

**SUBJECT: MANAGEMENT AGREEMENT RELATING TO AN AREA OF
 HOBBLERS HOLE**

DIRECTORATE: DIRECTORATE OF COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: SIMON WALTERS, DIRECTOR

1. Purpose of Report

- 1.1 To seek Member approval to enter into a 10-year management agreement with Long Leys Residents Association (LLRA) for the general management and improvement of an area of open space known as 'Hobblers Hole' off Long Leys Road, Lincoln.

2. Background

- 2.1 In early 2020 officers were approached by the Chair of Long Leys Residents Association, who was keen to explore the potential to improve the biodiversity of an ephemeral pond on Hobblers Hole. In addition, the association were developing plans to undertake a range of other environmental improvements in the vicinity to create a focal point for the general public. The whole project is designed to further galvanise the work of LLRA and hence presents a strong opportunity to bring the community together on a project to enhance a green space in the city.

3. Basis of the proposed agreement

- 3.1 In order for LLRA to undertake this work, they are seeking a 10-year management agreement. It is anticipated that this duration will enable the Association to access external grant funding to realise their plans for the site.
- 3.2 The site is identified on the map in Appendix A, as produced by LLRA themselves. The essence of the agreement will be to:
- Improve the ephemeral pond area by removing, and where appropriate relocating, existing vegetation (mainly willow herb).
 - Digging out the pond to a suitable depth to allow water retention in the summer breeding season suitable for amphibians.
 - Work with Lincolnshire Wildlife Trust (and any other body) on ensuring this is done correctly and obtaining suitable permissions.
 - Maintaining a 2m wide mown path across Hobblers Hole from Newt Hollow to Whitton's Park to ensure improved accessibility to the area for those with prams or reduced mobility.
 - Develop a nature trail with various possible features
 - Adding a "bug hotel" (See example photo in Appendix A)

- Clearing a strip of willow herb to encourage other wildflowers alongside of the path
- Possibly a "forest school option" with natural materials in close proximity to allow children to build a wigwam or other den
- Possibly a small section of wooden boardwalk to allow closer access to the pond area during winter (See example in Appendix A)
- Educational signage on flora and fauna in the area

3.3 The management agreement will include a range of terms and conditions and safeguards to ensure the site remains available for the public at all times and to comply with the covenant on the land. Such safeguards include:

- LLRA will consult with the Lincolnshire Wildlife Trust on the proposed works to the area and a written and agreed Management Plan will be produced.
- LLRA will recruit volunteers and they will be trained by LLRA and act in accordance with the Council's Volunteer Policy
- LLRA to be entitled to displace soil to deliver the Project and remove any vegetation/wood if required.
- LLRA are not to remove soil from the land or block up any existing ditches or watercourses
- Any media communications regarding the Project and the terms of the agreement to be agreed between the parties

4. Strategic Priorities

4.1 Let's reduce inequality

This scheme offers the opportunity for a wide cross section of the local community to enjoy an enhanced area of open space. The area will remain freely available to the public at all times.

4.2 Let's enhance our remarkable place

This project does directly contribute to this strategic priority, delivering a range of environmental improvements to enhance the local environment utilising local volunteers and maximising impact through the potential for external funding.

5. Organisational Impacts

5.1 Finance

The use of the land by LLRA will be at no charge to LLRA and therefore no payment will be made between the parties. As such there is no impact on the Medium-Term Financial Strategy.

5.2 Legal Implications

A management agreement will be signed between the parties for a 10-year duration and will include break clauses for the council on reasonable notice and on a six month notice period basis by the LLRA

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This represents an opportunity to bring all sectors of the local community together to enjoy a piece of open space in a range of new and exciting ways -be they volunteer or visitor to the site

5.4 Land, Property and Accommodation

Whittons Park and Hobblers Hole were given to the Council by George Whitton in 1939 and 1945 respectively, subject to certain restrictive covenants. In the case of Hobblers Hole the council must:

- a. hold and administer the land for the benefit of the inhabitants of Lincoln and
- b. to maintain the same as open space

The management agreement will therefore reflect this to ensure that the covenants are adhered to.

The proposed arrangement with LLRA does not constitute a disposal of the area. There is no intention to grant or create any proprietary interests in possession including any lease or other occupations in the land to the exclusion of the Council or others.

5.5 Significant Community Impact

As covered above, this represent a positive impact for the local community.

5.6 Corporate Health and Safety implications

LLRA are responsible for ensuring their volunteers are properly trained and will also arrange public liability insurance with a minimum limit of indemnity of £10,000,000 in any one claim.

6. Risk Implications

6.1 (i) Options Explored

No other options explored - this scheme was a direct approach from LLRA and seeks to manage the pond alongside the adjacent Newts Hollow pond, which is managed by the Lincolnshire Wildlife Trust.

7. Recommendation

7.1 Members are requested to approve the council entering into a 10 year management agreement for the environmental improvement of a section of Hobblers Hole by Long Leys Road Residents Association

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 1

List of Background Papers: None

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