

Minutes of the

FINANCE AND GENERAL PURPOSES COMMITTEE MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST

1430, Monday 1 November 2004

Ashdown Forest Centre

Present: Messrs Ray Parsons (Chairman), Michael Cooper, Philip Glyn, Dr Hew Prendergast (Clerk), Messrs Tony Reid, Frances Whetstone (arrived at 1449), Alan White

Also present: Mr Fred Marshall, Mrs Janet Wirdnam

Apologies: Mr Tony Slack

1) Finance matters

Tables of Estimates (Table 1) and proposed Forest Rates (Table 2) and charges for activities (e.g. riding) on the Forest (Table 3) were presented.

a) Estimates

The main income change in the 2004/2005 Revised Estimate from the original 2004/2005 Estimate derives from steep (and unanticipated) rises in DEFRA grants for conservation activities, and from grants for wildlife surveys. The reasons for other changes are annotated. The main expenditure changes are due to the settlement of the missing digger and the hiring of contractors for surveys. The overall projected surplus for 2005/2005 is very close to the original Estimate.

The 2005/2006 Estimate shows a projected surplus of £15,997. The most likely causes of change to this Estimate are likely to relate to the development of the Forest Centre and the possibility of a new barn on land adjacent to the Forest.

Table 1 was adjusted to take in concerns about the presentation of accounts (for example, the lumping together of income from the Ashdown Forest Trust with that from ESCC and WDC). Mr Parsons reminded the Committee that under discussion was not the final year accounts but estimates, so the level of details in the Table was not critical.

Mr White noted a discrepancy between the 2004/2005 Estimate made last year of an expenditure of £355,946, and the 2004/2005 Estimate of £364,269 in Table 1. Ros Marriott explains (02/11/04) that the former figure was a miscalculation: i.e. adding together Salaries, Administration and Forest in Table 1b of the minutes of the Board meeting of 17 November 2003 makes £364,269 not £355,946.

It was agreed that a column of the actual income and expenditure to date (i.e. six months into the financial year) would be required for the equivalent of this meeting next year. (This has not been done previously.)

b) Charges 2004/2005

Forest Rate (Table 2) increases were based on a 1% increase over an above that of RPI. Mr White said that such a 1% increase has been accepted as a principle by the Board and by the Secretary of State. The Committee agreed not to change it.

There was some discussion about the problem of Commoners who do not pay. Dr Prendergast said that, after consultation with the County Solicitor, he was going to send the latter a list of all Commoners who had so far neglected to pay both the 2003/2004 and the 2004/2005 rates. A section of the 1974 Act allows the board to recoup any arrears through the courts. The Committee agreed to support Dr Prendergast in this process.

Other charges were discussed and agreed as shown in Table 3. For most charges the proposed rises were fixed at £5.00/£100 charge (i.e. 5%). Dr Prendergast saw no logic for reduced riding fees for Commoners and recommended their abolition. He said that the reduction offered in 2004/2005 exceeds the Forest Rates for 413 (57%) of the Forest's 721 commonable properties, i.e. the Forest is effectively sponsoring Commoners to ride. Notwithstanding the disquiet expressed, in particular, by Mr Glyn about how this might be received by Commoners, the Committee agreed to abolish the discount.

Dr Prendergast proposed a considerable increase for the licence fees for horses in commercial riding establishments. The physical impact of such establishments on the Forest can be so great that it is the Board's policy not to grant licences for new establishments that want to start up near existing ones. Mr Cooper suggested that an appropriate approach would be to ask what an increase would do to the margins of the establishments. Mr Glyn and Mr Whetstone said that these establishments have tight margins. After discussion the Committee agreed an annual fee of £125.

The Committee agreed on the principle of a discount for members of the Ashdown Forest Riding Association (AFRA) that is at least the equivalent of the annual membership fee to join AFRA (currently £5.00). Dr Prendergast said that he was awaiting a response from AFRA about funds and actions that it had promised over the last year. The Committee agreed to leave to his discretion what the discount will be, and in future to leave all charges to him.

c) Audit Report for 2003/2004.

A faxed report from the Audit Commission arrived on the day of the meeting, stating that "In our opinion the financial statements present fairly the financial position of The Board of Conservators at 31 March 2004 and its income and expenditure for the year then ended in accordance with the Accounts and Audit Regulations 1996 and CIPFA Accounting Notes for Local Councils".

d) VAT appeal.

