

August 16th, 2023

Dear Fladbury Resident,

Fladbury Mill, The Field and Nait

Summary

This letter sets out the Parish Council's plans for the field and Nait and its proposals to:

- Accept David Wynn's gift of the Field and Nait as set out in his Will.
- Maintain the land, as it is now, for the benefit of residents and visitors.
- Follow David's wishes to bring a small part of the field adjacent to the Mill into the Mill Garden to secure the future viability of the Mill, the field and Nait and to cover the costs of accepting the gift.

The Council wants to understand your views on this matter, either in writing, or at a Parish Meeting on **Wednesday, August 30th at 7.30 pm in the Village Hall.**

Background

As you may be aware, the field running alongside the river between Fladbury Mill and Jubilee Bridge and the adjacent island, the Nait, is proposed to be left to the Parish Council by David Wynn. He had intended to gift this land to the Council during his lifetime, but Covid and his subsequent death meant that this did not happen. He had also intended to redraw the boundary between the Mill Garden and the field, but this also did not happen.

David died in July 2021 and probate was granted in May 2022. The gift of the land was conditional, the Council has been in discussion with David's executors and the recipients of Fladbury Mill, the Society for the Protection of Ancient Buildings (SPAB) since that time.

Proposals

The Parish Council has now reached an agreement with both David's executors and SPAB. In the proposed agreement the Council will:

1. Accept the gift of the field and Nait.
2. Maintain the land in a similar way to how it was managed during David's lifetime and for the benefit of residents. Maintenance costs will be about £3,500 per year. David's executors will need to approve this management and maintenance plan.
3. Appoint solicitors to draw up the paperwork to take legal ownership of the land. The cost of this is likely to be in excess of £5,000.

All costs will be paid for from the Parish precept and reserves.

Extending the Mill Garden

As mentioned above, David had intended to redraw the boundary between the Mill and the field to extend the Mill Garden. This desire is indicated in his Will and his Letter of Wishes.

The Council would now like to complete his ambition by selling a small part of the field to SPAB so that the garden is extended. In fact, about one third of land to be gifted to the Council is already within the fenced area of the Mill Garden.

The accompanying diagrams show the land involved in this sale. SPAB would like to extend the Mill Garden for the following reasons:

1. To let part of the Mill as a high-quality holiday let. David had operated a holiday let for many years prior to death.
2. To run very occasional training courses for SPAB members. This small area of land will assist with extra parking.
3. The large Black Poplar tree would be completely in the Mill Garden. Any liability for its maintenance and preservation would rest with SPAB.

This small section of land amounts to 3.7% of the total area of the field. We have agreed a price of £17,500 with SPAB. In addition, there will be no costs levied on the Council by the executors for maintenance and security costs incurred since David's death. The estate is legally entitled to levy such costs should it so wish. These costs, which are more than £10,000, will now be met by the estate.

Why is the Parish Council doing this?

The Parish Council has resolved to move forward on this matter and are happy for the sale to go ahead for the following reasons:

1. It would not diminish David's wish that *'this land would remain in perpetuity as a green area for the village to have permissive use to walk, with or without their dogs, and enjoy the river views that are not as accessible for such an extent anywhere else in the village.'*
2. Extending the Mill Garden will have no impact on the amenity the field and the Nait provides for the residents and visitors. It will not affect being able to walk around and across the field and the Nait.
3. The viability of the Mill from SPAB's perspective is critical to its long-term success. The holiday let and training courses are key aspects of this viability.
4. The receipt of £17,500 would enable the Council to meet its legal costs and allow it to invest in the land with improved fencing, signage and security, and contribute to future maintenance of the land.
5. David's executors are supportive of the sale to secure David's primary gift of the Mill transferring to SPAB.

6. Finally, redrawing the boundary to include the land in the Mill Garden is what David wanted, but was prevented from achieving due to his death.

What happens if David's gift to the Parish Council fails?

If this agreement with the executors and SPAB does not go ahead, the gift to the Council could fail. According to the Will, the field and the Nait would then go to SPAB. In this case, the future of the field and Nait will be determined by SPAB and would be out of the Parish Council's control.

Conclusion

In conclusion, the proposed resolution will result in the following:

- David's vision for the land as a green space for the village is realised.
- The amenity and access to the field and Nait for residents is unaffected.
- The viability of the Mill is enhanced for SPAB.
- The Council receives £17,500 to invest in the land, its maintenance and to meet its legal costs.

This is genuinely a win-win situation with all parties benefitting and, crucially, David's wishes being respected and his generous gift to Fladbury realised.

Your views

At previous public meetings, and Annual Parish Meetings, residents have overwhelmingly been in support of the Council becoming custodians of this land. The Council is keen to understand the views of residents now that we are close to concluding matters and the details and costs are known.

If you have any comments or questions, please email them to the Chair of the Parish Council or the Clerk to the Parish Council (see below) so they may be addressed.

This document and maps are being distributed to every household. They will also be made available through a special edition of KITTY and on the village website.

The Parish Council will be holding a public meeting in Fladbury Village Hall on **Wednesday, August 30th at 7.30 pm** to outline these proposals and to answer questions.

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Chairman

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Figure 1 above shows the extent of the land left to the Parish Council in David Wynn's will with the small section in the top left that is proposed to be transferred to SPAB.

Figure 2 below shows a close-up of the northern part of the field. The 'hatched' section has been fenced into the Mill Garden and the 'dotted' section is that which SPAB wish to purchase in addition to the 'hatched' section – 3.7% of the total area.

