

SOUTH DOWNS NATIONAL PARK AUTHORITY

AUTHORITY MEETING

Held at 1.00pm on 11 July 2023 in the Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.

Present:

Alun Alesbury, Heather Baker, Annie Brown, Tim Burr, Debbie Curnow-Ford, Janet Duncton, Theresa Fowler, Joan Grech, Melanie Hunt, John Hyland, Maggie Jones, Gary Marsh, William Meyer, Robert Mocatta, Jerry Pett, Steven Ridgeon, Vanessa Rowlands, Andrew Shaxson, Daniel Stewart-Roberts and Stephen Whale.

South Downs National Park Authority Officers:

Trevor Beattie (Chief Executive), Tim Slaney (Director of Planning), Louise Read (Monitoring Officer), Nigel Manvell (Chief Finance Officer), Lynne Govus (Head of Corporate Services), Richard Sandiford (Head of Governance), Peter Cousin (Commercial Manager at Seven Sisters Country Park), Anne Rehill (Performance and Project Manager), Chris Paterson (Communities Lead) and Richard Fryer (Senior Governance Officer).

CHIEF EXECUTIVE'S OPENING REMARKS

1. The Chief Executive welcomed all present and informed them of general housekeeping matters.
2. The Monitoring Officer explained the status of the new Parish Members who were still awaiting confirmation by the Secretary of State, noting William Meyer and Steven Ridgeon were in attendance but would be unable to vote on items.

ITEM 1. APOLOGIES FOR ABSENCE

3. Apologies were received from John Cross, Peter Diplock, Chris Dowling, Mark Fairweather, and Stephen McAuliffe.

ITEM 2. ELECTION OF CHAIR

4. Vanessa Rowlands, as the sole nominee, was duly elected Chair of the South Downs National Park Authority until the Authority AGM in 2024.

ITEM 3. ELECTION OF DEPUTY CHAIR

5. Tim Burr, as the sole nominee, was duly elected Deputy Chair of the South Downs National Park Authority until the Authority AGM in 2024.
6. The Chair welcomed all new Members to the Authority and thanked them for attending the morning workshop. The Chair expressed her thanks to Ian Phillips, a departing Member and former head of the Authority. She proposed a vote of thanks for his service.
7. **RESOLVED:** The Authority resolved to thank Ian Phillips for his service to the Authority.

CHAIR'S OPENING REMARKS

8. Members 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.
9. Members noted an error in the numbering on the agenda front sheet due to the addition of an erroneous number after Agenda Item 8.
10. The Chair informed Members that Appendices 3, 5 and 6 to Agenda Item 11 were on the tables before them.

11. The Chair informed Members that Agenda Items 17 and 18 were to note and these items were taken as noted as no Member indicated that they had any matters related to these items that they wished to discuss.

ITEM 4. DECLARATION OF INTERESTS

12. The following declarations were made:
- Janet Duncton declared a public service interest in Agenda Item 14 as a West Sussex District Councillor.
 - Stephen Whale declared a pecuniary interest in Agenda Item 19 as a Director of the South Downs Commercial Operations Limited, and, although he would remain at the meeting as a Director of the company to introduce the proposed business plan, would not participate in the discussion or vote on the item.

ITEM 5. MINUTES OF PREVIOUS MEETINGS HELD ON 30 MARCH 2023

13. The minutes of the Authority meeting held on 30 March 2023 were approved as a correct record subject to the following amendment:
- Members Present – Martin Osborne was not listed as present but was noted as leaving the meeting at 178. It was noted that he should have been listed as present.

ITEM 6. URGENT MATTERS

14. There were none.

ITEM 7. PUBLIC PARTICIPATION

15. There was none.

ITEM 8. NEED FOR PART II EXCLUSION OF PRESS AND PUBLIC

16. Members were asked to consider the exclusion of the public, including the press, from the meeting for Agenda Item 19.
17. The Monitoring Officer outlined the reasons for the consideration of this exclusion under paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972, explaining that the report contained information relating to the financial and business affairs of the Company, business affairs of the Authority and legal advice, and proposed that in all the circumstances of the case, the public interest in maintaining the exempt information outweighed the public interest in disclosing the information. It was proposed that whilst there was a public interest in the transparency of the Authority's proceedings in relation to its Teckal company, on balance this was outweighed by the requirement of the National Park Authority to be able to consider matters concerning its Teckal company's business and fully consider the implications of its actions or proposed actions as Shareholder of the company without the disclosure of information that could undermine its position, or the position of its Teckal company, or its ability to deliver value for money.
18. **RESOLVED:** That the meeting would move into private session at the appropriate point to consider Agenda Item 19 and that the public, including the press, would be excluded from the meeting at that point.

