

Acquisition of Woodland off Hermitage Lane

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service/Lead Director	Mark Green – Director of Finance and Business Improvement
Lead Officer and Report Author	Jennifer Shepherd - Head of Environment & Public Realm Andrew Williams - Parks & Open Spaces Manager
Classification	Public
Wards affected	Allington

Executive Summary

The Committee is asked to consider the merits in acquiring the woodland known locally as Bluebell Wood in Allington Ward at no capital cost to the Council from the freeholder Croudace Homes. In addition negotiate a financial settlement from the freeholder to fund future management of the site.

This report makes the following recommendations to this Committee:

1. That the acquisition of almost 4.5 hectares (12 acres) of woodland shown outlined in red on the attached map (Appendix 1) is agreed.
2. The Director of Finance and Business Improvement is supported in using his delegated authority to conclude negotiations with the freeholder for transfer of land conditional on receiving an appropriate commuted sum or endowment fund to pay for a minimum of 15 years future direct management.
3. That the Head of Mid Kent Legal Services is authorised to complete the transfer of land on the terms as agreed by the Director of Finance & Business Improvement.

Timetable

Meeting	Date
Policy & Resources Committee	25 April 2018

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1. INTRODUCTION AND BACKGROUND

- 1.1 The woodland is within the development site known as Hermitage Park or Land East of Hermitage Lane and was the subject of a planning inquiry during 2015. Local interest in preserving the site is high with communities actively campaigning to protect the site.
- 1.2 The woodland is predominately sweet-chestnut coppice (routinely cut down to provide timber) that has stood beyond the normal felling cycle of 15-20 years. Additionally there is an area of rough grass and scrub adjacent to The Old Hermitage on Hermitage Lane.
- 1.3 There is a detailed Landscape and Ecological Management Plan (LEMP) for the site that defines the key habitat features, their future management and opportunities for enhancements. The implementation of the LEMP is a planning obligation of the S106 agreement with Croudace Homes Ltd.
- 1.4 The Parks and Open Spaces Team have anticipated an annual cost of £3,000 to manage this woodland. This would encompass litter clearance, tree safety work, inspection and regular maintenance of vegetation. Traditional management of the woodland by coppicing areas of sweet chestnut are likely to be at no cost as labour charges are likely to be offset by value of the timber. After coppicing the woodland regenerates with new growth from the stumps creating a dense biodiverse refuge for wildlife.
- 1.5 Maidstone's Parks & Open Spaces 10 Year Strategic Plan contains the position statement that open spaces made available to residents through new developments will be welcomed as assets for the borough but should not place additional financial burdens on the Council. Furthermore it is the responsibility of the developer to make arrangements for the long term management of these open spaces.

2. AVAILABLE OPTIONS

- 2.1 Bring this significant woodland into public ownership with sympathetic and positive woodland management directly managed through Parks & Open Spaces with a future of community involvement and practical action for biodiversity. It is highly likely that the existing local community and the future growing community will want to take an active role in caring for the woodland – this may reduce future demands for contract works. Furthermore our partners at Medway Valley Countryside Partnership are well placed to help organise volunteer work parties and seek additional funding for projects.
- 2.2 The Committee could choose not to acquire the woodland, foregoing the opportunity to secure the future of a significant stand of ancient and semi-

natural woodland with additional grassland areas of potential archaeological interest in public ownership.

- 2.3 If the woodland is not acquired by the Council its future management would be undertaken by a property management organisation that will also manage the neighbouring housing estate's grounds maintenance and the management of the new community centre. The quality of future management of the woodland by such an organisation, once LEMP obligations have been met, should be considered.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The Committee is recommended to proceed with the acquisition as set out in the report. It is highly unlikely that such an opportunity will present itself again in the medium to long term. The land is offered for transfer at no capital cost to the Council.
- 3.2 Croudace Homes has indicated that it will provide a significant additional sum of money for the future management of the woodland. No negotiations have taken place as yet and acquisition of the site should be dependent on securing an appropriate commuted sum to provide for at least 15 years management to meet with the Parks Strategy position statement referenced in paragraph 1.5 of this report.
- 3.3 Future large developments in the area are likely to provide further S106 open space contributions that can be directed to improve this site over time.
- 3.4 The woodland is well placed to meet the need of a growing community, providing access to nature, opportunities for natural play and connectivity in the landscape.
- 3.5 Acquisition of the woodland meets the objectives of the Green and Blue Infrastructure Strategy (MBC, 2016) to :
- Bring increased certainty about the importance of this key part of the borough's environment
 - Maximise the number of overlapping benefits of green and blue infrastructure by looking holistically at each area to ensure it is delivering as many benefits as possible
 - Co-ordinate a wide range of stakeholder interests and focus limited resources on a number of interlinked proposals to maximise the benefits for green and blue infrastructure
 - Act as a basis for attracting resources including grant funding, Section 106 development funding and, when approved, the Community Infrastructure Levy
 - Guide the Local Plan in relation to Green and Blue Infrastructure

3.6 Given the anticipated costs and securing an appropriate commuted sum from Croudace Homes, the Council could successfully take on the management of this land without a negative impact on the Parks and Open Spaces budget. Therefore the benefits offered to the local and wider communities outweigh any risk to the Council of acquiring this land.

4. RISK

4.1 A full risk assessment is included in Appendix 2.

4.2 We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 Although no formal consultation has taken place, local Ward Members have been approached and are very supportive of the acquisition of this land. In addition there has been a large amount of public support for the protection and management of this woodland.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 If the recommendation is agreed by the Committee, the initial communication will be with the landowner, Croudace Homes to negotiate the sum of money they will pay to support the future management of the land.

6.2 Once the acquisition is agreed and transfer completed, this will be communicated with the local community and engagement work will be undertaken to ensure they understand the management needed for the woodland and the steps to be taken to protect it for the future.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The recommendations set out in this report will support the Council's priority to Keep Maidstone Borough an attractive place for all. Acquisition of this land will help to deliver a clean, safe and green environment for the local	Head of Environment and Public Realm

	community as well as ensuring the character and heritage of our Borough is preserved.	
Risk Management	A full risk assessment is included in Appendix 2. The risks associated with the recommendations in this report are within the Council's risk appetite.	Head of Environment and Public Realm
Financial	The ongoing revenue costs of maintaining this land over at least the next fifteen years will need to be supported by a contribution from Croudace Homes for the future management of the site.	Paul Holland, Senior Finance Manager (Client)
Staffing	We will deliver the recommendations with our current staffing.	Head of Environment and Public Realm
Legal	<p>The Council has a general power to acquire land by agreement under the Local Government Act 1972, section 120. Any such acquisition may be to facilitate any of the Council's functions or for the benefit or improvement of the area. The acquisition proposed within this report is permitted under the general power.</p> <p>All necessary legal documentation will be negotiated and agreed by Legal Services before completion.</p>	Legal Team
Privacy and Data Protection		
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	[Policy & Information Manager]
Crime and Disorder	The recommendation will have a negligible impact on Crime and Disorder. The woodland is	[Head of Service or Manager]

	currently accessed by local people and no significant issues are reported. As population in area increases there is potential for change.	
Procurement	Not required	Head of Environment and Public Realm

8. REPORT APPENDICES

- Appendix 1: Map showing extent of woodland boundary
 - Appendix 2: Risk Assessment
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