. This scheme of investigation could include arranging a walk-over by a geologist to ensure that adequate opportunity is given to research and document existing stratigraphy or any important features that may exist before they are lost. As with the archaeological strategy, if agreed, this could be added to a future Statement of Common Ground.

*Excess spoil management*

The SDNPA is concerned that the current proposals for use of excess spoil material is a missed opportunity to deliver mitigation and enhancement measures. There is a real opportunity to provide multiple benefits by using the chalk deposition to create species rich grassland rather than just returning it to agricultural use (as stated in Figure 2.6).

For example, the southern area proposed for excess soil management (shown on Figure 2), is just downhill of Magdalen Hill Down, the Hampshire and Isle of Wight Butterfly Conservation's flagship site in Hampshire (which fulfils the National Park's first Purpose) as well as being directly adjacent to the South Downs Way (which fulfils the National Park's second Purpose). Creating rich grassland in this area could deliver multiple benefits, including helping to provide habitat connectivity, possible biodiversity net gain and could help to address the issue of 'Nitrate Neutrality' (by taking agricultural land out of use).

In addition, and as already set out in the information provided to HE to date, excess spoil could also be used at St Catherine's Hill (identified as areas 6 and 9 in the joint package of mitigation measures in conjunction with the DEFRA Statutory Agencies and the Hampshire & Isle of Wight Wildlife Trust) to deliver the restoration of Chalk Grassland in this important area.

The SDNPA would again strongly encourage the HE to hold discussions with the Hampshire and Isle of Wight Wildlife Trust about exploring this option further.

#### **4. Access to and from the National Park**

##### *Walking, Cycling and Horse-riding Facilities*

Paragraph 2.4.27 of the PEIR refers to 'existing provision for horse-riders will be improved with a widened 3m route, which includes mounting block...and....future provision for horse-riders is allowed for (beyond the existing cessation point within the roundabout) by providing a wider bridge over the M3 for a 3m width route'. The SDNPA considers that a 3m wide route is insufficient to accommodate a horse and rider side by side particularly where there will be vertical infrastructure adjacent such as subway walls or bridge parapets.

The SDNPA expects a 5 metre wide route as this would be in line with current standards for bridleway provision (in accordance with guidance from DMRB, Interim Advice Note 195/16 – Cycle, Traffic and the Strategic Road Network and the British Horse Society).

As highlighted in the covering letter, the SDNPA is very disappointed that the proposed footway improvements are intended for walkers only (as referred to 2.4.28 – 2.4.31 in the PEIR).

Earlier iterations of the Scheme indicated that the route on the western side would be a walking and cycling route and Highways England gave assurances to the SDNPA in 2019, that 'a new walking, cycling and horse riding route is proposed on the eastern side of the M3, between Easton Lane and Long Walk'.

Given that the intention on the western side is to utilise the abandoned carriageways and the route on the eastern is a new route to be constructed, the SDNPA can see no reason why the routes could not be for all users as there would be sufficient width to provide path fit for all to use.

In addition, a shared use path (particularly on the western side) is more likely to generate greater uptake of sustainable modes of travel by people currently using vehicles for short utility journeys. The increased uptake of E-bikes, for example, means that more shorter journeys could become car free if the infrastructure was provided.

Therefore, the SDNPA objects to the Scheme (and does not agree with the statement set out in 12.9.36 of the PEIR) due to its currently inadequate provision for walkers, cyclists and horse-riders

and its inconsistency with current national policy which seeks to ensure transport schemes support increased uptake of active travel modes (for example the Department of Transport publication 'Gear Change: A bold vision for Cycling and Walking and LTN1/20 Cycle Infrastructure Design').

As the Scheme design progresses, the SDNPA will also expect that views from any proposed new path on the eastern side of the Scheme (from Winnall Down) will be considered i.e. viewing locations are designed in where the topography aids views along / over the valley but the (lower level) roads can be screened out.

The SDNPA does welcome the intention to explore other improvements to the PROW network (as set out in 12.7.65 of the PEIR). However, it is disappointing that given the discussions to date and the creation of the joint package of mitigation measures referred to in the covering letter, that those improvements are not identified at this stage.

In relation to 12.9.27 of the PEIR, we would also welcome further clarity about proposed measures for mobility impaired users. For example, further information is needed about the proposed gradients along the length of the route(s) and particularly around the access to subways.

In relation to 12.9.28 of the PEIR, the SDNPA would expect to see any upgrade to facilities to accommodate sufficient headroom so that horse riders do not need to dismount at any point and also sufficient width for two way walking/cycling/equestrian traffic is provided. This is particularly relevant where vertical objects are adjacent to the path such as walls / fencing / parapets as these effectively reduce the usable width (as set out in LTN1/20 Cycle Infrastructure Design).

In addition, the SDNPA would like confirmation that links to the Itchen Valley Way and St Swithuns Way from the new proposed footpath bridges over the Itchen channels will be provided, as between them these new bridges would create a circular route around the Winnall Moors Nature Reserve without affecting access to the Reserve itself.

#### *Population and Health*

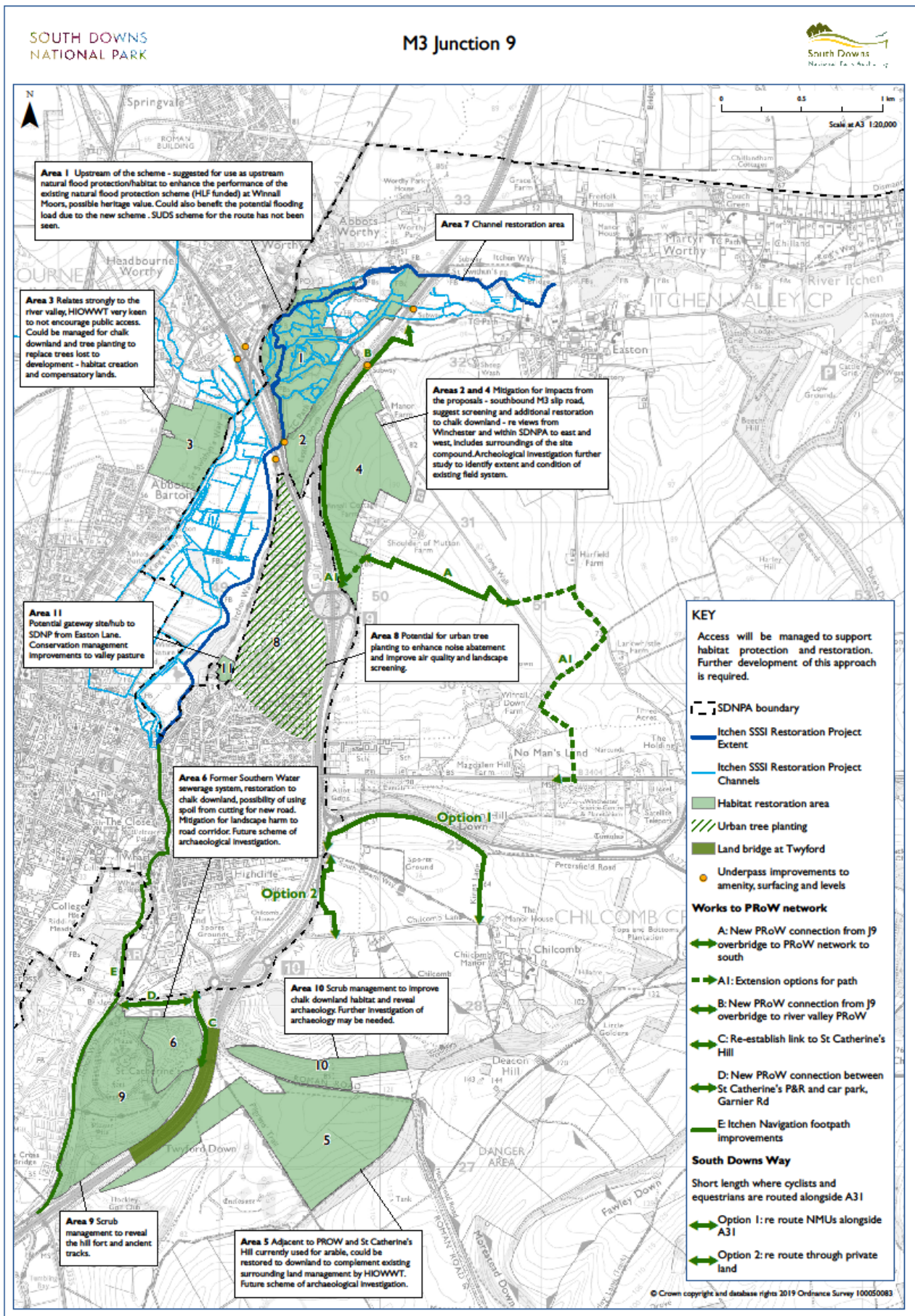
Table 12-5 of the PEIR does not acknowledge the SDNPA's comments on the Scoping Opinion Request. The SDNPA would encourage that any assessment on health and population includes, where possible, the impact of COVID-19. For example, the need to address health implications of COVID-19, and our changing relationship with green space (and needs around access to green space) as part of COVID-19 recovery for communities.

#### *Transport*

Whilst the SDNPA is not the Local Highway Authority, and no detailed traffic modelling information has been made available, we would like to understand if the traffic modelling has / will take into account future (potential) changing work patterns as a result of the COVID-19 pandemic. For example, is there any impact on the baseline assumptions around vehicle numbers and use, as well as potential peak time scenarios?

Linked to transport and 'cumulative effects' with the M3 Junction 9 to 14 upgrade works, the SDNPA would like to understand with the recent Government announcement that motorway upgrade works will have increased requirements for radar based stopped vehicle detection (SVD) on motorways, will there be a need for additional gantries to carry these radar units and how have / are they being taking into consideration for the M3 Junction 9 proposals?

Joint package of mitigation measures in conjunction with the DEFRA Statutory Agencies and the Hampshire & Isle of Wight Wildlife Trust



Proposed Response



Report to	<b>South Downs National Park Authority</b>
Date	<b>6 July 2021</b>
By	<b>Head of Governance &amp; Support Services</b>
Title of Report Decision	<b>Updates to the Scheme of General Delegation of Authority to the Chief Executive and Directors</b>

**Recommendation: The Authority is recommended to:**

- 1. Agree to amend the delegation of functions to the Chief Executive to include the power to:**
  - a) make such decisions and take such actions he considers necessary, in line with any conditions imposed by Defra, and where appropriate taking into account any recommendations received from the Local Assessment Panel, any guidance issued by Defra and any professional advice received, to deliver the Farming in Protected Landscapes programme including but not limited to, the appointment and administration of the Local Assessment Panel and the approval of grant funding applications, irrespective of value; and;**
  - b) agree the submission of bids for grant funding and the arrangements for the application of grant funds received, irrespective of value, with any significant grant bid submissions (whether in terms of finance or scale of project) being reported to the Policy and Resources Committee for information through the regular project /performance reporting mechanisms.**
- 2. Agree to amend the delegation of functions to the Director of Planning to include:**
  - a) Where a Development Consent Order has been granted by the relevant Secretary of State, the Director of Planning shall determine the discharge of requirements imposed by the Development Consent Order which relate to SDNPA as the Local Planning Authority.**
- 3. Authorise the Monitoring Officer to make the necessary updates to and republish the Authority's Standing Orders for Regulation of Authority Proceedings and Business.**

**1. Background**

- 1.1** This report sets out proposed changes to the Scheme of General Delegation of Authority to the Chief Executive and Directors (the Scheme). The Scheme is established in line with s101(1) of the Local Government Act 1972 which sets out that, subject to any express provision contained in legislation, a local authority (which term includes a National Park Authority) may arrange for the discharge of any of their functions by a committee, sub-committee or officer of the Authority, or by any other local authority.

