

SOUTH DOWNS NATIONAL PARK AUTHORITY

AUTHORITY MEETING

Held at 10.30pm on 30 March 2023 in the Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.

Present:

Alun Alesbury, Heather Baker, Annie Brown, Tim Burr, Chris Dowling, Angus Dunn, Therese Evans, Melanie Hunt, Doug Jones, Maggie Jones, Diana van der Klugt, Michael Lunn, William Meyer, Robert Mocatta, Ian Phillips, 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), Nigel Manvell (Chief Finance Officer), Lynne Govus (Head of Finance and Corporate Services), Richard Sandiford (Head of Governance), Hayley Madgwick (Senior Procurement Officer), Richard Fryer (Senior Governance Officer), Kate Miles (Facilities and Property Manager), Alister Linton-Crook (Cycling Project Officer) and Colin Carre (Heathlands Reunited Project Manager).

CHAIR'S OPENING REMARKS

141. The Chair of the Authority welcomed all present and informed them of general housekeeping matters.
142. Members and members of the public were reminded that SDNPA Members had a primary responsibility for ensuring that the Authority furthered 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.
143. The Chair noted that this meeting was taking place during the pre-election period and that care must be taken over any actions that might be perceived as seeking to influence public opinion or support for any particular political party.

ITEM 1. APOLOGIES FOR ABSENCE

144. Apologies were received from Debbie Curnow-Ford, Peter Diplock, Janet Duncton, John Hyland, and Gary Marsh.

ITEM 2. DECLARATION OF INTERESTS

145. The following declarations were made:
 - Doug Jones declared a public service interest in Agenda Item 8 as a Buriton Parish Councillor.
 - Robert Mocatta declared a public service interest in Agenda Item 8 as an East Hampshire District Councillor and Hampshire County Councillor.
 - Stephen Whale declared a personal interest in Agenda Items 10 and 11 as a Director of South Downs Commercial Operations Limited and would withdraw for those items.
 - Isabel Thurston declared a personal interest in Agenda Items 10 and 11 as a Director South of the Downs Commercial Operations Limited and would not vote on those items.
 - William Meyer declared a personal interest in Agenda Items 10 and 11 as a Director South of the Downs Commercial Operations Limited and would withdraw for those items.

- Richard Waring declared a public service interest in Agenda Item 10 as a Member of the South Downs National Park Trust.
- Annie Brown declared a personal interest in Agenda Item 11 as a family member was employed by the SDNPA.

ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 14 DECEMBER 2022

146. The minutes of the Authority meeting held on 14 December 2022 were approved as a correct record subject to the following amendments:

- Minute 103 – added Therese Evans to apologies for absence
- Minute 126, bullet 1 – amended to read £125,000 not £125.

ITEM 4. URGENT MATTERS

147. There were none.

ITEM 5. PUBLIC PARTICIPATION

148. There was none.

ITEM 6. NEED FOR PART II EXCLUSION OF PRESS AND PUBLIC

149. As no Member wished to discuss the contents of the exempt Appendix I of Agenda Item 13 there was no need for the meeting to move into a private session.

ITEM 7. AUTHORITY CHAIR UPDATE

150. The Authority Chair introduced the report (NPA22/23-19).

151. Members made the following comments:

- Were the time pressures involved with the Black Robin Farm project due to planning?
- On the Liss Place Making visit, attention had been drawn to a development where, after planning permission had been granted. There had been changes granted as conditions were being discharged so that the resultant building was not as originally approved.
- Parish Workshops were also useful in assisting communities to deliver projects that the Authority would like to see achieved.
- The correct spelling of Ian Phillips was noted. He said how much he had enjoyed his time at the Authority. The organisation had achieved much and he looked forward to future achievements and hoped to make further contributions from outside the Authority.
- It would not be confirmed until 4 April whether Winchester would be holding elections.
- Diana van der Klugt noted it had been a privilege and pleasure to serve on the Authority.

152. Members were advised:

- The time pressures were caused by deadlines on spending the Levelling Up funds that had been obtained.

153. **RESOLVED:** The Authority noted the update from the Chair of the SDNPA.

ITEM 8. CHIEF EXECUTIVE'S PROGRESS REPORT

154. The Chief Executive introduced the report (NPA22/23-20).

155. Tim Slaney reported on the result of the Public Inquiry into the application at the A3 Buriton Interchange. The Authority had refused the application on a number of grounds, but permission had been granted as a result of the inquiry. This had been announced on the

evening of 29 March and the detail was still to be analysed. This would be reported to the Planning Committee in due course.

