

**To receive a report on Churchtown Farm Nature Reserve and consider any  
actions and associated expenditure**

**Report to:** Full Council

**Date of Report:** 31.08.25

**Officer Writing the Report:** Town Clerk / RFO

**Pursuant to:** Full Council held 3 July 2025 minute 132/25/26

**Officers Recommendations**

Members have approved, in principle, the draft Heads of Terms to form a Working Agreement, subject to the Town Council's legal advice.

Members are now asked to consider whether they wish to proceed with the recommendations outlined in this report and formally appoint Coodes Solicitors to amend the draft Working Agreement in line with their advice. The estimated cost for this work is between £375 and £750 + VAT, depending on the nature and extent of the amendments required.

Members are also asked to consider delegating authority to the Town Clerk to work within budget code 6224 PF Professional Fees to cover the portion of legal fees that apply to the Town Council.

Members are asked to delegate authority to the Development and Engagement Manager to work collaboratively with Friends of Churchtown and the Town Council Working Group on updating the information boards subject to the partnership being successful.

## Report Summary

Following the previous resolution, Antony Estate has provided a Draft Working Agreement and accompanying Site Plan relating to Churchtown Farm, outlining the proposed arrangement between Antony Estate and Saltash Town Council. Please refer to **Appendix A** for further details.

As instructed by Members, Coodes Solicitors were appointed to review the Draft Working Agreement. To facilitate this, they were provided with the Draft Heads of Terms, Site Plan, and the Draft Working Agreement. Their findings are summarised in the report available in **Appendix B**.

This summary report was subsequently shared with Antony Estate, whose comments have been included in blue text for ease of reference. Coodes Solicitors have advised the Town Council that there are a number of shortcomings in the Agreement that should be addressed.

It is for the Town Council to determine whether these points are considered pivotal. However, it is important to note that at present the draft Agreement remains largely under the control of Antony Estate.

Clause 5: If the Council wants to expand the Ranger's hours they will need to provide additional funds. Land management decisions will be made in consultation with the Council but they cannot be dictated by the council. The Estate is taking the risk of farming it, the agreement is really about public access.

The Town Council has not indicated a need to expand the Ranger's hours. Coodes considers the comment to be reasonable but advises that the Town Council should recognise that consultation does not create an obligation to implement changes.

Clause 6: The funding should not be ring-fenced, there will be requirements that sit outside of the agreement that might need to be paid for and which relate to Churchtown, for example, fly tipping, machinery repairs etc

Activities such as fly-tipping clearance and machinery repairs are considered part of routine maintenance. Coodes' position remains unchanged—they recommend that funding be explicitly ring-fenced to cover the partnership's obligations under the Agreement.

Clause 9: Planning permission has been given now for the Natural Burial Ground. We are happy to consult STC on any future projects, and would have to anyway as part of planning, I don't think we need to have an additional layer baked into this agreement.

If Antony Estate is required to consult the Town Council on any future projects regardless, then including this provision in the Agreement should present no issue. Coodes' advice remains consistent—they recommend that this requirement be clearly stated within the Agreement to avoid any ambiguity.

At the moment the trails will remain the same, but it might be that they change over time, but we would do it in consultation with the working group.

Coodes has advised the Town Council to be mindful that if permitted access areas are taken out of use for periods of time—such as on a monthly basis—the Council would have no automatic right to challenge this under the current terms.

Therefore, Coodes strongly recommends including a clause in the Agreement that sets clear parameters and provides the Town Council with the right to terminate the contract and seek appropriate compensation if necessary. This type of provision, often referred to as a break clause, is considered essential.

I'm afraid I don't know about the bat hedge.

The reference to the "bat hedge" is believed to correspond to the small white area shown on the Site Plan, located between Hutchings and Wearde Wall. However, this has not been officially confirmed by Antony Estate.

Coodes has advised that this matter should be clarified while the Town Council is actively exploring partnership working, to ensure all parties have a shared understanding of the site layout and responsibilities.

The Town Clerk approached Antony Estate to enquire whether they would be willing to cover Coodes legal cost to amend the draft Working Agreement should the Town Council wish to see any improvements based on the advice received within this report. Antony Estate have indicated they are open to discussions once Saltash Town Council have finalised the costings but that the Town Council has taken the lead in appointing Coodes Solicitors for this matter.

Since then, Coodes has confirmed that the cost of amending the Working Agreement—based on the Town Council's instructions—will depend on the nature and extent of the changes required. The estimated fees range from **£375 to £750 + VAT**. Antony Estate have confirmed that they would be content in paying half of the legal fees.

Further to this, a recent meeting was held with the Chair and Secretary of Friends of Churchtown, who expressed strong support for this partnership and are expected to play a key role in the farm's operation.

During the meeting, the entrance information boards were discussed. Friends of Churchtown are keen to update the content should the partnership go ahead successfully. They have requested assistance from the Development and Engagement Manager in revising the boards.

The associated costs for reproducing the updated boards will be covered by Friends of Churchtown.

### **How Does This Meet the Business Plan?**

Due to the unique value Churchtown Farm brings to our community as an open, natural space, the proposed partnership aligns strongly with Saltash Town Council's Strategic Priorities. These include: Boosting Jobs and Economic Prosperity, Promoting Health and Wellbeing, Addressing the Climate Emergency, and Enhancing Recreation and Leisure opportunities.

### **Budgets**

**Budget Codes:** New 2026-27 Churchtown Farm Nature Reserve code

**Budget Availability:** To precept £14,000

**Budget Codes:** 6224 Professional Costs

**Budget Availability:** £2,999

**Signature of Officer:**

Town Clerk / RFO