

Report to **South Downs National Park Authority**
Date **17 October 2024**
By **Head of Income Generation and Marketing**
Title of Report **Environmental Land Acquisition Framework**
Decision

Recommendation: The Authority is recommended to approve the Environmental Land Acquisition Framework as set out at Appendix I

1. Introduction

- 1.1 This report proposes a framework (**Appendix I**) to aid the decision-making process around the assessment of any subsequent land acquisitions.
- 1.2 At its meeting on 19 September 2024 the Policy and Resources Committee considered the Land Acquisition Framework and recommended that the NPA approve the Environmental Land Acquisition Framework set out at **Appendix I**.

2. Background

- 2.1 Periodically, the SDNPA is presented with opportunities to acquire land, such as the invitation to, and subsequent, purchase of Seven Sisters Country Park and the invitation to inherit another farm within the National Park.
- 2.2 Other examples have been seen both in the South Downs and other National Parks. Two recent examples are:
 - In July 2024, the Dartmoor National Park Authority acquired Buckfastleigh Moor, a 858-acre (347 ha) expanse of common land, fully funded by the “Water in Protected Landscapes” scheme from Defra. This new addition to the National Park ensures the long-term protection of the area’s unique qualities in this distinctive part of Dartmoor. Buckfastleigh Moor is recognized for its national and international ecological importance, designated as both a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI).
 - Fulling Mill, located in Winnall, Winchester, within the South Downs National Park, covers approximately 44 acres (17.8 ha) of former water meadows, fen, and several channels of the River Itchen. This area, designated as a Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), lies upstream of Winchester on the Itchen floodplain. The floodplain's natural state supports a thriving otter population and, along with the nearby Winnall Moors Nature Reserve, makes it one of the most important breeding sites in the Itchen Valley. It presents an opportunity to enhance the chalk river and restore sustainable floodplain management. Situated next to land managed by the Hampshire and Isle of Wight Wildlife Trust (HIWWT) and the Winnall Moors Reserve, this site is currently on the market for £1,000,000. If funding from Defra's Water Funding Protected Landscapes stream had been secured, an option for the South Downs National Park Authority (SDNPA) could have, subject to proper

consideration and Member approval, been to purchase the land and subsequently enter into a Farming Business Tenancy (FBT) agreement with the HIWWT.

- 2.3 The work in advance of the Authority’s acquisition of Seven Sisters Country Park in August 2021 was overseen by a Member Task and Finish Group before being considered by the National Park Authority. This process was conducted without an acquisition position or framework, with the risks and merits considered in isolation.
- 2.4 The SDNPA set out its philosophy at the formation of the South Downs National Park to ‘enable, facilitate and add value’ to partners work to achieve the purposes of the national park. Land acquisition through this philosophy is a consideration whereby the SDNPA doesn’t necessarily end up as the landowner.
- 2.5 Given the increasing trend in both land sales and offers of funding for acquisition, a Risk Appetite and Strategy workshop was held with Members on 29 February 2024. During this session, it became clear that while members were open to considering such opportunities, a formal position and framework would help clarify when and how these opportunities might be presented to Members for consideration. Members also emphasised the need for any process to consider the pros and cons of any acquisition, considering the liabilities and risks alongside other factors.
- 2.6 Whilst the Authority is not actively pursuing the acquisition of land, it remains alert to exceptional opportunities to deliver on the National Park purposes and priorities. This could include strategic considerations, such as a wish to establish a Western Gateway, mirroring Seven Sisters in the East.

3. Suggested approach

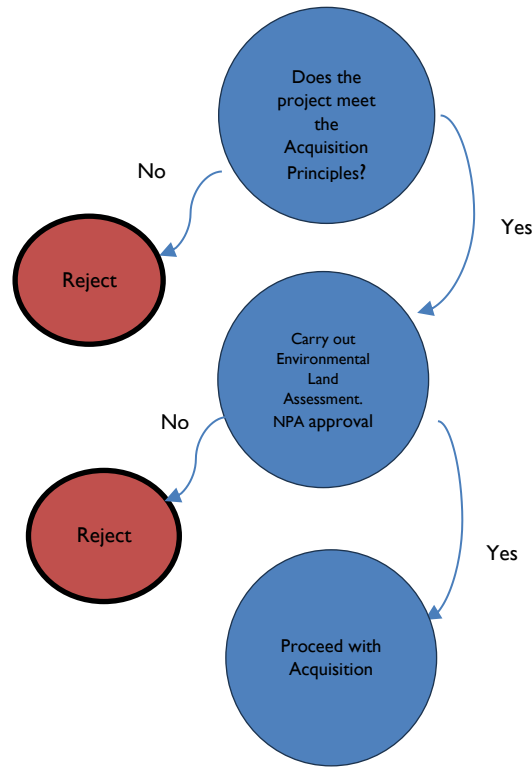
- 3.1 It is proposed that the SDNPA takes a two-stage approach as set out in the Environmental Land Acquisition Framework at **Appendix I**. This involves the following two stages.
 - 1) any offer is first assessed in a light touch way against the Acquisition Principles, carried out with officers at the Senior Leadership Team level.
 - 2) Should a proposal be considered to meet the Acquisition Principles, officers would undertake the full Land Acquisition Assessment, with subsequent consideration and approval to be given by the NPA.

