

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	29 SEPTEMBER 2022	CATEGORY:
		RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	CHRIS WORMAN (Ex 5774) PARKS AND GREEN SPACES MANAGER	DOC:
SUBJECT:	FIELDS IN TRUST PROTECTION OF GREEN SPACES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS

1.0 Recommendations

- 1.1 That the Committee approves protection of Cadley Park and Eureka Park with a Fields in Trust deed of dedication designation.

2.0 Purpose of Report

- 2.1 To seek approval to initially protect Cadley Park and Eureka Park with a Fields in Trust deed of dedication designation.

3.0 Executive Summary

- 3.1 Fields in Trust (FIT) was founded by King George V in 1925 as the National Playing Fields Association (NPFA) and has been operating as Fields in Trust since 2007. The aim is to safeguard all kinds of outdoor recreational spaces including parks, playgrounds, playing fields, green spaces nature reserves and country parks, in perpetuity, to benefit both local communities now and future generations.
- 3.2 Parks are good for people and for the planet. Proven to help people stay physically and mentally well; they are places where we can all move, breathe, run and play. They are an important tool to drive social cohesion, combat loneliness and build community spirit. Parks and green spaces have been vital to communities during the Covid-19 pandemic. Not just green patches but places for everyone to stay active, to unwind and have fun, to escape to nature, or to stay socially connected whilst physically distanced.
- 3.3 Fields in Trust works in partnership with landowners to protect land through a Deed of Dedication, a binding legal commitment with the landowner which secures spaces in perpetuity for current and future generations to enjoy.
- 3.4 Newhall Park was protected by Fields in Trust in 2012 as part of the Diamond Jubilee celebrations as a Queen Elizabeth Field.

- 3.5 When seeking external funding on a site which that is protected with Fields in Trust it appears to interest funders as it shows a clear commitment that the local authority values (and protects) its green spaces and is therefore a sound investment.
- 3.6 During the Covid 19 pandemic the use and value of our parks and green spaces has increased significantly, as these were the only place where people could use. City's such as Liverpool have since committed to protect all green space with FIT by 2030.
- 3.7 To future proof our communities against any future public health emergency or pandemic it is important to demonstrate the District Councils commitment to ensuring our green spaces will be there in perpetuity.

4.0 What are the Benefits of Protecting Green Spaces in this way?

- 4.1 Fields in Trust aims to protect outdoor recreational spaces and facilities for communities now and for generations to come whilst providing a focal point for physical wellbeing and community cohesion.
- 4.2 The main benefits of protection with Fields in Trust are:
 - Making an express and recognisable commitment to local people to safeguard land, facilities and opportunities for sport, play and outdoor recreation both now and forever
 - Protecting public access to outdoor space
 - Proven to help secure external funding
 - Providing reassurance to potential investors regarding viability and sustainability
 - Raising awareness of the importance of such facilities in the context of quality of life, health, the environment and amenity
 - Recognition of green space in post pandemic learning.

Legal status and Criteria

- 4.5 Fields in Trust has developed a range of options for long-term protection of open spaces and in this particular case it would be in the form of a Charitable Deed of Dedication with Local Authority Protection. In essence, establishing the recreation ground as a charity so residents and users could 'gift aid' money to the site if they so wished, whilst the Council retains ownership. In protecting land, Fields in Trust will work with the landowner to draw up an agreement that provides sufficient protection, but which takes account of local circumstances. It is for this reason that each Deed will often be unique to the specific space.
- 4.6 Once completed the restriction within the Deed is registered with the Land Registry, meaning any check that is made on the land will highlight the protection that is on it and prevent disposal, generally meaning sale or lease, without the consent of Fields in Trust. A Deed can either be charitable or non-charitable. If it is the former then both Fields in Trust and charity law will ensure the protection, whilst if it is the latter then Fields in Trust will ensure the protection.
- 4.7 The Deed does have a certain level of flexibility built into it. Changes to the space which are ancillary to its use - i.e. supporting the primary activities taking place do not require consent. Anything which is not ancillary to a space's use, such as new buildings and commercial leases and are permissible but generally require consent from FIT.

- 4.8 The minimum criteria for a field to receive this designation are;
- Evidence of title permitting site use for outdoor sport, play and/or recreation must be produced. It must be in the ownership of the District Council
 - Sites may be provided with facilities and equipment or used as general open space, and established for that purpose by way of planning requirements.
 - Each site's principal use should be outdoor sport, play or informal recreation.
 - Generally, the minimum size is 0.2 hectare (0.5 acre).
 - Sites need to be accessible in terms of location.
 - Sites need to be affordable for the local community.
 - Sites should all be open to the public and either established charitably, held by a sports club under the CASC regime or held as Public Open Space.
 - All sites will need a named manager, who will be responsible for the quality of the facilities, their maintenance and development, improving participation and use and financial and operational sustainability.
 - Sites must be compliant with existing legislation relating to sport, play or open space.

Nominated sites

- 4.9 The first 2 sites to be nominated are Eureka Park and the new Cadley Park, although it may be appropriate in future years to consider placing further sites under similar formal protection.

5.0 Financial Implications

- 5.1 There are no direct financial implications for the Council although having a protected designation has proved to be an advantage when seeking external funding opportunities.

6.0 Corporate Implications

- 6.1 The scheme contributes to all the priority areas in the Council's Corporate Plan, contributing to Our Environment, Our People and Our Future through protecting and supporting investment, independent living, leisure, and cultural activity and focus on the community as residents and customers.

7.0 Community Implications

- 7.1 Green spaces are used by all members of our communities and are a key element of supporting healthy, sustainable and livable communities.
- 7.2 The protection of green spaces therefore supports our communities, both now and in the future.

8.0 Conclusions

- 8.1 That the Committee approves protection of Cadley Park and Eureka Park with a Fields in Trust deed of dedication designation.