

FRIENDS OF WARNEFORD MEADOW: Annual Report 2011-12

Future ownership and management of the Meadow: progress in 2011-12

The past year has been one of waiting for others, punctuated by small steps forward.

Oxfordshire County Council's decision to register Warneford Meadow as a Town Green was upheld by Mr Justice Waksman in the High Court in March 2010, and registration actually took place in April that year. Very shortly thereafter, Friends of Warneford Meadow, along with local Residents' Associations, wrote to the senior civil servant concerned in the Department of Health asking to discuss the future management of the Meadow. We eventually met him, along with representatives of the local NHS, in December 2010; and we submitted a full paper setting out our proposals in February 2011. However, here we are two years after registration, with little substantive progress made, despite a lot of activity. A brief account of events during 2011 follows.

On 13 May, David Gubb, the civil servant concerned, wrote to say that Health Ministers had still not made their minds up whether to dispose of the Meadow. We were increasingly concerned that the vegetation on the Meadow was becoming denser and more overgrown in the absence of any maintenance; so we asked for a meeting with local NHS land managers to discuss care of the Meadow. This took place on 10 June, and we followed up with a letter setting out works which we proposed should be carried out by FoWM. DH responded in July, giving permission for some limited scrub clearance in the orchard, but refusing to allow any mowing or other work on the Meadow proper. The scrub clearance was done on our behalf in September, in preparation for Apple Day.

Meanwhile, becoming increasingly frustrated by lack of progress on future ownership and management, we took up an offer from Andrew Smith MP to intervene on our behalf. He wrote to Andrew Lansley, Secretary of State for Health, on 21 July, and – perhaps as a result – a month later the Department confirmed that they intended to sell the Meadow. In October, we received an approach from Savills, estate agents appointed by DH to handle the sale, and later that month met their representative Matt Davis to discuss the sale process (explained in more detail below). FoWM's Steering Group agreed that, if the Meadow was to be sold, the best course was for it to be owned by a non-profit-making body, either an existing charity such as Oxford Preservation Trust or a local body set up for the purpose; ownership by a local authority was seen as less desirable because of the risk that the land would be managed more like a public park than a hay meadow.

We also raised with Matt Davis the stalled proposals for maintenance work on the Meadow. He now told us that this would be handled by the Department's solicitors, Blake Laphorn. We eventually heard from them in January, with a draft licence agreement including several conditions we were unable to accept. We replied in March with proposed amendments, and at the time of writing had just had their response, but by now it is too late to do any work before the 2012 growing and nesting season. We still hope to negotiate an acceptable agreement.

Other activity

In September, the Steering Group issued a Vision Statement for the Meadow, which can be found on our website at:

http://www.friendsofwarnefordmeadow.org.uk/files/warneford/home/FoWM_Vision_Statement_2011.pdf

In October we submitted a comprehensive response to a consultation paper from the Department of Environment, Food and Rural Affairs (Defra) on the registration of Town and Village Greens; our response was noted favourably by the Campaign to Protect Rural England. Defra's proposals, if implemented, would be most unlikely to affect the status of Warneford Meadow; but had they been in force in 2006 they would have made it almost impossible for us to succeed in protecting the Meadow from planned development.

Discussions have also taken place about invasive and potentially harmful plant species present on the Meadow. The Steering Group has agreed that for the present no action is required to address Himalayan Balsam (since its spread is limited because its seeds do not set in grassland), nor Ragwort (because no livestock are kept on any land close to the Meadow).

The Steering Group met six times during 2011-12. Kate Whitworth Jones was co-opted onto the Group in November, taking the total membership to eleven. Members are Heather Armitage, Sietske Boeles, Andrew Carter, Anne Copley, Paul Deluce, Chris Dunabin, Andrew Lack, Graeme Salmon, David Sutton, Kate Whitworth-Jones, and Andrew Wilkinson. Alison Williams continues to act as Honorary Auditor.

The Steering Group would welcome volunteers to join the group for 2012-13. With the proposed adoption of charitable status and the prospect of having to raise money for a bid to buy the Meadow, there is likely to be a lot of work to do in the coming year.

Total membership of FoWM is uncertain, since no subscription is currently levied, but about 250 people, mostly living in the Divinity Road area, are currently on our e-mail circulation list.

A great deal of information about FoWM and about Warneford Meadow is available on the FoWM website at www.friendsofwarnefordmeadow.org.uk. However, the Steering Group recognises that the website as currently organised is not easy to use, and in particular doesn't distinguish clearly enough between topical and archive material; we hope to review and reorganise it shortly.

Fundraising and other activities

With most of the year spent waiting on developments, fundraising was a lower priority. FoWM merchandise – Christmas cards, notecards and a 2012 calendar – continued to sell steadily. The apple and flower mugs have now all been sold; our supplier has retired and it is proving surprisingly difficult to source replacement mugs that match the originals in quality. Graeme Salmon's history of East Oxford, *Beyond Magdalen Bridge*, now in its second impression, also continues to sell steadily. Many thanks once again to Graeme for donating to FoWM all profits from sales of the book.