- 1.2 The Scheme forms appendix 7 of the Authority's Standing Orders for Regulation of Authority Proceedings and Business (Standing Orders) and as such changes to the Scheme can only be made by resolution of the NPA. It is a general principle of the Scheme that any function delegated to the Chief Executive and Directors can be exercised by the Authority where the Authority considers this to be in the best interests of the Authority.
- 1.3 Further it is provided for within the Scheme that the Chief Executive and Directors may authorise any other appropriate officer of the Authority to exercise any of the functions delegated to them, but that the Chief Executive or Director shall remain fully accountable to the authority for the discharge of such functions.

## **2. Proposed updates to the Scheme**

- 2.1 The following changes are proposed to the scheme:

### **Farming in Protected Landscapes (FiPL)**

- 2.1.1 The government has recently announced details of the FiPL programme which enables the National park authority to oversee the allocation of funding to farm based projects within the National Park. This programme will include a Local Assessment Panel primarily made up of farmers from across the National Park and is led and co-ordinated by representatives from the Protected Landscape Team, which will consider and where appropriate recommend bids for funding from the FiPL allocation made to the NPA by Defra.
- 2.1.2 In order to ensure there is enough flexibility for the programme to deliver within the tight timescales envisaged by government (such as potentially having the first meeting of the Local Assessment Panel sometime in late summer) it is proposed to delegate authority to the Chief Executive to take all necessary actions to deliver the programme as set out below .
- 2.1.3 As the requirements of the FiPL programme are still being announced it is recommended that a general delegation be agreed in order to reduce the risk of any delay to the programme beginning its work in July. If new requirements are introduced through the publication of additional guidance it will be within the powers of the Chief Executive to enact such requirements immediately and provide for the effective operation of FiPL and avoid potential delay that may be introduced due to a need to seek the approval of the Authority.
- 2.1.4 Participation in the FiPL scheme was included in the Authority's Corporate Plan 2020-25 year 2 action plan for 2021/22 approved by the Authority at its meeting in March 2021 and the Chief Executive has confirmed this with Defra accordingly.

### Proposed Wording of Delegation to the Chief Executive:

- 2.1.5 make such decisions and take such actions he considers necessary, in line with any conditions imposed by Defra, and where appropriate taking into account any recommendations received from the Local Assessment Panel, any guidance issued by Defra and any professional advice received, to deliver the Farming in Protected Landscapes programme including but not limited to, the appointment and administration of the Local Assessment Panel and the approval of grant funding applications, irrespective of value.

### **Approval of grant bids and allocation of grant funding.**

- 2.1.6 Subject to the previous decision of the NPA to amend the Terms of reference for the Policy and Resources Committee with regards to the removal of the committee's role in the submission of bids for grant funding, it is proposed that this function be added to the standing delegations to the Chief Executive. This approach provides for senior management oversight of grant funding bids being made, whilst reducing the risk that opportunities are missed due to the reporting requirements of the Committee. Where significant grant bids are submitted (whether in terms of finance or scale of project) these will be reported to the Policy and Resources Committee through the regular project /performance reporting mechanisms.
- 2.1.7 Following any award of grant it is proposed that it be delegated to the Chief Executive to determine the application of any grant funds received in line with any grant conditions imposed.



#### Proposed Wording of Delegation to the Chief Executive:

- 2.1.8 agree the submission of bids for grant funding and the arrangements for the application of grant funds received, irrespective of value, with any significant grant bid submissions (whether in terms of finance or scale of project) being reported to the Policy and Resources Committee for information through the regular project /performance reporting mechanisms.

#### **Nationally Significant infrastructure Projects (NSIPs)**

- 2.1.9 As Members are aware there are a number of Nationally Significant Infrastructure Projects (NSIPs) within or adjoining the National Park. Unlike planning applications under the Town and Country Planning Acts the Authority does not determine NSIP applications, rather they are determined by the relevant Secretary of State following an examination in public and the receipt of a recommendation from the Examining Authority (a panel of Planning Inspectors). In much the same way as a Local Planning Authority Planning Committee is not bound by the recommendation of its planning officers the Secretary of State is not bound by the recommendation of the Examining Authority.
- 2.1.10 If an NSIP is approved a Development Consent Order is created which is legislation controlling the development. Two NSIPs have been approved to date within the National Park; i) Rampion 1 windfarm and the associated onshore underground cabling, and; ii) Esso's Southampton to London underground aviation fuel pipeline that was granted in October 2020.
- 2.1.11 Development Consent Orders (DCOs) are granted subject to 'requirements' that require details on a particular matter to be submitted to and approved in writing by the Local Planning Authority. These DCO requirements function in the same way as conditions on planning permissions. The requirements tend to cover detailed technical matters such as Construction Environmental Management Plans, Community Engagement Plans, Construction Traffic Management Plans and technical details in respect of matters such as drainage and landscape and ecological management. Depending upon the provisions in the DCO the SDNPA has, generally, between 6 and 8 weeks to determine these applications. If the SDNPA do not determine these applications within this time 'deemed consent' is granted and the details are approved by default.
- 2.1.12 It is proposed to include wording within the Scheme to confirm that the Director of Planning shall determine these requirements. These requirements would ordinarily be of a technical or operational nature that would not require determination at planning committee, remembering of course that the Secretary of State would have already determined the acceptability of the development. This additional delegation is solely proposed in respect of DCO requirements where, and after, Development Consent has been granted by the relevant Secretary of State. Officers will continue to, follow direction from NPA on the Authority's position in relation to specific NSIP proposals, as demonstrated by the proposed consultation response on the M3 Junction 9 proposal which forms part of the agenda for this NPA meeting.
- 2.1.13 It is considered desirable to have this wording inserted for the avoidance of doubt, notably as the applications relate to DCOs which are granted by the Secretary of State under a separate regime to the majority of the development management work handled by the Authority.

#### **Wording of Proposed Delegation to the Director of Planning:**

- 2.1.14 Where a Development Consent Order has been granted by the relevant Secretary of State, the Director of Planning shall determine the discharge of requirements imposed by the Development Consent Order which relate to SDNPA as the Local Planning Authority.
- 2.2 An Updated General Delegation of Authority to the Chief Executive and Directors is attached at appendix I highlighting the proposed changes.

### 3. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No.
Does the proposal raise any Resource implications?	There are no financial implications arising from this report.
How does the proposal represent Value for Money?	Ensuring standing orders and the policy framework are up to date assists the efficient running of the organisation.
Are there any Social Value implications arising from the proposal?	None
Has due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	There are no equalities implications arising from this report. Equalities issues will be taken into account in relation to any decisions taking with regard to the application and administration of any grant funding submission and in the operation of the FiPL programme.
Are there any Human Rights implications arising from the proposal?	There are no Human Rights implications arising from this report
Are there any Crime & Disorder implications arising from the proposal?	There are no crime and disorder implications arising from this report.
Are there any Health & Safety implications arising from the proposal?	There are no Health and Safety implications arising from this report.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy?	The report contributes to principle 4 of the SDNPA sustainability Strategy: Promoting good governance.

### 4. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Failure to maintain an up to date policy Framework and Standing Orders leads to decisions being challenged or delays in decision making	3	4	<p>Standing orders and policy framework kept under review.</p> <p>Monitoring Officer Contract in place.</p> <p>Programme of Audits includes governance issues.</p>

**ROBIN PARR****Head of Governance & support Services  
South Downs National Park Authority**

Contact Officer:	Robin Parr, Head of Governance & Support Services
Tel:	01730 819207
Email:	<a href="mailto:Robin.parr@southdowns.gov.uk">Robin.parr@southdowns.gov.uk</a>
Appendices:	<b>Appendix I updated General Delegation of Authority to the Chief Executive and Directors</b>
SDNPA Consultees	Chief Executive; Director of Countryside and Policy Management; Director of Planning; Monitoring Officer
External Consultees	None
Background Documents	<b>Current Standing orders</b>

## **SOUTH DOWNS NATIONAL PARK AUTHORITY GENERAL DELEGATION OF AUTHORITY TO THE CHIEF EXECUTIVE AND DIRECTORS**

### **1. INTRODUCTION**

- 1.1 Section 101(1) Local Government Act 1972 provides that, subject to any express provision contained in legislation, a local authority (which term includes a National Park Authority) may arrange for the discharge of any of their functions by a committee, sub-committee or officer of the authority, or by any other local authority.
- 1.2 In the exercise of its power under s.101(1), and to ensure efficiency in the management of resources and delivery of services, the Authority has adopted this Scheme of Delegation to the Chief Executive and Directors .

### **2. GENERAL PRINCIPLES**

In all cases, officers shall carry out the functions delegated to them by this Scheme in accordance with the following general principles:

- 2.1 The objective for officers shall be to give effect to, and achieve the objectives of, the strategies, policies and plans adopted by the Authority and its committees.
- 2.2 Officers shall comply with all procedures and protocols adopted by the Authority, including Standing Orders, Financial Regulations, and the Officer Code of Conduct, and ensure that any expenditure that is incurred is provided for within the Authority's approved budget.
- 2.3 Officers shall maintain close liaison with the Chair of the Authority or, where the function being exercised relates to a matter within the terms of reference of a committee, sub-committee or panel, the Chair of that committee, sub-committee or panel (and in any case where the Chair is absent, the Deputy Chair(s) of the Authority, committee, sub-committee or panel, as the case may be).
- 2.4 The delegation of authority to officers is subject in all cases to the right of the Authority to discharge any function hereby delegated to any officer, instead of that officer, where the Authority considers this to be in the best interests of the Authority.

### **3. DELEGATION OF FUNCTIONS TO THE CHIEF EXECUTIVE**

The Chief Executive is hereby authorised to:

- 3.1 Undertake the day-to-day management and control of the Authority, its officers, resources, premises and services.
- 3.2 Make such decisions and take such action as he considers necessary to give effect to any decision of the Authority, its committees and panels and any objectives within the PMP or Authority Corporate Plan to ensure the efficient and effective co-ordination and discharge of the Authority's functions, including power to commit resources and incur expenditure within the Authority's approved budget.
- 3.3 Commission or otherwise undertake due diligence or other such investigatory activity in relation to matters being considered for inclusion in the Authority's capital programme.

- 3.4 Authorise any other officer of the Authority to act on his behalf in the exercise of any of the functions delegated to him, but shall remain fully accountable to the Authority for the discharge of such functions.
- 3.5 Authorise any Director to discharge the functions hereby delegated to him, in his absence.
- 3.6 Act in relation to the appointment, termination, discipline and determination of all matters relating to the employment of staff.
- 3.7 Commence, defend, participate in or settle any legal proceedings in any case where he considers this necessary to protect the interests of the Authority, including the power to take all such procedural or other steps incidental to such proceedings.
- 3.8 Authorise any officer of the Authority to prosecute or defend or appear in any legal proceedings further to Section 223 Local Government Act 1972.
- 3.9 Authorise staff to exercise such powers of entry, inspection and survey of land, buildings or premises and to issue evidence of such authority.
- 3.10 Sign any order or document necessary to give effect to any decision of the Authority or committee.
- 3.11 Agree any term, condition or provision within any legal documentation to protect the interests of the Authority.
- 3.12 Discharge any function hereby delegated to any Director, instead of that Director, or to authorise another Director to do so, in the Director's absence or where he considers this to be in the interests of the Authority.
- 3.13 Implement, manage and administer the Coast to Capital Local Enterprise Partnership Joint Committee.
- 3.14 In consultation with the Chair of the Authority the appointment of members to outside bodies in accordance with rule 26 where such appointment cannot be deferred to the next Annual Meeting of the Authority.
- 3.15 In consultation with the Chair of the Policy & Resources Committee, the power to make decisions on applications for, or reviews of, directions for restrictions on Access Land which require public consultation (long-term restrictions), except in those cases when the Chief Executive and Chair of the Policy and Resources Committee are of the opinion that it should be dealt with by the Policy and Resources Committee.
- 3.16 make such decisions and take such actions he considers necessary, in line with any conditions imposed by Defra, and where appropriate taking into account any recommendations received from the Local Assessment Panel, any guidance issued by Defra and any professional advice received, to deliver the Farming in Protected Landscapes programme including but not limited to, the appointment and administration of the Local Assessment Panel and the approval of grant funding applications, irrespective of value
- 3.17 agree the submission of bids for grant funding and the arrangements for the application of grant funds received, irrespective of value, with any significant grant bid submissions (whether in terms of finance or scale of project) being reported to the Policy and Resources Committee for information through the regular project /performance reporting mechanisms.
- 3.18 In relation to the operation of South Downs Commercial Operations Limited, exercise the powers of the NPA as Shareholder to:

