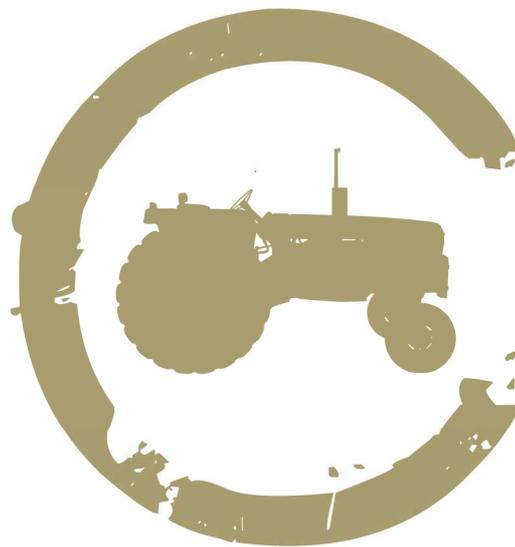


SUSTAINABLE AGRICULTURE



Community Supported Woodlands and Hedges

Wood fuel and other benefits from small woodlands and hedges
A Tool-kit for Communities - v1.0 July 2013

Chapter 5: The landowner

Prepared by Kate Royston and Dave Readman (Cotna)
Robbee Smole Sustainable Business Solutions
For Tamar Valley Area of Outstanding Natural Beauty



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Robbee Smole
Sustainable Business Solutions

TamarValley
Area of Outstanding Natural Beauty



Chapter 5 The landowner

This chapter looks at things from the landowner's perspective, with the establishment and management of an agreement for use of the woodland/hedge. The term 'landowner' refers to the owner of the land/asset (i.e. the woodland and/or hedge and related access) or their managing agent.

The chapter begins with an overview of various models for community group involvement which illustrate the range of possible arrangements; and then looks at what the landowner wants or needs and how this can be achieved.

5.1 Models for community involvement and/or ownership

With thanks to Jade Bashford (CLAS) for this section.

There are a wide range of potential models for community involvement and/or ownership. These are dependent upon the needs and offers of all the stakeholders and negotiating an arrangement to suit the circumstances.

Community supported agriculture (CSA) is well established in the UK and some of the models from CSA can be applied to woodland. For more information about CSA see www.soilassociation.org/csa.aspx.

Some possible arrangements for woodlands are outlined below. Variants and combinations of these arrangements are possible but all illustrate a creative approach to meeting stakeholders' needs.

Community owned woodland

Local people club together to buy woodland and then undertake to care for it, use it for recreation and take woodland products from it, usually with voluntary labour. *An example:* Stroud Woods Co-op bought a 6 ha neglected wood. 64 people each contributed a £500 share into an industrial and provident society. The shares are withdrawable so that members can have their £500 returned but cannot profit from their investment. There is now an active social life around the woods and an effective management plan. See <http://en.communitylandadvice.org.uk/case-study/case-study-stroud-woods-gloucestershire>

Woodland rented for education and social enterprise

Woodland management is provided as part of social enterprise activity, which brings an income sufficient to pay for labour. For example Forest School or outdoor education and care people with special needs who undertake woodland work that provides products for sale. An example: Hill Holt Wood (<http://www.hillholtwood.com/>).

Community wood groups who provide labour and cash in exchange for firewood

A group of people organise themselves to fell or remove timber for firewood and have permission from landowners to follow a management plan. The group may have agreements with several landowners. Often one or more people in the group take a chainsaw qualification and the group share insurance costs. Examples include: Stroud Woods Co-Op and Lower Woods Gloucester Wildlife Trust (for details contact CLAS)

Wood buying co-op

A group of people form a co-op or club and agree an advance price and contract for wood from a forest worker or landowner, often with additional benefits such as a commitment to good conservation practice or access to the woods for recreation.

Community managed woods

A community group take out a lease on a woodland, decide on a management plan, fund and deliver its implementation between them and share the benefits including access and woodland products. They might employ a forester to undertake the work. They might undertake permaculture and grow crops in clearings.

Friends of groups

Groups who take care of a woodland or several woodlands on an informal ad hoc basis mainly for conservation benefit and the pleasure of engaging in outdoor work. May be organised by a third party, such as TVC.

Individual membership agreements with a landlord

A landowner offers individuals woodland membership agreements which can be written and signed annually or over a longer term. The members may provide money and/or labour in exchange for access, camping, woodland products, wood related courses and events. This agreement might be included as part of a farm membership scheme that also provides food. An example is Lower Woods Gloucestershire Wildlife Trust (for details contact CLAS).

