



PRESS RELEASE

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South Downs National Park brings to light bias in legislation, reports Goodwood House conference

The weight of legislation is unfairly balanced towards members of the public and away from land and home-owners and will be reviewed should a Conservative government be elected, promised Nick Herbert, MP for Arundel and South Downs and Shadow Secretary of State for Environment, Food and Rural Affairs.

His comments were made at a conference for land-owners and the farming community addressing the opportunities that will arise from the designation of the South Downs National Park on 31 March this year, held by chartered surveyors Smiths Gore and solicitors Adams & Remers and hosted by The Earl of March at Goodwood House on Friday 29 January 2010.

The South Downs National Park, which has taken 60 years to come to fruition, will be unique among England's 10 existing National Parks. Approximately 85 per cent of the land is managed farmland with almost 60 per cent given over to arable and it will include more than 320,000km of footpaths. More than 120,000 people will live within the Park boundary and approximately eight million people live within one hour of its boundary. It is expected that the South Downs National Park will become England's most visited National Park.

Andrew Pawlik, a partner at Adams & Remers based in Lewes, a town that falls within the Park boundary, said: "National Park designation will undoubtedly bring new opportunities for those living and working in its boundaries. But it will also bring many problems, not least the responsibility of landowners, and particularly those with livestock, to those who will visit the Park.

"There have been a number of cases over the past two years, including one involving the MP David Blunkett, where walkers and visitors to National Parks have been either attacked or involved in accidents involving livestock. Some of these incidents are not directly the fault of walkers or visitors yet others will be as a direct result of their action."

"Landowners, and even those keeping ponies on two or three acres, need to be aware of issues surrounding rights of access, occupiers liability including liability for those who may be on your

land illegally, health and safety, fly-tipping, spraying, travellers and rural crime. Preventative measures can be expensive and may still not absolve liability.

“The expected increase in the number of visitors to the South Downs will inevitably lead to an increase in such cases and whilst visitors do need some protection there is a general feeling that it has swung too far in the wrong direction.”

Rupert Clark, a partner at Smiths Gore and head of Rural Estate Management, adds: “It has been no secret that the land-owning community generally did not want to see the South Downs given this designation. However, now it is here it very much a case of embracing and working with the new Park Authority.

“We and the wider agricultural community within the Park boundary have been encouraged by the consultative approach taken by the South Downs National Park Authority. They recognise the unique nature of this part of England and are keen to work with those who live and make their living within its boundary.”

“There will be increased opportunities for landowners, both large and small, from the increase in tourism into the area and we expect to see a significant increase in the value of cottage rentals. We would also expect to see house prices increase by upwards of 10 per cent, as estate agents inevitable make a play on National Park status. However, landowners can expect a significant increase in the bureaucracy that being situated in a National Park brings, particularly in relation to planning issues. There is also the issue of affordable housing and weekend holiday home ownership.”

The ‘South Downs National Park Which Direction?’ conference was held on Friday 29 January and was attended by 100 landowners, farmers and other interested parties from across the National Park. The conference was chaired by David Fursdon, a consultant to Smiths Gore and former president of the Country Land & Business Association and a member of the government’s Rural Affordable Housing Commission. Speakers included:

- The Earl of March, Goodwood Estate
- Richard Shaw, Interim Chief Executive, South Downs National Park Authority
- Nick Herbert, MP for Arundel and South Downs and Shadow Secretary of State for Environment, Food and Rural Affairs.
- Paul Hamblin, Director, English National Park Authorities Association
- Rupert Clark, Partner, Smiths Gore
- Simon Blandford, Partner, Smiths Gore
- Andrew Pawlik, Partner, Adams & Remers
- Simon Wood, Partner, Adams & Remers

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