- 3.18.1 Change the bankers of the Company or open or close any bank accounts.
- 3.18.2 Give notice of termination of any agreements of a material nature in the context of the Business or make any material variation or amendment to any such agreements.
- 3.18.3 Commence, settle or defend any claim, proceedings or other litigation brought by or against the Company, except in relation to debt collection not exceeding £100,000 in the ordinary course of the Business in which case the Board of the Company may do this.
- 3.18.4 Alter the Company's accounting reference date.
- 3.18.5 Approve or sign the annual accounts of the Company.
- 3.18.6 Change any of the Company's accounting or reporting practices.
- 3.18.7 Recruit or dismiss any employee whose remuneration exceeds £40,000 per annum subject to an aggregate limit of £100,000 unless provided for in the Annual Business Plan. [provided always that any employee may be dismissed for gross misconduct by the Board of the Company]
- 3.18.8 Alter the remuneration or conditions of employment of any employee or any consultant of the Business unless provided for in the Annual Business Plan or unless obliged to do so by statute in which case the Board of the Company may do this.
- 3.18.9 Make any agreement with any revenue authorities or any other taxing authority, or make any claim, disclaimer, election or consent of a material nature for tax purposes in relation to the Company, its business, assets or undertaking.
- 3.18.10 Appoint or remove the Company Secretary.
- 3.18.11 Where required, approve the choice of alternate director proposed to be appointed by a director of the company pursuant to Article 11.1.1 of the company's Articles of Association.
- 3.19 In relation to the operation of South Downs Commercial Operations Limited, be the representative of the NPA as Shareholder and, in that capacity, to attend, speak at and vote at general meetings of the company as well as be the nominated person permitted to access the books and records of the company and to discuss its affairs with the directors and senior management pursuant to Article 28.2. of the company's Articles of Association.

#### **4. DELEGATION OF FUNCTIONS TO THE DIRECTOR OF COUNTRYSIDE POLICY AND MANAGEMENT**

- 4.1 In consultation with the Chair of the Policy and Resources Committee, the power to make decisions on applications for, or reviews of, directions for restrictions on Access Land which do not require public consultation (short-term restrictions).
- 4.2 In consultation with the Chair of the Authority, the power to appoint the Chair of the South Downs Partnership and the power to agree the basis of any appointment and the terms, including the payment of any allowance, upon which the Chair of the South Downs Partnership may be appointed.
- 4.3 In consultation with the Chair of the Authority and the Chair of the South Downs Partnership, the power to appoint members of the South Downs Partnership and the power to agree the basis of any appointment and the terms, including the payment of

any allowance, upon which members of the South Downs Partnership may be appointed.

## **5. DELEGATION OF FUNCTIONS TO THE DIRECTOR OF PLANNING**

- 5.1 Subject to paragraph 5.3, the Director of Planning is hereby authorised to make all decisions required and take all actions necessary in the discharge of the functions of the Authority falling within the terms of reference of the Planning Committee, except where and to the extent that the particular matter falls within one of the descriptions of functions set out in paragraph 5.2 (i)-(viii) below in which case it shall be referred to the Planning Committee for determination, however, this does not prevent the Planning Committee from delegating any of these functions to the Director of Planning.
- 5.2 The descriptions of functions referred to in paragraph 5.1 above are:
- i) planning applications (except for householder and other minor applications) which are contrary to the approved or draft development plan or other planning policies but which are recommended for approval
  - ii) applications (except for householder and other minor applications) which are requested for referral to the Planning Committee by any Member of the Authority, in writing or email to the Director of Planning and with specified reasons
  - iii) applications (except for householder and other minor applications) which, in the opinion of the Director of Planning, have generated significant and material third party representations which are contrary to the officer recommendation
  - iv) applications from Authority Members or employees
  - v) applications submitted by or on behalf of the Authority for its own developments, except for the approval of minor developments
  - vi) applications which, at the discretion of the Director of Planning, have potential significant impact or could set an important precedent
  - vii) enforcement action which requires prosecution, the service of a “Stop Notice” or any other Notice or action which in the opinion of the Director of Planning might potentially have significant financial risks for the Authority.
  - viii) the allocation of resources received through the community infrastructure levy.
- Note – All other enforcement action taken in terms of these delegations is to be carried out only after the appropriate legal advice has been taken and subject to reports on progress being made to the Planning Committee as required by the committee*
- 5.3 In the event that a meeting of the Planning Committee cannot reasonably be convened in accordance with relevant legislation, the functions listed in paragraph 5.2 (i)-(viii) above may be exercised by the Director of Planning in consultation with the Chair of the Planning Committee.
- 5.4 In exercising the development management functions of the Authority the Director of Planning is authorised to allocate funds received under s106 agreements.
- 5.5 The Director of Planning will normally provide the Authority’s response, if any, to consultations from neighboring authorities, government or others on planning matters of non-strategic importance.

- 5.6 The Director of Planning shall determine whether a matter that would otherwise be determined by a local council under delegation arrangements is suitably “significant” to be referred instead for determination by the Authority.
- 5.7 Where a Development Consent Order has been granted by the relevant Secretary of State, the Director of Planning shall determine the discharge of requirements imposed by the Development Consent Order which relate to SDNPA as the Local Planning Authority.
- 5.8 The Director of Planning may authorise any other officer of the Authority with appropriate planning qualifications and experience to act on his/her behalf in carrying out the functions hereby delegated to them but shall remain fully accountable to the Authority for the discharge of such functions.

## 6 DELEGATION OF FUNCTIONS TO THE DIRECTORS – GENERAL

- 6.1 The provisions in this section apply to the following posts: Director of Countryside and Policy Management and Director of Planning; (“the Directors”)
- 6.2 Subject to the terms of the more specific delegations in the sections above, each of the Directors is hereby authorised to make such decisions and take such action as they consider necessary to give effect to any decision of the Authority, its committees, sub-committees and panels, and to carry out the day to day business of the Authority within their Area of Responsibility as defined in paragraph 6.3. This authority includes power to:
  - 6.2.1 commit resources and incur expenditure within the Authority’s approved budget
  - 6.2.2 authorise any other officer of the Authority to act on their behalf in the exercise of any of the functions delegated, although they shall remain fully accountable to the Authority for the discharge of such functions.
- 6.3 The Directors’ Areas of Responsibility are as follows:
  - 6.3.1 **Director of Director of Countryside and Policy Management** : the Authority’s functions in relation to the delivery on the ground of National Park purposes, including the management of rangers and volunteers and the statutory duty to manage access land, rights of way, water, tourism , sustainability, maintain the National Trail and convene a Local Access Forum, Sustainable Communities Fund and Strategic Fund (subject to powers reserved by the Authority and delegated elsewhere), policy, research and evidence base underpinning the Authority’s statutory duties, the preparation and maintenance of the Management Plan
  - 6.3.2 **Director of Planning:** the Authority’s functions in relation to its statutory duties as the local planning authority for the National Park, including spatial planning, environmental design, development control, planning enforcement, minerals and waste, Economic Planning Advice, Landscape, Historic Buildings and NP Design



## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE 11 MARCH 2021**

Held: online via Zoom videoconferencing, at 10am.

Present: Alun Alesbury (Chair), Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome, Diana van der Klugt, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring.

Also attended by: Russell Oppenheimer.

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Lucy Howard (Planning Policy Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Richard Ferguson (Development Management Lead (West)), Sabrina Robinson (Monitoring and Compliance Officer – Minerals and Waste), Kirsten Williamson (Planning Policy Lead), Chris Paterson (Communities Lead).

### **OPENING REMARKS**

295. The Chair welcomed Members to the meeting and informed those present that:
- Due to the Coronavirus pandemic full meetings were not able to be held at the Memorial Hall 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 purposes.
296. The Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.
297. The Chair reminded those present that:
- 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.

### **ITEM 1: APOLOGIES FOR ABSENCE**

298. There were no apologies.

### **ITEM 2: DECLARATION OF INTERESTS**

299. The Chair disclosed a general, non-prejudicial interest on behalf of some of the Members present, as one of the speakers for item 8, Mr Kemp-Gee, was a founder Member of the Authority and was known to some of the Members present
300. Robert Mocatta disclosed a non-prejudicial public service interest in items 7 and 8 as a District Councillor for East Hampshire District Council (EHDC). Also, one of the speakers for item 8, Councillor Mark Kemp-Gee, was known to him as a fellow EHDC councillor.
301. Janet Duncton disclosed a non-prejudicial public service interest in item 9 as a West Sussex County Councillor.
302. Andrew Shaxson disclosed a non-prejudicial public service interest in item 9 as a parish councillor for Harting Parish Council.
303. Therese Evans disclosed a non-prejudicial public service interest in item 10 as a Winchester City Councillor. The speaker for this item, Councillor Chris Corcoran, was also known to her.
304. Barbara Holyome disclosed a non-prejudicial public service interest in item 10 as the speaker for this item, Councillor Chris Corcoran, was known to her.

**ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 11 FEBRUARY 2021**

305. The minutes of the previous meeting held on 11 February 2021 were agreed as a correct record and signed by the Chair, subject to the following amendment:
- The date listed at the top of the minutes was incorrect and should say '11 February 2021' (and not '21 January 2021'). The minutes were confirmed to be the correct record of the 11 February 2021 meeting.

**ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES**

306. A member asked for an update on application SDNP/20/01535/FUL – Butser Hill Lime Works, the decision for which had been delegated to the Director of Planning in consultation with the Chair of the Planning Committee. The Director of Planning confirmed that discussions had taken place and the decision would be issued imminently, and a copy of the decision would be circulated to members of the planning committee.

**ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

307. The appeal for SDNP/19/01876/FUL - Soldiers Field House had been allowed.
308. The appeal for SDNP/19/04720/FUL - Land rear 34 Lavant Street had been dismissed.

**ITEM 6: URGENT ITEMS**

309. There were none.

**ITEM 7: SDNP/18/06111/FUL – Liss Forest Nursery, Greatham**

310. The Case Officer presented the application and referred to the update sheet.
311. The following public speakers addressed the Committee:
- Cllr Mark Rodbert spoke against the application representing Greatham Parish Council;
  - Elly Butler spoke against the application representing herself;
  - Anna Dale-Harris spoke against the application representing herself;
  - Aaron Wright spoke in support of the application as the agent representing the applicant.
312. The Committee considered the report by the Director of Planning (Report PC20/21-35), the update sheet and the public speaker comments, and requested clarification as follows:
- The application proposed combination boilers to be installed in dwellings. Was Greatham on mains gas?
  - Was the hedge that formed a boundary between the site and the Petersfield Road in the ownership of the applicant?
  - Was the proposed housing mix appropriate and could there be fewer larger dwellings to allow for more 2-3-bed properties?
  - What would be the implications if members deferred the decision to enable the applicants to deal with any issues raised?
  - What was local response to the loss of a shop in this application, were a shop had been proposed as a community asset in the South Downs Local Plan (SDLP) allocation? Was there scope to provide a shop and café and/or farm shop, especially as this site was adjacent to the village primary school and opposite the village hall?
  - Did the scheme provide sufficient open space?
313. In response to questions, Officers clarified:
- Greatham village did have mains gas, however the sustainability of installing gas reliant boilers had been questioned by the parish council.
  - The hedge was in the ownership of the applicant however the grass bank between the hedge and the road was not in the applicant's ownership.