156. Members made the following comments:

- Officers were thanked for their efforts in a challenging inquiry, specifically Ruth Childs, Richard Fergusson, Dan Oakley, and Mark Waller-Guitierrez.
- How did the SDNPA deal with differences in performance between cases handled directly and those by partner authorities to ensure consistent standards for all?
- It was important to be transparent with the public on performance and process.
- Disappointment was expressed with the inquiry result and it was noted that the conditions would be closely examined and enforced.
- Having objected to an earlier iteration of the M3 Junction 9 scheme, had there been any material change to the new application?
- Did any of the conditions from the inquiry oblige the building out of the eco lodges before the retail element was built?
- Officers had spent a lot of time assisting on Rampion 2. How did the Planning Performance Agreement (PPA) work and who paid for officer time?
- The National Farmers Union and County Land and Business Association had commented that planning issues could throttle rural investment and growth.
- How many SSSIs had an up to date condition assessment?
- The delay in publication of government regulation and guidance was very challenging for those relying on the information to plan and work.
- How positive was the Government's Environmental Improvement Plan (EIP)?
- Did the scope of the EIP set the direction of Defra for the next period?
- What were the implications of the recent fire at the Angel Inn (Midhurst) to the National Park, and what input would the SDNPA have going forward for this? It coincides with the recent road closure at Pulborough.
- The 'Selbourne Landscape Partnership' was full of excellent survey data produced by volunteers, a great example of local delivery.
- What was the nature recovery log and was it publicly available?
- What was happening with the digital hubs which were introduced in the recent Parish workshops?
- Pleased to see the recent Dark Night Skies festival. Had the SDNPA's capacity to maintain the commitment to DNS remained given the many other challenges?
- The Environmental Land Management (ELM) scheme had a patchy roll out as the old scheme was phased out before the new scheme was in place. FiPL had become the flagship success story from it. Credit to Nigel James and Bruce Fowkes for their efforts in delivering.

157. Members were advised:

- Whilst the SDNPA performance was better than partner authorities, performance was not static as our partners faced their own challenges around staffing and process. The SDNPA performed well above national government targets, both individually and as an Authority when including our partnership arrangements. Regular meetings were held, both at senior and planning levels, particularly when standards fell. There was a proactive

relationship with Service Level Agreements which was important given the lag between performance dropping and putting processes in place to address it.

- There were no significant changes to the M3 J9 scheme application.
- It was too early to discuss the details on the Buriton appeal as there was a lot of detail to comb through.
- Planning was a loss-making activity. PPAs were arrangements between the developer and the SDNPA where officer time was estimated and costs agreed. The SDNPA was able to obtain PPAs on most major developments, including on Nationally Significant Infrastructure Projects.
- There was a balance between protecting the landscape and supporting the economy. Before Covid the SDNPA held regular meetings with the NFU and CLA. Planning was a standing item for several years, and they raised only anecdotal issues without statistical data.
- Government's EIP had a target that all SSSIs should have an up to date condition assessment by January 2028 and that 50% should be 'on track' to being in favourable status. Only half of the chalk grasslands within the National Park were in favourable condition. The SDNPA had commissioned our rapid assessment methodology to be delivered by our Ranger teams to enable quick assessment.
- There had been a slow take-up on the Sustainable Farming Initiative, the Government aim was for 70% of farmers to be using the ELM scheme, but that had not yet been reached. The SDNPA had focused on where it could add the most value, particularly in Nature Recovery. At the landscape level, the SDNPA had been supporting bids and putting in bids. Where unsuccessful, bids were resubmitted. There were still many gaps in the funding and support that farmers and the rural economy needed.
- Defra was using the EIP to prioritise its programs, but it had statutory duties it must also perform. The SDNPA would continue to champion its purposes and duties.
- The necessary information on the structural stability of the buildings following the fire at the Angel Inn was not yet available, but the SDNPA was fully involved from the start and would continue to be going forward, especially as any works would need listed building consent.
- The nature recovery log was an internal database that could not be shared publicly. It fed into data used in the quarterly reports. It may also feed into the Nature Recovery Hub but that would depend on the project team's agreement.
- The digital hubs were designed to share and access best practise and guidance, including parish to parish. There would be five in total and they were rolling out sequentially over the course of the year. This did put a strain on website capacity. Members were encouraged to signpost local groups to them.
- The commitment to Dark Night Skies remained unabated and was protected through the Local Plan. The International Dark Sky Reserve (IDSR) was not just created but also maintained and reviewed.

