



East
Northamptonshire
Council

Finance Sub-Committee 30 November 2015

Land at Ditchford Lakes

Purpose of report

The purpose of this report is to obtain Councillors' agreement to enter into a 35-year lease of Council-owned land at Ditchford Lakes to The Wildlife Trust.

Attachment(s)

Appendix A – Map of Council owned land at Ditchford Lakes

Appendix B – Nene Wetlands Vision

1.0 Introduction

- 1.1 Land owned by the Council at Ditchford Lakes (see Appendix A) has been leased to The Wildlife Trust since 1998 under a 21-year Management Agreement.
- 1.2 The Wildlife Trust has recently applied for significant Heritage Lottery funding to join up conservation sites at Ditchford Lakes, Rushden Lakes and Irthlingborough Lakes and Meadows. This forms part of their "Nene Wetlands Vision" and a summary of the project is contained in Appendix B. Their funding bid has successfully passed phase one, but in order to be successful at phase two, the final phase, The Wildlife Trust must demonstrate that they have control over all of the sites for a minimum period of 35 years.
- 1.3 The Wildlife Trust is currently in negotiation with the land owners of the other two sites, the County Council and LXB. They have asked East Northamptonshire Council for a new lease of Ditchford Lakes to cover a minimum period of 35 years with no break clauses.
- 1.4 In addition to leasing land at Ditchford Lakes to The Wildlife Trust, the Council also currently leases lakes on the site to a fishing syndicate for of fee of £3,250 per annum. The Wildlife Trust has confirmed that they have no objection to the Council continuing to lease the lake.
- 1.5 The Wildlife Trust has also advised that, whilst it would be very desirable to receive an ongoing financial contribution from the Council towards the maintenance of the land, they would be prepared to accept a fully maintaining contract. That would provide the Council with security that they would not need to make any financial contribution towards the maintenance of the land for the duration of the lease.

2.0 Planning advice – future use of the land

- 2.1 Advice from the Council's Planning Policy Officer has confirmed the following in response to an enquiry about potential future use of the site:

"**none** of the Ditchford Lakes area within the Council's ownership would be suitable for development, for the following reasons:

- much of the land lies within the Upper Nene Valley Gravel Pits Special Protection Area (SPA)/ Ramsar site
- most of the land lies within EA Flood Zones 2 and 3

In short, there is virtually no possibility of any of the Ditchford Lakes being suitable for development”.

3.0 Equality and Diversity Implications

3.1 An initial Equalities Impact Assessment has been completed and no equality and diversity implications have been noted.

4.0 Legal Implications

4.1 Subject to Councillors agreeing to the extended lease, legal advice will be sought from LGSS Law to draft a new contract.

5.0 Risk Management

5.1 Planning advice has been obtained which confirms that there is “virtually no possibility of any of the Ditchford Lakes being suitable for development”. There is always a risk that this position could change.

6.0 Financial Implications

6.1 The Wildlife Trust has confirmed that it is prepared to accept a fully maintaining contract which would mean the on-going maintenance of the Ditchford Lakes site would fall to their responsibility.

7.0 Corporate Outcomes

7.1 **Good Value for Money**

This report demonstrates that the council is ensuring it effectively manages its assets to ensure they achieve good value for money for the Council


7.2 **Good Quality of Life – Healthy, Sustainable and Prosperous**

If The Wildlife Trust is able to obtain funding from the Heritage Lottery, it will enable provision of a joined-up network of conservation sites for healthy activity and tourism.

8.0 Recommendations



8.1 The Finance Sub-Committee is asked to offer The Wildlife Trust a new lease of Ditchford Lakes for 35 years with no break clauses on a fully maintaining lease.

(Reason – to enable The Wildlife Trust to access funding from the Heritage Lottery and also reduce the Council’s maintenance responsibilities)

Legal	Power: Local Government Finance Act 2002			
	Other considerations:			
Background Papers:				
Person Originating Report: Katy Everitt – Head of Resources and Organisational Development				
Date:				
CFO		MO 20/11/15		CX



**DITCHFORD LAKES AND MEADOWS
FISHING RIGHTS**

-  The Lakes
-  Land over which the angling clubs have right of access

1:2500

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