- Paragraph 8.18 of the officer's report detailed the reasons behind the proposed housing mix. It was the view of officers that, on balance, the mix was considered acceptable as, whilst a notable percentage of larger dwellings was proposed, this would help to deliver affordable housing. Policy SD71 of the SDLP also required that any development proposal should provide clear transition in form and layout with a reduced build intensity from Petersfield Road east towards the open countryside and the housing mix allowed for this, with the larger units along the Petersfield Road edge of the scheme.
  - This site was allocated for residential development of 35-40 dwellings in the South Downs Local Plan (SDLP). Members could be minded to defer the decision if, after the debate, they felt that the application could meet the SDLP policies with amendments.
  - The provision of a shop had been mentioned in many representations with mixed feelings amongst the local community on whether it should be included or not. It was not a prerequisite to meet policy, and whilst a shop was in the original proposed, following discussions it was decided that it was best to put forward a wholly residential scheme. However, there was nothing to preclude a shop or even café being proposed in a development scheme for this site and if it came forward as part of the scheme it would be supported.
  - The open space had been maximised given the number of dwellings, which was in the middle of the 35-40 dwellings allocated) and it was useable space.
314. The Committee discussed and debated the application, making the following comments:
- The committee agreed that the scheme was too suburban, was not landscape led and that it did not provide a sense of placemaking within the village.
  - Developer had not sufficiently addressed local community's views.
  - There could be an opportunity for this site, located next to the school and opposite the village hall, to create a centre for the village and the scheme was inward looking in its design.
  - The design and layout was considered uniform and did not respect the local traditions and individuality of design of existing dwellings, and as such did not add anything to the village.
  - This development did not provide a sustainable heating source for dwellings (i.e a transition away from gas central heating). Sustainable construction for any new development should provide for an alternative heat source and not provide heating reliant on gas, which the Government had committed to phasing out.
  - Members considered that the affordable housing policy could be met with a different housing mix, or that some of the CIL liability could be offset, as outlined in paragraph 8.38 of the officer's report, which could make a difference to the viability of the development and enable it to meet the policy for affordable housing.
  - Members were concerned that the viability had not been sufficiently progressed to determine an achievable level of affordable housing.
  - The scheme was not sufficiently close to a satisfactory design to consider deferring it.
315. It was proposed to vote on the officer's recommendation.
316. **RESOLVED:** That planning permission be refused for the reasons as set out in Paragraph 10.1 of the officer's report.

**ITEM 8: SDNP/20/03365/FUL - Meadow Farm**

317. The Case Officer presented the application, referred to the update sheet.
318. The following public speakers addressed the Committee:
- Cllr Mark Kemp-Gee spoke against the application as Hampshire County Councillor for the Alton Rural Division

- Cllr Terry Blake spoke against the application representing Worldham Parish Council
  - Roy Polley spoke against the application representing himself
  - Bruce Weller spoke in support of the application as the agent representing the applicant.
319. The Committee considered the report by the Director of Planning (Report PC20/21-36), the update sheet and the public speaker comments, and requested clarification as follows:
- How would conditions 4 & 5 be monitored?
  - Clarification was sought on the timescale for the application. The report stated that the applicant proposed any further soil importation would be completed in time for the Autumn 2021 crop planting however, the conditions stipulated that importation of inert soil and the earthworks associated with the land raising should be completed within 18 months of first commencement of the development.
  - How many enforcement cases had there been on this site?
  - Clarification of the need for the temporary car parking area.
  - How would this application enhance the natural beauty of the National Park?
  - Was there evidence of flooding in fields surrounding this site?
320. In response to questions, Officers clarified:
- The site would be on a monitoring list and would have monthly visits from SDNPA officers, who would check waste transfer notes to ensure that the correct tonnage of soil was imported to the site. This would be undertaken in consultation with the Environment Agency.
  - If the application was approved and the applicants could start importing soil in spring 2021, the proposal could be finished by autumn 2021. However, the 18-month timeframe was conditioned to allow for the correct amount of soil to be found if it took time to get soil from various sources, and to allow for details to be provided at the discharge of conditions stage, where ecological monitoring of the site needed to be approved by SDNPA officer and the Environment Agency.
  - There had been 8 enforcement cases in connection with the adjacent land which is subject to a Certificate of Lawful Use (Existing), dating back to 2015. Of these, one was permitted development, six the site operator cleared/rectified the breach, one was closed and the remaining one was the subject of this application.
  - Condition 20 required the removal of the temporary car parking area, hardstanding and site office from the site within 3 months after the completion of the final profiling of the imported material. However, during the process of bringing soil on site it was considered typical for a development of this size to provide welfare space for staff and to keep documents. The car parking provision was for on-site workers and to enable SDNPA and EA officers to monitor the site.
  - Whilst this was not considered a landscape led scheme, the conditions would ensure that it would be a well-run agricultural site that would enhance natural beauty by providing wildlife habitats and wetland areas around the ponds.
  - The site was not within a flood risk zone and adjoining fields did not flood, however they were in better quality than this site.
321. The Committee discussed and debated the application, making the following comments:
- The Committee strongly agreed that importing soil to the site from outside the National Park was unacceptable, would cause harm to the landscape, and was not in line with duty and purposes of a National Park.
  - Members raised concern that the applicants had created a problem on the site by importing waste material, and that they should be responsible for restoring the site to conditions favourable for growing crops.

- There was a consensus that there were too many unanswered issues and inconsistencies in this application for the committee to grant permission. It was not clear what the applicants intended to do with the site in the long term.
322. Officers noted concerns from Members that enforcement action should be undertaken at this site.
323. It was proposed and seconded that the application should be refused, on the grounds that the importation of a significant amount of material, would result in an adverse impact on the landscape character of the area, altering the levels at odds with the character of the original field and that of the surrounding area and adding in unwarranted temporary structures, routes and associated paraphernalia, as well as the disruption and disturbance caused by the importation to the site of a substantial quantity of extraneous material. The final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
324. **RESOLVED:** That planning permission be refused for the reason set out in 323 above and that the final form of the reason for refusal be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
325. Ian Philips joined the meeting.

**ITEM 9: Adoption of the West Sussex Soft Sand Single Issue Review of the Joint Minerals Local Plan**

326. The Planning Policy Lead presented the report.
327. The Committee considered the report by the Director of Planning (Report PC20/21-37) and made the following comments:
- It was noted that any inconsequential changes should be suggested to officers in time for them to be included in the report to the next full authority NPA meeting.
  - Members queried why the table detailing the assessment for each site allocation (on page 96 of the full papers), indicated that it was uncertain what effect the policy would have on so many of the objectives. Officers clarified that this assessment reflected the sites at this stage of the process, providing a true reflection of the sites are present, and that this would enable a comparison to be made over time.
  - Members complimented officers on a well-written report which made a complicated issue clear to understand.
328. **RESOLVED:** The Committee recommend that the National Park Authority:
- 1) Note the content of the Inspector's Report and his conclusion that the Soft Sand Review of the Joint Minerals Local Plan provides an appropriate basis for the planning for soft sand within the West Sussex including that area which lies within the National Park, provided that a number of Main Modifications are made to it;
  - 2) Note the findings of the Sustainability Appraisal (incorporating Strategic Environmental Assessment) and the Habitat Regulations Assessment of the Soft Sand Review of the Joint Minerals Local Plan;
  - 3) Delegate to the Director of Planning in consultation with the Chair of the Authority to make any other inconsequential changes to the text required prior to publication of the updated West Sussex Joint Minerals Local Plan;
  - 4) Adopt the Soft Sand Review of the Joint Minerals Local Plan as amended by the Inspector's recommended Main Modifications to form revised policies M2 and M11 of the statutory minerals plan for the South Downs National Park within West Sussex, and use these policies as the basis for planning decisions for soft sand minerals development across this area of the National Park along with neighbourhood development plans and the South Downs Local Plan, where relevant; and
  - 5) Publish an updated version of the West Sussex Joint Minerals Local Plan (2018) and the relevant Policies Map.

**ITEM 10: South Downs National Park Authority's (SDNPA) response to the Submission (Regulation 16) Consultation on the Twyford Neighbourhood Plan (TNP)**

329. The Communities Lead presented the report and referred to the update sheet.
330. The following public speakers addressed the Committee:
- Cllr Chris Corcoran commented on the item, representing Twyford Parish Council.
331. The Committee considered the report by the Director of Planning (Report PC20/21-38), the public speaker comments and the update sheet, and requested clarification as follows:
- Members asked for clarification on a point raised by the speaker, that many of the comments made by officers at the pre-submission stage were repeated again at the submission stage, and a query had also been raised on why there was a need for further evidence to be provided.
  - The Twyford Conservation Area map on page 148 of the full meeting papers (page 20 of the TNP) shows that part of the allocated site is in the Conservation Area. However, on page 208 of the full papers, the comment on policy DB1 states that 'Part of the boundary of the site is in close proximity to the Conservation Area'.
  - Could the SDNPA response ensure that Policy HN6 in the Twyford Neighbourhood plan maintains the flexibility of policies SD30 and SD31, which applies a limitation of *approximately 30%* for extensions and replacement dwellings?
332. In response to questions, Officers clarified:
- Officers had reviewed the comments made both at pre-submission and submission stages and felt there were still some areas that need addressing, so those comments had been repeated at submission stage in order to gain clarification on these matters. Following submission of the SDNPA response to the Examiner, there were processes in place for further evidence to be prepared and submitted in order to support policies within the neighbourhood plan. There would also be opportunities for discussions to take place between the SDNPA, the Examiner and the parish council.
  - Officers agreed to correct the comment on policy DB1 to ensure it was clear that part of the site fell within the Conservation Area.
  - Officers agreed to review the wording of the response to ensure that the wording from policy HN6 included a reference to the term *approximately* as per policy SD0 and SD31: "For extensions and replacement dwellings, policies SD 30 and SD 31 will apply with *approximately 30%* limitations in each and every case".
333. The Committee discussed and debated the report, making the following comments
- Members commended Twyford Parish Council and others involved in putting together the Neighbourhood Plan.
334. **RESOLVED:** The Committee agreed the Table of Comments as set out in Appendix 2 of the officer's report and Update Sheet, which will form the South Downs National Park Authority representation on the Twyford Neighbourhood Plan (TNP) Submission consultation, subject to minor amendments reflecting the member discussion at the 11 March 2021 planning committee meeting.

335. Janet Duncton left the meeting.

**ITEM 11: SDNPA response to the National Planning Policy Framework changes and the National Model Design Code consultation proposals**

336. The Planning Policy Manager presented the report.
337. The Committee considered the report by the Director of Planning (Report PC20/21-39) and made the following comments:
- The committee fully supported the response.

- It was agreed to state in the letter that the duty of a National Park Authority was subordinate to its purposes.

338. **RESOLVED:** The committee:

- 1) Approved the SDNPA response to the National Planning Policy Framework and National Model Design Code consultation proposals set out in Appendix 1 of the officer's report.
- 2) Delegated authority to the Director of Planning in consultation with the Chair of Planning Committee to make any minor changes to the response.

339. The Chair closed the meeting at 13:20.

**CHAIR**

Signed: \_\_\_\_\_





## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE**

Held at 10.00am on 15 April 2021 using Zoom videoconferencing.

Present:

Alun Alesbury (Chair), Heather Baker, Thérèse Evans, Barbara Holyome, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring.

Officers:

Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Lucy Howard (Planning Policy Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by:

Rafael Grosso Macpherson (Senior Development Management Officer), Heather Lealan (Development Management Lead (Minerals and Waste)), Kevin Wright (Planning Policy Officer) Amy Tyler-Jones (Senior Planning Policy Officer), and Mark Alden (Enterprise Development Lead).

### **OPENING REMARKS**

340. The Chair welcomed Members to the meeting and informed those present that:
- Due to the Coronavirus pandemic full meetings were not able to be held at the Memorial Hall 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 purposes.
341. The Senior Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.
342. The Chair reminded those present that:
- 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.

