

SOUTH DOWNS NATIONAL PARK AUTHORITY

AUTHORITY MEETING

Held at 1pm on 17 October 2024 in the Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.

Present:

Vanessa Rowlands (Chair), Heather Baker, Tim Burr, Antonia Cox, Debbie Curnow-Ford, Chris Dowling, Janet Duncton, Mark Fairweather, Theresa Fowler, Joan Grech, Melanie Hunt, John Hyland, Stephen McAuliffe, Jerry Pett, Mark Potter, Steven Ridgeon, Andrew Shaxson, Daniel Stewart-Roberts and Vicki Wells.

South Downs National Park Authority Officers:

Tim Slaney (Chief Executive Officer (Interim)), Mike Hughes (Director of Planning (Interim)), Laura Sercombe (Director of Strategy and Landscape), Louise Read (Monitoring Officer), Mark Alden (Nature-based Solutions Manager), Megan Bentley (IT Strategy Manager), Richard Fryer (Senior Governance Officer), Nick Heasman (Countryside and Policy Manager), Hayley Madgwick (Procurement Manager), Nigel Manvell (Chief Finance Officer), Claire Onslow (Commercial and Strategic Manager), Anne Rehill (Performance and Project Manager), Richard Sandiford (Head of Governance), Victoria Tuner (Head of Finance and Corporate Services) and James Winkworth (Head of Marketing and Income Generation).

CHAIR'S OPENING REMARKS

127. The Chair welcomed all present and informed them of general housekeeping matters.

ITEM 1. APOLOGIES FOR ABSENCE

128. Apologies were received from Alun Alesbury, John Cross, Peter Diplock, Gary Marsh, Robert Mocatta and Stephen Whale.

ITEM 2. DECLARATION OF INTERESTS

129. The following declarations were made:

- Chris Dowling declared a personal interest in Agenda Item 13 as a former Director of South Downs Commercial Operations Limited.
- Stephen McAuliffe declared a personal interest in Agenda Item 13 as a former Director of South Downs Commercial Operations Limited. He also declared a public service interest in Agenda Item 14 as an Arun District Councillor as the likely route for the pipeline would pass through his ward within Arun District, and a further personal interest in Agenda Item 15 as he was proposed for an appointment.
- Janet Duncton declared a public service interest in Agenda Item 14 as a West Sussex County Councillor and declared she would not take part in the item.

ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 9 JULY AND 22 AUGUST 2024

130. The minutes of the Authority meeting held on 9 July and 22 August 2024 were approved as a correct record, subject to the following amendments to the 9 July minutes:

- Item 1, Minute 2, Vicki Wells to be added to the list of apologies.
- Item 10, Minute 24, should read 'overly' rather than 'overtly'.

ITEM 4. URGENT MATTERS

131. There were none.

ITEM 5. PUBLIC PARTICIPATION

132. There was none.

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

133. The Chair asked the Authority if any Member wished to raise any point of accuracy in the Part II minutes of the National Park Authority (NPA) meetings held on 9 July and 22 August 2024 at Agenda Item 18, , and if they wished to discuss any matter on the Part II minutes of the Policy and Resources Committee meeting on 27 June 2024 at Agenda Item 19. As no Members wished to raise any point of accuracy or discuss any matters the meeting would not move into private session to consider these items.

ITEM 7. AUTHORITY CHAIR UPDATE

134. The Authority Chair introduced the report (NPA24/25-13) and congratulated Maggie Jones, Baroness Jones of Whitchurch, on her appointment as a Minister since the last meeting of the Authority for her service to the Authority as a Member. She also thanked Members for attending the recent parish workshop.

135. **RESOLVED:** The Authority noted the update from the Chair of the South Downs National Park Authority.

ITEM 8. CHIEF EXECUTIVE'S PROGRESS REPORT

136. The Chief Executive introduced the report (NPA24/25-14) and provided the following updates:

- As part of the 75-year celebration of National Parks, the SDNPA was launching a grant program, working with the South Downs National Park Trust and other partners, to secure £75,000 for schools to be used for planting, pond creation and education.
- Eight bursaries, two apprenticeships and one job had been created as a result of the Sussex Heritage taster days. There was likely to be a lottery funding bid to support this programme for the next 3 years.
- The announcement of £1.7 million of lottery funding for the 'Downs to the Sea' initiative. This would include funding for an education and learning program, as well as nature restoration.
- The SDNPA Design Guide was up for consideration for a National Award from the Royal Town Planning Institute after winning the Regional Award for Excellence in Plan Making.