ITEM 9. AUTHORITY CHAIR UPDATE

19. The Authority Chair introduced the report (NPA23/24-1) and noted the Member Induction day on Tuesday 4 July and the meeting of the South Down Partnership on Friday 7 July at Petersfield Museum.
20. Members made the following comment:
- Thanks were conveyed to Members who had left the Authority.

ITEM 10. CHIEF EXECUTIVE'S PROGRESS REPORT

21. The Chief Executive introduced the report (NPA23/24-2).
22. The Chief Executive noted the Park Protector Awards scheduled for 12 July, where the SDNPA had several nominations, including Claire Kerr and the Nature Recovery team.
23. Members made the following comments:
 - Despite a continuing strong record at appeal, the Authority had recently lost two large appeals on landscape grounds. Was this evidence of a change in approach from the Planning Inspectorate?
 - Would the Authority be able to utilise the new Species Survival Fund?
 - What did the process of assessing potential development and renewable energy sites as part of the Local Plan Review involve, and were outside parties, such as Parish Councils involved?
 - Congratulations to all involved in resolving the problems associated with the fire in Midhurst. Given the impact of the event and the number of businesses trading out of listed buildings, should the Authority approach legislators over the need for flexibility in resolving similar situations involving listed buildings in the future?
 - The potential confusion caused by Government nomenclature such as the Local Nature Recovery Strategies and the Local Nature Recovery Scheme. How to understand the difference between the two?
 - Often difficult to keep up with the raft of recent government consultations, schemes and strategies and difficult to navigate a path through them. There was a real need for clarity.
 - The state of our local rivers was shocking and well documented. What engagement and leverage does the Authority have with Southern Water?
 - Could Members have more detail and context around the A27 Arundel bypass scheme.
 - Pleased to note the success of Nature Based Solutions. The SDNPA was leading the way nationally on green financing and it was a great platform for the Authority and the green finance summit planned for the Spring.
24. Members were advised:
 - The SDNPA's record at appeal was 78%, well above the local authority national average. The rate of success at public inquiries was generally lower than at more traditional appeals, whether that be written representations or informal hearings.
 - There were different issues at the two appeals. The A3 Buriton interchange scheme turned on whether the whole package outweighed the landscape considerations. The learning point for the Authority was not a change to a landscape led approach but to understand the greater weight being given to electric vehicles (EV) and other environmental contributions going forward. The Greatham allocated site appeal turned on the grounds of design and affordable housing, and should be considered a one-off decision, rather than change in trend.
 - The deadline for bids to the Species Survival Fund was very tight, as were the criteria, but the Authority had identified a couple of possible applications as a result of having 'shovel ready' schemes ready to go when funding became available.
 - The Local Plan Review had reached the stage of technical assessment of site capabilities which did not involve consultation with outside bodies, but workshops and statutory consultations would occur at a later stage.

- The Chief Executive thanked Mike Hughes and Liz Gent for their efforts to resolve the issues created by the recent Midhurst fire. The Listed Building Legislation (LBL) was not the problem but rather site specific issues. It was only the LBL that allowed the Authority to act. The partnership with Chichester District Council and West Sussex had worked well. There were many lessons to be learnt, particularly the lack of any route for compensation for the serious impact on local businesses impacted by the fire and resulting road closure, compared to the existing compensation regimes available for floods and other natural disasters.
- The Local Nature Recovery Scheme was going to be part of the new system of agricultural support. The Authority had done preparatory work for that, but it would now not be developed which had resulted in wasted work and a lost opportunity to focus agricultural support in a strategic and landscape focused way. Local Nature Recovery Strategies were county based and run to co-ordinate and deliver biodiversity goals. They were not part of agricultural support and were at the earliest stages at the moment. The Authority would work with them as they develop. Public consultation was not due until Spring 2025, and there were likely resourcing issues at county levels to get them off the starting blocks, so the SDNPA may need to support both farmers and county colleagues.
- The Authority had been flooded by government consultations and many more were expected over the summer. SDNPA was working with farmers and landowners to help them navigate through this through the Farming in Protected Landscapes team, the Ranger team and the farm clusters.
- The Authority was an important consultee on the Water Resource Management Plans, and had regular engagement with Southern Water in a number of areas including water neutrality, but engagement did not necessarily lead to improvement. The CEO's blog recently covered sewage discharges into the Rother. Alongside engagement and joint working, there was a need to encourage Ministers and regulators to get tougher with water companies.
- The Authority had a proud record with regard to previous A27 proposals which had transformed the Authority's relationship with National Highways. The Authority was the only organisation to have modelled traffic flows for the entire length of the A27. The SDNP had more major infrastructure schemes than other National Parks. These were resource intensive but those resources were well used and produced positive results and good mitigation packages.
- In addition to the 5 signed Memorandums of Understanding for Nature Based Solutions, there were three more under discussion.