### **ITEM 1: APOLOGIES FOR ABSENCE**

343. Apologies were received from Janet Duncton, Gary Marsh and Diana van der Klugt.

### **ITEM 2: DECLARATION OF INTERESTS**

344. Robert Mocatta declared a non-prejudicial, public service interest in item 7 as a Hampshire County Councillor and as a District Councillor for East Hampshire District Council. The public speaker, Steven Ridgeon, was known to him.
345. Richard Waring declared a public service interest in items 8, 9 & 10 as a Lewes Town Councillor, and as a member of Cycle Lewes. Public speaker Vic lent was known to him, and although the speaker Ben Taylor was not known to him, other members of the Taylor family were known to him.
346. Andrew Shaxson declared a public service interest in item 12 as a member of Elsted and Treyford Parish Council, which had commented on the Parking SPD, as noted in Appendix 1.

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 11 MARCH 2021**

347. The minutes of the previous meeting held on 11 March 2021 were agreed as a correct record and signed by the Chair.

**ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES**

348. There were none.

**ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

349. The Development Manager updated the committee on the following items:

- Decisions had been issued for SDNP/20/01535/FUL – Butser Hill Lime Works, which came before the committee in February 2021, and SDNP/19/03366/OUT - Plumpton College, which came to committee in August 2020.
- The appeal for SDNP/18/05444/FUL - Garden Street Auction Rooms had been allowed.

**ITEM 6: URGENT ITEMS**

350. There were none.

**ITEM 7: SDNP/19/06024/FUL - Land adjacent to Coppice Cottages**

351. The Case Officer presented the application and reminded Members of the report content.

352. The following public speaker addressed the Committee:

- Steven Ridgeon spoke against the application representing East Meon Parish Council

353. The Committee considered the report by the Director of Planning (Report PC20/21-40) and the public speaker comments, and requested clarification as follows:

- Why were 12 houses accepted when 11 dwellings were proposed in the local Neighbourhood Development Plan (NDP)?
- Was the drainage issue a planning matter, and therefore the responsibility of the developers?
- Was the proposed development landscape led? Had the need to follow the layout put forward in the local NDP restricted the ability to put forward a landscape led plan, which might have been able to address the drainage issues on this site?
- The site included land that extended over the settlement boundary and beyond the allocation site set out in the local NDP. How far did it extend over the settlement site and was the additional land in same ownership as the land inside the site boundary?

354. In response to questions, Officers clarified:

- The initial proposal was for 11 units but this was increased to 12, which was considered broadly in line with what the policy required for this location. The extra unit would help to deliver 50% affordable housing, and this was considered acceptable as long as other policies of the development plan were met.
- Surface water drainage is a planning matter. The site already suffered from flooding issues caused by surface water run-off from the hill, through the site and onto Coombe Road. Policy SD49 and the neighbourhood plan policies both stipulated that surface water should not be increased from any development on the site. This proposal did not demonstrate that it met the policies, and in the officers opinion the increase in impervious surfaces on the site was likely to increase the risk of flooding elsewhere.
- The NDP clearly defined that site as appropriate for development and had proposed a similar layout to that of the application scheme. Officers had to take a balanced view and weigh up any benefits and disbenefits of a proposal against the aspirations set out in the NDP. Officers believed that whilst some elements of this application were not landscape led, a scheme could be put forward that would meet both the aspirations of the NDP and a landscape led approach.
- The application site encroached beyond the settlement site by 6.5m. Both the land inside the main settlement site and the encroachment beyond this were in the same ownership. The extension of land allowed for a green buffer, which would reduce visual impact from nearby views, and this was requested in the allocation policy.

355. The Committee discussed and debated the application, making the following comments:
- It was clear from the officer's report that drainage issues had not been addressed, and that there was insufficient evidence to show that this scheme would not increase the risk of flooding elsewhere.
  - Members expressed some concern that an application had come forward where Highways had objected on grounds of an inadequate means of access.
  - Members acknowledged the community consultation that had taken place. However, it was felt that this should have brought the reasons given for refusal to the applicant's attention, and yet these reasons were still not addressed.
  - The scheme was not considered to be landscape led.
  - Members agreed with the officer's reasons for refusal as set out in the report.
356. It was proposed to vote on the officer's recommendation.
357. **RESOLVED:** That planning permission be refused for the reasons as set out in Paragraph 10.1 of the officer's report.

**ITEMS 8 & 9: SDNP/20/05439/FUL; SDNP/20/05442/FUL - Iford Farm**

358. The Chair informed the meeting that agenda items 8 and 9 were being considered together due to the close proximity of the locations on the Iford Estate. Public speakers would have up to 6 minutes to make their representations to the meeting.
359. The Case Officer presented the applications, reminded Members of the report content and referred to the update sheet.
360. The following public speakers addressed the Committee:
- Victor lent spoke against the application representing himself;
  - Anthony Paul Allen spoke against the application representing himself
  - Ben Taylor spoke in support of the application representing The Iford Estate
  - John Robinson spoke in support of the application representing The Iford Estate
  - May Robinson spoke in support of the application representing The Iford Estate
361. The Committee considered the reports by the Director of Planning (Report PC20/21-41 & Report PC20/21-42 ), the update sheet and the public speaker comments, and requested clarification as follows:
- Paragraph 8.41 in report PC20/21-4 (SDNP/20/05439/FUL) stated that a S106 agreement would facilitate the construction of a significant length of the Egrets Way shared path across land owned by the Iford Estate, but that it would be accompanied by a License Agreement of 25 years. Was 25 years sufficient to secure the future of the Egrets Way, and could this not be in perpetuity?
  - How would HGVs be routed to the application sites from the C7?
  - Were there highway safety concerns regarding the new farm access onto the C7 for SDNP/20/05439/FUL?
  - Would the use classes listed in the conditions for the control of commercial units have to remain as stated in the conditions or could use class be changed at any point? Was permission being given to specific existing businesses or for class use?
  - Could conditions be included in this application to improve safety for road users, specifically cyclists, along the C7?
362. In response to questions, Officers clarified:
- The applicants have agreed to provide a dedicated access link for the Egrets Way in perpetuity, which would bind the land into the future. This would be secured through a

SI06 agreement. The 25 year licence agreement relates to management of the land by the SDNPA.

- A Traffic Management Plan would be required and which should provide an agreed routing plan. This could then be monitored by officers.
- The highways consultee had submitted detailed considerations regarding visibility splays along the C7 and safety of the proposed new farm access, and they were satisfied with visibility at the proposed junction. There was a requirement for cutting back hedging to improve visibility.
- Conditions 9 & 10 dealt with the issues of use class of the commercial units. Condition 9 approved a B8 use for the currently redundant A2 unit, as this unit was closest to existing residential properties and is a more appropriate use adjacent to residential properties than a more active B1 use. Condition 10 required that commercial units were used only as their current use class and for no other purpose. The conditions were not specific to named businesses as this would be considered overly restrictive and difficult to meet planning condition tests of reasonableness.
- It was beyond the remit of this planning application to condition improvements to the highway. However, the SDNPA was working separately with ESCC on traffic management for the area with a model emerging from the County to look at traffic generation and flow.

363. The Committee discussed and debated the application, making the following comments:

- The Committee thanked the applicants for their community consultation.. It was also noted that the applicants had submitted these applications together, and had undertaken an audit of their buildings, which the Committee had asked for when the previous application was before them.
- It was noted that there was a lot of public concern about safety for users of the C7, but recognised that it was not a planning matter for consideration as part of this application.
- The new access would have a positive impact on traffic through Iford village.
- The proposals for item 9, SDNP/20/05442/FUL, were considered reasonable and sensible proposals.
- Members acknowledged that as Iford was a large estate, any changes could have more of an impact than smaller farms. However, it was recognised that farms needed to change to keep up with modern farming practices and should be supported.

364. It was proposed to vote on the officer's recommendation for item 8, SDNP/20/05439/FUL.

365. **SDNP/20/05439/FUL - RESOLVED:**

1. That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and the completion of a legal agreement to permit the development of the Egrets Way on Iford Estate land
2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 6 months of the Planning Committee meeting of 15 April 2021.

366. It was proposed to vote on the officer's recommendation for item 9 SDNP/20/05442/FUL.

367. **SDNP/20/05442/FUL - RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report.

**ITEM 10: SDNP/20/05441/FUL - Swanborough Farm**

368. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.

369. The following public speakers addressed the Committee:

- Victor lent spoke against the application representing himself

- Ben Taylor spoke in support of the application representing The Iford Estate
  - Wendy Robinson spoke in support of the application representing The Iford Estate
370. The Committee considered the report by the Director of Planning (Report PC20/21-43), the update sheet and the public speaker comments, and requested clarification as follows:
- Could the curtilage of Swanborough Manor, which was a Grade I listed building, be protected by conditions of this application?
  - Was there a traffic management condition regarding use of Swanborough Drove and access new road?
  - Were there any bridleways around the site, and how would horse riders access them from the site?
371. In response to questions, Officers clarified:
- Swanborough Manor was outside of the remit of this application.
  - There had been some concerns from residents that the application might create a circular route from Swanborough Drove, through the site to the access road to the north of the site. However, the applicant had proposed to install bollards to prevent access to the site from Swanborough Drove. The site plan was well laid out and parking provision was adequate on the site, so it was anticipated that users would enter and leave from the access road to the north.
  - There were bridleways around the site and there was direct access from the yard across land owned by the Estate onto the bridleway network.
372. There were no comments from the Committee.
373. It was proposed to vote on the officer's recommendation
374. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report.

#### **ITEM 11: Viticulture Technical Advice Note (TAN)**

375. The Planning Policy Manager and the Enterprise Development Lead presented the report and referred to the update sheet.
376. The Committee considered the report by the Director of Planning (Report PC20/21-44) and the update sheet, and requested clarification as follows:
- If someone wanted to set up a vineyard and put up a barn, would that come under prior notification, and therefore would they be required to have regard to the TAN ?
  - What weight would be given to a TAN when considering planning applications?
  - The TAN made no reference to deer fencing, which would be necessary to ensure deer are kept away from vines. Should this be taken into consideration as the impact could be quite considerable?
377. In response to questions, Officers clarified:
- The TAN would be a material consideration for planning applications, but would not be taken formally into account in Prior Notification. It could be added to the TAN that it would be best practice to consider the TAN when preparing a prior notification application.
  - A TAN was a material consideration for planning applications, however Local Plan policies held the greatest weight, followed by Supplementary Planning Documents (SPD). TANs did not go through the same statutory processes as SPDs so had less weight.
  - The eco system services diagram in the TAN took into account that animals can be used in a positive way to manage pests and keep grass down, however deer were not

specifically mentioned. Officers would be preparing environmental measures guidance and deer fencing could be included in that document.

378. The Committee discussed and debated the report, making the following comments

- The report read well and the impact assessment was very interesting.
- It was agreed to change the wording on page 11 of the Viticulture TAN from “We offer a paid pre-app service” to “we offer a pre-app service for which there is a charge”, in order to clarify that it was a chargeable service.

379. **RESOLVED:** The Committee

1. Approved the draft Viticulture Technical Advice Note set out in Appendix I for publication
2. Delegated authority to the Director of Planning , in consultation with the Chair of the Planning Committee , to make any amendments to the Viticulture Technical Advice Note required to address any issues raised by the Committee

## **ITEM 12: Adoption of the Parking Supplementary Planning Document (SPD)**

380. The Planning Policy Officer presented the report.

381. The Committee considered the report by the Director of Planning (Report PC20/21-45) and requested clarification as follows::

- A point was raised regarding para. 3-2 of the Parking SPD (at appendix I of the officers report), which stated that the provision of all necessary vehicular parking should as far as practicable be on-site to avoid additional on street parking, whereas many of the allocation sites in the adopted Local Plan stated that all necessary parking should be onsite to avoid additional on street parking on adjacent roads.

382. In response to questions, Officers clarified:

- When allocating sites in the Local Plan, officers were able to undertake a more in-depth analysis of the sites and ensure that car parking could fit on the allocated site. However this SPD applied to all planning applications, not just allocated sites. Whilst the aim was to avoid car parking off sites, the SPD also allowed for flexibility and for officers to take an on-balance view for each site.