Mr Thornley-Taylor has forwarded the report of the appeal to the VAT and Duties Tribunal of 2 June 2004. The appeal was dismissed, even though it ended with the words: "One must sympathise with the Appellants' position and understand the financial burden which this decision may place upon them."

There was some discussion about what the next steps might be (see insert below.) and about the status of Mr Cooper as a non-elected Conservator. Mr Parsons said that the Board should not try to alter the set-up of the Conservators because of financial considerations.

(N.B. In an email to Mr Thornley-Taylor, copied to Dr Prendergast, Andrew Ogden, ESCC, wrote: "I cannot recommend the Conservators to go down the route of judicial review about this. It would be very expensive and my legal advice is that the challenge would fail.")

e) Non payment by Commoners. Dr Prendergast said that 111 Commoners (15.4%) had still not paid their 2004/2005 Forest Rates. In addition 35 Acknowledgement Rents had not been paid.

2) Byelaw contraventions

Dr Prendergast reported that on 21 October in Hove the Environment Agency (EA) took out a successful prosecution of a Mr G. Didi whose rubbish was found in Twyford car park on 24 February 2003. Mr Didi was ordered to pay £1250 costs and given a three year conditional discharge. Dr Prendergast said that he was awaiting further information from the EA before putting out a press release.

Dr Prendergast also said that at Lewes County Court on the morning of the meeting the County Solicitor, on behalf of the Board, had presented a case against Forest residents. (N.B. The case is in fact on 8 November.)

3) 2005 meeting dates

A schedule of dates was presented (see Table 4) and agreed.

4) Update

a) Digger. A settlement has now been reached with the owners. The Committee asked that a receipt be obtained for the payment.

b) Staffing matters. Dr Prendergast said that job evaluations, including interviews, have now almost been completed. Mr Parsons said he would like to be kept in touch with developments.

c) Buildings surveys. More recommended actions from the Access Audit (March 2004) have been implemented and in November a structural engineer is looking at a problem highlighted by the Buildings Survey (September 2004). This latter Survey has been paid for by the Ashdown Forest Conservation Trust.

d) Computers. Quotes are being called in to network PCs and to make other changes such as going onto Broadband. Mr Reid recommended contact with ESCC officers to enquire, *inter alia*, about any purchasing advantages.

5) AOB

Mr White asked whether the Board could charge for new WDC road signs going up on the Forest. It was agreed that this would not be possible because the signs would go onto the highway verges. In response to a further question, Dr Prendergast said that Forest staff would not undertake work on behalf of local residents, such as cutting down trees overhanging access drives, even if there was an offer of payment. Forest staff have quite enough work to do on behalf of the Forest and were not to be considered as a source of cheap, local labour. Dr Prendergast said that he thought that this sort of matter should not be an agenda item for a Committee; it was a management issue.

In response to a question from Mr Whetstone about mowing bracken on verges to increase the visibility of deer, Dr Prendergast said that mowing was in full swing at the moment across the Forest.

The meeting ended at 1638.

CONFIDENTIAL MINUTES
1 November 2004

1) Access

After the RPA's recommendation on 11 October that the granting of access to Cat Protection (CP) onto the A275 should be given only in exchange for more land than what was previously on offer, CP had taken no steps to negotiate further, just a willingness to allow the Board to visit in order that it could help "understand the potential of the site and its importance nationwide – as well as appreciating more the enormity of the current request and its impact on the charity".

Mr Parsons mentioned that two planning applications concerning the site were being considered by WDC on 4 November. Mr Whetstone and Mr Reid wondered whether the Board was "driving too hard a bargain" or overplaying its hand at the risk of losing local goodwill. Mr Parsons said that the granting of the access would be a breach of the Board's policy. Dr Prendergast added that the piece of CP land on the east side of the Millbrook has become open access under CROW. Mr Whetstone thought that this area might therefore become of lesser interest to CP.

2) New land

Dr Prendergast said that there was no further news on Marlpits Farm beyond the fact that it has been taken off the market. As a result of CAP reform, were the Conservators to buy the land (6.5 ha) in support of grazing on the Forest, it will be eligible for a Single Farm Payment of £10.00/ha/year rising to £70.00/ha/yr after eight years. It will also be eligible for Entry Level Stewardship payments of £30.00/ha/year and might well also be eligible for another annual payment of £247.00/ha under the new High Level Stewardship being introduced by Defra (N.B. figures are provisional). The maximum income after eight years, therefore, could be $£10.00+£70.00+£247.00/ha/year = £327/ha/yr$, giving a total for the site of £2125.50/year.

