

Penhill Orchard

30.09.21

1.0 Recommendation

- 1.1 That Councillors consider assuming lease from Swindon Borough Council of the Penhill Orchard, on the same terms as its other assets (99 year lease).
- 1.2 That Committee allow the Estates Manager & Clerk to enter in to negotiations with Swindon Borough Council regarding the lease of the Orchard.
- 1.3 That, if / when the lease terms are agreed, the Parish Council assume the Orchard with the current tenant (Penhill Orchard Group) on the exiting terms, and that the Parish request a copy of the original lease from SBC.
- 1.4 That inclusion of the ongoing maintenance costs are included within the annual budget setting for the 22/23 financial year.

2.0 Introduction

- 2.1 The Penhill Orchard was developed on the disused Leigh Road allotment site in 2001. The Penhill Orchard Group became a registered charity in 2005 and continued to fundraise independently since then.
- 2.2 The Orchard Group was originally a Healthy Eating Project and funding was readily available for the first phase via Great Western Community Forest funding.
- 2.3 The group had a Lease on the ground for 7 years with SBC. Once the lease lapsed, the Borough did not offer a renewal to the community group. Therefore, at present the group have a 'Tenancy at Will'.
- 2.4 The group are required by the Lease to insure the land usage for £5 million each year, which has become increasingly difficult over the years, since many funders refuse to fund basic running cost, which they consider insurance to be. Consequently the group has to set up projects every year or two, so that they can ask for insurance to also be funded through the project.
- 2.5 The group are finding it ever more difficult to keep up with basic essential maintenance i.e. pruning regime and keeping the fence plants under control.

3.0 General

- 3.1 The Orchard is Approx. 1.7acres in size (0.68 Hectare)
- 3.2 There are over 100 established trees on site with a flourishing and diverse eco system.

4.0 Penhill Orchard Group Request

- 4.1 For the Parish to assume the Lease of the Orchard from SBC.
- 4.2 For the Parish to assume and continue the agreed mowing schedule of the Orchard.

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- 4.3 That the Parish assist the group with finding Insurance cover for the Public Liability and volunteers Which at present costs the group just short of £300 a year.

5.0 Cost Considerations

- 5.1 Solicitor fees for land registry - £500.00 - £1000.00
- 5.2 Ongoing maintenance (grass cutting, tree's & hedges) - £2/3,000 per annum.
- 5.3 Potential capital costs (repairs to fencing / gates / pathways) Est £10,000 – 15,000.
- 5.4 Nominal increase in Public Liability cost for adding the asset to existing portfolio.

Red Line Drawing



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Summer 2021