ITEM 11. APPOINTMENT OF COMMITTEES AND OUTSIDE BODIES

25. The Head of Governance introduced the report (NPA23/24-3) and noted the proposed amendment to Recommendation 2.
26. Members made the following comment:
 - Given the current delays experienced by the SDNPA with Defra processing, what would happen to the other Parish Members if not approved before the deadline of 4 August?
27. Members were advised:
 - If official confirmation from the Secretary of State had not been received by 4 August, all other Parish Members elected this year would be similarly restricted in voting.
28. **RESOLVED:** The Authority resolved that Recommendation 2 should be amended to read "Appoint the membership of Committees until the Authority AGM in 2024 as set out in Appendix 3 (to be tabled at the meeting) of this report, provided that, in respect of William

Meyer and Steven Ridgeon, who are appointed to the Authority by the Secretary of State, these committee appointments shall take effect from the date of the Member's appointment to the Authority if later than the date of this decision."

29. **RESOLVED:** The Authority resolved to:
1. Appoint the Planning Committee, Policy and Resources Committee and Appointments, Management & Standards Committee, with the Terms of Reference set out at Appendix 1 of report NPA23/24-3, as the committees necessary to discharge the functions of the Authority.
 2. Appoint the membership of Committees until the Authority AGM in 2024 as set out in Appendix 3 of report NPA23/24-3, provided that, in respect of William Meyer and Steven Ridgeon, who are appointed to the Authority by the Secretary of State, these committee appointments shall take effect from the date of the Member's appointment to the Authority if later than the date of this decision.
 3. Appoint the Chair and Deputy Chair of Planning Committee until the Authority AGM in 2024 as set out in Appendix 6 of report NPA23/24-3.
 4. Appoint the Chair and Deputy Chairs of Policy & Resources Committee until the Authority AGM in 2024 as set out in Appendix 6 of report NPA23/24-3.
 5. Appoint Morris Findley to serve as a non-voting Co-opted Member on the Policy and Resources Committee until the Authority AGM in 2024.
 6. Appoint: the Members to outside bodies and panels; the NPA-appointed Trustees of the South Downs National Park Trust; and the NPA-appointed Directors of South Downs Commercial Operations Limited, including the Chairperson of the Board, until the Authority AGM in 2024 as set out in Appendix 5 of report NPA23/24-3.
 7. Agree, for the purposes of Standing order 8.1(f), 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.

ITEM 12. CORPORATE PLAN

30. The Performance and Project Manager introduced the report (NPA23/24-4).
31. The Chief Executive noted the key achievements within the Corporate Plan.
32. The Chair of the P&R Committee noted the Corporate Plan workshop held on 23 February and that the draft documents had been circulated to P&R Members for comment enabling the P&R Committee to oversee the production of the Corporate Plan 2020-25 Year 4-5 action plan for 2023/25.
33. Members made the following comments:
 - The work done by The Aquifer Partnership at Moulsecoomb Primary School, Wallands Primary School and Carden Primary School was very impressive and they would support further such efforts.
 - Delighted to see insect population decline reversing given prominence as part of Nature Recovery given their fundamental importance to the web of life.
 - How does the Authority contact youth organisations to get them involved in the work?
 - The term 'ReNature' was universally praised, whereas 'rewilding' received a more mixed response, so congratulations on the selection of that term.
 - Gathering data was usually an expensive and lengthy process, does the Authority have capacity in the budget to support this important work?

