

## **Opportunity to purchase the Lush Field**

The purpose of this note is to summarise for members of the **Tisbury Parish Council** discussions that have taken place in recent weeks in the committee of **Tisbury & District Natural History Society (T&DNHS)**, and to seek the **Council's** support to acquire part of the field known as the Lush Meadow.

### **Background**

In mid-January the **T&DNHS** Treasurer was approached with an enquiry whether the Society would be interested and willing to buy the area of land known as the Lush field or meadow (sometimes referred to as the 'white horse field' as this is where a horse owned by the proprietor of the Boot Inn grazed).

The field is in the ownership of a trust fund whose trustees, members of the Lush family that previously lived in an adjacent property, are willing to offer part of it to be a 'wildlife area' and for the benefit of the community.

Since January there has been further email correspondence with Chris Lush, representing the Lush trustees, that led the **T&DNHS** committee to tell to its members about these discussions at its AGM on 17<sup>th</sup> February.

As will be immediately apparent, the support of the **Parish Council** is a vital part of any plan to carry such a purchase forward, so it is appropriate now to put the matter before you.

### **Role of T&DNHS and its response.**

The **T&DNHS** committee welcomed the approach without reservation.

The field has been used for grazing over a number of years but has had no artificial fertilization or other intervention for a very long time, perhaps for as much as 50-60 years. It is known to support a significant population of butterflies and other wildlife. The field is close to the centre of the village and is regularly used as a route to and from the adjacent Parish Meadow, held on a 100 years lease from the Fonthill Estate by the Parish Council, and managed for wildflowers with the help of volunteer members of T&DNHS. To the west lies open farmland crossed by public footpaths alongside the Oddford Brook, also a haven for wildlife.

As this year is the Queen's Platinum Jubilee, raising funds to transfer of ownership of the field to the community, securing continuity of access and its maintenance for the benefit of wildlife, in perpetuity, seemed a very appropriate project and an exciting opportunity to mark the Society's 40<sup>th</sup> anniversary year.

Hence the committee would be willing to do everything possible to facilitate the purchase of the land. But **T&DNHS** is not well structured or resourced to act as owner or long term custodian of land, with attendant issues of maintenance costs and public liability.

## Role of the Parish Council

Members of the T&DNHS committee briefly considered the possibility that a wildlife trust or charity might be interested to take ownership of the field. However members who work closely with the Wiltshire Wildlife Trust (at Oysters Coppice, Semley) are aware that relatively small areas of land such as this are unlikely to be of interest to them. Based on the experience of those who raised the funds to acquire Gutch Common a few years ago, the same is likely to be true of the Woodland Trust.

Tisbury Parish Council has a long lease on the adjacent meadow. Extending this to include the adjoining Lush meadow would appear an obvious step towards securing a long-term 'inner green belt' for the village that could possibly be incorporated in a revision of the area plan.

**It is the principle purpose of this note to seek the support of the Parish Council for this endeavour and an understanding that it is willing to take on the ownership or a long lease on the field, subject of course to the successful outcome of any remaining discussions with the Lush family trust and a fundraising campaign by T&DNHS.**

### Offer status:

There is not presently a precise map of the land for sale, nor is there an accurate measurement of the area, but we understand it amounts to approximately 5.5 acres.

The boundary of the land the Lush trust proposes to sell to the community for a 'wildlife area looks something like this:



### **Valuation & funding targets:**

It is premature to estimate the cost of purchasing the land on offer; that has yet to be discussed and agreed. In a recent email exchange, Chris Lush has drawn attention to the sale a few months ago of land bordering the Oddford Brook and that the price achieved for that at auction ***“would give both parties a fairly reliable pointer to probable market value”***, while also saying ***“That is not to say we would look for the equivalent price.”***

Whatever price is settled on as fair value for the land itself, there will be additional costs in making any acquisition for

- Professional fees for
  - Setting up and managing the purchase vehicle (see below)
  - The purchase conveyance
- Initial boundary maintenance/enhancement

### **Purchase vehicle:**

To provide an efficient and credible means for raising funds through voluntary contributions **T&DNHS** proposes to establish a trust for the purpose, registered as a charity.

Making an acquisition through a charitable vehicle is crucial because:

- a. It provides credibility, convincing potential donors they can “trust the pot” i.e. that the money will be used exclusively and only for the purposes outlined to them
- and
- b. It will permit us to take make use of tax relief on charitable donations.

Using Gift Aid, a donation of £100 is worth £125 (using Gift Aid, to raise, for example, £50K we should only need donations totalling £40K).

Relief on donations from higher rate taxpayers is more generous, at the donor’s marginal rate of tax, and some people may be able to make use of pensions or income paid from a company set up to make donations free of tax.

### **Setting up a Charitable Trust:**

The key thing about setting up a charitable trust is that its aims must be clearly set out: it is only permitted to engage in activities that are consistent with the stated aims.

It is conceivable that the purchase of Lush’s Field for wildlife conservation and as a community asset could be the first in a number of such purchases. Hence the drafting of aims and the selection of trustees should be made with that wider and longer term possibility in mind.

The proposed aims of the new trust will be

***“To purchase land in Tisbury and District for the purpose of conserving wildlife and for the benefit of the community”***

The proposal for the initial trustees would be

- Chair: Peter Shallcross (who chairs T&DNHS)
- Treasurer: Dick Budden (T&DNHS Treasurer)
- A representative of the Tisbury Parish Council

Trustees would also be sought with professional qualifications and/or experience of

- land surveying and valuation, such as an estate agent
- relevant legal matters, such as a solicitor
- funds administration, such as an accountant

### **Timetable**

There are a number of matters yet to be settled and put in place before fund raising can begin, including:

- Discussions with the Lush family to determine precisely what land is for sale, the terms and any conditions
- Setting up a charitable trust, appointing trustees and professional advisors
- Reaching agreement on the details of how to transfer ownership or lease to the Parish Council

It would be good if the fund raising process could be in full swing by the time of the Queen's Jubilee celebrations at the start of June. If we are to achieve that, there is no time to lose.