

<b>Subject:</b>	<b>Nomination of Field In Trust Sites Protected In Perpetuity As Part of The QEII Fields In Trust Challenge</b>		
<b>Date of Meeting:</b>	<b>28 November 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Fields In Trust (FIT) is a charity (formerly known as the National Playing Fields Authority) which has launched a campaign to protect 2,012 outdoor recreational spaces across the country as a permanent living legacy of the Silver Jubilee.
- 1.2 This report sets out the background to the initiative and seeks approval for proposed sites for protection under the scheme.

**2. RECOMMENDATIONS:**

- 2.1 That Committee approve the sites nominated for protection under the Queen Elizabeth II Fields Challenge (Blakers Park, Carden Park, Woodingdean Bowls Club, Horsdean Recreation Ground and Hangleton Park)
- 2.2 That the Committee delegates authority to the Strategic Director of Place, after consultation with the Chair of the Committee and the Head of Legal and Democratic Services, to consider and put forward additional nominations received before 14th December 2012. These nominations are expected to include St Nicholas Rest Gardens and Kingsway Bowls Club, both of which have expressed an interest in the scheme;
- 2.3 That the Committee delegates authority to the Strategic Director of Place and the Head of Legal and Democratic Services to agree and complete all documentation associated with the nominations.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Queen Elizabeth II Field Challenge is a legacy initiative by the charity Fields in Trust (FIT) to mark the Queens Diamond Jubilee and the London 2012 Olympics. The programme aims to permanently protect 2,012 playing fields and other nominated recreation spaces ensuring access to outdoor sport, play and recreation.
- 3.2 The scheme is open to a wide range of open spaces including parks, playing areas, playing fields, woodland and nature trails. The criteria for sites are broad and include:
- Evidence of title permitting site use for outdoor, sport and recreation. The Deed of Dedication can only be signed by the owner
  - The principle use of the site should be outdoor sport, recreation and or play and they should be open to the public
  - Sites should be accessible
  - Sites should at least be 0.2ha in size (but may be smaller if valuable to the community)
  - Sites should have local managers who will be responsible for their maintenance
  - Comply with legislation relating to sport, play or open space.
- 3.3 Because the criteria are so broad the majority of public open spaces in Brighton & Hove could be eligible for nomination.
- 3.4 At the July meeting of the councils Environment & Sustainability Committee a notice of motion entitled “Nominating Queen Elizabeth II Fields in Brighton & Hove’ was passed. In response to notice of motion the city’s three MPs were written to, to seek their support for the campaign. All three MPs responded, supporting the campaign. A copy of the notice of motion is attached as Appendix 1.
- 3.4 The majority of public open spaces in Brighton & Hove are already protected by Deeds of Covenant, the City Plan and/or planning law. Generally sites are not vulnerable or likely to be lost unless a very strong case could be made for development. In terms of offering additional protection this scheme will therefore have limited additional impact in Brighton & Hove.
- 3.5 Benefits of the scheme include:
- Raising the profile of the sites through the campaign. Each site will receive a commemorative plaque and receive materials to organise a ‘Have A Field Day’ celebration following nomination.
  - An opportunity to gain more community involvement in specific sites
  - The opportunity for communities to bid for funds set aside specifically for nominated sites.
- 3.6 It should be noted that by entering into the Deed of Dedication the council would effectively be prevented from disposing of the nominated sites in the future. If the council did wish to dispose of the sites at any point it would have to satisfy FIT criteria on replacement facilities, namely providing an alternative site that:
- is at least of equal size and better quality
  - serves the same community in terms of the catchment area

- 3.7 The entire proceeds of any disposal should, under the criteria, normally be re-applied to new sport, recreation and play facilities with priority given to out door facilities. Nomination does not prevent change of use of the site provided it remains a site for outdoor sport or recreation.
- 3.8 Local authorities are free to decide how they nominate sites. The cost of nomination is the cost of managing the Deeds papers (with a maximum of four sites per Deed at £150 per Deeds paper) and officer time, particularly in the Legal Team to enable the necessary entitlement.
- 3.9 The proposed list of sites has been drawn up through nomination by sports groups and Friends of Groups. All groups were invited to submit proposals setting out:
- Why they believe their site should be protected
  - How their site encourages residents to enjoy physical sport and recreation
  - What they would for the 'Have A Field Day' have a field day launch
- 3.10 Friends of Groups were contacted by email or by the rangers working with them. A call for nominations was sent out with the Sports Development Newsletter in September 2012. The Newsletter goes out to approximately 800 contacts of which approximately 400 are local sports groups. A further e-mail was sent to sports groups contacts who regularly book sports facilities through the council.
- 3.11 Nominations were received for the following sites:
- Blakers Park
  - Carden Park
  - Horsdean Recreation Ground
  - Woodingdean Bowls Club
  - Hangleton Park
- 3.12 The sites have been reviewed by planning officers to ensure their protection does not conflict with the council's planning policies. They have also been reviewed by the council's legal team to ensure that they meet the criteria for nomination and that there are no legal reasons preventing their nomination.
- 3.13 Subject to committee approving the nominated sites the nominations will be forwarded to Fields in Trust who will check them against their eligibility criteria. Provided these are met to the satisfaction of Fields in Trust they will draft Deeds for the sites for the local authority to agree.
- 3.14 Two sites, Kingsway Bowls Club and St Nicholas Rest Garden have expressed an interest in the scheme and are expected to submit their proposals to be nominated. Once their proposals are received the relevant checks will be completed and subject to these sites satisfying the relevant criteria they will also be put forward for nomination.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Sites must have an active community group in order to be nominated and the nominated sites have been put forward by local groups. The groups will play an