4. Acquisition Principles

- 4.1 Given the necessary and comprehensive consideration any land acquisition requires, the Acquisition Principles establish some high-level criteria that officers can use to filter opportunities. This will ensure our efforts and resources are focused on those where there is a clear strategic case.
- 4.2 Only those acquisitions meeting the criteria will be considered for a more comprehensive examination and subsequently presented to Members for a decision.

5. Land Acquisition Assessment

- 5.1 The Assessment outline has been developed by considering examples from other organisations, with input from the Countryside and Policy Management Team and the Income Generation Team.
- 5.2 This acquisition assessment examines the benefits and risks in greater depth, provides a detailed financial forecast alongside what any ownership structure could look like (i.e. SDNPA direct, Charity or otherwise). See example flow below.



5.3 The NPA’s scheme of delegation contained within its Standing Orders already authorises the Chief Executive to commission or otherwise undertake due diligence or other such investigatory activity in relation to matters being considered for inclusion in the Authority’s capital programme.

6. Gifts of Land

6.1 While this paper primarily addresses the approach for land acquisition, it is possible that the NPA may receive future gifts of land. Although this has not occurred to date, it has been observed in other National Parks that have been in operation for a longer period.

6.2 The decision to accept or reject any gift of land would require Member approval, regardless of its fit with the principles above.

6.3 In such a scenario, the above assessment can still be applied. However, the emphasis would be on whether to accept or refuse the gift, for example, where it would result in negative strategic, financial, or environmental implications for the NPA.

7. Decision Making

7.1 Any acquisition of land will require the NPA’s approval, regardless of value, due to the complications and potential liabilities involved. Given that land acquisitions generally take time to progress, it is envisaged that any acquisition would be able to be considered within the normal schedule of NPA meetings. However, acquisitions could also come forward at short notice and with short deadlines (for example due to a time limited grant or pressure to sell). In this case an additional meeting of the NPA could be called to consider the matter.

8. Next Steps

8.1 The Authority is recommended to approve the Environmental Land Acquisition Framework.

8.2 Once Approved it would be used by the Authority to assess any potential land acquisitions.

9. Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Not in relation to the Framework. However, any future land acquisition would need approval from the NPA.
Does the proposal raise any Resource implications?	The report seeks to put in a framework to aid the decision-making process around the assessment of any subsequent land acquisitions. This should enable a more considered use of internal resources weighted against the strategic benefit and fit of any proposal.
How does the proposal represent Value for Money?	The paper seeks to set out an assessment for evaluating land acquisitions. Value for money is incorporate within any relevant assessment.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	Land acquisitions have the potential to contribute to many of our PMP and Corporate Plan objectives. Part of the proposed Framework considers this contribution within any assessment and subsequent recommendation.
Links to other projects or partner organisations	There are potential links in how we manage any acquisitions with partners and these scenarios are covered within the paper. These arrangements would need to be considered within any assessment.
How does this decision contribute to the Authority's climate change objectives	This decision does not, but land acquisitions could contribute. Part of the proposed Framework would consider any potential contribution.
Are there any Social Value implications arising from the proposal?	None from this proposal. Any implications would be considered as part of the assessment of any potential acquisition and subsequent recommendation.
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes. There are no implications arising from the Framework itself. Any assessment undertaken would include a consideration of the Authority's equality duty and any potential impacts of a decision to acquire or not acquire land on persons with protected characteristics
Are there any Human Rights implications arising from the proposal?	None from this proposal. Any implications would be considered as part of the assessment of any potential acquisition and subsequent recommendation.
Are there any Crime & Disorder implications arising from the proposal?	None from this proposal. Any implications would be considered as part of the assessment of any potential acquisition and subsequent recommendation .
Are there any Health & Safety implications arising from the proposal?	None from this proposal. Any implications would be considered as part of the assessment of any potential acquisition and subsequent recommendation
Are there any Data Protection implications?	None from this proposal. Any implications from a potential acquisition would be considered with the Data Protection Officer.

10. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Land acquisitions put the organisation at risk through increased liabilities	Possible	Major	The Acquisition Framework improves future SDNPA decision making ensuring such liabilities are considered and in full.
Increased process reduces the SDNPA ability to move nimbly	Possible	Moderate	Measures have been included in the above to help speed up decision making should it be required.
Assessment requirements increase demand on already limited resources impacting other delivery area	Possible	Moderate	The initial principles have been designed to ensure that only serious acquisitions opportunities are considered in full, minimising the burden on resources.