Dr Prendergast wondered whether a direct contact with the owners would be worthwhile.

Although Mr Whetstone expressed doubts about whether this type of land was suitable for acquisition, both Mr Glyn and Mr Marshall supported a purchase because the area would be useful for holding stock if and when the Forest were to get its own livestock.

The Committee agreed to defer any more discussion until the next Board meeting.

This meeting finished at 1705.

Table 1. Revised Estimates 2004-2005 (see next page for notes).

	Note	Estimate 2004/2005	Revised Estimate 2004/2005	Estimate 2005/2006
Income				
		£	£	£
ESCC + Ashdown Forest Trust, WDC		166,000	166,000	170,980
Forest Rates & Acknowledgement Rents		43,251	43,251	44,096
Bank interest		4,000	4,000	4,000
Commercial		18,550	20,000	20,000
Wayleaves		45,000	45,000	45,000
Friends of Ashdown Forest	1		14,738	
Ashdown Forest Conservation Trust	2		1,410	
Riding	3	22,500	16,000	25,000
Information Barn		9,250	9,250	9,500
DEFRA stewardship schemes	4	59,975	92,454	77,166
English Nature	5	6,300	11,300	6,135
Weald Heathland Initiative	6	8,000	31,568	16,670
Total		382,826	454,971	418,547
Expenditure				
Finance & Support				
Salaries	7	222,134	223,349	230,050
Office costs	8	8,510	12,000	9,000
Centre maintenance	9	4,600	10,000	5,000
Transport and machinery	10	26,150	25,550	26,300
Insurance	11	18,000	18,803	19,300
Professional	12	5,125	7,000	7,000
Staff expenses and training		3,100	3,100	3,200
Miscellaneous costs	13	1,000	13,000	1,000
Irrecoverable rent and rates		250	250	250
Input VAT disallowed		14,350	14,350	14,500
Total		303,219	327,402	315,600
Amenity & Community				
Information Barn		4,100	4,100	4,200
Visitor assistance		7,000	7,000	7,200
Riding expenses		500	500	500
Litter disposal		3,000	3,000	3,000
Miscellaneous costs		3,000	3,000	3,000
Total		17,600	17,600	17,900
Conservation				
Conservation		47,300	52,462	54,000
Monitoring	14	0	20,000	0
Forest materials		1,500	1,500	1,550
Miscellaneous costs		1,400	200	500
Total		50,200	74,162	56,050
Total income		382,826	454,971	418,547
Total expenditure		364,269	419,164	389,550
Capital expenditure	15	12,000	31,078	13,000
Sale of assets			1,750	
Projected surplus		6,557	6,479	15,997

Notes for Revised Estimates 2004/2005.

- 1 Includes the cost of purchasing a new Ranger's truck.
- 2 Support for buildings survey.
- 3 Reduction due to change in issue of annual permits, from 1 October (2004) to 1 April (2005).
- 4 Increase due to revaluation of grants by DEFRA and to successful supplemental applications.
- 5 Includes £6,300 for East Chase scrub clearance, £5,000 for invertebrate monitoring scheme.
- 6 Increase due to £10,000 support for invertebrate monitoring and £13,500 for tractor purchase.
- 7 Salaries for all staff are under review; if there are changes, they are unlikely to be implemented before 2005/2005.
- 8 Includes projected cost of new computer system.
- 9 Increase due to repairs to Forest Centre.
- 10 Includes £2,550 repairs but not vehicle insurance.
- 11 Includes vehicles insurance of £5,882.
- 12 Increase due to costs incurred in land valuations and wayleave review and negotiations.
- 13 Includes £10,600 digger settlement and £1,300 planning application.
- 14 Costs met by English Nature, High Weald Unit and (to be confirmed) Friends of Ashdown Forest.
- 15 Includes purchase of Ranger's truck, Conservation Officer's van, and tractor.

Table 2a. Forest Rates For 2004/2005 And 2005/2006.

Calculated at an increase of 4.1 % (RPI 3.1¹ % [as at 26/10/04] + 1%)

Category	2004/2005 rate	2005/2006 rate
1	£12.29	£12.79 for an area < 0.80 ha
2	£24.56	£25.57 for an area > 0.80 and < 6.07 ha
3	£35.88	£37.35 for an area > 6.07 and < 40.46 ha
4	£39.35	£40.96 for an area > 40.46 and < 80.93 ha
5	£44.45	£46.27 for an area > 80.93 and < 121.4 ha
6	£49.40	£51.42 for an area > 121.4 and < 161.87 ha
7	£54.48	£56.71 for an area > 161.87 and < 202.34 ha
8	£61.18	£63.69 for an area > 202.34 and < 242.81 ha

Table 2b. No. rateable properties and their 2005/2006 contribution to forest income.

