

SOUTH DOWNS NATIONAL PARK AUTHORITY

AUTHORITY ANNUAL GENERAL MEETING

Held at 2.00pm on 16 December 2021 in the Memorial Hall, South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.

Present:

Alun Alesbury, Heather Baker, Annie Brown, Tim Burr, Peter Diplock, Janet Duncton, Angus Dunn, Barbara Holyome, Melanie Hunt, Maggie Jones, Diana van der Klugt, Robert Mocatta, William Meyer, Russell Oppenheimer, Ian Phillips (Chair), Henry Potter, Vanessa Rowlands, Isabel Thurston 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), Alan Brough (Head of Business Services), Robin Parr (Head of Governance) and Richard Sandiford (Senior Governance Officer).

Also attended by:

Mike Hughes (Major Planning Projects and Performance Manager).

CHAIR'S OPENING REMARKS

104. The Chair of the Authority welcomed all present and informed them of general housekeeping matters.
105. 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.
106. The Chair informed the Authority that Agenda Item 10 would be deferred to the next meeting of the Authority. Also, that Agenda Item 14 was to note and this item was taken as noted as no Member indicated that they had any matters related to this item that they wished to discuss.

ITEM 1. APOLOGIES FOR ABSENCE

107. Apologies were received from Chris Dowling, Therese Evans, Doug Jones, Michael Lunn, Gary Marsh, Martin Osborne, Andrew Shaxson and Richard Waring.

ITEM 2. DECLARATION OF INTERESTS

108. The following declarations were made:
 - William Meyer, Vanessa Rowlands and Stephen Whale declared a disclosable pecuniary interest in Agenda Item 11 as Directors of the South Downs Trading Company and that they would withdraw from the meeting for this item.
 - William Meyer declared a public service interest in Agenda Item 16 as a Lewes District Councillor and that he would withdraw from the meeting for this item.
 - Robert Mocatta declared a public service interest in Agenda Items 15 and 16 as an East Hampshire District Councillor and that he would withdraw from the meeting for these items.
 - Russell Oppenheimer declared a public service interest in Agenda Item 16 as an East Hampshire District Councillor and that he would withdraw from the meeting for this item.
 - Henry Potter declared a public service interest in Agenda Item 16 as a Chichester District Councillor and that he would withdraw from the meeting for this item.

- Janet Duncton declared a public service interest in Agenda Item 16 as a Chichester District Councillor and that she would withdraw from the meeting for this item.

ITEM 3. MINUTES OF PREVIOUS MEETINGS HELD ON 21 OCTOBER 2021

109. The minutes of the Authority meeting held on 21 October 2021 were approved as a correct record subject to the following amendments:
- Page 5, Agenda Item 2 to record the declaration of a public service interest by Diana van der Klugt in Agenda Item 18 as a Horsham District Councillor and that she would withdraw from the meeting at the appropriate point.
 - Page 5, Agenda Item 3, minute 51, the date to read 6 July 2021 rather than 25 March 2021.

ITEM 4. MATTERS ARISING

110. In regard to agenda item 8 in the minutes of the previous meeting it was noted that Members were looking forward to the discussion on Byways Open to All Traffic and that Councillor Jim MacDonald, Chairman of the East Hampshire Association of Parish and Town Councils, had offered to attend to inform Members on the local impacts.
111. The Chair informed Members that he would cover this matter under his update at Agenda Item 8.

ITEM 5. URGENT ITEMS

112. There were none.

ITEM 6. PUBLIC PARTICIPATION

113. There was none.

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

114. Members were asked to consider the exclusion of the public, including the press, from the meeting for Agenda Items 15 and 16. It was noted that the exclusion paragraph published on the Agenda was incorrect and that paragraph 5 of part I of Schedule 12A to the Local Government Act 1972 should not have been included as a reason for exclusion as there was no legal advice included in the report.
115. The Monitoring Officer outlined the reasons for the consideration of this exclusion under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, being information related 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 outweighed 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, it was felt that on balance this was outweighed by the requirement of the National Park Authority to be able to consider matters concerning its business and fully consider the implications of its actions or proposed actions particularly in relation to decisions which would have implications for the agreements regarding its ongoing delivery of its planning service without the disclosure of information that could undermine its position or its ability to deliver value for money through these processes.
116. **RESOLVED:** The Authority resolved to move into private session to consider Agenda Items 15 and 16 and that the public, including the press, would be excluded from the meeting at the appropriate time.