383. The Committee discussed and debated the report, making the following comments

- Members agreed it was important to have flexibility for officers to take an on-balance view for each site.
- Members queried having a policy for all of the Park, and how there would be flexibility to deal with differing issues in towns and villages, as what might work for one site may not necessarily work in other locations. Officers explained that the parking calculator was designed to provide flexibility and account for differences in locations and was a starting point for assessment.

384. **RESOLVED:** The Committee

1. Noted the content of the Consultation Statement (Appendix I of the officer’s report)
2. Adopted the Guidance on Parking for Residential and Non-Residential Development SPD (Appendix 2 of the officer’s report) including Parking Calculator (Appendix 3 of the officer’s report).

## **ITEM 13: Rogate & Rake Neighbourhood Development Plan (NDP) Decision Statement**

385. The Senior Planning Policy Officer presented the report.

386. The Committee considered the report by the Director of Planning (Report PC20/21-46) and made the following comments:

- The Committee congratulated the members of the Rake and Rogate Neighbourhood planning group and acknowledged the work that had gone into developing the NDP.

- Members noted the inspector's decision that not all of the extensive tracts of land allocated in the NDP could be designated as local greenspace. Whilst this was disappointing, it was recognised that the inspector based his judgement on criteria set out in the NPPF.

387. **RESOLVED:** The Committee

1. Noted the Examiner's Report and recommended modifications to make the Rogate and Rake Neighbourhood Development Plan meet the basic conditions as set out at Appendix 2 of the report.
2. Agreed the 'Decision Statement' as set out at Appendix 3 of the report, which sets out the modifications that will be made to the Rogate and Rake Neighbourhood Development Plan in response to the Examiner's recommendations.

388. The Chair closed the meeting at 14:55

## **CHAIR**

Signed: \_\_\_\_\_





## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **POLICY & RESOURCES COMMITTEE MEETING 25 FEBRUARY 2021**

Held Online using the Zoom Cloud Meeting Software at 1.30pm

Present: Annie Brown, Tim Burr, Angus Dunn, Melanie Hunt, Doug Jones (Chair), Baroness Jones of Whitchurch, Michael Lunn, Russell Oppenheimer, Martin Osborne, Henry Potter, Isabel Thurston and Stephen Whale.

Independent Members of the Committee: Tom Fourcade and Carole Nicholson

Ex-officio Members: Ian Phillips and Vanessa Rowlands

Other SDNPA Members: Barbara Holyome and William Meyer

SDNPA Officers: Trevor Beattie (Chief Executive Officer), Andrew Lee (Director of Countryside Policy & Management), Louise Read (Monitoring Officer), Nigel Manvell (Chief Finance Officer), Robin Parr (Head of Governance), Richard Sandiford (Senior Governance Officer) and Catherine Sydenham (Committee Officer).

Also Attended by: Anne Rehill (Performance and Project Manager), Tanya Hibberd (Performance and Research Lead), Liz Gent (Project Management Lead), Paul Fielding (Principal Auditor), Andy Conlan (External Auditor)

### **OPENING REMARKS**

185. The Chair opened the meeting welcomed all those present and stated that:

- Due to the current Coronavirus pandemic the South Downs Centre and Memorial Hall remained closed until further notice, hence this meeting of the South Downs National Park Authority's Policy and Resources Committee 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.

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

### **ITEM 1: APOLOGIES FOR ABSENCE**

187. There were no apologies for absence.

188. Martin Osborne joined the meeting.

### **ITEM 2: DECLARATIONS OF INTEREST**

189. Doug Jones declared a Public Service interest in Item 10 as a Trustee of Petersfield Museum.

190. William Meyer declared a Public Service Interest in Item 11 as a Lewes District Councillor.

### **ITEM 3: MINUTES OF PREVIOUS POLICY AND RESOURCES COMMITTEE HELD ON 26 NOVEMBER 2020**

191. The minutes of the Policy and Resources Committee meeting held on 26 November 2020 were approved, subject to the following amendments, as a correct record and signed by the Chair:

- Minute 150 Bullet Point 1 amend wording to read '*Could there be opportunities Post Covid-19 for the introduction of de-stress programmes for some of the big hospitals for both patients*

*and employees’.*

#### **ITEM 4: MATTERS ARISING**

192. The Director of Countryside Policy and Management updated the Committee on the following:
- Minute 134 which referred to the Sustainability Policy – with the update that the Sustainability Policy would be brought back when the Climate Change Action Plan was next considered by the Committee.
  - Minute 169 bullet 2 referred to the potential conflict of interest with Brighton and Hove City Council (BHCC) Officers providing advice for SDNPA investments - the Director informed the Committee that the External Auditors had been asked to look at the potential conflict of Interest as part of the Audit work.
193. The Committee commented that it was encouraging to know that their views on the level of organisation stress had been taken seriously and that the Committee Chairs and Senior Management Team (CC/SMT) had a standing item on their monthly agenda to discuss this and keep it under constant review. The Chief Executive reported that a staff well-being survey was in process. The results would be used to help balance staff stress as the process of lockdown ended and would be shared with the CC/SMT group.

#### **ITEM 5: URGENT MATTERS**

194. There were none

#### **ITEM 6: PUBLIC PARTICIPATION**

195. There were no members of the public that had requested to speak.

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

196. Officers advised that there was no requirement to consider any item in private session.

#### **ITEM 8: PARTNERSHIP MANAGEMENT PLAN DELIVERY – DRAFT HEALTH AND WELL-BEING STRATEGY**

197. The Performance and Project Manager introduced report PR20/21-30, gave a presentation and reminded members of the report content. Within the presentation the Performance and Project Manager updated the Committee that an error on the map legend within the strategy had been amended to correctly label that the yellow circles were possible Health & Well-Being Priority Areas and the pink circles were designated Priority Areas with the red spots being potential Hubs.
198. Russell Oppenheimer joined the meeting.
199. The Committee commented that:
- The Health and Well-Being Strategy was excellent and it was impressed by the cross cutting of different work strands within the Authority.
  - There could be a potential role for National Parks England to engage sponsorship with large corporations to demonstrate their corporate responsibility.
  - How do we reach out to those people who social prescribing would benefit but don't use the services of their GP and maybe not confident of using the SDNP?
200. In response to questions officers clarified that:
- The draft Health and Well-Being Strategy, as presented to Committee, had an indicative 10km buffer zone around the SDNP boundary for communities that the Strategy could reach out to. Officers took on board comments made by Members that communities in areas such as Crawley and South London had been using the National Park during Covid-19 pandemic restrictions and that there could be a positive impact on the Strategy not precluding SDNPA from working with communities outside of the 10km buffer zone where there could be direct Health and Well-Being benefits.

- The progression on how people engage with the National Park was contained within the Communications and Engagement Strategy but reference to the ladder of engagement could be added to the Health and Well-Being Strategy.
  - The aim of the Health and Well-Being 'Hubs' was not to replace existing provision but to complement where there were gaps.
  - A business case, detailing delivery and achievement, was being put together to ask the South Downs Trust to assist with project funding.
  - Officers were keen to work with local landowners to provide opportunities for social prescribing.
  - SDNPA was working closely with other organisations such as Sussex Local Nature Partnership to help deliver in partnership.
  - There was a shift in direction to more social prescribing and it was hoped that this would be embedded within the Health Services' capacity to deliver.
  - A local Environmental Land Management Scheme was being designed that included land owners providing access to the countryside.
  - Officers liaise regularly with the New Forest National Park and were currently working jointly on how to work with Hampshire County Council together.
  - Health and Well-Being was a notoriously difficult area to measure and work with Heritage Insider would begin later in the year to look at the impact measures. It was possible to show impact through case studies.
  - Work was beginning in examining what the health sector would need to know and the language that SDNPA needed to use to communicate the benefits of social prescribing.
201. Annie Brown and William Meyer joined the meeting.
202. During the discussion the Committee suggested that the following changes be made to the draft Health and Wellbeing Strategy to further strengthen it before being recommended to the NPA for approval:
- Make reference to a broader group of people and not limit the work to the 10km buffer zone around the SDNPA boundary.
  - Make reference to the ladder of engagement within the Communications and Engagement Strategy.
203. A revised recommendation was proposed and seconded. The Committee voted and the recommendation was carried.
204. **RESOLVED:** The Committee resolved to delegate authority to the Director of Countryside Policy and Management, in consultation with the Chair of the P&R Committee, to amend the Draft Health and Wellbeing Strategy to reflect the views of the Committee and recommend the amended Draft Health and Wellbeing Strategy to the NPA for approval.

### ITEM 9: DRAFT CORPORATE PLAN 2020-25 YEAR 2 ACTION PLAN FOR 2021/22

205. The Performance and Research Lead introduced report PR20/21-31, gave a presentation and reminded the Committee of the report content. Within the presentation the Performance and Research Lead explained to members that due to Covid-19 some of the work streams had been carried over into 2021/22 but there was also a large number of new pieces of work. Examples of significant new pieces of work were: Outcome 3 restoring nature at scale; Outcome 5 working alongside the Trust to develop and deliver a Nature Recovery Campaign; and Outcome 10 creating a Business Network, were given amongst others.
206. The Committee commented that:
- Officers need to be mindful of not only the resources of the staff but also that of the Impact on stakeholders and partners who are being consulted.

207. In response to questions officers clarified that:

- The acronym 'SDEP' stood for 'South Downs Enterprise Partnership' and was similar to the Surrey Hills Enterprise Partnership model, and there would be a cumulative build to reach the 60-member target.
- The Budget Workshop held in December was where members gave a steer into the resources that were allocated to each Theme Programme Board giving a direct link into the resource of the Corporate Plan priorities.
- The Corporate Plan Year 2 Action Plan had been put together in close association with staff teams and each of the teams had agreed to the targets set. The Senior Management Team (SMT) were aware that it was a very ambitious plan that could stretch teams and acknowledged that there could be some slippage due to the implications of Covid-19.
- SMT would not allow taking ownership of the seven Sisters Country Park to detract from other Authority work, it would be treated the same as any other large project.
- There was an error within the 'other corporate priorities' section of the draft corporate plan year 2 action plan and it was the Wealden Heaths area team that relocation arrangement would begin for, not the Central Area as listed. The Central Area Team's new accommodation would be at Brinsbury College.
- Quarter 1 performance report would be looked at closely to see whether the Authority had over committed what it was able to deliver.

208. **RESOLVED:** The Committee resolved to:

- 1) Receive the draft Corporate Plan 2020-25 year 2 action plan for 2021/22
- 2) Recommend approval of the Corporate Plan 2020-25 year 2 action plan to the National Park Authority.

#### **ITEM 10: QUARTER 3 CORPORATE PERFORMANCE AND PROJECT PERFORMANCE REPORT**

209. The Performance and Research Lead and Project Management Lead introduced report PR20/21-32 and reminded members of the report content, making the following comments:

- There were 2 Corporate Plan objectives at the end of Quarter 3 that had a Red RAG Status: Develop an annual Challenge Fund with the reason being that alternative sources of funding were being explored; and Pilot the Green Infrastructure National Standards with the reason for the red RAG status being that a key member of staff on secondment had led to SDNPA withdrawal from the pilot scheme although lessons will be learnt from the pilot at a later date.
- The majority of the Amber RAG Status within Project Performance were due to Covid-19 apart from Lullington Heath and Pump it Up which were due to contractual issues.
- There were 50 projects in delivery, double the number at the same point last financial year which could bring some resourcing pressures.

210. The Project Management Officer updated the Committee on the Seven Sisters Country Park Project and reported that the finer details were being examined by the lawyers before exchange of contracts. The timeline was as follows:

- Completion likely to be 1<sup>st</sup> April 2021.
- Construction phase would start around the 18<sup>th</sup> May 2021 and last approximately 30 weeks.
- Phase I construction completed in January 2022.
- Full operation would begin in January 2022.

