

## **Charities and Trusts Committee Meeting - Tuesday 15 November 2022**

### **Brewood Middle School – Orchard Planting**

#### **Recommendation(s) / Action(s) Required**

- a. For the Charity to review the contents of the report and provide a recommendation to proceed or decline the request by the school.

#### **Report of John Tradewell – Deputy Chief Executive and Director for Corporate Services**

#### **Summary**

1. To consider the request to allow Brewood Middle School to enter an agreement with Forest of Mercia to plant and maintain a community orchard on the charity-controlled land.

#### **Report**

##### **Background**

2. A request has been submitted by the Head Teacher of Brewood Middle School to allow an area of land, as identified on Appendix 1 – Location Plans, to be planted as a community orchard. The trees are to be supplied by the Forest of Mercia and maintained by this organisation for two years, after which they would revert to the school to maintain.
3. The land is currently held in Trust as part of the Brewood Educational Charity with Staffordshire County Council acting as trustees, therefore consent is required by the Trustees prior to any activity taking place on the land.
4. The land is not currently required for school expansion or any future anticipated basic need capacity, as confirmed by Schools Organisation. There is sufficient land, adjacent to the school buildings, for future expansion for both buildings and playing fields. Currently it is an area not utilised by the school hence their desire to bring this into a formal community orchard.

## **Financial**

5. The costs of the trees and initial planting would be carried out and funded by the Forest of Mercia using the DEFRA funding.
6. Future costs to manage and maintain would be at the expense of the school unless further support and funding could be found. Whilst minimal cost, this would increase over time as the trees mature.
7. The school have indicated that they perceive no financial risk to this arrangement.

## **Legal / Community Risks**

8. The agreement with the Forest of Mercia, Appendix 2 – Landowner Pledge Form, does not bind the land or insist retention of the trees beyond two years, however, this does not prevent local or community anticipation that they would remain on site for a significant period once planted, particularly as the funding is part of the Department for Environment Food & Rural Affairs – Trees for Climate.
9. As an Orchard, the trees would not be subject to future Tree Preservation Orders, but their location is within a conservation area which would require consent in the future from the District Council if planted and removal was required. If established, the District Council could very well resist their removal on the basis they were deemed to enhance the conservation area.
10. If the land was ever required for expansion, which necessitated removal of trees, this may not be received well by the local community particularly with the environmental benefits and expectation as part of the funding.
11. Staffordshire County Council Property Committee took a decision not to allow any tree planting on school sites which burdened the land or could prevent any future school expansion and basic needs requirements. This was based upon an agreement which prevented the trees being removed for 10 years.

## **Environmental**

12. The project would provide an additional tree planted area within the centre of Brewood. This action clearly supports carbon sequestration and government targets as well as an environmental area supporting children's education in respect of both green environments and food sources/fruit.

## **List of Background Documents/Appendices:**

Appendix 1 – Location Plans

Appendix 2 – Landowner Pledge Form

## **Contact Details**

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