

Record of officer decision

Decision title:	To give consent for Bringsty Common Manorial Court to apply to Natural England for a Countryside Stewardship Scheme.
Date of decision:	29th April 2019
Decision maker:	Assistant Director for Technical Services
Authority for delegated decision:	<p>Herefordshire Council's constitution – Scheme of Delegation Part 3 Functions Scheme, Section 7 Functions</p> <p>1. 3.7.6 Delegation to Chief Executive 2. Line 65 of Sub delegation from Chief Executive to officers.</p>
Ward:	Bringsty Bromyard
Consultation:	<p>The Manorial Court have undertaken full consultation with all households who live on or around Bringsty Common in relation to a woodland management plan and a feasibility study to inform future management of the common.</p> <p>The ward member has been fully involved in this process.</p>
Decision made:	To give consent for Bringsty Common Manorial Court to put in an application to Natural England to apply for funding under a Countryside Stewardship Agreement for management options for Bringsty Common as detailed in Appendix 1.
Reasons for decision:	<p>Bringsty common is owned by Herefordshire Council and is managed by Bringsty Manorial Court under a constitution drawn up in 1951. The manorial court is effectively an agent to manage the day to day activities on the common, but the council as landowner has overall responsibility.</p> <p>Since the termination of the previous Higher Level Stewardship agreement in 2017, the manorial court have explored many options to secure further long term funding for the management of the common. On advice and funding from the Forestry Commission and Natural England, the manorial court produced a woodland management plan and a feasibility study which were put out for consultation for the period July to September 2018.</p> <p>All responses have been collated and summarized. The woodland management plan has now been approved by the Forestry Commission.</p>

	<p>The responses to both the feasibility study and the woodland management plan have formed the basis of deciding which management options to apply for funding under the countryside stewardship agreement.</p> <p>This is an application and there is no assurance that it will be approved by Natural England. Natural England require the owner's consent at the application stage that these options can be put forward and an assurance that the options can be delivered through the ten year contractual period.</p> <p>If approved the scheme will run from the 1st January 2020 to 31st December 2029.</p> <p>Bringsty Common has been actively managed by the committee members since 1951. The common forms a large part of the community of Bringsty and all have been actively engaged in the consultation.</p> <p>Through continued savings, the council does not have the resources to manage low yielding assets, and this funding opportunity should be supported.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Financial</p> <p>The application if approved could secure approximately £92,000 worth of management funding over the ten year scheme. There would also be additional funding in respect of capital works that may be required to deliver the management options and this would be a one off payment of approximately £4,500. All of the above are subject to change.</p> <p>Legal</p> <p>The contract will be for a period of ten years, and the manorial court are the applicant and will be responsible for delivering the scheme.</p> <p>The manorial court are covered by the council's insurance policy so any contractors carrying out work must have the necessary qualifications and public liability insurance.</p> <p>There is a risk that the application does not get Natural England's approval. This has been mitigated by the two consultations that have taken place.</p> <p>There is a risk that the manorial court could cease to exist, the manorial court have been in existence since 1951 and they are fully supportive of this proposal. They will be legally responsible for delivering the scheme so would be in breach of contract should they fail in that duty.</p>

Details of any alternative options considered and rejected:	Not giving consent, this would mean that the common could not benefit of any long term management funding in accordance with the preference of the community. The responsibility would then fall to the council as landowner.
Details of any declarations of interest made:	None

Signed..... Date: