

**Thames Basin Heaths
Joint Strategic Partnership
20 March 2012
Council Chamber, Surrey Heath Borough Council**

Notes of Meeting

Present:

Board Members

Cllr Mary Ballin	Bracknell Forest Borough Council
Cllr Graham Cundy	Woking Borough Council
Cllr Roland Dibbs	Rushmoor Borough Council
Cllr Chris Elmer	Elmbridge Borough Council
Cllr Moira Gibson	Surrey Heath Borough Council
Cllr Jonathan Glen	Hampshire County Council
Cllr David Hilton	Royal Borough of Windsor and Maidenhead
Cllr Angus Ross	Wokingham Borough Council
Cllr Jenny Wicks	Guildford Borough Council
Cllr Geoff Woodger	Runnymede Borough Council

Advisory Board Members

Ian Hepburn	Wildlife Trusts in the South East
Patrick McKernan	Natural England
Lorraine Parish	BBOWT
David Pearce	Natural England
Mike Waite	Surrey Wildlife Trust

Officers/Observers

Stan Abbott	Forestry Commission
Phil Allen	Hampshire County Council
Jo Bettany-Simmons	Hart District Council
Paul Druce	Surrey County Council
Jonathan Gasson	Defence Infrastructure Organisation
Julie Gil	Bracknell Forest Borough Council
Philip Gill	Royal Borough of Windsor and Maidenhead
Graham Parrott	Waverley Borough Council
Jenny Rickard	Surrey Heath Borough Council
Sarah Veasey	Elmbridge Borough Council
Lesley Waddell	Guildford Borough Council

1. Apologies

- 1.1 Apologies had been received from Councillor Peter Isherwood (Waverley Borough Council), Councillor James Radley (Hart District Council), Ernest Amoako (Woking Borough Council), Kate Ashbrook (Open Spaces Society), Katie Bailey (Rushmoor Borough Council), Dave Burges (RSPB), Samantha Dawes (RSPB), Richard Ford (Runnymede Borough Council), Graham Ritchie (Wokingham Borough Council), Carrie Temple (RSPB).

2. Minutes of the Previous Meeting

2.1 The minutes of the previous meeting were agreed after the following amendment:

- (i) Attendance: Phil Allen – *Delete 'Hampshire Borough Council' and insert 'Hampshire County Council'.*
- (ii) In paragraph 3.2, delete *'and following prolonged negotiations, had decided not to proceed with a possible site in Guildford'* and insert *'and would continue to proceed with a possible site in Guildford.'*

3. Matters Arising

3.1 Paragraph 4 - Financial Update – The action points at (ii) and (iii) had been implemented on 6 October 2011.

3.2 Paragraph 5.1 – AMMP Logo – Patrick McKernan had designed a new logo.

3.3 Paragraph 5 – Actions - All actions had been completed, with Patrick McKernan being appointed as AMMP Chairman.

4. Financial Update

4.1 Current Position – Receipts currently stood at £257,341 against a projected income of £351,960. It was expected that the shortfall would be made up before the year end.

4.2 Whilst only £6,000 had been deposited from an expected £94,000 in receipts from Hart District Council, the developers had been invoiced and it was anticipated that the remainder would be paid by the end of the financial year or shortly thereafter.

4.3 Woking Borough Council Contributions – The original estimate had included both SANGS and SAMM payments. When SANGS payments were removed, a significantly lower estimate had resulted.

5. Terms of Reference

5.1 Jenny Rickard presented a report proposing changes to the Terms of Reference of the Joint Strategic Board. The main purpose of the changes proposed was to include a reference to the Partnership Board approving key financial decisions and approval of contractors for the SAMM project.

5.2 Meeting Frequency – It was agreed that the Board would when appropriate, but not less than twice a year.

5.3 AMMP Chair - Members noted that, at paragraph 5.2, Hampshire County Council no longer provided the AMMP chair. Patrick McKernan, of Natural England, had recently been elected to that post.

5.4 Review – It was suggested that the TORs be reviewed after three years or earlier if required.

Action: The revised terms of reference be agreed, as amended.