158. **RESOLVED:** The Authority noted the progress made by the South Downs National Park Authority (the Authority) since the last report.

ITEM 9. CENTURION WAY EXTENSION PROJECT UPDATE REPORT

159. The Cycling Project Officer introduced the report (NPA22/23-21) and presentation.

160. Members made the following comments:

- An informative, aspirational and well-illustrated report.

- What was the hibernation period of a bat?
- Why only 1 year of survey for the Singleton tunnel? Was there a way to use all three tunnels, even if for part of the time? Access was important if possible.
- Wildlife margins were often used by dog owners.
- During the felling of ash trees in phase 1, destructive machinery was used that also damaged fencing. Who was responsible for reinstatement?
- The phase 1 section was well used and appreciated, except for egress. No clear indication on access around the West Dean tunnel. The A286 footway seemed unsuitable as it was less than 1m wide in many sections which would impact users of bikes and disability scooters. If the tunnels could not be used, what was the access route to be?
- Appendix 1 contained no identifying reference to Centurion Way.
- Surprised to see that the SDNPA did not have landowner's permission for the next sections.
- The West Dean Estate would benefit massively from this project as it opened up access and enabled carbon savings which may contribute to their carbon saving plan. Were they contributing in any way to the cost?
- The date of letter in appendix 3 should be October 2019 rather than the automatically generated date.
- The balance between the significant importance of these tunnels as bat roosts and the second statutory purpose of the authority needed to be considered. Who would strike the balance when the priorities were competing?
- There was potential concern over having sufficient information to make a cost benefit analysis on the use of the tunnels and consideration as to whether an additional recommendation was needed for a further report to be produced with this information.
- Did we have an analysis of what was achieved on Biodiversity Net Gain at the end of each stage, especially as construction could appear destructive?
- What was the legal status of Centurion Way, both presently and as proposed?

161. Members were advised:

- The hibernation period depended upon the species of bat.
- The Singleton tunnel was discounted for a number of reasons, including data from the emerging surveys and the availability of a viable alternative route.
- The machinery used to remove the ash trees was the most viable equipment for the task. Fences were removed to allow the machinery to gain access and would be reinstated.
- The SDNPA was currently working with architects to create a new ramp connection at West Dean. Future connectivity for the northern extension had a planning condition that the A286 footway must be reinstated. Officers continued to look at the viability of opening the West Dean tunnel and could not make a decision on alternatives until the viability of that option was understood.
- This report was interconnected with items later on this meeting's agenda, but this report was not seeking any approval and so was not phrased as such.
- The SDNPA did have agreements in principle with landowners, but final legal agreements can take time to be signed.

- The West Dean Estate had contributed their land, which was considerable. The SDNPA were working very closely with them to ensure it was mutually beneficial.
- The necessary information was not yet available to make a decision on the tunnels. All Members would have an opportunity to contribute once that was available. The Planning Committee had already given its view and would be reported back to once the necessary information had been obtained.
- Planning permission had already been granted to build the route. When the route was granted permission, it was prior to BNG being in place, but there was a planning condition to plant more than was removed. With regard to Sections 3 and 4 BNG was above what was expected and that should continue for future stages.
- Centurion Way was currently a licensed path, not a public right of way on the basis of a 25 year lease with the landowner. There was potential for it to become a public right of way in the future, but that would be a decision for West Sussex County Council.

162. **RESOLVED:** The Authority noted the progress made by the South Downs National Park Authority (the Authority) since the last report.

163. Isabel Thurston and Maggie Jones briefly left the meeting.

164. The CEO provided an introduction for Members on the background to the budget 2023/24, including the grant from Defra and the Budget Workshops. He thanked the Employee Forum for their contributions.