active role in promoting their sites and encouraging engagement with local residents.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 There are no direct costs associated with approving the sites nominated for protection, as there are no specific ongoing maintenance requirements.

*Finance Officer Consulted: Name Karen Brookshaw Date:19/10/12*

### Legal Implications:

- 5.2 The Council is the freehold owner of the nominated sites and subject to consultation with any existing tenants can enter into deeds of dedication for each site. Under the proposed Deed of Dedication; the Council would retain ownership of the land; so there would be no disposal for the purposes of s123 of the Local Government Act 1972. The deed of dedication is a legally binding contract which will restrict the user of the sites to recreational use in perpetuity; a restriction would be registered against the Council's freehold title. If the Council wished to dispose of any of the sites in the future; it would need to seek the consent of Fields in Trust; such consent would be forthcoming; provided the Council reapplied all funds from the disposal to replacement premises which would serve the same community in terms of catchment area.

*Lawyer Consulted: Joanne Dougnaglo Date: 25/10/12*

### Equalities Implications:

- 5.3 The criteria for nomination include the need for sites to be accessible.

### Sustainability Implications:

- 5.4 While nomination under the scheme offers open spaces additional protection from development all the sites nominated are already protected as open spaces. The scheme will help improve community engagement in the sites and help promote their use.

### Crime & Disorder Implications:

- 5.5 None

### Risk and Opportunity Management Implications:

- 5.6 Nomination under the scheme will afford sites additional protection in perpetuity. All sites are already protected and will have no significant impact on on-going protection or opportunities fro development. The main opportunities of the scheme are to increase community engagement and ability to apply for external funding for nominated sites.

Public Health Implications:

- 5.7 The scheme is designed to encourage greater public participation in outdoor activities through the promotion of the sites.

Corporate / Citywide Implications:

- 5.8 Nominated sites will have additional protection from development. However all sites have been reviewed to ensure their nomination (and protected status) is in line with council planning policy.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The criteria for nomination are very broad. The nominated sites have been put forward by communities through friends of groups and sports groups.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Nomination of the sites can encourage greater community participation.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Notice of Motion Passed at Environment & Sustainability Committee July 2012
2. Details of groups and organisations contacted seeking nominations

**Background Documents**

1. Further information about the scheme can be found on the Queen Elizabeth Fields Challenge Website: [http://www.qe2fields.com/fields\\_in\\_trust.aspx](http://www.qe2fields.com/fields_in_trust.aspx)

**Appendix 1: Notice of Motion Passed at Environment & Sustainability Committee  
July 2012**

**NOTICE OF MOTION**

**Nominating Queen Elizabeth II Fields in Brighton & Hove**

Environment and Sustainability Committee strongly supports the Queen Elizabeth II Fields Challenge – a campaign run by the Fields in Trust Charity and headed by Prince William - to protect in perpetuity outdoor recreational spaces in communities all across the country as a permanent living legacy of the Queen's Diamond Jubilee and the 2012 Olympics.

Committee notes that in addition to providing a lasting legacy and giving additional protection to nominated sites, Queen Elizabeth II Fields are also eligible to apply to a range of improvement funds managed by Fields in Trust. Local residents can also get involved in choosing a QE2 Field in their neighbourhood if their local council nominates more than one site.

Therefore, this Committee resolves to:

- 1) Note that officers are examining the options for nominating one or more of the city's parks, gardens and sports fields or downland sites as a Queen Elizabeth II Field and requests officers to bring an update in October and a report to the November Committee meeting for decision.
- 2) Request that the Chief Executive write to the city's 3 MPs seeking their support for the campaign.

## **Appendix 2: Details of groups and organisations contacted seeking nominations**

List of groups contacted by email asking for nominations.

An email was sent to the following groups in September 2012.

Friends of Blakers Park  
Friends of Brunswick Square and Terrace  
Friends of Hollingbury & Burstead Woods  
Friends of Kipling Garden  
Friends of Queens Park  
Friends of Saunders Park  
HAPPI (Hollingbury Active Parents for Park  
Improvements) Carden Park  
Friends of Coldean Park  
SNGSA (St Nicholas Green Spaces Association)  
Friends of William Clarke  
PARC Charity Saltdean Park

A call for nominations was sent out with the Sports Development Newsletter on 07 September 2012 this goes out to approx 800 contacts of which approx 400 are local sports groups.

A further email was sent to our sports group contacts from Sports Bookings of approx 32 contacts