Foraging groups

A community group has an agreement to use woodland for foraging, usually including a social or education element e.g. for mushrooms, kindling and berries.

5.2 *What the landowner wants or needs from community involvement*

A landowner may be interested in community involvement with their woodland/hedges for a number of reasons, including:

- support with the management and maintenance of the woodland/hedge would be helpful
- an interest in community use and enjoyment and/or in development of community skills and expertise
- the potential to develop a fresh income stream or potentially profitable business venture with the community

It is essential that right from the start both the landowner and community group have a **clear understanding** of each other's **motives and intentions**. The landowner must also feel that the **involvement is worthwhile**. There must be a good balance between the management time needed to supervise the group and the benefits gained. If not the landowner may be better off using a contractor. The landowner will want to see **strong leadership, reliability and competence** developing within the group, so that jobs get done and the management plan is carried out.

The Community Land Advisory Service (CLAS) lists some **common concerns** (below) of landowners in their leaflet 'What landowners want from land users'¹. The community group must work to allay these concerns.

- Care of the land
- Paying the rent
- Happy neighbours
- A nice view
- An easy life
- Realistic plans and commitment
- Professionalism
- Someone they get on with
- Farm /Woodland grant schemes
- Getting their land back when needed
- Support for their future development on the site
- Meet their policies / aims / objectives.

The landowner also wants a simple process and tools for developing and closing agreements with community groups to reduce the management time involved. CLAS has a number of tools available that have been tried and tested for community-supported agriculture, and have been trialled for community woodlands. An outline approach is provided later in this chapter.

Support Hub

Both the landowner and the user group may benefit from support from third parties such as a Support Hub, in matching landowners and users, facilitating development of agreements, management planning and access to specialist resources. This is discussed in more detail in Chapter 10.

¹ <http://en.communitylandadvice.org.uk/en/resource/clas-advisory-what-landowners-want-land-users>

5.3 *Landowners' expectations of the group (e.g. roles, responsibilities, rules)*

The landowner will have an interest in the group's objectives, membership structure, rules and responsibilities, and this should provide reassurance that the group will conduct themselves appropriately, and that the rules reflect any specific site requirements. These are discussed in Chapter 3.

The management plan is also central to the relationship between user, group and the woodland/hedge, and it lays out the work required and will drive the on-site requirements for risk assessment and group competencies. Management plan development is discussed in Chapter 4.

The landowner will also require reassurance that appropriate processes and procedures are in place and are being followed to manage on-site practicalities such as a risk assessment, qualified leaders, certified chainsaw users etc. These aspects are discussed in Chapter 6.

5.4 *Ownership and tenure options*

An important consideration for both the landowner and the community group (CG) will be the type of ownership or tenure to be secured by the CG.

Research undertaken in the last few years for the Forestry Commission² and the Woodland Trust identifies a range of options from purchase and ownership, to informal agreements.

The landowner may be limited to specific tenure options based on his/her organisation's constitution.

The range of options may include:

- Ownership - Purchase agreement
- Lease/tenancy agreement - long term
- Lease/tenancy agreement - short term
- Management Agreement or Contract
- Licence Agreement - [Conditional] right to use
- Informal arrangement

The Community Land Advisory Service³ (CLAS) provides a free advisory service to landowners and CGs, together with useful resources to support the decision-making process.

One of these is a community woodlands decision tree tool (see below) that, dependent upon the activities of the CG, will highlight the most appropriate tenure option.

5.5 *Establishing an agreement*

Landowners and Community Groups are both seeking a straightforward approach to reaching an agreement wherever possible. CLAS, who has much experience in this area, recommend an approach based on transparent dialogue between the parties. A 'Heads of Terms' template⁴ is available supported by guidance notes⁵. The guidance document 'Principles of Negotiating' is also available⁶. The purpose of the template is to stimulate discussion between parties and provide a tool for recording decisions between the parties. CLAS stress that whilst in draft form this template should be clearly marked 'Subject to contract and without prejudice'.

Once agreement has been reached between the parties the Heads of Terms can be used to draw up the Lease or other relevant document. If there is uncertainty as to the type of agreement necessary CLAS are able to offer support. Alternatively, where a simple management agreement will suffice two examples are provided in the appendices to this document, from CLAS and from Dartmoor Circle.