6. **SAMM Project Budget**

- 6.1 Patrick McKernan presented a revised financial plan and Budget for the SAMM project. The proposals were based on work done by the Officer Group to establish realistic income figures for the next three years including optimistic and worst case scenarios.
- 6.2 The report set out a proposed level of project activity/expenditure across the next three years to match anticipated income and sought approval for an increased spend on the 2012 SPA visitor survey
- 6.3 The work proposed, took into account the lowest estimates of income for the next three years, on the basis of maintaining the Endowment Fund as near to 70% as possible.
- 6.4 Councillor Roland Dibbs reported that the figures provided by Woking Borough Council had included both SAMM and SANGS income and these had been revised downwards in the past week to reflect the removal of SANGS income. This would result in a halving of the projected income and this had not been factored into proposals in the report.
- 6.5 Whilst Members recognised that it would not be possible to set a SAMM project budget, it was agreed that certain actions could not be delayed. It was also noted that the way of calculating income was not consistent across councils.
- 6.6 It was proposed by Councillor Moira Gibson, seconded by Councillor Jonathan Glen and agreed that:
 - (i) **Further consideration be given to the SAMM budget in the light of funding changes and that a further report be presented to the next meeting;**
 - (ii) **the SPA Visitors Survey be authorised with a budget of £55,000;**
 - (iii) **The Bird Survey be authorised with a budget of £7,500; and**
 - (iv) **Officers to revise and standardise methodology for calculating SAMM income and a report submitted to the next meeting.**

7. **Monitoring Update**

- 7.1 Jenny Rickard reported the following:
 - (i) The data provided was the most up to date available. A further update would be issued in April/May 2012;
 - (ii) The data was a summary as some authorities provided significant levels of detail;
 - (iii) All authorities were progressing towards having an Avoidance Strategy in place;
 - (iv) The data displayed significant variances in SANGS costs and it was intended that this be reviewed;

- (v) Most authorities appeared to have several years of SANGS available;
- (vi) The SANGS worksheet had a blank column where South East Plan data would be populated;
- (vii) SAMM Contributions were now being received; and
- (viii) Government Inspectors were treating SPAs consistently and upholding decisions based on these.

Resolved, that the report be noted.

8. Any Other Business

- 8.1 CIL Use in the Provision of SANGS – SHBC had sought legal advice on whether or not CIL would be compliant with the Habitat Regulations. Whilst you cannot pool more than five S106 agreements towards a SANGS, CIL would appear to break the link between the development and the infrastructure provided. Whilst the Habitat Regulations require the contribution to be allocated to a SANGS, CIL does not, despite SANGS contributions making up the bulk of the CIL commitment.
- 8.2 Legal opinion supported the SHBC view that there was a concern and the Authority wrote to the CLG asking that the restriction on the number of S106 agreements be removed and that SANGS contributions be kept separate. Whilst the Council awaits a meeting with the CLG, a number of other Authorities have expressed concern and highlighted the potential impact on their areas.
- 8.3 In the event that the CLG did not accede to the SHBC request, the Council would ask for sight of the CLG legal advice and a letter of comfort from the Government on why the Authority would not be in breach of the Habitat Directive.
- 8.4 Members recognised that the JSPB had spearheaded considerations of the impact of planning actions on the Habitat Regulations. Ian Waite reported that the Law Commission had been tasked with reviewing habitat issues and that the Partnership should consider consulting that body.
- 8.5 The JSPB recognised that that the developments on CIL would have a significant impact on all members of the JSPB and the full force of the Partnership would be needed behind the actions of SHBC. It was agreed that any developments would be reported to Board Members. It was also noted that if necessary, there was provision for the Board to consider matters in an exempt part of the agenda.

Action: Jenny Rickard to update Board members of developments and submit an update to the next meeting, if necessary, in a confidential report.
- 8.6 AMMP Logo - The Board welcomed the production of the AMMP Logo which emphasised that all were working together and strengthened the green branding.

8.7 Members thanked Patrick McKernan and Phil Allen for this excellent piece of work.

9. Date of Next Meeting

9.1 A further meeting would be arranged for September 2012.