

# Q & A

## Deregistration and exchange, of common land

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We appreciate that there will be some questions about the proposed Common Land Transfer. Here are a few answers, but if you still have more, please call us at the Trust Centre, visit us during our open days 9<sup>th</sup>-11<sup>th</sup> January 2019 (10 am till 4pm), or visit us on the open day at the Apsley Scout premises near Durrants Hill carpark (10<sup>th</sup> Jan 1pm to 5.30 pm).

### General questions

**1. What is common land?**

Common land is owned, usually for centuries, by a local council, privately or by a charity like the Box Moor Trust or the National Trust. You usually have the right to roam on it. This means you can use it, subject to certain limitations, for certain activities like walking and grazing.

**2. What is deregistration of common land?**

In order to carry out a range of works on common land, the owner must apply to deregister it as common land. If the area to be deregistered is more than 200 square metres in total, the owner must include a proposal in their application to register an alternative site as common land.

**3. What does 'self-supporting' mean?**

Simply that we look to regular rental income from our limited amount of investment land rather than seeking contributions from the public. We are not like a local council and your Council Tax does not go towards our costs.

**4. Is this the beginning of a larger plan to take away more common land?**

No. All other Trust common land is green belt or open space and the Trust will rigorously protect it. In total, this process, if approved, will actually slightly increase the amount of protected common land in the town. This application is all about securing the future of the Box Moor Trust land as we know and love.

**5. Will any green space actually be lost overall?**

We already own the exchange land called Dellfield, which is occasionally inaccessible to the public. There will be a very small net reduction in overall green space of 1.5 acres at Two Waters East if this deregistration is approved and if eventual planning permission for a scheme, yet to be determined, is granted. This would effectively, be a matter of using 1.5 acres to protect the remaining 490.

**6. Why should the Trust give up ANY green space?**

The Trust has vastly increased its green space in the last 20 years by adding 243 acres (doubling the previous land holding and all of it open to the public). This has been notably at Westbrook Hay, Bovingdon Brickworks, Bury Wood and Gadespring Boxmoor. The Trust adds to open space whenever possible as one of its prime aims. We have acquired these precious leisure and wildlife havens because it is our aim to help protect increasingly scarce habitats and to manage them for the public to enjoy. Sustainable income from Two Waters East is vital to continue to protect what we have and to acquire and protect more special sites if they become available.

**7. Why is there suddenly a financial concern?**

A large commercial lease comes to an end shortly, after 35 years, and may not be renewed, even though the Trustees have been in negotiation with the lessees for a considerable time. The future rental potential is very uncertain because of the recent down turn in the commercial rental sector that was unforeseeable five years ago. Following the recent approval of the Borough Council's Two Waters Masterplan, Two Waters East becomes the first and only piece of greenspace that we own that has the potential to produce an income.

**8. Is Two Waters East on green belt land?**

No, Two Waters East is classed as open space, and in DBC's Masterplan it's defined as under-used land.

**9. Surely you have set aside funds in anticipation of problems?**

Yes, we have prudently set aside a substantial reserve over the last few years to tide the Trust through the process of a change of lessee. This will keep services going for at least 18 months but the recent changes in the Commercial Sector require an ongoing safety net which can only be achieved with income from another source.

**10. Is this just a ploy to line Trustee's pockets and pay substantial pay rates to staff?**

Sadly, we still hear these comments occasionally. Trustees put in many hours, but they are not paid, and it is extremely rare that any of them even claim expenses. Our valued small employee team of just 12 full time equivalent staff are paid at the average rate for similar posts in the Charity Sector. Only two employees earn more than the average wage for the whole of the United Kingdom, which stands at around £28,000. Any income from Two Waters East, (see below), will be used to maintain our services with the balance carefully spent on community services and projects.

**11. Can't the Trust make savings?**

The Trust already does a lot with the limited income it has today. Its first priority is to protect and maintain your land. We will consider all our costs however, the majority of any savings will have to come from cutting out the grants we give, the education services we provide and the community events we run. Clearly, we want to avoid this.

**12. What happens if I disagree with these proposals?**

If those who disagree significantly outweigh those who agree, the eventual application to exchange the land at Two Waters East could be turned down by the Minister. If that occurs it will be impossible to maintain all our services and make new investments. It will also mean that other commitments described in our consultation documents will unlikely be fulfilled.

**13. What happens if the large commercial lease is renewed? Will you still go ahead with this application?**

Yes, realistically, we already know that any new lease is likely to provide a substantially lower annual rental. Long leases are no longer wanted by large stores meaning that these uncertain times will be repeated every five years or so for years to come. To achieve anything like the income we receive at the moment we must find ways to spread our investment.