FoWM's fifth annual Apple Day was held on 2nd October. Glorious weather ensured a large attendance at this hugely successful community event. Many thanks are due – once again - to Rupert Griffin for his hard work in organising and running the apple pressing.

Apple Day 2012 will be on Sunday 30th September.

As always, many, many thanks are due to everyone who has contributed to the town green campaign by giving time or money and by buying FoWM merchandise.

Finance

The accounts for the year will be presented for discussion at the AGM. There has been a lull in our activities since paying off all our legal fees. Our assets stand at £3716; our income has been largely from the sale of merchandise, with outgoings dominated by the cost of mowing the orchard.

Future ownership and management of the Meadow: Where are we now?

In the past year, monitoring and attempting to influence decisions affecting the future of the Meadow has required a great deal of patient vigilance. Given the possibility of a twelve month marketing period (see below), much patience seems likely to continue to be needed.

It is important, however, that FoWM is able to act quickly as we learn more about the progress of the sale. The following summary therefore sets out the situation at the end of April 2012, and indicates the decisions to be made and action to be taken over the next few months. Direct references to communications from Oxford City Council are in quotation marks.

What we know

The Department of Health have agreed that, before the Meadow is put up for sale on the open market, they will – as if it were listed as “land of community value” under the Localism Act 2011 Chapter 3 (see <http://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/3/enacted>) - engage in a pre-marketing exercise to alert relevant local councils and community groups and offer them an opportunity to express interest and/or make a bid to buy the land. The Department’s agents, Savills, duly approached Oxfordshire County and Oxford City Councils as well as Friends of Warneford Meadow. The County Council declined to bid, but the City Council replied that they ‘might be interested’.

We understand that the City Council undertook basic research to establish estimates of (1) the cost of acquiring the Meadow and raising the site to ‘an acceptable standard as a Council managed meadow’ and (2) the likely future annual maintenance cost. However, the Department views the land as having a ‘greater than nominal value’, and will not consider any initial bid lower than £500,000 (which we were told was the value placed on it by their advisers back in December 2010 – though we don’t know how this was arrived at). The City Council’s estimate falls well short of this amount, so the Council has not felt able to make a bid. The Council is therefore recommending that the Department should ‘offer the land to the open market after [the] pre-marketing period allowing interested local community groups to express an interest, and if so to prepare a bid.’

What we don’t know

We don’t know the precise results of the City Council’s research into the value of the Meadow and the ‘not inconsiderable’ cost of improvements and maintenance. We are trying to find out details of the Council’s estimates, so we can take these costs into account in deciding whether to try to raise money and put in a bid ourselves.

We don’t know of any other local community group or other body interested in purchasing the Meadow. And we don’t know of – and find it difficult to imagine – any property company or institution that would consider hazarding half a million pounds or more on the slim possibility of a successful application to have Warneford Meadow de-registered as a town green.

What next?

As explained above, FoWM has been invited to enter into a licence agreement with the Department, letting us undertake maintenance work on the Meadow. Members of the Steering Group are unwilling to sign such an agreement in their own names, involving personal liability for any claims, so FoWM will need to become a legal entity in some form. This could mean becoming a company; but registration as a charity would have added benefits, in terms of both reputation and eligibility for Gift Aid. We have been advised that our objectives are compatible with registration as a charity. **The Steering Group has therefore decided in principle that Friends of Warneford Meadow should become a charity.** We are currently exploring the costs and ways to do so.

We also need to decide whether FoWM – potentially in collaboration with other local bodies or charities – should try to raise the money to bid for the Meadow. (This need not mean that FoWM would own the Meadow: one option might be for us to raise the money to buy it, and perhaps an endowment towards maintenance costs, then donate it to another body with the relevant staff and skills to manage it – obviously on condition that they maintained it in the way that local people would want.) We can't say at this stage whether there will be any competing bids and therefore how much we might need to pay to buy it. We also need to know how much it will cost to put in good condition and manage. Once that is known, we can **decide whether or not FoWM should bid to buy the Meadow** and, crucially, consider how the money might be raised to cover such a bid. Obviously, how much we bid may depend in part on how much we think we could raise.

Whoever ends up owning it, FoWM is likely to have some responsibility for managing and maintaining the Meadow. At the very least, this will mean a **management plan** that will cover:

- developing an environmentally responsible and knowledgeable policy for work to be undertaken;
- ensuring a regular income towards essential costs, eg insurance, cost of equipment, payment to contractors, etc;
- organising regular volunteer groups to supplement the work of paid contractors;
- and managing FoWM as a charity.

We have already had some preliminary discussion, and taken ecological advice, on the work needed to put the Meadow in better condition; this is reflected in the proposals we have put to DH for works we would like to undertake.

If the Meadow is owned by another body, any license agreement could be terminated at fairly short notice, which would inevitably constrain any management plan drawn up by FoWM. However, if FoWM were to secure ownership, managing the Meadow would require planning well into the future, with consequences for the scale and scope of the tasks and responsibilities outlined above. We will also need to consult local residents to ensure that there is a shared vision for the future of the Meadow.

Friends of Warneford Meadow Steering Group
April 2012