

CABINET

DATE OF MEETING: THURSDAY 3rd NOVEMBER 2022

TITLE OF REPORT: LEASE OF PONDS IN HARTLEY WINTNEY

Report of: Executive Director - Community

Cabinet Portfolio: Leader and Strategic Direction

Key Decision: Yes

Confidentiality: Non-Exempt

PURPOSE OF REPORT

To seek Cabinet's approval to enter into a lease with Hartley Wintney Parish Council for the future management of Causeway and Hatton's Ponds, Hartley Wintney and to release £50,000 from District S106 Leisure and Open Space receipts to support the future restoration of the ponds.

RECOMMENDATION

- That Cabinet agrees that the Executive Director – Community is authorised to agree and conclude the terms of a lease for the transfer of ponds in Hartley Wintney Common (see Appendix 1) to Hartley Wintney Parish Council (HWPC) and,
- That £50,000 of District S106 Leisure and Open Space funding is transferred to HWPC for the on-going restoration of the ponds.

MAIN ISSUES

1. HWPC has had long desires to uplift the maintenance of the two pond areas within the Common. The proposal therefore is that the area that comprises the two ponds is transferred to HWPC so that it can manage the ponds locally.
2. The District Council will however continue to manage areas where our expertise is more aligned, such as the strategic management of the historic Mildmay Oaks, Common Land and protected nature sites.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Not to transfer the land – This would mean that the land continues to be managed at the current level of care. HWPC is offering a higher standard of maintenance which would be more sustainable in the long-term and provide a high value local landmark.

CORPORATE GOVERNANCE CONSIDERATIONS

Relevance to the Corporate Plan and/or The Hart Vision 2040

4. This will help the Council to deliver the Corporate Plan Objective to provide a "Clean, Green and Safe Environment" by ensuring the retention of Green Flag status.

Service Plan

- Is the proposal identified in the Service Plan? NO

- Is the proposal being funded from current budgets? Yes (S106 collected for Leisure and Open Space)
- Have staffing resources already been identified and set aside for this proposal? Yes

Legal and Constitutional Issues

5. The Council will need to agree the terms of a lease with HWPC to cover both organisations' legal obligations and risks.

Financial and Resource Implications

6. Other than by provided S106 funded resources, there are no further financial or resource implications.

Risk Management

7. There are no identifiable risks in entering into a lease to transfer of this land.

EQUALITIES

8. There are no equalities issues identified

CLIMATE CHANGE IMPLICATIONS

9. Only uplifted management of the pond area is proposed. The proposal will therefore have no material climate emergency implications.

ACTION

Subject to the recommendation of this report being approved, the council will release £50k from S106 receipts and transfer the pond area to the Parish Council

Contact Details: Adam Green (adam.green@hart.gov.uk)

Appendices

[Appendix 1 Map of Transfer Areas.pdf](#)

Background Papers:

None