

DATED 2010

SOUTH DOWNS NATIONAL PARK AUTHORITY (1)

EAST SUSSEX COUNTY COUNCIL (2)

HAMPSHIRE COUNTY COUNCIL (3)

BRIGHTON AND HOVE CITY COUNCIL (4)

WEST SUSSEX COUNTY COUNCIL (5)

ADUR DISTRICT COUNCIL (6)

ARUN DISTRICT COUNCIL (7)

CHICHESTER DISTRICT COUNCIL (8)

EASTBOURNE BOROUGH COUNCIL (9)

EAST HAMPSHIRE DISTRICT COUNCIL (10)

HORSHAM DISTRICT COUNCIL (11)

LEWES DISTRICT COUNCIL (12)

MID SUSSEX DISTRICT COUNCIL (13)

WEALDEN DISTRICT COUNCIL (14)

WINCHESTER CITY COUNCIL (15)

WORTHING BOROUGH COUNCIL (16)

JOINT WORKING AGREEMENT

relating to

**The provision of planning services
in the South Downs National Park from 1st April 2011**

THIS AGREEMENT is made the day of 2010

BETWEEN

- (1) South Downs National Park Authority of Rosemary's Parlour, North Street, Midhurst, West Sussex, GU29 9SB
- (2) East Sussex County Council of County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE
- (3) Hampshire County Council of The Castle, High Street, Winchester, Hampshire, SO23 8ZB
- (4) West Sussex County Council of County Hall, West Street, Chichester, West Sussex, PO19 1RQ
- (5) Brighton and Hove City Council of King's House, Grande Avenue, Hove, BN3 2LS
- (6) Adur District Council of Civic Centre, Ham Road, Shoreham-by-Sea, West Sussex, BN43 6PR
- (7) Arun District Council of Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF
- (8) Chichester District Council of East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY
- (9) Eastbourne Borough Council of Town Hall, Grove Road, Eastbourne, BN21 4UG
- (10) East Hampshire District Council of Penn's Place, Petersfield, Hampshire, GU31 4EX
- (11) Horsham District Council of Park Street, Horsham, West Sussex, RH12 1RL
- (12) Lewes District Council of 32 High Street, Lewes, East Sussex, BN7 2LX
- (13) Mid Sussex District Council of Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS

(14) Wealden District Council of Vicarage Lane, Hailsham, East Sussex, BN27 2AX

(15) Winchester City Council of City Offices, Colebrook Street, Winchester, Hampshire, SO23 9LJ

(16) Worthing Borough Council of Town Hall, Chapel Road, Worthing, West Sussex, BN11 5ND

It is hereby agreed as follows:-

1. Recitals

- 1.1 With effect from 1st April 2011, the SDNPA becomes sole statutory planning authority for the South Downs National Park further to the South Downs National Park Authority (Establishment) Order 2010.
- 1.2 The SDNPA and the Authorities have agreed that they will enter into discussions with regard to the discharge by the Authorities of the Planning Services, further to an agency arrangement under Section 101 of the Local Government Act 1972, for a period of three years from 1st April 2011.
- 1.3 Pending those discussions, the SDNPA wishes to ensure that, as a minimum, the Authorities who wish to enter into such agency arrangements are bound to provide the Planning Services as the SDNPA's agents for a minimum period of 12 months from 1st April 2011.
- 1.4 The Authorities have a duty to provide the SDNPA with such assistance and information as the SDNPA may reasonably request for the purpose of discharging any of its functions pursuant to Schedule 4 of The South Downs National Park Authority (Establishment) Order 2010.

2. Interpretation

- 2.1 In this Agreement unless the context otherwise requires the following expressions have the following meanings:-

"the Agreement" means this agreement;

"the Authorities" means such of the 15 local planning authorities which are currently the planning authorities for the national park area who are parties to this Agreement;

"the Commencement Date" means the date on which this Agreement is executed by the Authorities;

"the SDNPA" means the South Downs National Park Authority;

"Planning Services" means those planning functions exercisable by the SDNPA as sole planning authority from 1st April 2011 which the SDNPA decided at its meeting on 15th June 2010 could be delivered by the Authorities;

3. Term

- 3.1 Subject to clause 3.2, this Agreement shall commence on the Commencement Date and continue in force until 31st March 2012.
- 3.2 Where an agency agreement pursuant to Section 101 of the Local Government Act 1972 is entered into by the SDNPA and any of the Authorities further to clause 4.1 of this Agreement, and such agreement takes effect, this shall terminate that Authority's interest in this Agreement.

4. General Principles

- 4.1 The SDNPA and the Authorities agree that they will use their best endeavours to discuss and agree the terms of an agency agreement, further to Section 101 of the Local Government Act 1972, whereby the Authorities will discharge the Planning Services on behalf of the SDNPA for a period of three years from 1st April 2011.
- 4.2 Pending the discussions referred to in clause 4.1, each of the Authorities agrees that, as a minimum, they will discharge the Planning Services on behalf of the SDNPA, in respect of such part of the South Downs National Park Area as falls within that Authority's normal administrative area, for a period of one year from 1st April 2011.
- 4.3 Where a formal decision is required to be taken by the Authorities in order to accept the offer by the SDNPA of acting as agent for the SDNPA the Authorities will use their best endeavours to pursue such formal decision by 31st July 2010.
- 4.4 The SDNPA agrees to reimburse all costs reasonably incurred by each of the Authorities in discharging the Planning Services on its behalf further to clause 4.2.

5. Status of the Agreement

5.1 This Agreement is entered into further to Section 101 of the Local Government Act 1972. It gives rise to a legally binding relationship and mutual commitments are created by this Agreement.

In witness hereof the SDNPA and the Authorities have executed this Agreement as a Deed the day and year first written

The Common Seal of SOUTH DOWNS NATIONAL PARK AUTHORITY was affixed hereto in the presence of the undersigned authorised signatory for and on behalf of SOUTH DOWNS NATIONAL PARK AUTHORITY

..... Authorised signatory

The Common Seal of East Sussex County Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of East Sussex County Council

..... Authorised signatory

The Common Seal of Hampshire County Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of Hampshire County Council

..... Authorised signatory

The Common Seal of West Sussex County Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of West Sussex County Council

..... Authorised signatory

The Common Seal of Brighton and Hove Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of Brighton and Hove Council

..... Authorised signatory

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..... Authorised signatory

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..... Authorised signatory

The Common Seal of Chichester District Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of Chichester District Council

..... Authorised signatory

The Common Seal of Eastbourne Borough Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of Eastbourne Borough Council

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..... Authorised signatory

The Common Seal of Worthing Borough Council was affixed hereto in the presence of the undersigned authorized signatory for and on behalf of Worthing Borough Council

..... Authorised signatory