165. The Chair thanked Members for attending the budget workshops.

166. The meeting adjourned for lunch at 12.39pm and resumed at 1.21pm.

ITEM 10. INVEST TO SAVE PROPOSAL AND WORKS AT CENTURION WAY

167. The Head of Finance and Corporate Services introduced the report (NPA22/23-22).

168. William Meyer and Stephen Whale left the meeting at 1:45

169. Members made the following comments:

- Despite the failure of the original cladding the SDNPA should continue to try innovative solutions in the future.
- If there was an opportunity to extend Centurion Way in a timely fashion, it should be taken.
- What were the details on the solar panels, who would own the system?
- What battery storage capacity would we have? Why only one battery listed?
- What is the time period for the expected energy generation from the solar panels?
- The payback period for the SDNPA's utilities contract appeared to have been signed at a high price in the market.
- Would the cut and collect machine do bailing?
- What type of sewage treatment was envisaged at Seven Sisters Country Park?
- Did the offset against future rental costs at the Weald and Downland Museum mean no rental costs or reduced rental costs for the length of the lease?
- What are the current storage arrangements? Are we currently paying for storage elsewhere and is extra storage required?

170. Members were advised:

- The installation at Seven Sisters would be a full array, owned by the Authority. The installation at the South Downs Centre would be additional to the current installation.
- The price listed was per battery and the quote was for a minimum of three for the South Downs Centre and two for the hall.
- The energy generation figure was per year.
- No alternative suppliers were available when the SDNPA went to tender for the utilities so there was no choice in pricing.
- The micro tractor was not a bailer.
- As the original reed bed at SSCP had not been properly designed or installed, and was not large enough for the site, this expense was a necessity. A series of options had been explored, working with the Environment Agency. The most likely option would be a Klargestar, which was an active septic tank and was the most efficient and environmentally friendly option.
- The aim was for the storage at the Weald and Downland Museum to be rent free but details were still to be finalised.
- The storage needs were necessitated by the change from four area teams to three, which meant extra staff and equipment at the W&DM. Some of that equipment was currently stored off site and the Authority was keen to have it all in one place. This development would also increase secure parking for vehicles, which was important as there had previously been break ins.

171. **RESOLVED:** The Authority, subject to the creation of the Invest to Save reserve to be approved at Agenda Item 11 of this meeting:

1. Approved the Invest to Save Reserve to be utilised for the proposed expenditure as detailed in paragraph 1.3 of this report.
2. Approved the direct award of the works at Centurion Way, for the next phase from Wellhanger Copse to Littlewood Farm, to the existing contractor and delegate authority to the Chief Executive to award the contract.

172. Alun Alesbury left the meeting.

ITEM 11. REVENUE BUDGET

173. The Chief Finance Officer introduced the report (NPA22/23-23).

174. Members made the following comments:

- A correction was needed for the Revenue Budget 2023/24 Subjective Analysis by Service Areas in appendix 1.
- A correction was needed for appendix 3 where 'Council' had been used in place of 'Authority'.
- Were the Seven Sisters income and expenditure figures in appendix 5 conservative estimates?
- What was the context of the £100,000 figure in appendix 2, Seven Sisters Country Park Trading company Capital Programme for 2023/24?
- Historically the Community Infrastructure Levy Reserve had been expected to stay flat, but it had increased each year. Could this reserve be better used directly by the Authority?
- What was the detail on Member training recommended in the Treasury Management Strategy?

175. Members were advised:
- The figure in appendix 1 - Total Expenditure for Corporate Strategy – Seven Sisters Country Park should read 447, not 4476.
 - Where the term ‘Council’ was used in Appendix 3 it should read ‘Authority’.
 - The Seven Sisters income and expenditure were the Authority’s costs and recharge, not Trading Company transactions.
 - The £100,000 figure in the Capital Programme was for the provision of a loan facility to provide working capital should the Trading Company need access to extra funds.
 - The CIL reserve had been allocated to a wide range of organisations, but there was an obligation to put the money to work. The point was noted and would feed into the allocation decisions which would go before the Planning Committee.
 - Member financial and treasury management training had been raised by the Policy and Resources Committee and would be discussed at the P&R Away Day in April.

176. **RESOLVED:** The Authority:

1. Approved the Revenue Budget 2023/24 of £9.769 million including a contribution to General Reserves of £0.717 million as detailed in paragraphs 3.1 to 3.29 and Appendix 1.
2. Approved the Capital Strategy 2023/24 including new capital projects totalling £0.684 million and capital variations of £0.105 million – a total of £0.789 million of capital investment – recommended by Policy and Resources Committee, as detailed in paragraphs 3.1 to 3.29 and Appendix 2.
3. Approved the Treasury Management Strategy 2023/34 at Appendix 3 as recommended by Policy and Resources Committee.
4. Approved the planned use and creation of reserves as detailed in paragraph 3.19 and Appendix 4.
5. Noted the Medium Term Financial Strategy 2023/24 – 2027/28 at Appendix 5.