Category	No. properties	Forest rate £	Annual income £
1	413	12.79	5,282.27
2	238	25.57	6,085.66
3	64	37.35	2,390.40
4	8	40.96	327.68
5	3	46.27	138.81
6	1	51.42	51.42
7	1	56.71	56.71
8	1	63.69	63.69
Total	721		14,396.64

¹ Source: www.citroenwells.co.uk/rpi, 26 October 2004

Table 3. Charges for activities 2003/2004 and 2004/2005.

	2004/2005		2005/2006 Some charges may not coincide with Forest's financial year	
Army military training - licence ²	£8,000/year +VAT		£8,000/year +VAT	
Boards of builders and estate agents working on properties on Forest – licence	£100.00/3 months		£105.00/3 months	
Deposit (for material left on Forest during building work)	£500.00/6 months with 90% refundable		£525.00/6 months with 90% refundable	
Education Barn – hire	£50.00/half day		£55.00/half day	
Exhibitor sales in Information Barn - royalty	20%		20%	
Filming (commercial) – fee	£400.00/day + VAT		£450.00/day + VAT	
Forest Link long distance ride – licence	£10.00 + VAT		£10.00 + VAT	
Forest rates	RPI + 1%		RPI + 1% (see Table 2a)	
Ice cream – licence ³	£16,000/year		£17,000/year	
Licence preparation (old style) – fee	£65.00+ VAT		£70.00 + VAT	
Model flying (British Model Flying Assoc.) –licence	£300.00/year		£315.00	
Model flying (Wealden Model Aircraft Soc.) - licence	£300.00/year		£315.00	
Perpetual licence a) preparation fee; b) consideration; c) acknowledgement rent	a) £110.00 + VAT; b) £420.00; c) £50.00 (no VAT)		a) £115 + VAT; b) £440.00; c) £50.00 (no VAT)	
Photography (commercial) - fee	£30.00 + VAT		£100.00 + VAT	
Riding ⁴ - permit	Adult + AFRA + Commoner both	£75.00 £65.00 £55.00 £50.00	Adult +AFRA + Commoner ⁵ both	£80.00 x?x £80.00 x?x
	≤12 years + AFRA + Commoner	£37.50 £32.50 £25.00	≤12 years + AFRA + Commoner	£40.00 x?x £40.00
Riding establishments (max. 12 horses each) – permit	£100.00/horse		£125.00/horse	
Riding - Endurance Ride - fee	£6.00/horse		£6.00/horse	
School visits – charge	£1.50/child/half day (or part thereof) + VAT		£1.50/child + VAT	
Southern Alsatian Training Association – licence	£20.00/day		£25.00/day	
Superintendent's talks – charge	£30.00 plus travel @£0.40/mile ⁶		£50.00 + travel @£0.40/mile in evenings; £100.00 in working hours + travel	
Wayleaves – licence	Action required to investigate wayleaves for water utilities. Some payments (e.g. of BT) are fixed on nationally agreed scales		Action is under way investigating wayleaves for water utilities	
Wood permits – charge	£20.00/cord + VAT		£20.00/cord + VAT (5%)	
Wych Cross dump – hire	£200.00/week + VAT		£250.00/week + VAT	

² Current licence fee valid until 31 May 2009, then rises to £9,000/year until 31 May 2014.

³ Current licence valid until 31 December 2005. Tenders will be sent out in mid 2005.

⁴ The riding year has been changed to run from 1 April instead of 1 October.

⁵ Discounts: those for AFRA members will be negotiated by; those for Commoners were withdrawn.

⁶ Travel rate is fixed by Inland Revenue.

Table 4. Suggested Board and Committee meeting dates 2005/2006.

Conservation	RPA	FGP	Board
4 April	25 April	13 June	<i>20 June</i>
4 July	18 July	5 September	<i>19 September</i>
26 September	10 October	7 November	<i>14 November</i>
16 January 2006	6 February 2006	20 February 2006	<i>13 March 2006</i>

N.B. Since the FGP meeting, 4 July is suggested as the replacement date of 27 June for the third meeting of the Conservation Committee. This is to prevent meetings in three consecutive weeks.