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 Appendices I. Environmental Land Acquisition Framework
 SDNPA Consultees Chief Executive; ; Director of Planning; Chief Finance Officer; CPM leads; Head of Governance
 External Consultees None
 Background Documents N/A

LAND ACQUISITION FRAMEWORK

1) Land Acquisition Principles

All proactive and reactive land acquisitions will be assessed against the following criteria, through a two-page paper presented to SLT. Only those acquisitions meeting the criteria below will be considered for a more comprehensive examination and subsequently presented to Members for a decision.

- 1) **Necessity of SDNPA Involvement** - Is the project or outcome achievable without direct intervention from the SDNPA? Consider whether other entities could achieve similar results, or if SDNPA's unique role is essential for success.
- 2) **Alignment with Strategic Goals** - Does this opportunity contribute to achieving the objectives outlined in the Partnership Management Plan (PMP) and Corporate Plan (CP). Assess the potential impact on key areas such as conservation, public engagement (for example, any benefits for underserved communities), and sustainable development (for example climate change reduction).
- 3) **Availability of Sufficient Funding** - Are there adequate financial resources to support the acquisition and any associated costs? Evaluate the overall budget, potential grants, and other funding sources to ensure feasibility of the project.
- 4) **Mitigation of Significant Liabilities** - Does the land have any inherent risks or liabilities, such as environmental contamination, particular risks (such as flood risks), maintenance requirements, or legal encumbrances, that could impact its value or usability or create liabilities and costs? Consider whether these risks can be effectively mitigated.
- 5) **Operational Feasibility** - Can the SDNPA effectively manage the land, given its current resources and operational capacity? Assess whether the authority has the necessary expertise, personnel, and infrastructure to maintain and develop the property effectively, over a long period of time.

2) Environmental Land Acquisition Assessment

1) Introduction

- Overview of the scheme and how this land acquisition fits into the South Downs National Park Authority's Corporate Plan priorities and delivers on the statutory purposes and duty of the South Downs National Park.

2) Objectives

- Why is the SDNPA interested in purchasing this land? Cover considerations against the acquisition principles and what the intended outcomes/outputs would be?

3) Land Selection Criteria

- What makes this land valuable to the NPA? Consider:
 - Biodiversity: presence of unique or endangered species. Lawton principles fulfilled.
 - Ecosystem Services: benefits the land provides, like water purification or carbon sequestration.
 - Connectivity: does it connect with other protected areas, local communities or enhance public access?
 - SWOT analysis of the land in question

4) Environmental Impact

- Assess the current environmental status:
 - Plants and Animals: any notable species? Are there invasive species?
 - Water Resources: does the land affect local water systems?
 - Soil Health: is the soil healthy? Any erosion risks?
- Consider climate-related risks and potential impacts on the environment and cultural heritage.

5) Community and Stakeholder Engagement

- How does this acquisition affect local communities?
- Where possible, engage with local residents to understand their perspectives.
- Obtain feedback from relevant stakeholders (e.g., other environmental groups and Local Authorities).

6) Legal and Regulatory Compliance

- Consideration of the proposed acquisition in relation to the Authority's statutory provisions (e.g. Environment Act 1995, Local Government Act 1972, National Parks and Access to Countryside Act 1949, Countryside Act 1968) and other duties (e.g. Equality Duty).
- Check for any land use designations.
- Identify potential legal challenges and ways to address them.
- Consider conservation covenants or other legal tools to protect the land.

7) **Financial Considerations and Resources**

- What is the cost of purchasing and maintaining the land?
- Explore funding sources and financial sustainability.
- Ecosystem Services potential, are there any new income opportunities through our Nature Based Solutions offer.
- Identify ongoing costs for management and any other revenue opportunities.
- How and by whom would the land be managed – Authority or partner?
- What would be the impact on the wider organisation, its functions and resources? Would additional staff or specialists be required?
- Proposals for oversight and performance monitoring.

8) **Risks, Liabilities, and Contingency Planning**

- List potential risks (e.g., regulatory issues, community opposition, financial hurdles), liabilities and their anticipated impact.
- Develop strategies to mitigate and manage these risks.
- Plan for possible contingencies.

9) **Conclusion**

- Summarise the key findings.
- Recommend whether or not to proceed with the acquisition, along with any suggested conditions or additional steps or approach for example whether we acquire direct or through an associated vehicle or whether we enable another party or parties to acquire.

10) **Supporting Documents**

For example

- Asset inventory
- Detailed environmental assessments
- Legal documents and compliance records
- Financial plans and projections
- Stakeholder feedback and engagement records
- Maps – GIS analysis, historical, aspirational

