

**BIRCH WOOD MANAGEMENT AGREEMENT BETWEEN BIDBOROUGH PARISH
COUNCIL AND THE BIRCH WOOD ASSOCIATION**

The Birch Wood is defined as that area of the Birch Wood that is owned by the Bidborough Parish Council.

The Parish council have deemed that the Birch Wood shall be managed by the Birch Wood Association subject to certain conditions as follows:

- (1) The Birch Wood Association shall prepare a long-term management plan for the woods which will be reviewed annually and revised as necessary. The plan will only be in force when agreed to by the Parish Council as will any revision. The revision process may be bilateral and iterative.
- (2) The Birch Wood Association will only be in force for so long as it is solvent and constituted according to its constitution. Should the Birch Wood Association fail in either regard the management of the Birch Wood would revert immediately to the Parish Council.
- (3) The Parish Council will have the authority to call an E.G.M. of the Birch Wood Association at any time subject to the usual notice period, at its sole discretion.
- (4) Subject to the foregoing the Parish Council will retain the Birch Wood Association as its delegated management team.

The Birch Wood Association will be a non-profit making association dedicated to the best interests of the Birch Wood as a natural area for the benefit of Bidborough and its environs. The Association will attract members and generate funds from its members and supporters for use in the woods. It will also seek funding from other agencies as appropriate.

The Parish Council will set aside funds annually to be used in the Birch Wood. These funds will be retained by the Parish Council and expended in meeting the objectives of the current management plan. The Treasurer of the Association will account for these funds while the Parish Council will inform the Treasurer of the amount allocated and all disbursements of the funds made by the Parish Council as promptly as convenient. The Parish Council will act as the purchasing agent for the Birch Wood Association when it is appropriate and convenient.

All other expenditure to meet the management plan will be made by the Birch Wood Association subject to committee approval. In emergency, Chairs action may be used, provided that the amount in question is less than 30% of the Association's funds at that time. Health and Safety issues will always have the highest priority for funding.

In any case of catastrophe or extraordinarily large expenditure the Birch Wood Association will make every effort to generate the necessary funds. In the event that the action cannot be achieved or cannot be done in time the management shall immediately revert to the Parish Council until such time as the Parish Council shall reactivate this agreement. In the event that

an extraordinary project outside of the management plan be deemed desirable by the Parish Council or the Parish Council in conjunction with the Birch Wood Association then the Birch Wood Association shall provide a statement of work and a cost estimate to the Parish Council prior to October such that the project can be considered in the Parish Council's budgetary review.

Where part of the said property is the responsibility of a third party (i.e. the public footpaths) the Birch Wood Association shall in the first instance act as an agent of the Parish Council to negotiate the satisfactory discharge of these responsibilities.

This agreement will remain in force unless rescinded by a two thirds majority of the Parish Council or the conditions of the agreement are seriously breached.

Signed on 30 July 2001 by Brian Kelly, the Chairman of the Birch Wood Association, and D M Wheeler, the Chairman of Bidborough Parish Council.