

# **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**



## **CORPORATE LEADERSHIP TEAM'S REPORT TO CABINET**

**DATE 6<sup>th</sup> May 2025**

**Report Title:** Fields in Trust

**Submitted by:** Deputy Chief Executive / Service Director Sustainable Environment

**Portfolios:** Sustainable Environment and Finance, Town Centres and Growth

**Ward(s) affected:** All

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision</u></b>	<b>Yes <input checked="" type="checkbox"/></b>	<b>No <input type="checkbox"/></b>
To provide Cabinet an outline of the Fields in Trust status that is available to the Council for green spaces which allows a permanent status for green spaces and carbon capture areas over and above allocations in the Local Plan and the Green Spaces Strategy.			
<b><u>Recommendation</u></b>  That Cabinet: <ul style="list-style-type: none"><li>• Notes the Fields in Trust principle as it applies to the Council's green spaces and carbon capture areas.</li><li>• Authorises the Deputy Chief Executive and the Service Director Sustainable Environment, in consultation with the Portfolio Holders for Sustainable Environment and Finance, Town Centres and Growth to undertake the required legal documentation and lodging of the Fields in Trust applications to secure this status for the site identified within this report.</li></ul>			
<b><u>Reasons</u></b>  The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status gives these site permanent protection as green spaces and thus secures the long- term aspiration for these sites.			

### **1. Background**

- 1.1 The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status gives these site permanent protection as green spaces and thus secures the long- term aspiration for these sites.
- 1.2

### **2. Issues and Proposals**

- 2.1 Fields in Trust Charity

Fields in Trust is the only UK charity working to secure legal protection for all parks and green spaces. In practice, this means facilities can never be sold off for development and will be retained as a public park, playing field or recreation ground in perpetuity.

Fields in Trust use data to identify where protecting parks and green spaces will make the biggest difference to the health and wellbeing of communities. Working closely together, the Council and the Charity would sign a bespoke, binding legal commitment (called a Deed of Dedication) meaning that the borough's green spaces will be protected for the benefit of local communities and nature in perpetuity.

## **2.2 Fields in Trust Process**

2.2.1 There are strict criteria that will apply to sites for inclusion as a Field in Trust. If the park or green space meets the criteria below the Council should be able to protect the sites / land in perpetuity.

- The Council must own the space by having a freehold interest or a leasehold interest of at least 99 years.
- Green spaces must be used for informal physical activity and recreation, or formal sport. A wide definition of recreation is used, to encompass woodland, gardens, nature reserves, country parks, playing fields and playgrounds.
- A green space should be at least 0.2ha in size but consideration is given to protecting smaller spaces where their value to the local community can be demonstrated.
- The green space must have some form of permanent public access, whether that's by being open to the public or, in the case of a sports club, by having an open membership policy.
- Any green space where public access is restricted by exclusive events and activities that take up more than 50% of the space, for more than three months in a calendar year.
- Facilities owned by or leased to private clubs.

## **2.3 Proposal**

2.3.1 It is proposed that the Council consider each of the sites identified in the Sites for Consideration (as set out in Appendix 1) against the criteria set out above and engage with the Fields in Trust Charity to develop up as many sites as possible to obtain this legal classification / protection, and report back at the end of the process on the numbers of sites that have benefitted from the exercise.

## **3. Recommendation**

- 3.1 Notes the Fields in Trust principle as it applies to the Council's green spaces and carbon capture areas.
- 3.2 Authorise the Deputy Chief Executive and the Service Director Sustainable Environment, in consultation with the Portfolio Holders for Sustainable and Finance, Town Centres and Growth to undertake the required legal documentation and lodging of the Fields in Trust applications to secure this status for the site identified within this report.

## **4. Reasons**

- 4.1 The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status should give these sites permanent protection as green spaces and thus secure the long-term aspirations for these sites.

## 5. **Options Considered**

- 5.1 There have been two options considered for these sites, one of which was to leave the sites as they are currently classified with the risks that these might be changed at some point in the future, or to try and protect the sites in perpetuity through a legal process that establishes this. The added protection that Fields in Trust provides has therefore been selected.

## 6. **Legal and Statutory Implications**

- 6.1 The Environment Act 2021 includes several policies which the Fields in Trust proposal will support.
- Local Nature Recovery Strategy's (LNRS) there have been 48 designated strategy areas covering the whole of England with no gaps. Staffordshire is one of those areas, with responsibility for drawing up and delivering the strategy being led by the County Council, along with key partners and stakeholders which includes the Borough Council. The proposals for Fields in Trust proposal contribute positively to the aims of the LNRS for Staffordshire and Stoke on Trent, the draft of which will go out for consultation during the summer.
  - Recovering Nature for Growth, Health and Security, is Natural England's strategic direction for 2025 – 2030. This strategy recognises that nature underpins our nation's growth, economy, health, and security. There is therefore a need to invest in Nature to maximise the full range of benefits it provides, and we depend upon.
  - Any new or emerging legal or statutory implications will be considered further prior to legal sign off.

## 7. **Equality Impact Assessment**

- 7.1 It is considered that there are only positive equality impacts because of the recommendations of this report as the purpose of the report / exercise as protecting green and open space will benefit the whole community.

## 8. **Financial and Resource Implications**

- 8.1 There are financial and resource implications associated with this report.
- 8.2 The Council will be required to enter a restriction and notice to the registered title to each site selected. The Land Registry fee for up to three sites / titles is £80. Given that we shall be looking at 88 sites the estimate for the Sites for Consideration will be £2,400 in Land Registry costs in addition to necessary legal and property officer costs.

## 9 **Major Risks & Mitigation**

- 9.1 There are no major risks to this proposal other than the sites not being accepted into the Fields in Trust classification.

## 10 UN Sustainable Development Goals (UNSDG)



## 11 One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

- According to Natural England 'the current value of Nature to the economy is estimated to be over £1.8 trillion. Putting Nature at the heart of new housing, infrastructure and renewable energy projects attracts greater investment and builds in resilience to climate change. Economic growth cannot be achieved without a thriving natural environment.'
- They go on further to state, 'The future health and wellbeing of our society is dependent on a healthy natural environment. Time spent in contact with Nature improves people's mental and physical health. This reduces the burden on the health system and promotes increased economic activity, providing more than £400 billion in expected health benefits into the future.' The fields in Trust proposals fully support the importance of the Councils green open spaces and the benefits they provide. One Digital Council

One Green Council ☒

- The Council is committed to facilitating the boroughs journey to net zero by 2050, and 2030 for its own operations. The importance of the Councils green spaces and the works undertaken with its Borough tree Strategy and Grassland management strategy highlight the importance of these green spaces to protection of the Boroughs environment. Furthermore, green spaces are a proven asset in terms of citizens health and wellbeing, providing valuable space for leisure recreation, and relaxation.

## 12 Key Decision Information

- 12.1 This is a key decision due to the value of funding being granted to the Council and its multi-ward impact.

## 13 Earlier Cabinet/Committee Resolutions

- 13.1 Urban Tree Planting Strategy Phase 6 approved by Cabinet in June 2024.

## 14 List of Appendices

- 14.1 Appendix 1 – List of sites proposed for Fields in Trust status

## 15 Background Papers

### 15.1 None