137. Members made the following comments:

- Could an update be provided on the car parking situation at Seven Sisters Country Park (SSCP)?
- Could an update be provided on the occupancy rates for the cottages at SSCP?
- What was the target for fundraising this year on the back of the encouraging figures achieved so far?
- Congratulated officers for the media coverage they had achieved and for the way they had handled the vandalism suffered by the 'We Hear You Now' project.
- Was there anything to report from the National Parks England conference in Northumberland?

138. Members were advised:

- The traffic plan for SSCP was being revisited and a collaboration with other attractions in the vicinity and discussions with East Sussex County Council were beginning to enable a combined approach in relation to travel and, in particular, coach parking.

- In future occupancy rates would be provided to the Policy and Resources Committee. The cottages were currently booked out for the Christmas period and would be closed in November for refurbishment.
- The fundraising target for the current financial year was £2.5 million between the Authority and the Trust.
- Each National Park was being given a seedling from the original sycamore gap tree that was felled on Hadrian's Wall and were requested to plant it within their National Park. Consideration was being given as to where it should be planted.

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

ITEM 9. SOUTH DOWNS PARTNERSHIP MANAGEMENT PLAN – REVIEW

140. The Performance and Project Manager introduced the report (NPA24/25-15).

141. The Chair of the Policy and Resources Committee commented that the report had been endorsed and recommended by committee and that the PMP was a plan for the National Park, not for the Authority.

142. Members made the following comments:

- Could more detail be provided on the risks associated with the lack of buy-in? Were the risks around a lack of buy-in from critical partners such as landowners and farmers or from harder to reach groups?
- In relation to the required Habitats Regulations Assessment, as there were known Barbastelle roosts within 12.5 km of the Singleton and Cocking tunnels, and given and that the last assessment was completed in 2015, could the consultants be asked to consider extending the 12 km buffer zone to perhaps 13 or 15 km to take account of the existing data.
- Were there any negative impacts or penalties from extending beyond the five-year timescale?
- The steering group appeared large and could potentially be unwieldy.

143. Members were advised:

- Risk of not getting buy-in was always high and therefore mitigations were in place. A risk register was being developed for the Partnership Management Plan (PMP) and Officers would reflect on how best to reflect the risks and mitigations. All partners were important, but there were already strong links with landowners and farmers. The risks around a lack of buy-in were associated with other groups.
- There were no penalties for the National Park for not hitting the five-year timescale.
- The draft guidance from Natural England set out who should be included in the steering group and the SDNPA proposed to include all groups mentioned in the guidance, as well as some extra partners such as a youth ambassador, representatives of more diverse communities, and community climate action groups. Once the PMP had been produced the steering group would likely be reconfigured and expanded to include partners who were directly delivering on the PMP.

144. **RESOLVED:** The Authority:

1. Noted the agreed approach to the review of the Partnership Management Plan for the South Downs
2. Agreed to establish the Partnership Management Plan Steering Group with the terms of reference set out in Appendix 3.

3. Agreed that authority be delegated to the Chief Executive, in consultation with the Chair of the Authority, to select and appoint the chair and members of the Partnership Management Plan Steering Group and to determine the basis of those appointments including the terms and conditions and the payment of any allowance.
4. Agreed that authority be delegated to the Chief Executive to issue any notices required by legislation for the review of the Partnership Management Plan, at the appropriate point in the process; and
5. Agreed that when issuing the notice to review the Partnership Management Plan, as required by Section 66 of the Environment Act 1995, the SDNPA send with the notice a revised draft Partnership Management Plan, to be approved at a future meeting of the NPA, rather than a scoping report and a copy of the existing Partnership Management Plan.
6. Delegated authority to the Director of Landscape and Strategy, in consultation with the Chair of the Authority to approve revised terms of reference for the South Downs Partnership with a clearer focus on the Partnership's role in supporting the review of the Partnership Management Plan.

ITEM 10. ENVIRONMENTAL LAND ACQUISITION FRAMEWORK

147. The Head of Marketing and Income Generation and the Countryside and Policy Manager (Central) introduced the report (NPA24/25-16).
148. The Chair of the Policy and Resources Committee commented that the report had the full endorsement of the committee and that the Committee was very supportive of the two-stage process.
149. Members made the following comments:
 - Had consideration been given to actively soliciting gifts of land?
 - A gift was just an acquisition with a price of zero and should be analysed in the same way.
 - The Fulling Mill examples seemed twice the price of similar good quality agricultural land. The Authority needed to be careful about not overpaying. Did officers attempt to negotiate the price of the land at Fulling Mill?
150. Members were advised:
 - The South Downs National Park Trust promoted the leaving of gifts. There were risks around promoting gifts of land to the Authority as they could come with considerable liabilities. Many landowners were exploring means of securing their land for the future, and officers were engaging with them. This framework would further equip officers to do that.
 - The Fulling Mill opportunity was triggered by the availability of a grant and was no longer available. Officers were mindful of the need to be careful with the use of public funds and of the importance of negotiations around potential acquisitions, seeking the best cost-benefit outcome.
151. **RESOLVED:** The Authority approved the Environmental Land Acquisition Framework as set out at Appendix 1.