ITEM 8. AUTHORITY CHAIR UPDATE

117. The Authority Chair provided a verbal update on his recent activities, including:
- A meeting with Councillors and officers from Hampshire County Council to discuss BOATs. The Chair clarified that the Member Workshop on 27 January at which the matter of BOATs would be discussed would be a private discussion and would not be open to third parties to attend. BOATs had been further discussed with other National

Park Authorities (NPAs) with experience in this area. These matters along with the local knowledge of our Members should ensure an informed discussion

- A National Parks England (NPE) meeting with other NPA Chairs at which the tri-partite agreement, a non-statutory national landscape body, nature recovery strategies, and a joint letter to Lord Benyon setting out our cooperative work were discussed.
- A meeting with Lord Benyon at which the direction of travel of the response to the Glover Review, Nature Recovery Strategies, Farming in Protected Landscapes, planning powers, and private funding for nature conservation projects were discussed.
- A meeting with Lt Col Richard Bishop from Longmoor Camp at which nature conservation and the possibility of a Whole Estate Plan (WEP) being produced were discussed.
- The recent COP26 webinar about the Palladium initiative, which was seeking £240m over the next 10 years.
- Tree planting on the Goodwood Estate as part of the South Downs National Park Trust's (SDNPT) Trees for the Downs and the Queens Green Canopy initiatives.
- A National Parks UK conveners forum, which reviewed feedback from COP26 and discussed how protected landscapes could address the climate change and biodiversity challenges.
- A meeting with Brighton and Hove City Council at which the SDNPA's potential contribution to the Nature Recovery Strategy and their WEP were discussed.

118. Members made the following comments:

- During the Chair's meeting with Natural England had the matter of water neutrality been discussed?

119. Members were advised:

- The meeting covered national rather than local matters, so water neutrality had not been discussed.

ITEM 9. CHIEF EXECUTIVE'S PROGRESS REPORT

120. The Chief Executive introduced report (NPA21/22-14) and gave updates on the following:

- The latest COVID-19 position at the SDNPA;
- That the Government's response to the Glover Review was now likely to be released in mid-January and Members would have the opportunity to discuss our response at the Member Workshop on 27 January;
- The Bronze Age Build project which received funding from the SDNPA COVID recovery fund and was delivered in partnership with the Armed Forces Covenant Fund, Operation Nightingale and Butser Ancient Farm had been given national award by The Council for British Archaeology;
- That the Chief Executive Officers from all the Local Authorities affected by the current issue of water neutrality were meeting regularly and were working hard to produce a joint FAQ both for developers and the public.

121. Members made the following comments:

- The South Downs Trading Company had appointed Mr Iain Skinner, who was a chartered surveyor and had significant experience in land management and setting up visitor centres, as an additional Director.
- In regard to paragraph 3.2, it would be good if all Members were involved in the final decision on the distribution of Community Infrastructure Levy (CIL) funds at an Authority meeting.

- In regard to paragraph 4.2, would the Drainage and Sewerage Management Plans (DSMPs) be required by the beginning or end of 2022?
- In regard to paragraph 4.3, how good a position was the SDNPA in to deliver biodiversity net gains in developments?
- In regard to paragraph 4.5, was there any funding to support the production of the new Species Conservation and Protected Sites strategies?
- In regard to paragraph 4.13, were the National Grid Landscapes Enhancement Initiative funds only for projects in Hampshire?

122. Members were advised:

- Members were already able to give their steer on the distribution of CIL through a Member Workshop. Consideration would be given to the Authority making the final decision rather than Planning Committee and the changes to Standing Orders that would also be required.
- The DSMPs would not be prepared by the beginning of 2022. Unfortunately, the pledges made the associated legislation were not specific so it would not clear what may happen going forward.
- Biodiversity net gain was already included in the South Downs Local Plan's policies and the Annual Monitoring Report showed on a random sample of developments that there was an average of 36% biodiversity net gain.
- There was no new funds to support the new strategies.
- The National Grid funds were only for projects in Hampshire.

123. **RESOLVED:** The Authority resolved to note the progress made by the South Downs National Park Authority (the Authority) since the last report.

ITEM 10. SOUTH DOWNS NATIONAL PARK TRUST UPDATE

124. This item was deferred to the next meeting of the Authority.

125. William Meyer, Vanessa Rowlands, Tim Slaney and Stephen Whale left the meeting at 2.52pm.

ITEM 11. OPERATING AGREEMENT BETWEEN THE SDNPA AND SOUTH DOWNS COMMERCIAL OPERATIONS LIMITED

126. The Head of Governance and Support Services introduced report (NPA21/22-15) and reminded Members of the content of the report.

127. Members made the following comments:

- Would the Directors of the trading company change depending on the projects it was undertaking?
- Would the trading company consider the alignment of its Annual Business Plan (ABP_ to the Authority's Corporate Plan to ensure they were developed in tandem? Also, if the Authority felt unable to agree the ABP what would happen?
- Why were some areas on the maps included with the report marked as "Not in scope"?
- Was there any scope moving forward for traffic management to support people crossing the road?
- Would any significant changes in the Operating Agreement be reported back to the Authority?

128. Members were advised:

- The company Directors were annually appointed by the Authority, so the Authority could decide to change the Directors if it wished.

