

The Thoburn Land Trust.

Minutes of a meeting of the Thoburn Land Trust

held at 7.30pm on Tuesday 22 October 2024 in Rolvenden Village Hall

Present: Councillors; H. Back, C. Balch, E Barham, S Bryant, M. Geerts, A. Hinge.

In attendance: Louise Goldsmith, Parish Clerk.

1. Apologies for absence:

Apologies for absence were received from Cllrs. Gilchrist and Walker and reasons for absence were accepted.

2. Declarations of interest:

Cllr. Barham declared an interest in the residual S106 funds.

3. Minutes

The minutes of the meeting held on the 19 January 2024 were noted.

Cllr. Hinge advised that the Rolvenden Thoburn Fields Biodiversity Potential Preliminary Report produced by the Tenterden Wildlife Trust stated that the health of the most important veteran oak tree close to the northern boundary was being compromised by a quantity of subsoil excavated from the churchyard. The PCC agreed to a suggestion from the Tenterden Wildlife Trust to use the excess soil to create a bee friendly bank and have now received some guidance from the Bumblebee Conservation Trust. The PCC has also advised that Tompsett Landscaping will be undertaking the work to create a bee friendly area. The Clerk was asked to remind the PCC to not dump any more soil in the area and for a copy of the bee report to be forwarded.

4. Finance

a) To receive information on the accounts

It was noted that Cllr. Walker is a signatory and has online access to the Unity Trust bank account. The balance as at the 30 September 2024 was £1,664.13. It was noted that the Clerk will aim to produce accounts and a bank reconciliation for future meetings subject to the Clerk being able to view the bank account.

b) To approve and sign a new bank mandate

It was agreed to remove all the ex-councillors from the bank account and to add the Clerk as an administrator with the ability to view and submit payments only and to add Cllrs. Balch and Hinge with the ability to authorise payments online and sign cheques. Cllr. Walker is able to sign the new mandate and the Clerk will arrange for one of the ex-councillors to sign the mandate as a second signature.

5. Review of Documents

a) Trust Deed

The Clerk had circulated a copy of the signed Trust Deed dated the 15 December 2022. It was noted that the Charitable Trust created by this deed is to be administered by the Parish Council acting as the sole Corporate Trustee and that the charity shall be called The Thoburn Land Trust. The following objectives were noted:

- To promote for the benefit of the public the conservation, protection and improvement of the physical and natural environment of Land on the West side of Maytham Road, Rolvenden part of Great Maytham Park.
- To provide or assist in the provision of facilities for allotments in Rolvenden and the surrounding area.

Members discussed and noted the various conditions of the Trust Deed. It was also noted that within the general 'powers' that the Charitable Trust could be merged with other relevant charities in the parish. It was agreed that this is something that could be considered in the future.

b) Charity Commission Status

The Clerk advised Members that the previous Council did try to register the Trust with the Charity Commission but that the application was rejected because the Trust does not currently meet their minimum annual income threshold of £5,000.00. It was noted that the Clerk had checked these requirements with the Charity Commission who suggested that the Trust is instead registered with the HMRC. The Clerk advised that the executors wanted the Charitable Trust to be regulated to ensure that the land is protected. It was agreed that the Clerk should contact the HMRC about registering the Charitable Trust. Members also discussed possible income streams which would enable the Trust to be registered with the Charitable Commission. Funding from grants could be available in the medium term and it was noted that S106 funding of approximately £20,000.00 is currently available to the Parish Council for capital expenditure relating to the provision of or improvements to informal/natural green space and associated facilities in the area and approximately a further £15,000.00 for maintenance.

c) Grazing Agreement

The Clerk had circulated a copy of the Farm Business Tenancy Agreement between the Trust and Simon Tompsett which expired on the 31 December 2023. It was noted that the agreement is on rolling 12 month basis. The Clerk will check that the rent of £900.00 due on the 1 January has been paid for the current year. It was noted that the tenant has registered the land with the Rural Payment Agency. It was agreed that the Clerk should advise the tenant that the Trustees are considering a number of options for the future use of the land and are unable to offer any further extension of tenure after the 31 December 2025 and that an earlier exit would be helpful in terms of grant applications and management of the site. The Clerk was also asked to request a copy of the insurance schedule.

d) Allotment Lease

The Clerk had circulated a copy of the Allotment Lease dated the 17 August 2023. Members discussed the document and noted that one third of the total allotment rent is payable on the 1 April each year. The Clerk will check that the payment has been received this year. It was agreed that the agreement was lacking in detail.

6. Rolvenden Allotment Gardens

a) To receive an update on the status of the rentals

Members were advised that the Clerk understands that the allotments are currently all let out.

b) Community Orchard Project

The Clerk advised that the Allotment Committee has agreed to 7-10 fruit trees to be planted to form a community orchard. The Clerk advised that approximately 8 residents have expressed an interest in adopting a tree. The Allotment Committee has asked if the Parish Council would cover the cost of the Public Liability Insurance for the orchard. This will be discussed at the next Parish Council meeting.

c) To nominate a Parish Councillor to join the Allotment Committee

The Clerk advised that a Member of the Parish Council can be appointed to the Allotment Committee and attend meetings. It was agreed to postpone this decision.

7. Future use of the Land

Members noted the results of the public consultation on the future use of the land carried out last year which were minuted at a meeting held on the 19 October 2023. Members discussed the future management of the land. It was agreed that professional advice is required and that a specialist in the field should be appointed to inspect the land and produce and oversee a management plan for the Trustees. It was agreed that the appointed specialist should survey the land to identify its current status and then identify possible management options along with suggestions for grant funding opportunities. Cllr. Barham advised that various sources of grant funding could be investigated to include The Lund Trust and the High Weald Nature and Community Fund. The appointed specialist would be expected to report on the findings to initially the Trustees and then to parishioners via a public meeting. Going forward the appointed specialist would be expected to oversee the project and manage the land during the scheme until such time the Trustees feel able to take direct control. Cllr. Barham offered to arrange a site visit with two specialist companies, CLM Land and Property Management Consultancy and BTF Partnership. It was agreed that Cllrs. Barham and Hinge and the Clerk should attend the site meetings. The Clerk was asked to find out if the S106 funding itemised in 5 (b) overleaf could be used to pay for this specialist advice and ongoing support.

8. Bio-Diversity Potential of the land

The Clerk had circulated a copy of a report prepared by Tenterden Wildlife Trust who were instructed last year to conduct a preliminary ecological assessment of the land. It was agreed that this report could be shared with the appointed specialist land management company.

9. Date of the next meeting: Wednesday 11 December 2024 at 7.30pm