ITEM 11. GREEN FINANCE / NATURE-BASED SOLUTIONS UPDATE

152. The Countryside and Policy Manager (Central) and the Nature-based Solutions Manager introduced the report (NPA24/25-17).
153. Members made the following comments:

- Supportive of sharing the learning from this project with other authorities.
- This type of agile, proactive, creative thinking was required to impact land the Authority did not have direct control of.
- How was the Authority supporting and encouraging landowners to transition to regenerative agriculture?
- There was no mention of soil carbon credits, was this something the Authority was considering?
- The Authority was committing to monitor land secured under Section 106 agreements for a specified period of time and in a specified manner according to paragraph 2.5 of the report. Does Schedule 7A mean that monitoring would be required for 30 years?
- Could reassurance be provided on the potential conflict of interest between the Authority's statutory monitoring obligations for Biodiversity Net Gain (BNG) and accepting fees as a percentage of credit sales to help generate that gain.
- Would risk from poor sales be shared between the Authority and the landowner?
- The monitoring commitments associated with nutrients effectively lasted for 125 years. How had the Authority judged emerging costs and methodologies so far ahead of time?
- There remained a potential tension between the government's priority around development and the possible disincentives of increased costs on developers, including that of delivering BNG, of bringing schemes forward.
- Were this scheme to be successful, the Authority's reserves could significantly increase. There would be a need to clearly identify this was not a general reserve.
- Would the partnership with Rural Solutions allow the Authority to work beyond the borders of the Park?

154. Members were advised:

- Amongst farmers, the realisation that soil needed to be nurtured, and the costs of denuded soil were growing. Consideration was being given as to how farmers could be supported through this transition, including working with colleagues through the Farming in Protected Landscapes scheme.
- Soil carbon credits, amongst other carbon codes, were being developed by the Sustainable Soil Alliance on behalf of Defra but were not currently at a stage where they could be monetised.
- Officers were keenly aware of the potential for a conflict of interests between the Authority's role as a planning authority and it's work in countryside policy management supporting landowners. Legal advice had been sought and there was a clear separation between the two roles of the Authority, as outlined in the report.
- The landowner bore the primary risk of poor sales, and officers would provide them with support without becoming financial advisors.
- The Authority had accounted for maximum exposure in regard to long term monitoring. There was an NbS reserve to support the Authority in meeting its long-term obligations. Future developments may allow monitoring to be done at a lower cost.
- The ability for the Authority to work beyond the boundaries of the National Park depended upon the activities being carried out and would generally require a change in powers, such as the introduction of a power of competency.

155. **RESOLVED:** The Authority noted and endorsed the Authority's ongoing Green Finance / Nature-based Solutions work.

ITEM 12. ICT CONTRACTS RENEWAL 2025

156. The Procurement Manager and the IT Strategy Manager introduced the report (NPA24/25-18) and noted an update to recommendation 1, removing the brackets around (a).

157. Members made the following comments:

- Was any of the Authority's ICT infrastructure on site? If so, could officers consider moving to the cloud to minimise risk?
- Did this contract include the live streaming of meetings?

158. Members were advised:

- The Authority's ICT infrastructure was cloud based.
- The live streaming of meetings was a separate contract.

159. **RESOLVED:** The Authority:

1. Approved the commencement of a procurement process leading to the appointment of a contractor to provide ICT Infrastructure as a Service and Deskside Support services to SDNPA for a period of three years from July 2025, with a further possible two extensions of one year each.
2. Approved delegation of authority to the Chief Executive to award a contract for the above, following a competitive process carried out under the terms of the Public Contracts Regulations 2015.

ITEM 13. GOVERNANCE ARRANGEMENTS FOR SEVEN SISTERS COUNTRY PARK

160. The Head of Governance and the Commercial and Strategic Manager introduced the report (NPA24/25-19) and noted that recommendation 4 was no longer required.

161. Members made the following comments:

- Was a second director required in case the sole director was incapacitated?
- Supported the intention to move away from the use of zero hours contracts. Could it be confirmed that the Authority was a living wage employer and did the Authority require that subcontractors were also living wage employers?
- Could it be confirmed which Members would be joining the SSCP Operations Advisory Board?
- Could it be confirmed that the finances of SSCP, as with all other operations of the National Park Authority except contracts and employment, would be discussed in public?