² Forestry Commission (2009), Community Woodlands in England - A baseline report

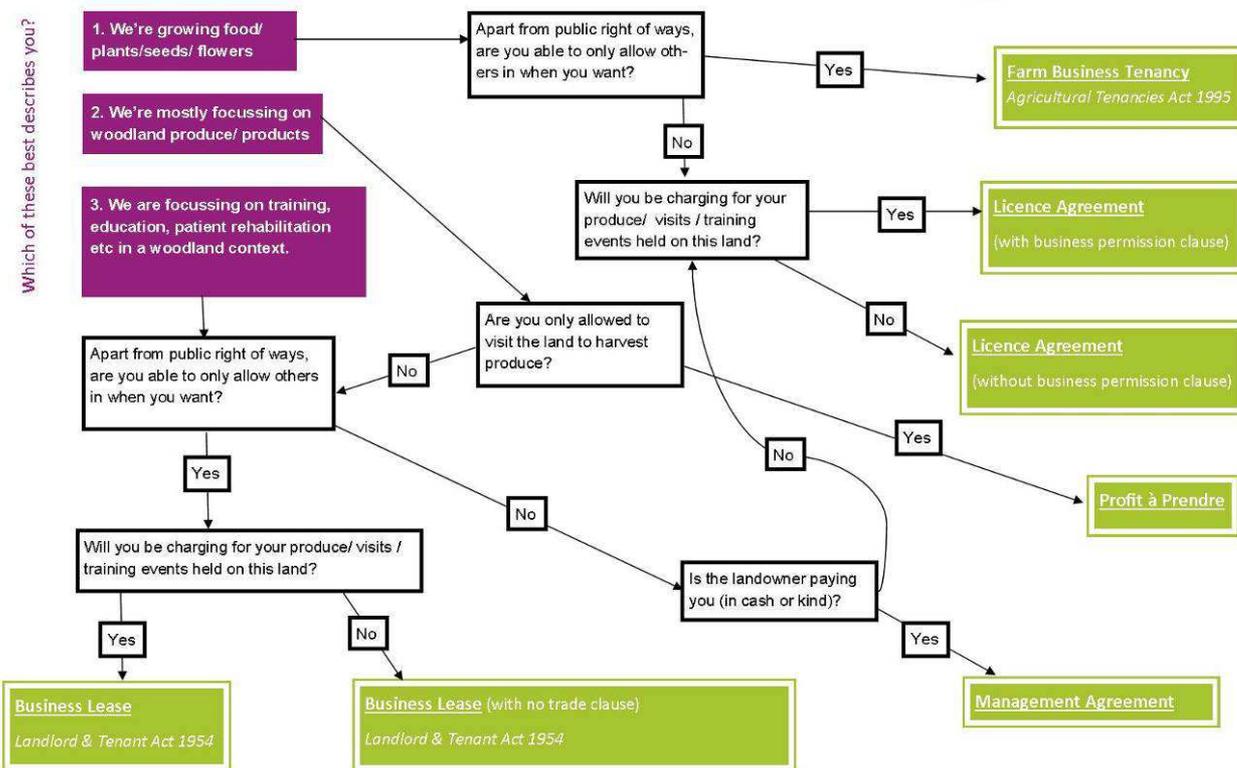
³ <http://www.communitylandadvice.org.uk/>

⁴ http://en.communitylandadvice.org.uk/sites/communitylandadvice.org.uk/files/lease_requirements_template_Mar12_0.doc

⁵ <http://en.communitylandadvice.org.uk/en/resource/leases-heads-terms-template>

⁶ http://www.communitylandadvice.org.uk/sites/communitylandadvice.org.uk/files/Overview_-_Negotiating_Mar_12_0.doc

Which is the right type of land agreement for you?



CLAS Community Woodlands decision tree tool⁷

5.6 Level of support offered to group in set up and ongoing (e.g. practical support / advice)

Some landowners may be prepared to offer ongoing support to the group and during the set up phase. Others may not, particularly where the community woodland group arrangement is being put in place to reduce demands on their management and operational time. This is something that the CG should explore.

During workshops with owners and community groups in the Tamar Valley a consensus emerged that a 'development phase' could be beneficial for both parties. This could be particularly useful where a CG were in the early stages of formation, allowing time to develop group cohesion, build necessary skills and competencies and get to know the woodland / hedges. Developing a transitional approach from a simple agreement with a supported un-constituted group to a lease and constituted group may be a good approach.

A support hub might be best-placed to support this transition, although individual owners (e.g. The National Trust) may be prepared to invest in this process. This is discussed further in Chapter 10.

⁷ rebecca@communitylandadvice.org.uk