

Name and Role Redacted

15th January 09

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Further to my last letter and our recent discussions I am now writing to set out heads of terms for the acquisition of the land at Harty Marshes.

As discussed due to the withdrawal of the Environment Agency as a funding partner we have had to restructure the agreement to accommodate new funding partners. In addition NE will not accept the reversion of land in the advance of need.

Nonetheless, SEEDA still believes in this project very strongly as it will not only provide compensatory land for the Neats Court development, it will also provide the land necessary to unlock a major employment scheme in North Kent in addition to providing a pool of land suitable for reversion for other projects that come forward on the future. In addition, the potential to combine the full 60ha at some point in the future will eventually provide an area that will be able to generate and support significant ecological benefits.

As such SEEDA and its partners will still purchase the full 60ha, but only 28ha will be required for immediate reversion with the rest to remain in arable cultivation until required as compensatory land for future development. The agreement will be that SEEDA and its partners will provide the funding for RSPB to purchase the 28 ha, with a contribution from RSPB to reflect the future value of the land as grazing marsh less an annualised total of the cost of managing this land for the next 10 years. On this basis we propose the following:

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Approx 28 ha (69.17 acres) as shown edged red on the attached plan.

Land is to be acquired freehold but subject to the tenants farmer continuing to be in occupation until the end of the current harvest (date TBC but anticipated August 2009)

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SEEDA and partners will provide the initial funding to acquire the land for sum of £466,666. A contribution of £83,004 will be sought from RSPB towards the purchase price to be paid in 2 instalments of 50%, the first due on completion of the reversion works and the second on the first anniversary of the completion of the works.

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SEEDA will be responsible for managing the reversion works as detailed in the attached specification on the securing of vacant possession, to be completed within 6 months. The cost of the works is agreed at £200,000 and this will be funded directly by SEEDA and its partners in accordance with an agreed works and payment schedule with the landowner who will be undertaking the works



- 1) The land will be subject to a restriction to its use as grazing marsh in perpetuity and subject to a management plan to be agreed between RSPB and Natural England
- 2) 50% of any external funding (HLS, ELS etc) secured in the first 10 year period of ownership will be repaid to SEEDA.

In respect of timescale we are under enormous pressure to ensure matters are concluded by the end of this financial year, as after March we will lose the funding streams we have managed to secure to fill the gap left by the Environment Agency. On this basis we have a target completion date of the 27th February and I would therefore be grateful for your confirmation of these terms as soon as possible.

In terms of future opportunities there is of course the potential to replicate this arrangement with the additional 32ha being purchased by SEEDA and the Crown Estates as future development is brought forward and additional compensatory land is required.

Yours sincerely



Cc: **Name Redacted** - SEEDA
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