- Does the Authority tie in with Local Authorities, parishes and other groups to allow comparison across Key Performance Indicators (KPI)?
34. Members were advised:
- The Authority had developed an extensive network of groups to engage with but this not an exhaustive list and was open to Members to suggest potential additions.
 - No other National Parks were using the erm ReNature yet, but some Areas of Outstanding Natural Beauty were, and Natural England had shown interest, so it was gaining momentum.
 - There was a dedicated member of staff tasked with building the evidence base and funding had been allocated in existing budgets.
 - The Authority was awaiting national KPIs from Defra to make comparison easier. The One Planet Platform discussed at the recent South Downs Partnership meeting should prove useful for comparing and sharing data. The SDNPA had contributed 50% of the Landscape and Biodiversity Lead's time to National Parks England to help align measures and targets on climate action and mitigation across the National Parks.
35. Andrew Shaxson and Gary Marsh left the meeting.
36. **RESOLVED:** The Authority, approved the Corporate Plan 2020-25 Year 4-5 action plan for 2023/25.
37. Maggie Jones left the meeting.
38. Gary Marsh returned to the meeting.

ITEM 13. BUDGET MONITORING REPORT: PROVISIONAL OUTTURN 2022/23

39. The Chief Finance Officer introduced the report (NPA23/24-5).
40. Members made the following comments:
- Highlighted the success of the Authority in using the £440,000 provided by Defra which had been allocated to Invest to Save projects which would deliver real cost savings.
 - Could the Authority be tougher when CIL funds had been allocated but not used? There was £6.4 million that was sitting unused in the CIL reserve that the Authority could make good use of.
 - Half the Authority's investment portfolio was invested via Brighton & Hove City Council (B&HCC), it would be good to have some understanding of that investment vehicle.
41. Members were advised:
- A CIL workshop for members was scheduled for later this year and the call for projects was open. 400 applications were expected for 20-30 grants. The Authority needed to be clear that projects must be 'shovel ready' and met its corporate priorities. Some of this underspend was Covid backlog, and parish projects tended to be slower, often for good reasons. Where money was simply being held without the prospect of being spent it needed to be clawed back. This would be reviewed and the results presented to the Member workshop.
 - The principal advantage around the B&HCC investment was that smaller authorities, such as the SDNPA, could not access certain investment opportunities directly, so access could be granted through this arrangement to achieve better rates and returns than SDNPA could achieve on its own.

42. **RESOLVED:** The Authority:
1. Noted the provisional revenue outturn position of a net £526,000 below budget variance for the 2022/23 financial year.
 2. Noted that the below budget variance includes £440k additional National Park grant for 2022/23 arrived at the end of the financial year.
 3. Approved the revenue budget carry forward requests from 2022/23 to 2023/24 of £1,115,000 as set out in Appendix 2 of Report NPA23/24-5.
 4. Approved the creation of a Nature Based Solutions (Green Finance) Reserve of £167,000 as set out in paragraph 4.1.
 5. Approved the following Capital variations as detailed in paragraph 3.5, specifically:
 - (£76,000) reprofile to the 2022/23 financial year to fund completion of the Seven Sisters Capital Projects, and;
 - (£39,000) reprofile to the 2022/23 financial year for Phase I signage identified as needing repairs and where the work is in progress.
 6. Approved the below budget revenue position of (£526,000) and that £440,000 would be allocated to the Invest-to-Save Reserve in accordance with the Authority's decision on 30 March 2023, and approved that the balance of (£86,000) be allocated to working balance.
 7. Noted the Treasury Management overview and position as at financial year-end 2022/23
43. Janet Duncton left the meeting.