162. Members were advised:

- The director had only two annual actions to perform whilst the company was dormant. The Authority would be able to appoint additional directors if required, and an urgent meeting could be called if necessary. The CEO also had urgent action powers if immediate action was required.
- The Authority was a living wage employer. The Authority's procurement process includes assessing contracts for their social contribution. Officers would investigate and confirm whether subcontractors were also living wage employers.

- Stephen Whale, as Chair of SDCOL, would join the SSCP Operations Advisory Board for six months to provide continuity. In addition, Debbie Curnow-Ford and Mark Potter would be joining.
- The finances of SSCP would be publicly discussed in line with the other operations of the National Park Authority by the Policy and Resources Committee.

163. **RESOLVED:** The Authority:

1. Noted the arrangements to manage Seven Sisters Country Park within the Authority following the termination of the Operating Agreement with South Downs Commercial Operations Ltd on 9 October 2024;
2. Noted the Terms of Reference of the Seven Sisters Country Park Operations Advisory Board, as set out in Appendix 1; and,
3. Approved the amended terms of reference for the Policy and Resources Committee, as set out in Appendix 2, to take effect on 22 November 2024.

The Authority, as Shareholder:

5. Noted the arrangements for the future of South Downs Commercial Operations Ltd.

ITEM 14. SECTION 101 AGREEMENT WITH WEST SUSSEX COUNTY COUNCIL TO MANAGE A CROSS-BOUNDARY PLANNING APPLICATION FOR SOUTHERN WATER FORD TO HARDHAM WATER RECYCLING PIPELINE

164. The Director of Planning (Interim) introduced the report (NPA24/25-20).

165. Members made the following comments:

- Would the planning process be able to tackle the full range of issues raised by this proposal?
- Why had West Sussex County Council (WSSCC) made this request?
- Would it be possible for the pipeline to follow the same route as Rampion 2?
- Could this application be conditioned in the normal way by the Planning Committee?

166. Members were advised:

- The assessment of the application would be full, thorough and comprehensive, and the report would go before the SDNPA Planning Committee.
- WSSCC would deal with the water recycling plant, but as the majority of the pipeline ran through the National Park, it would be easier and would avoid duplication for the Authority to handle the pipeline application and provide the best use of public resources.
- The ambition to combine the pipeline with the Rampion 2 route was noted and would be explored, but the pipeline route had not yet been confirmed.
- The application could be conditioned in the normal way.

167. **RESOLVED:** The Authority:

1. Agreed that, in principle, the South Downs National Park Authority entered into an Agreement under Section 101 of the Local Government Act 1972 with West Sussex County Council for the Authority to discharge the County Council's function concerning the pre-application, Environmental Impact Assessment screening / scoping, management, consideration, decision, and other connected functions (such as discharge of conditions or defending any planning appeal) on the expected cross-boundary

planning application from Southern Water for a recycled water pipeline from Ford, West Sussex to Hardham, West Sussex.

2. Delegated authority to the Director of Planning, in consultation with the Chair of the Authority, to negotiate, complete and sign the Agreement referred to in recommendation 1.

ITEM 15. APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

168. The Head of Governance introduced the report (NPA24/25-21) and noted that recommendation 1 was no longer required.
169. Members made the following comment:
 - Expressed thanks to the Members who were on the Board of South Downs Commercial Operations Limited for their efforts.
170. **RESOLVED:** The Authority:
 2. Appointed Stephen McAuliffe as a Trustee of the South Downs National Park Trust;
 3. Appointed Chris Dowling and Stephen Whale to the Policy and Resources Committee;
 4. Appointed the Appointments, Management and Standards Committee as set out in section 2 of this report; and,
 5. Appointed Paul Bevan to the Planning Committee, provided that the committee appointment shall take effect from the date of Paul Bevan's appointment to the Authority by the Secretary of State if later than the date of this decision.

ITEM 16. PLANNING COMMITTEE

171. Authority Members noted the minutes of the Planning Committee meetings held on 13 June and 11 July 2024.

ITEM 17. POLICY & RESOURCES COMMITTEE

172. Authority Members noted the minutes of the Policy & Resources Committee meeting held on 27 June 2024.

ITEM 18. PART II MINUTES OF THE PREVIOUS MEETINGS HELD ON 9 JULY AND 22 AUGUST 2024

173. The Part II minutes of the Authority meeting held on 9 July and 22 August 2024 were approved as a correct record

ITEM 19. POLICY & RESOURCES COMMITTEE

174. Authority Members noted the Part II minutes of the Policy and Resources Committee meeting held on 27 June 2024.
175. The Chair closed the meeting at 3.01pm.

Signed _____