

Pond creation at Forstal Field

Final Decision-Maker	Cobtree Manor Estate Charity Committee
Lead Head of Service	John Foster – Head of Regeneration and Economic Development
Lead Officer and Report Author	Mike Evans
Classification	Public
Wards affected	Boxley

Executive Summary

This report proposes the creation of a new pond on Forstal Field

Purpose of Report

This report seeks a decision from Committee on the creation of a new pond on Forstal Field to be used as a receptor site for displaced reptiles.

This report makes the following recommendations to this Committee:

1. That approval is given for the creation of a new pond on Forstal Field.
2. That delegated authority be given the Head of Regeneration and Economic Development in consultation with the Committee Chairman to confirm the precise location of the pond when scale maps are available.

Timetable

Meeting	Date
Cobtree Manor Estate Charity Committee	20 January 2020

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>Accepting the recommendations will materially improve the Charity Trust's ability to:</p> <ul style="list-style-type: none"> • Embrace Growth and Enable Infrastructure • Provide a safe, clean and green borough <p>The recommendations are also in line with the Charity's charitable objectives.</p>	Mike Evans – Leisure Manager
Cross Cutting Objectives	The report recommendations support the achievement of respecting biodiversity and environmental sustainability by providing new habitats in the park.	Mike Evans – Leisure Manager
Risk Management	Refer to paragraph 5.1 of this report	Mike Evans – Leisure Manager
Financial	We expect accepting the recommendations will result in additional work in the park to the sum of £5,000. This income is above amounts already accounted within the Trust's financial planning. The new habitat can act as a receptor site for displaced reptiles from elsewhere in the borough, which will provide additional income to the Trust.	Paul Holland – Senior Finance Manager - Client
Staffing	We will deliver the recommendations with our current staffing.	John Foster – Head of Regeneration and Economic Development
Legal	<p>Under the Council's Constitution the Committee as Corporate Trustee is responsible for all matters relating to the Charity with the exception of daily management.</p> <p>Acting on the recommendations is within the Charity's powers and in line with its charitable objectives.</p>	Legal Team

Privacy and Data Protection	No impact identified as a result of the recommendations set out in this report	Equalities and Corporate Policy Officer
Equalities	No impact identified as a result of this report and recommendation.	Equalities and Corporate Policy Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	Crime and disorder implications are managed day-to-day in line with council procedures and policies	Mike Evans – Leisure Manager
Procurement	The works will be managed by a third party on Cobtree Estate land, if permission is granted by Committee. The council will have no procurement responsibilities in this regard.	John Foster – Head of Regeneration and Economic Development & Section 151 Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 Natural England, working with Medway Valley Countryside Partnership, is completing a restoration of the existing pond in Cobtree Park. Natural England is doing so to improve the quality and suitability of ponds available to great crested newt populations within the Boxley area.
- 2.2 This restoration work includes removing some of the trees growing within in the pond, removing silt and installing new fencing around the perimeter of the pond. The silt will be deposited in the park to keep it in the park location.
- 2.3 Natural England has also identified the Forstal Field as an ideal location for a new pond and wishes to create a pond in that field, which will also increase the habitat and biodiversity in the park and the surrounding areas.
- 2.4 Natural England will fund the creation of the new pond, which is anticipated to be approximately 200 square meters in size and approximately 1.5m at its deepest point. The excavated soil will be used to create banking around the pond, which will be surrounded by scrub and not be fenced.
- 2.5 The proposed location for the pond, based on the best habitat for newt populations, is the eastern border of the field. This area is away from the Forstal Road. The location will not interfere with the Cobtree Young Farmers lease arrangement for farming the field and it will not interfere with the preferred railway route either.

- 2.6 The works to create the pond will be completed by Natural England and their contractors. Works will be completed in line with Natural England's own procurement processes, their own policies, and procedures. As with all contractors Maidstone Borough Council will oversee their safe working on site and keep the public and ourselves safe.
- 2.7 It is anticipated the works on the two ponds will cost between £6,000 and £8,000. The park will not receive this capital sum directly, but it will benefit from this investment being made in to its environment and infrastructure.

Planning

- 2.8 The Leisure Manager has had discussions with Maidstone Borough Council planning officers about the creation of such a pond and officers are confident the right permissions can be secured in line with the project deadlines and funding timelines.

Rehoming displaced reptiles

- 2.9 Once created the pond will improve the habitat and ecology of the park. The pond will also be an identified site for the rehoming of great crested newts, which become displaced by development in the borough and surrounding areas. Because of this use the pond must be kept and the Committee would be committing to that use of that section of Forstal Field for the foreseeable future.
- 2.10 The park would be in a position to receive an income for each displaced reptile that is transferred to the Forstal Field pond. Indicative costs are currently £100 per reptile that is accommodated within the colony's sustainable threshold levels.

3. AVAILABLE OPTIONS

Do nothing

- 3.1 The Committee could choose not to create this new pond on the Forstal Field. In doing so it would relinquish the funding that would pay for its creation and would also not be creating new habitat and respecting biodiversity and sustainability. **This is not the preferred option**

Grant Natural England permission to create a new pond elsewhere on the Cobtree Estate

- 3.2 While this would achieve the outcome of providing additional pond capacity, Natural England have identified the Forstal Field as the preferred site for the new pond. Creating it on the Forstal Field will maximise the quality and suitability of pond available as habitat. **This is not the preferred option.**

Grant Natural England permission to create a new pond on the Forstal Field

- 3.3 This would maximise the quality and suitability of habitat for great crested newts available on the Cobtree Estate, which will ensure biodiversity and environmental sustainability are continually respected. **This is the recommended option.**

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is for Natural England to fund and create a new pond of approximately 200 square metres on the Forstal Field. The new pond will improve the habitat and biodiversity of the park, to support local new populations. It can also be a receptor site for newts that are displaced from neighbouring areas.

Timeline

- 4.2 The timeline for the pond creation is fairly tight, with works needing to be invoiced for before 20 March 2020. To maximise the available time the Leisure Manager has already held several conversations and meetings with representatives from Medway Valley Countryside Partnership, who will be leading the work on behalf of Natural England.
- 4.3 Because of the tight timeline it is also recommended (recommendation 2) that the Leisure Manager provides the Committee Chair regular updates on the work until its completion.

Planning

- 4.4 Besides the early meetings with Medway Valley Countryside Partnership the Leisure Manager has also discussed the planning requirements of this project with planning officers to ensure that works can progress in line with planning regulations.

5. RISK

- 5.1 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. That consideration is shown in this report at paragraphs 2.8 and 3.2. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Consultation has taken place with Natural England and Medway Valley Countryside Partnership. Those partner organisations are funding the creation of these ponds as it ensures habitats are preserved and enhanced, and biodiversity is respected in, and around, the surrounding area.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Leisure Manager will commence the planning process with Natural England and Maidstone Borough Council. Subject to Planning decisions, Natural England will then begin work on site in due course.
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8. REPORT APPENDICES

- None
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9. BACKGROUND PAPERS

- None