211. The Project Management Officer updated the Committee that the timetable for the Seven Sisters Country Park to report to the NPA was as follows:

- March NPA – approval of the start-up capital for the Trading Company; Governance Matters relating to byelaws and delegated decision making including in relation to interim operating agreement; and Authority Budget and Capital Programme would contain some Seven Sisters Matters.
  - May NPA: Phase 2 feasibility costs for outline options to undertake design journey to planning. This would include a rough estimate of construction costs and scope for Phase 2.
  - October NPA: Agreement of the full operating agreement including landscape management plan and possibly the Phase 2 options and outline costs.
212. It was commented that the project was now at a very exciting stage but that the Authority did need to learn the lessons from the first phase in terms of recording the costs appropriately and having the necessary skills needed. The lessons learnt would allow the Authority to further grow and develop and in turn become more effective partners.
213. **RESOLVED:** The Committee Resolved to receive and note the Quarter 3 Corporate Performance and Project Performance report
214. Angus Dunn and Michael Lunn left the meeting.
215. The Committee adjourned for a 10-minute break

**ITEM 11: CONTRACT FOR CONSTRUCTION OF EGRETS WAY PHASE 5**

216. The Director of Countryside Policy and Management introduced report PR20/21-33 and reminded members of the report content.
217. The Committee commented that:
- The Egrets Way was a complex project involving many partners and provided a leisure route for off-road cycling between Lewes and Newhaven but there was still opportunity to further develop the C7 as a direct link between the 2 towns. Land through the Iford Estate was being provided by the local landowner for the part of the Egrets Way route that had not been constructed.
218. In response to questions officers clarified that:
- Total funding available for Phase 5 of the Egrets Way was £398,000 comprised of £250,000 from Lewes District Council Community Infrastructure Levy, £113,000 from the SDNPA Community Infrastructure Levy, and £35,000 from the SDNPA Strategic Fund. One strand of the work required a construction work contract in the region of £175,000 to £250,000 of which monies would be allocated from the total Phase 5 funds available. The remaining funds would be used for other elements of the work which did not require Committee approval for a procurement process.
219. **RESOLVED:** The Committee resolved to:
- Approve the commencement of a procurement process leading to the appointment of a contractor to undertake the construction of Egrets Way Phase 5.
  - Delegate authority to the Chief Executive to award contracts for the above, following a competitive process as described in this report.

**ITEM 12: BUDGET MONITORING REPORT 2020/21: MONTH 9**

220. The Chief Finance Officer introduced report PR20/21-34 and reminded members of the report content. Within the introduction the Chief Finance Officer pointed out that there was an error within Appendix 4 in that the graph had been repeated twice and the date within the last column of the table should read January to March 2020/21 and not January to March 2021/22. The Chief Finance Officer reminded members that the Authority Investment Strategy was to maintain security and liquidity, and therefore there were limitations on where investments could be deposited. In the previous financial year, the Treasury Management Strategy had been altered to include investment with short dated bonds, but the advisors were not currently recommending this due to the volatility within

the market and the risk to capital this presents.

221. Members were also reminded that during the year £375,000 had been drawn from the Authority's reserves to deliver the Recovery Fund which had been extremely well received by partners.
222. In response to questions officers clarified that:
- That there were no new further changes to the Centurion Way route from that agreed by Planning Committee. The Structural and Bat Surveys were currently delayed due to Covid-19.
  - There had been a recent increase in planning applications, which had been anticipated, and SDNPA was ready and prepared. There had been pressure within the enforcement team with a high increase in complaint correspondence relating to planning matters.
  - The payment per planning application model with the Host Authority Service Level agreements had proved to be financially resilient under the Covid-19 crisis.
223. **RESOLVED:** The Committee resolved to:
1. Note the 2020/21 revenue forecast position as at month 9 of a net (£233,000) below budget variance.
  2. Note the 2020/21 capital forecast position as at month 9 of a zero budget variance and recommended that the National Park Authority approved the capital variation as set out in section 3.13 and Appendix 2.
  3. Note the reserves position as at month 9.
  4. Note the Treasury Management overview and position as at month 9.

### **ITEM 13: TREASURY MANAGEMENT STRATEGY 2021/22**

224. The Chief Finance Officer introduced report PR20/21-35 and reminded Members of the report content. The Chief Finance Officer advised members that as revenue targets had been met, the Authority was not in a position of needing to take any unnecessary investment risks. Interest rates were currently very low and expected to remain low for some years, meaning that there was no immediate interest rate risk to the Authority should it choose to utilise its cash balances to finance the Seven Sisters Country Park project in the short term in lieu of borrowing.
225. **RESOLVED:** The Committee resolved to recommend that the National Park Authority approved the Treasury Management Strategy 2021/22 as set out in Appendix 1 comprising of the:
- Treasury Management Policy Statement 2021/22;
  - Treasury Management Practices 2021/22;
  - Borrowing Strategy 2021/22;
  - Prudential and Treasury Indicators 2021/22 to 2023/24;
  - Minimum Revenue Provision Policy Statement; and
  - Annual Investment Strategy 2021/22, including the benchmark risk factor of 0.05%.

226. Martin Osborne left the meeting.

### **ITEM 14: INTERNAL AUDIT PROGRESS REPORT**

227. The Principal Auditor introduced report PR20/21-36 and reminded members of the report content.
228. The Committee commented that:
- As part of the Procurement and Contract Managements actions identified in appendix 3 it should also be considered how the procurement process could be further developed to include equality, diversity and inclusion criteria to demonstrate the values SDNPA

want to promote and work with.

- Thanks went to the Governance team and Accounting teams for their involvement in achieving the substantial assurance audits.

229. In response to questions officers clarified that:

- The Authority currently had 7 apprentices, which was a high percentage for a small organisation. The Authority had put in an application for 2-3 trainees as part of the kick-start programme and was keen that this added to the young person's career development and not a way just to occupy their time.

230. **RESOLVED:** The Committee resolved to note:

- Progress against the Internal Audit Strategy and Annual Plan (2020/21).
- The implementation of audit actions previously agreed by management

#### **ITEM 15: EXTERNAL AUDIT ANNUAL AUDIT LETTER 2019/20**

231. The External Auditor introduced report PR20/21-37 and reminded members of the report content.

232. In response to questions officers clarified that:

- The fee level increase was comparable to other audit increases across the sector and manageable from within the allocated budgets.

233. **RESOLVED:** The Committee resolved to consider the Annual Audit Letter 2019/20.

#### **ITEM 16: CORPORATE RISK REGISTER**

234. The Head of Governance introduced report PR20/21-38 and reminded members of the report content. Within the introduction the Head of Governance informed the Committee that the Countryside and Policy Directorate had recently reviewed their directorate risk register and any changes felt necessary to the register would be reflected within the next Corporate Risk Register reported to Committee.

235. The Committee commented that:

- It was pleased to see that the risk register was a fair and honest assessment of the current situation, reflected Members' viewpoints and summed up early warning signals.

236. **RESOLVED** The Committee resolved to note the Corporate Risk Register as at February 2021.

#### **CHAIR**

The meeting closed at 16:38





## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **POLICY & RESOURCES COMMITTEE MEETING 29 APRIL 2021**

Held Online using the Zoom Cloud Meeting Software at 1.30pm

Present: Annie Brown, Tim Burr, Angus Dunn, Melanie Hunt, Doug Jones (Chair), Baroness Jones of Whitchurch, Michael Lunn, Russell Oppenheimer, Martin Osborne, Henry Potter and Isabel Thurston.

Independent Members of the Committee: Tom Fourcade and Carole Nicholson.

Co-opted Members: Morris Findley and Lawrence Leather.

Other SDNPA Members: Chris Dowling, William Meyer, Ian Phillips and Vanessa Rowlands.

SDNPA Officers: Trevor Beattie (Chief Executive Officer), Andrew Lee (Director of Countryside Policy & Management), Louise Read (Monitoring Officer), Nigel Manvell (Chief Finance Officer), Alan Brough (Head of Business Services), Mark Winton (Internal Auditor), Andy Conlan (Grant Thornton – External Auditor) Robin Parr (Head of Governance), Richard Sandiford (Senior Governance Officer) and Catherine Sydenham (Committee Officer).

Also Attended by: Nick Heasman (Countryside and Policy Manager – Central Downs), Mark Alden (Enterprise Development Strategic Lead), Katherine Beer (Sustainable Tourism Lead), Claire Kerr (Countryside and Policy Manager – Eastern Downs), Chris Fairbrother (Landscape and Biodiversity Lead – Chalk), Jeremy Burgess (Landscape and Biodiversity Lead – Water).

### **OPENING REMARKS**

237. The Chair opened the meeting

238. The Chair welcomed all those present and stated that:

- 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.

239. The Chair extended a warm welcome to Co-opted Members Morris Findley and Lawrence Leather.

240. The Chair advised the Committee that, using his discretion as Chair, the business of the agenda would be re-ordered with Item 15 taken ahead of Item 12 for the reason being that there had been more changes than usual to the corporate risk register.

### **ITEM 1: APOLOGIES FOR ABSENCE**

241. Apologies were received from Stephen Whale.

### **ITEM 2: DECLARATIONS OF INTEREST**

242. Annie Brown declared a disclosable prejudicial pecuniary interest in Items 10 and 11 as a Land Manager at Truleigh Hill and withdrew from the meeting for these items.

### **ITEM 3: MINUTES OF PREVIOUS POLICY AND RESOURCES COMMITTEE HELD ON 25 FEBRUARY 2021**

243. The minutes of the Policy and Resources Committee meeting held on 25 February 2021 were agreed as a correct record and signed by the Chair

### **ITEM 4: MATTERS ARISING**

244. There were no matters arising.

**ITEM 5: URGENT MATTERS**

245. There were no urgent matters for discussion.

**ITEM 6: PUBLIC PARTICIPATION**

246. There were no members of the public who had requested to speak.

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

247. Officers advised that there was no requirement to consider any item in private session.

**ITEM 8: CO-OPTEE INTRODUCTION**

248. The Chair reminded the Committee that the reasons for appointing the new Co-opted Members included help to improve diversity in the range of voices that are heard at committee meetings, adding to the existing breadth of experience and expertise, so as to inform and challenge from different perspectives as well as advocating and championing the National Park and helping to reach audiences that are currently relatively difficult to connect with. The Co-opted Members Morris Findley and Lawrence Leather then individually introduced themselves.

**ITEM 9: PARTNERSHIP MANAGEMENT PLAN DELIVERY – RURAL ECONOMY & INTRODUCTION TO THE SOUTH DOWNS ENTERPRISE PARTNERSHIP**

249. The Countryside and Policy Manager (Central Downs) introduced report PR20/21-39 and reminded Members of the background. The Countryside and Policy Manager (Central Downs) and Authority Member Chris Dowling gave a presentation on the South Downs Enterprise Partnership (SDEP).

250. The Committee commented that:

- Was the target for the number of businesses to sign up to South Downs Enterprise Partnership (SDEP) ambitious enough as the 5 year target only represented 4.5% of the sector?
- Was it possible that the businesses model could be re-examined to explore options that through the creation of Membership fees the staff costs associated with the SDEP could be covered?
- The SDEP pledge criteria should include a mechanism to ensure that businesses were being inclusive and diverse.

251. In response to questions officers clarified that:

- Membership will be initially free of charge and there would be promotion to businesses to encourage them to sign up. The issue of charging would be kept under review.
- The pledge had not yet been written but would be developed for the launch in December.
- There would be distinction between the SDEP and the Sussex Modern Enterprise Partnership, which had been developed in 2020, which targeted a distinct audience of high spend visitors. The unique selling point for the SDEP would be around sustainability and social responsibility enabling businesses to meet the challenge of Climate Change.
- Officers had been working with local businesses and an example was given of an ice-cream business that through its production produced a large amount of carbon and which it had been able to offset through working with the South Downs National Park Trust and investing in the National Park.
- The SDEP will play an important role in how businesses can contribute to the Net Zero with Nature Targets which would be achieved by using existing standards and through either writing these standards into the pledge or through the creation of sustainability certification.