177. William Meyer and Stephen Whale returned to the meeting.

178. Martin Osborne left the meeting.

ITEM 12. VALUE FOR MONEY – AUDITOR’S ANNUAL REPORT

179. The Chair moved a motion to not consider this item at this meeting.

180. The Chief Executive reported on the background to this motion. Members were advised:

- The Report had been due from Grant Thornton by 28 Feb at the latest.
- At Policy and Resources Committee meeting on 23 February the Committee expressed considerable concern that no draft had been received and sought assurances that the report would be provided by the deadline.
- A draft report was finally received on 24 March providing no time for the report to be reviewed or a management response to be produced.
- The report would be considered by the Policy and Resources Committee at its meeting on 20 July.
- The Chair would write to Grant Thornton to express the Authority’s extreme disappointment at their continued failure to meet reporting deadlines.

181. The Chair of the Policy and Resources Committee made the following comments:

- She expressed her support for the course of action suggested.

- The P&R Committee had expressed concern over the performance of Grant Thornton over the last 2 years.
- This performance had made fulfilling the Committee's responsibilities difficult.
- Whilst the selection and commissioning of external auditors was part of a wider national partnership arrangement the Authority could explore alternative provision in the future.

182. **RESOLVED:** The Authority resolved that this item not be considered at this meeting for the reasons outlined by the Chief Executive and that the Value for Money Report be instead considered by the Policy and Resources Committee at its next meeting.

ITEM 13. APPOINTMENT OF INDEPENDENT PERSONS

183. The Head of Governance introduced the report (NPA22/23-25).

184. **RESOLVED:** The Authority:

1. Appointed the persons named in the exempt Appendix to this report as the Independent Persons of the South Downs National Authority for a period of four years; and,
2. Delegate authority to the Chief Executive, in consultation with the Chair of the Authority, to commence any future recruitment processes that may be required in order to bring a recommendation to appoint Independent Person/s before the South Downs National Park Authority and that Authority Standing Orders be amended as detailed in paragraph 3.3.

ITEM 14. CHANGES TO FINANCIAL DELEGATIONS – CONTRACT LIMITS

185. The Head of Governance introduced the report (NPA22/23-26).

186. Members made the following comments:

- What was the distinction between the power to enter a contract and the power to award a contract?
- An informative on Contract Standing Orders (CSOs) technical terms would be helpful.
- At what stage would Members be consulted in this process?
- Did the Chief Executive have emergency powers in urgent cases where the contract might exceed £200,000?
- The report was welcomed to ensure the time of Officers and Members was used to best effect.

187. Members were advised:

- Entering into a contract was the start of the procurement process. Awarding a contract was agreeing to the final contract at the end of the procurement process. It was acknowledged that the original wording of the CSOs was not easy to understand and a wider review of both the Authority and Contract Standing Orders was planned which would include a review of wording.
- Any contracts currently valued at £100,000 and above, proposed to be raised to £200,000 and above, would go before the Policy and Resources Committee.
- Standing Orders contained a provision for the Chief Executive to take urgent action when a decision could not wait for the next meeting. Members would be notified if this provision was used. This power was always executed in consultation with the Chair.

188. Henry Potter left the meeting.

189. **RESOLVED:** The Authority:

1. Approved the amendments to the Authority's Contract Standing Orders, as set out in paragraph 3.2 of this report, to revise the authorisation limits for:
 - Directors of the SDNPA to enter into contracts where the value is less than £200k and to award contracts where the value is less than £150k;
 - the Chief Executive Officer to award contracts where the value is less than £200k; and,
2. Approved the amendment to the Authority's Standing Orders for Regulation of Authority Proceedings and Business, as set out in paragraph 3.4 of this report, to revise the authorisation limit for the Policy & Resources Committee in relation to the entering into of contracts by the SDNPA of £200k or greater.

ITEM 15. PLANNING COMMITTEE MINUTES

190. Authority Members noted the minutes of the Planning Committee meetings held on 10 November and 8 December 2022, and 9 February 2023.

ITEM 16. POLICY AND RESOURCES COMMITTEE MINUTES

191. Authority Members noted the minutes of the Policy & Resources Committee meeting held on 24 November 2022.
192. The Chair closed the meeting at 2.24pm.

Signed _____