

Cobtree Manor Estate Charity Committee

6 November 2019

Cobtree Young Farmers and the Forstal Field

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| Final Decision-Maker | Cobtree Manor Estate Charity Committee |
| Lead Head of Service/Lead Director | Head of Regeneration and Economic Development -John Foster |
| Lead Officer and Report Author | Elizabeth Buckingham - Cobtree Manager |
| Classification | Public |
| Wards affected | Boxley |

Executive Summary

This report provides the committee with information on a proposal by the Cobtree Young Farmers for conservation grazing on the Forstal field and seeks that a lease and management agreement to Cobtree Young Farmers be approved in accordance with the attached Heads of Terms shown in **Appendix 1**.

This report makes the following recommendations to this Committee:

1. That a lease and management agreement be approved to allow the Cobtree Young Farmers to receive funding through a Heritage Lottery Funded project and commence conservation grazing on the Forstal Field.
2. That the Head of Mid-Kent Legal Services be given authority to seek the formal consent of Cobtree Charity Trust Limited and all other involved parties, to complete all necessary legal steps, and to draft and complete the lease and management agreement to Cobtree Young Farmers in accordance with the Heads of Terms attached as Appendix 1.

Timetable

| Meeting | Date |
|--|-------------------------------|
| Cobtree Manor Estate Charity Committee | 6 th November 2019 |

Cobtree Young Farmers and the Forstal Field

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue | Implications | Sign-off |
|---------------------------------------|---|---|
| Impact on Corporate Priorities | <p>Accepting the recommendation will materially improve CMET's ability to achieve the following corporate priorities:</p> <ul style="list-style-type: none"> Keeping Maidstone Borough an attractive place for all - Promoting a range of employment opportunities and skills required across the borough Providing a clean, safe and green environment A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors. | Head of Regeneration and Economic Development |
| Risk Management | The risks of the preferred option and the not preferred options are covered in sections 3.1 and 3.2. | Head of Regeneration and Economic Development |
| Financial | External funding will support the recommended proposal therefore there are no cost implications for CMET. | Paul Holland, Senior Finance Manager (Client) |
| Staffing | Accepting the recommendations will not have an impact on staffing. | Head of Regeneration and Economic Development |
| Legal | Mid Kent Legal Services will be instructed to prepare the relevant documents and complete the transaction. | Legal Team |

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| Privacy and Data Protection | Accepting the recommendations will increase the volume of data held by the Council which will be held that data in line with retention schedules. | Policy and Information Team |
| Equalities | No impact identified. | Equalities and Corporate Policy Officer |
| Public Health | It is recognised that the recommendations will not negatively impact on population health or that of individuals. | Public Health Officer |
| Crime and Disorder | Not progressing with the preferred option could leave the site vulnerable to trespass and criminal damage. | Head of Regeneration and Economic Development |
| Procurement | There are no procurement requirements related to the recommendations in this report. | Head of Regeneration and Economic Development & Section 151 Officer |

2. INTRODUCTION AND BACKGROUND

- 1.1 Forstal Field (GR 51.299117, 0.503582) is an area of land situated between the M20 motorway and the Forstal road. It forms part of the Cobtree Estate and is approximately twenty-four acres in size of which fourteen acres are considered suitable for grazing. The sub soil is generally of spoil from the motorway construction covered with a thin layer of topsoil. The field is predominantly neutral grassland with scrub and emerging woodland at the borders.
- 1.2 In 2016, a short-term tenancy was granted to a local agricultural contractor to farm the field with no till agricultural techniques. The contractor farmed the field for two seasons then did not return in subsequent years. Despite repeated contact to establish their intentions for the land, they have failed to respond to communications.

- 1.3 Cobtree Young Farmers Club (CYFC) operates on the west side of Kent Life on a two-acre site known as the TBR Flower Field where it has a club room, barn, storage container, lambing and calving facilities and a small area for pigs.
- 1.4 The proposal is for Cobtree Young Farmers to fully enclose ten acres of the Eastern side of Forstal Field with stock proof fencing with gating and to extend the water supply and allow its small flock of twenty sheep and collection of ten cattle to graze the field. In allowing animals to graze in this way will take pressure off the club's high feed costs and will benefit the animals with a more varied diet and exercise.
- 1.5 It is also considered that grazing on this site should be viewed as a nature conservation exercise by controlling the dominance of the coarse grass and vegetation and giving wildflowers and finer grasses a better opportunity to get established and encourage pollinators. It will also improve the area as a hunting ground for owls and other raptors. The Bee and Pyramidal Orchids present on the south side nearer the motorway bridge are outside the area to be grazed.
- 1.6 The site has been independently visited by officers of Kent Wildlife Trust and Medway Valley Country Partnership who are very supportive of this proposal.
- 1.7 Discussions have been held with the manager of Old Chalk New Downs Heritage Lottery Funded project who has confirmed that the project meets all criteria for funding. They have offered their guidance and support by way of a total Land Management Package. This would provide ecological and land management expertise in the form of an ecological survey and the production of a land management plan for conservation grazing on the site.
- 1.8 Funding would also be provided for fencing, gates, extending the water supply and security measures. In addition, workplace training and environmental education would be provided to CYF in areas such as hedge laying, scrub management and reptile surveying. Funding is dependent on CYF securing a ten-year agreement for managing the land.

2. AVAILABLE OPTIONS

Do nothing

- 2.1 This is not recommended as the field will succeed to scrub which may have future management costs if another use is identified for the field. The opportunity for such a level of funding to improve the natural capital of the land is highly unlikely to be available again soon. **This is not a recommended option.**

Seek another agricultural contractor

- 2.2 This is not recommended as the field is not an attractive proposition for arable agriculture without extensive fertilisation due to the poor soil quality. The previous agreement did not prove to be sustainable. If this option was pursued, the land would not be eligible for the available funding. The monetary return from rental of the field would be modest. **This is not a recommended option.**

Authorise a 10-year lease to the Cobtree Young Farmers

- 2.3 This would enable substantial funding to be granted for the benefit of the quality of the land and environment, enhance biodiversity on the site and provide increased farming and educational opportunities for the Cobtree Young Farmers. **This is the recommended option.**
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3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 Approving a 10-year lease to the Cobtree Young Farmers for conservation grazing on the Forstal Field is the preferred option.
- 3.2 This recommendation is made so that:
- The field can be managed in the optimum way for the benefit of the land and for maximum environmental gain.
 - Available funding can be granted.
 - CYF benefit from increased practical and educational opportunities for young people.
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4. RISK

- 4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Cobtree Charity Trust, Kent Wildlife Trust and Medway Valley Countryside Partnership have all been consulted and expressed approval for the proposal.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If Cobtree Manor Estate Charity Committee agrees to proceed with the recommended option, Legal and Property Services will proceed with drawing up the full terms of the lease.
 - 6.2 The Cobtree Young Farmers will proceed with the funding agreement with the OCND project.
 - 6.3 An ecological survey will be carried out and a landscape and grazing management plan produced.
 - 6.4 Fencing will be erected over the coming months and grazing will commence as soon as it is in place.
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7. REPORT APPENDICES

- Appendix 1: Cobtree Young Farmers lease heads of terms
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8. BACKGROUND PAPERS

- None