**14. Can the Trust not just bring in another lessee at the end of this lease?**

Yes, we could, but there will be a gap without income and future rent may be reduced substantially. We have referred to troubles in the retail sector earlier. There are almost daily updates on new problems. There are no certainties ahead and this is a great concern if the Trust cannot diversify.

**15. Are there no other ways of generating revenue?**

Charities are subject to strict rules on investments. Current safe interest rates are around 0.5%. All charities are able to invest but investing also exposes charities to risks. If not properly managed, these can affect not just the charity itself but the public's trust and confidence in the sector more generally. It is paramount that charities manage these risks and operate within the law. The current potential annual income gap requires a significant back up plan that no other realistic alternative can achieve.

**16. What about the revenue generated by the properties you own?**

Most of our residential properties are ageing and generate only a quarter of our income in net terms (due to considerable maintenance costs) of our commercial property. There are no current opportunities to increase the number of residential properties, especially without the sustainable income to build them.

**17. We rarely see any fund raising events or activities by the Trust, why not?**

Our aim is to provide land, services and enjoyment to everyone regardless of income. We do make affordable charges for education and donations and bequests are always welcome, but asking for money to look after your land is not considered appropriate and would probably not be welcomed. In any case, income possibilities for entry to Common Land are extremely limited.

## **Apsley and Two Waters East related questions**

**18. What does the Trust do for Apsley?**

We maintain the nearby Moors and we have very recently created a new walkway under the A414 to reach them safely without crossing roads. We have given grants to St Mary's Church, the Scout Group, Sunnyside Rural Trust and the Manor Estate Residents Association totalling £18,000 in the last 12 years and we hope to continue our grant giving in the future but, again, this requires sustainable income.

In addition, our Education Team receives regular visits from schools all over the Area of Benefit including Two Waters and Belswains Primary Schools. So most young children in the Apsley area have an opportunity to experience learning in the great outdoors. We also run a Forest Schools programme, community activity days and outdoor sessions for uniform groups and, again, these are attended by Apsley children.

**19. What more could the Trust do for Apsley?**

If we can achieve sustainable income as a result of this process then we will commit to working with the Borough Council to provide joint funding towards a bridge over the river and a footpath through the Durrants Lakes. This has been a shared aim for some years but sufficient funding has not been available. This would create a pleasant walk for local people, full of wildlife interest, including kingfishers, connecting Apsley to the Moors and providing a circular walk back along the canal. This is part of a wider vision to work with the Environmental Agency, in a similar way to the recent works upstream. The aim is



to enhance the area around the River Bulbourne at Two Waters. In particular, a bridge over the river will allow access to clear the far side of the unsightly litter that regularly builds up.

**20. If work in the Durrants Area is so important then why have you not done it before?**

Talks with Dacorum Borough Council have been progressing for many years and the Trust gave permission for a bridge around five years ago. The problem has been that the required works are expensive. The approaching lease renewal for the nearby land has posed a risk and all spare resources have been set aside in a reserve to pay for a possible extended period without a rent. Only now, with the possibilities for Two Waters East, can the Trust envisage a way to contribute towards these works.

**21. How would this impact the Apsley Scout Group and the fishing club?**

Both have been included in recent discussions and any changes will be carried out in a manner that helps both. In particular, more young people could be encouraged to enjoy the outdoors through fishing and the scout group could benefit from changes to help them to make the water safe and achieve their water sports ambitions.

**22. What plans do you have for Two Waters East?**

At this stage we do not know because nothing can happen or be committed to until the common land exchange is approved. What we will do is work hard to ensure that any development is appropriate for the local community. Any development proposal would need to successfully pass the formal planning process and permissions.

**23. What about the wildlife in the areas you say you want to clean up, how will you go about protecting it?**

As with all of our Estate work, any changes that occur will take into account the protection and enhancement of habitats. The Durrants Lakes site and the grassland along the river is a good habitat for flora and fauna, but it is silted up, over shaded in places and in need of substantial but sensitive attention. Although some clearance of the bankside vegetation would take place to allow good views of the river, there would be plenty of cover for insect, birds and small mammals.

The success of the multi award winning restoration work carried out recently just a few yards upstream from here has been beyond our expectations. This work, largely funded by the Environment Agency, has seen vastly improved water quality and species diversity. Amazingly, a pair of otters has been filmed in the valley recently and we are even hoping to carry out a re-introduction of water voles in the near future. Investing in projects to enhance nature can really have dividends. There is a great opportunity for the local community, young and old to participate in this work as members of our conservation volunteers.