

Appendix 1

Proposed Outline Agreement between the Council and the National Trust Concerning Beechen Cliff and the Adjoining Land.

1. The Council

- a. offers to enter into a management agreement with the National Trust whereby the maintenance of Beechen Cliff is undertaken by the National Trust, but ownership is retained by the Council
- b. offers to transfer the ownership of the adjoining fields and allotments to the National Trust as a gift.
- c. offers to contribute £500,000 to the Appeal referred to in 2.c below.

2. The National Trust:-

- a. agrees to accept an offer from Bath and North East Somerset Council to maintain Beechen Cliff in accordance with a management agreement.
- b. agrees to accept a gift of the adjoining fields including the allotments when it is ready to declare them inalienable.
- c. agrees to launch a Bath World Heritage Landscape Appeal for up to £2m., the proceeds of which would initially be used to provide the necessary cost of initial works to 1. a. and 1. b above, and then the cost of the endowment of 1 a. and 1.b. above, and thereafter the protection and maintenance of other landscape in the world heritage site.

3. Subject to:-

- a. The National Trust having the right to surrender management if structural or other major issues arise, the resolution of which are beyond the scope of the management agreement.
- b. The Council having the right to terminate the management agreement if the National Trust fails to comply with it.
- c. The Council and the National Trust agreeing that c.£50,000 (sum to be reviewed when actual costs have been ascertained) of the Council's contribution of £500,000 shall be spent on initial works to Beechen Cliff to put them into a good state of maintenance, as specified in the Management Agreement, with the balance being held by the National Trust as a ring-fenced endowment fund.
- c. If 3.a. or 3.b. occur the National Trust shall be obliged to repay to the Council the balance of the then current invested value of the £500,000, less the cost of the initial works, referred to above, but not the income it has derived therefrom.

Possible Timetable.

- a. The Council and the National Trust to forthwith agree a brief and jointly commission from consultants a draft of the management agreement referred to above.
- b. By December 2012 the Council and the National Trust negotiate, agree, and sign a Memorandum of Understanding covering the heads of agreement, subject to contract.
- c. At the World Heritage Site 25th anniversary dinner on the 11th December 2012, the Memorandum of Understanding is formally announced.
- d. In early 2013, when the terms of a management agreement have been agreed, solicitors are commissioned to draw up and organise the agreement and execution of the necessary documents. The local appeal is then launched, and the Council contributes £500,000, less the costs of immediate tree safety works required on the Cliff, which would be returnable if the Appeal fails.
- e. The Council would transfer the ownership of the adjoining fields as soon as the National Trust is ready to declare them inalienable.
- f. The National Trust would take on the management of Beechen Cliff in accordance with the Management Agreement when sufficient funds have been raised by the Appeal to cover the cost of the initial works and the endowment.