- Although there was the opportunity for the Authority to feedback to the trading company on its ABP, the ABP would be produced by the company. If the Authority felt unable to agree the ABP then it would go back to the company for revision and would come before Members again at their next meeting.
- Areas marked as “Not in scope” meant they were currently let on a long lease or there were currently no developments planned there.
- Although traffic management had been raised with East Sussex County Council setting out what the Authority would like to see, responses on what they could do had been quite robust.
- Any significant changes to the operating agreement would come back to the Authority for approval.
- The creation of the trading company was a significant day for the Authority and provides exciting long-term prospects for the Authority.

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

1. Note progress with the development of the Operating Agreement between SDNPA and South Downs Commercial Operations Limited (“the Company”);
2. Approve the Operating Agreement set out in Appendix I, and delegate authority to the Chief Executive in consultation with the Chair of the Authority to make any changes that he considers appropriate either to address any comments made by the Authority or to reflect any final negotiations with the Company prior to executing the agreement;
3. Delegate to the Chief Executive, in consultation with the Chair of the Authority and the Company, the power to review and make amendments to the list of Permitted Activities set out in paragraph 6 of Appendix I of the executed Operating Agreement where he considers it appropriate.
4. Delegate authority to the Chief Executive, in consultation with the Company, the power to review and make amendments to the list of values, codes of conduct, policies and procedures set out in Appendix 4 of the executed Operating Agreement and to authorise the variation of a value, code of conduct, policy or procedure in its application to the Company.

130. William Meyer, Vanessa Rowlands, Tim Slaney and Stephen Whale returned to the meeting at 3.09pm.

ITEM 12. ANNUAL INVESTMENT STRATEGY 2021/22: AMENDMENT

131. The Chief Finance Officer introduced report (NPA21/22-16) and reminded Members of the content of the report.

132. Members made the following comments:

- It should be noted that the current rate of inflation was a threat to our financial position.
- Was this viewed as an opportunity to diversify where the Authority’s funds were placed and to take advantage of increased interest rates? What were the risks involved if a bank or Local Authority that the Authority had invested funds with floundered?
- How were ethical credentials checked and what were the ethical credentials of Goldman Sachs and of Brighton and Hove City Council?
- It was disappointing that Goldman Sachs had not responded to the question on their ethical credentials.

133. Members were advised:

- As the Authority was not looking at long-term investments and the investment strategy focussed on security the options were limited, however, the market was improving and as it did other products had become available. There was no protection for the

investments, however, all the investments were with organisations with a high credit rating and the risk would be spread further by diversifying the investments.

- There was an ethical statement in the Authority's investment strategy and a question on their ethical credentials was sent out with any deposits, in response to which most organisations point to their online ethical statement. However, it cannot be guaranteed that they may not be some investment that Members would not agree with.

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

1. Note the current investment position of the Authority.
2. Agree the addition of Goldman Sachs International Bank Limited and Standard Chartered Bank Limited as approved counterparties within the Authority's Annual Investment Strategy and delegate Authority to the Chief Finance Officer to amend table 7 of the Authority's Treasury Management Strategy 2021/22 accordingly, to include the lending and duration limits identified in para 3.8 of the report.

ITEM 13. FUTURE AUDIT ARRANGEMENTS

135. The Head of Business Services introduced the report (NPA21/22-17) and reminded Members of the content of the report.

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

1. Accept Public Sector Audit Appointments Ltd (PSAA's) invitation to become an opted in authority for the purposes of the appointment of a local auditor; and
2. Authorise the Chief Executive to notify PSAA of the Authority's acceptance of the invitation in accordance with PSAA's notification requirements and to publish any notices required as part of the local auditor appointment process.

ITEM 14. PLANNING COMMITTEE MINUTES

137. Authority Members noted the minutes of the Planning Committee meetings held on 14 October 2021.

138. William Meyer, Robert Mocatta and Russell Oppenheimer left the meeting at 3.29pm.

PART II EXCLUSION OF PRESS AND PUBLIC

139. The meeting was closed to the public, including the press, and moved into private session at 3.29pm.

ITEM 15 PART II MINUTES OF PREVIOUS MEETING HELD ON 21 OCTOBER 2021

140. The part II minutes of the Authority meeting held on 21 October 2021 were approved as a correct record subject to amendments.

ITEM 16. DELEGATED HOST AUTHORITY ARRANGEMENTS

141. The Major Planning Projects and Performance Manager introduced the report and reminded Members of the content of the report.

142. Members considered and discussed the matters before them.

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

1. Agree that, in principle, the South Downs National Park Authority enters into new Agreements under Section 101 of the Local Government Act 1972 with East Hampshire District Council and Lewes District Council to provide a quality development management service for a period of up to 4 years for East Hampshire District Council and for a period of up to 2 years with Lewes District Council.
2. Note that a further report will be brought to the Authority in due course in respect of the ongoing contract negotiations with Chichester District Council.

Agenda Item 3

3. Delegate authority to the Director of Planning to negotiate, complete and sign the Agreements referred to in 1) above, subject to any substantial issues being referred back to the Authority for consideration.

144. The Chair closed the meeting at 3.50pm.

Signed _____