- Viticulture was a strongly emerging sector with a 90% increase in vineyards in the SDNP since 2016 due to climate change inducing the current trend of temperature increase and the suitability of soils. Officers referred to the '*Viticulture Growth Impact Assessment*' a copy of which would be circulated to the Committee.
- The SDEP business model had been put together with the initial thoughts of charging for membership and the targets now needed to be revised to take into account that there would be no membership charges for the initial period.
- Within the '*One to Many*' model that been used for engagement with the local economic and social enterprise partners, '*One*' represents the SDNPA Thrive Team and the '*Many*' represents the local economic partnerships.
- An error within the report was corrected that the Brighton Downland Whole Estate Plan should read that it would be '*ready for endorsement in Spring 2022*' not Spring 2020.

252. **RESOLVED:** The Committee resolved to:

1. Receive and note the performance update measured against Partnership Management Plan Delivery on the Rural Economy.
2. Endorse the approach to the South Downs Enterprise Partnership set out at section 6 and 7 of the report
3. Endorse the 10 year vision for the South Downs National Park (SDNP) Rural Economy as set out in Appendix 1 of the report.

## **ITEM 10: CHANGING CHALK PROJECT UPDATE**

253. Annie Brown withdrew from the meeting.
254. The Chair informed the Committee that using his discretion as Chair, for Item 10, a more informal debating style than that laid out in Appendix 5 of the Standing Orders would be adopted. In particular, the Chair advised he would allow a presentation and questions to be answered from Sam Page of the National Trust.
255. The Countryside and Policy Manager (Eastern Downs) and Sam Page of the National Trust gave a presentation to remind members of the report content and to set the project scene. The Landscape and Biodiversity Officer (Chalk) and The Landscape and Biodiversity (Water) answered questions.
256. The Committee commented that:
- The cross cutting information contained within the report on cross collaboration of the Changing Chalk project with other partners and stakeholders was particularly useful for Members.
257. In response to questions officers clarified that:
- The Conservation Grazing project seeks to work with farmers and landowners to develop a non-intensive conservation grazing system to restore lowland chalk grassland. The project also seeks to connect the surrounding Towns with the South Downs and to raise awareness of Chalk Grassland and why it was so unique and special. Successes from the Heathlands Reunited project were being learnt with work such as the '*Dog Ambassador*' scheme being embedded in the Changing Chalk project. Rangers would be used on the ground to educate and encourage responsible visitor behaviour.
  - The '*Reconnecting Dew Pond*' project would work at 2 levels with the first being to fill the gaps where there were no dew ponds in place to help with the connectivity of species and the second level would be the crossover to habitats and to target specific species.
  - There were a total of 18 projects within the 'Changing Chalk' project and the SDNPA was only leading on 2 of these, '*Reconnecting Dew Ponds*' and '*Conservation Grazing*'. Both of these projects had limited outreach but where possible both would engage volunteers and local communities. Working with schools was not a specific target audience for the SDNPA led projects but was for many of the other 16 individual

projects. There would be several target audiences for the all the projects with all the projects interlinking. More information on the other 16 projects would be circulated to the Committee.

- The South Downs Partnership would also be involved in reviewing the progress of the project against the outcomes within Partnership Management Plan. Michael Lunn left the meeting

258. **RESOLVED:** The Committee resolved to:

- I. Note the update on the Changing Chalk Project.

259. Annie Brown returned to the meeting.

260. The Committee adjourned for a 10 minute break.

## **ITEM 11: TRULEIGH HILL LANDSCAPE PROJECT – END OF PROJECT REVIEW**

261. Annie Brown addressed the Committee for 3 minutes giving her reflections on the project as a Land Manager at Truleigh Hill and then withdrew from the meeting.

262. The Landscape and Biodiversity Lead (Chalk) introduced report PR20/21/-41 and reminded members of the report content.

263. The Committee commented that:

- It thanked the officers for the open and honest end of project review. Not all projects can be successful, organisations had to be prepared to fail sometimes and be able to learn from the mistakes that were made. The project cost £90,000 and did not deliver landscape change. The project did deliver outreach work and there was discussion that outreach work should be business as usual work.
- Outreach work was critical to a project's success but SDNPA should be the 'glue' and not always the 'do'. Training should be available to staff to ensure that they had the necessary outreach skills to deliver the outreach work.
- A good diverse range of community organisations had been involved in the project and this was a good example of something that should be transferable to other projects across the park.
- It praised the plans for new hedgerow creation as a good way of engaging people.

264. In response to questions officers clarified that:

- There were only modest improvements in the landscape changes such as hedgerow planting and placement of wild seed mixes with many other aspirations that were not delivered. The landscape aspirations did still exist and some of the works would continue within the project legacy as the site did still have a lot of potential. Elements from the Action Plan and Landscape Plan would continue through a dedicated Ranger for Truleigh Hill in the Area Team.
- Legacy outreach work was also happening through the Health and Wellbeing Strategy with Truleigh Hill identified as a Health and Wellbeing hub and also through the 'Generation Green' project which had been funded through the Green Recovery Fund.
- The £90,00.00 project cost did include the Project Officer cost and was not the cost for the project work alone.
- The project did achieve better co-ordination with the Rural Crime Officer, Wildlife Heritage Officer and Youth Intervention team. Officers acknowledged that although engagement work was undertaken with a wide range of audiences it does take time to build strong relationships and acknowledgement was made of the fact that perhaps too much was expected from the project.
- The Truleigh Hill Youth Hostel Association (YHA) expansion plans were delayed in 2020 due to the YHA board not approving the expansion plans, but there was still intention to proceed with the plans later. Since the initial Truleigh Hill refurbishment

plans had been discussed, the YHA had changed its direction and was planning to focus on a number of strategic hub hostels, franchising out smaller hostels and creating a network of non YHA hostels. SDNPA Officers were meeting with Senior YHA staff to discuss whether the Camping Barn at the Seven Sisters could become part of the network of Non-YHA hostels.

- Lessons learnt from the Project were currently being and would continue to be applied to other projects.
265. The Chair thanked Officers for producing an honest report with clear reflections on the projects successes and where lessons could be learnt for future.
266. Angus Dunn left the meeting.
267. **RESOLVED:** The Committee resolved to:
- I. Receive and consider the end-of project evaluation report for the Truleigh Hill landscape project.
268. Annie Brown returned to the meeting.

#### **ITEM 15: CORPORATE RISK REGISTER**

269. The Head of Governance introduced report PR20/21-45 and reminded members of the report content.
270. The Committee commented that:
- Could consideration be given to Risk 17, '*Legislative Impact post Brexit*' as to whether the scoring reflected an accurate impact and probability assessment? There were wide ranging views with some members expressing views that as the Government had stated that there could be a higher degree of Environmental Protection post Brexit that the probability of the risk to SDNPA could be lowered with other Members expressing views that there was still uncertainty and the risk was accurately scored.
  - Could consideration be given to Risk 23 '*Seven Sisters Country Park*' as to whether the scoring reflected the risks associated with the new area of work as the mitigations in place were not yet tested?
  - It noted the 2 risks: Risk 2 '*Finance and Budgets*' and new Risk 25 '*Government Response to Landscape Review*' were both scored red and the level of uncertainty that this placed on the SDNPA.
271. In response to questions officers clarified that:
- The scoring of Risk 17 '*Legislative Impact post Brexit*' was probably accurately placed and agreed to reassess Risk 23 '*Seven Sisters Country Park*' and informed the Committee that the intention of the SMT was that resources would not be diverted away from other projects to the Seven Sisters.
  - Risk 2 '*Finance and Budgets*' was a serious concern with the second year of a flat cash settlement from Defra. The prospect of a flat cash settlement for a third year would be discussed at a future member workshop.
  - Risk 25 '*Government Response to Landscape Review*' would be discussed in more depth at a future Member workshop.

272. Angus Dunn returned to the meeting
273. **RESOLVED** The Committee resolved to

- I. Note the Corporate Risk Register as at April 2021.

#### **ITEM 12: INTERNAL AUDIT – STRATEGY & ANNUAL AUDIT PLAN**

274. The Internal Auditor introduced report PR20/21-42 and reminded members of the report

content and advised the Committee that the Internal Auditors would be auditing the Seven Sisters Country Park from the point of view of the Authority and not that of the Trading Company, which would need separate audit work.

275. The Committee commented that:

- It was surprised to hear that the auditors would not be looking at the Trading Company because it was important which balance sheet costs were assigned too as well as which costs were capital assets. Now was the time to get processes in place and Members needed to be reassured that there was consistency across both the Authority and the Trading Company.

276. In response to questions officers clarified that:

- Members were reminded that the Independent Members, Chair and Deputy Chairs were sent the full audit reports.
- Advice and guidance was being sought on the boundaries of what internal audit was able to do in terms of auditing the Seven Sisters Country Park project. Some of the risks to the Authority will include risks to the company by association.
- Until the Trading Company was formed the responsibility for the revenue expenditure of Seven Sisters Project would be with the Head of Business Services and the Capital expenditure with the Seven Sisters Country Park Project Manager. The Seven Sisters Project Board also received a monthly budget report.

277. An Amendment to Recommendation 2 was proposed and seconded to add the following words ‘*in consultation with the Chair of the Policy and Resources Committee*’, so that it read ‘*Delegate authority to the Chief Finance Officer in consultation with the Chair of the Policy and Resources Committee to amend the Annual Audit Plan 2021/22 as he consider appropriate to support the Authority through the Covid -19 pandemic recovery phase*’.

278. The amendment was agreed.

279. **RESOLVED:** The Committee resolved to:

1. Approve the Internal Audit Strategy and Annual Plan for 2021/22.
2. Delegate authority to the Chief Finance Officer in consultation with the Chair of the Policy and Resources Committee to amend the Annual Audit Plan 2021/22 as he considers appropriate to support the Authority through the Covid 19 pandemic recovery phase.
3. Note that any amendments made to the Annual Audit Plan will be reported to the Committee at the appropriate time.

### **ITEM 13: INTERNAL AUDIT - PROGRESS REPORT**

280. The Internal Auditor introduced report PR20/21-43 and reminded members of the report content.

281. The Committee commented that:

- It would be helpful for the list of agreed actions table to identify the audit report that was referred to, so that Members could request the full report if they wished to do so.

282. In response to questions officers clarified that:

- Procedures were in place to avoid purchase orders being signed retrospectively but it was not always possible to do so in instances such as legal costs or utility bills when the exact amount was unknown.
- The List of agreed actions that had not yet been implemented was correct at the time of the report being written and all actions should be able to be traced through from actions not yet due to overdue for implementation (if needed) to actions implemented.

283. **RESOLVED:** The Committee resolved to note:
1. Progress against the Internal Audit Strategy and Annual Plan (2020/21).
  2. The implementation of audit actions previously agreed by management.

**ITEM 14: EXTERNAL AUDIT PLAN 2020/21**

284. The External Auditor introduced report PR20/21-44 and reminded the Committee of the report content.
285. In response to questions officers clarified that:
- Both Internal and External Auditors would be auditing and providing their views on the potential conflict of interest with Brighton and Hove City Council Officers providing advice for SDNPA investments.
  - Committee Members were not expected to review the models used to make the accounting estimates. More information on the processes and models used would be contained within the future cover report to the accounts.
286. It was proposed and seconded to amend the recommendation to change the word ‘consider’ to ‘agree’, so that it read ‘Agree the *External Audit Plan*’.
287. The amendment was agreed.
288. **RESOLVED: The Committee resolved to:**
1. Agree the External Audit Plan 2020/21
289. The Chair informed the Committee that he was anticipating that due to personal reasons this would be his last meeting as Chair of the Policy and Resources Committee as he would not be putting himself forward for re-appointment at the NPA meeting in July. He thanked all Members and Staff for all their contributions during his time as Chair.
290. The Committee expressed their thanks and praise to the Chair.

**CHAIR**

The meeting closed at 5.11pm