ITEM 14. WEST SUSSEX JOINT MINERALS LOCAL PLAN ASSESSMENT

44. The Planning Policy Lead introduced the report (NPA23/24-6).
45. The Chair thanked the Communities Lead and wished him well in his new role.
46. The Chair of Planning Committee confirmed that the Planning Committee supported the recommendation.
47. Members made the following comments:
- Were we satisfied that mineral exploitation within the Park was consistent with the Authority's nature goals?
48. Members were advised:
- The Plan was prepared jointly with the Authority, so the voice of the Park was reflected both within the Plan and the reviews. There were many references to protected landscapes throughout the Plan.
49. **RESOLVED:** The Authority:
1. Noted the review of the relevance and effectiveness of the Joint Minerals Plan.
 2. Agreed that an update to the West Sussex Joint Minerals Local Plan is not required at this time.
 3. Noted that a summary of the review process and the decisions will be published on the website hosted by West Sussex County Council and the SDNPA's website.
50. Janet Duncton returned to the meeting.
51. Stephen Whale left the meeting.

ITEM 15. REVIEW OF MEMBER CODE OF CONDUCT

52. The Monitoring Officer introduced the report (NPA23/24-7).
53. Robert Mocatta left the meeting.
54. Stephen Whale returned to the meeting.
55. The Chair noted that the revised Code of Conduct was considered by the Appointment Management & Standards Committee in June.
56. Members made the following comment:
 - Why was the Code of Conduct only being publicised to residents within the National Park rather than anyone interested in the Park?
57. Members were advised:
 - The recommendation picked up the statutory wording, but would be publicly available to all on the Authority website.
58. **RESOLVED:** The Authority:
 1. Noted the content of the Local Government Association Model Councillor Code of Conduct 2020 as summarised in report NPA23/24-7 and contained in Appendix 1.
 2. Noted the outcome of the review of the Authority's Member Code of Conduct taking account of the Local Government Association Model Councillor Code of Conduct 2020 as detailed in the report NPA23/24-7.
 3. Approved the revised Member Code of Conduct contained in Appendix 2 and delegated authority to the Chief Executive to publicise the revised Code in such manner as he considers is likely to bring it to the attention of people who live in the South Downs National Park.
59. Robert Mocatta returned to the meeting.

ITEM 16. AMMENDMENTS TO STANDING ORDERS

60. The Head of Governance introduced the report (NPA23/24-8).
61. **RESOLVED:** The Authority agreed the revised Standing Orders for Regulation of Authority Proceedings and Business ("Standing Orders") as set out at Appendix 1 and instructed the Chief Executive to publish the updated Standing Orders on the Authority's website.

ITEM 17. PLANNING COMMITTEE MINUTES

62. Authority Members noted the minutes of the Planning Committee meetings held on 9 March and 13 April 2023.

ITEM 18. APPOINTMENT, MANAGEMENT AND STANDARDS COMMITTEE MINUTES

63. Authority Members noted the minutes of the Appointment, Management and Standards Committee meeting held on 20 April 2023.

PART II EXCLUSION OF PRESS AND PUBLIC

64. The meeting was closed to the public, including the press, and moved into private session at 14.56pm.

ITEM 19. SOUTH DOWNS COMMERCIAL OPERATIONS LIMITED BUSINESS PLAN

65. The Chief Executive reminded Members of the content of the report.
66. Stephen Whale, Director of South Downs Commercial Operations Limited and the Commercial Manager at Seven Sisters Country Park introduced the business plan.
67. Members considered and discussed the matters before them.
68. **RESOLVED:** The Authority:
 1. Approved the revised Key Performance Indicators (KPIs) set out in Appendix I and delegated authority to the Chief Executive Officer to agree with South Downs Commercial Operations Limited (the Company) appropriate revised wording of the Operating Agreement between SDNPA and the Company to reflect the new KPIs;
 2. Agreed, in principle, to amend the Operating Agreement between SDNPA and the Company, as set out in section 5 of the report, and delegated authority to the Chief Executive Officer, following the receipt of appropriate legal advice, to agree with the Company appropriate revised wording of the Operating Agreement; and,
 3. Noted the review of the operating arrangements at Seven Sisters Country Park (SSCP) over the next 12 months, as set out in section 6 of this report.

In its role as Shareholder of South Downs Commercial Operations Limited, the Authority:

4. Approved the Company's Annual Business Plan for 2023-24 set out in Appendix I; and,
 5. Approved a loan facility to the Company of up to £250k, as set out in section 4 of the report, and delegated authority to the Chief Executive Officer, in consultation with the Chair and Deputy Chair of the Authority and the Chief Financial Officer and in accordance with specialist legal advice, to agree the terms of the loan with the Company.
69. The Chair closed the meeting at 15.54pm.

Signed _____

