



## Protecting land with Fields in Trust

### Introduction

The national charity Fields in Trust – the operating name of the National Playing Fields Association – permanently safeguards outdoor recreational spaces via a Deed of Dedication. This legal instrument is unique to Fields in Trust and is a direct contract between Fields in Trust and the landowner.

Fields in Trust's vision is to ensure that everyone has access to free, local outdoor spaces for all kinds of sport, play and recreation. This includes sports clubs who operate a club policy in accordance with their NGB's guidelines and best practice.

Fields in Trust currently protects over 2,700 green spaces in the UK. Over half of those protections have occurred since 2010. In total 30,000 acres has been protected; 21,000 since 2010.

### Benefits of protection

- A permanent and tangible legacy for local communities that they will appreciate and use; knowledge that the site is securely protected for future generations.
- No disposal of land. Ownership, management and maintenance stay with the existing landowner.
- Fulfillment of green space promises; protection demonstrates a commitment to the value of green spaces, active lifestyles and community cohesion.
- A free commemorative plaque/sign for each site as a permanent reminder of its protected status.
- The opportunity to access funding exclusively for Fields in Trust protected sites, when available.
- Field in Trust's protection is increasingly being included in neighbourhood and strategic open space plans.

### Cost of protection

Once a nominated site is accepted for protection, the costs to the landowner are:

- The installation of the commemorative plaque/sign so the commitment can be recognised;
- The registration of the Deed with the Land Registry, which in most cases should cost no more than £80. There are no recurring fees.

### The protection process

The first stage in the process is for the landowner to complete an application form and this will be followed by a site visit. If the site is approved the legal process then starts and sites will be protected in England via a 'Deed of Dedication'. Fields in Trust will draw up the draft deed and then the landowner has a chance to make amendments. When all parties are satisfied with the deed it will be signed and then registered with the Land Registry. The site is then able to order a commemorative plaque and can organise an unveiling event.

### Common questions regarding the implications of protection

#### 1. How long does a site have to be protected for?

Sites are protected in perpetuity, but Fields in Trust does also protect sites with at least a 99-year lease.

#### 2. What if a landowner wants to build a pavilion on the land in the future – is this allowed?

There is scope within the Deed to record any future plans, in terms of recreational development of the site, which can then be brought to fruition without any reference to Fields in Trust. If an opportunity

to improve the sporting facilities arises at some time in the future (that isn't covered within the deed), then the landowner would be required to check with Fields in Trust whether it could be done within the terms of the Deed. Any proposed development which enhances the sporting and recreational facilities on a site and can lead to increased participation is likely to be approved. This illustrates the commitment from the landowner to ensure protection of the green space; 360-degree protection.

**3. If there is a small corner of a site that is known to be of interest to a local developer is there any point protecting the site?**

Yes definitely. Part of a piece of land can be protected; a plan of the site, with the area to be protected, marked in red is annexed to the Deed. Protection is not 'all or nothing.'

**4. If a site consists of land that is not registered, can it still be protected?**

Yes, it can; the landowner will need to provide what is known as the 'root of title'. This is most likely to be the original conveyance when the land was purchased.

**5. Are landowners being asked to sell or relinquish control of the relevant land?**

No, there is no sale involved, nor disposal in any way; Fields in Trust firmly believes that managing sites is best done locally where the expertise already exists, with decisions made by local people/club members. Fields in Trust doesn't interfere with local upkeep, just asks that the sites are maintained to a standard that allows use in accordance with the Deed. The flexibility of the Deed allows for ownership, management and maintenance to continue with the landowner.

**6. What would happen if in ten years' time a developer came along with an offer that 'couldn't be refused'?**

Fields in Trust does accept that on rare occasions communities change and land use changes accordingly. Parts of sites, or very rarely, whole sites can therefore be disposed of provided the disposal is of clear advantage to, and in the best interests of, the community from a recreational perspective. The criteria which Fields in Trust applies to replacement facilities are that they should be of:

- at least equal size
- better quality
- serving the same community in terms of catchment area.

Additionally, and very importantly, any disposal should apply as much of the proceeds as necessary to replacement sport, recreation and/or play facilities, with priority given to outdoor before indoor facilities

**7. How do Fields in Trust protect land?**

Fields in Trust's 'Deed of Dedication' is underwritten in contract law. This makes the Deed very robust - it 'sits' independently of town and planning policy and is therefore less susceptible to development. It is robust, yet flexible enough to allow for ownership and management to stay with the landowner. Fields in Trust's role is entirely custodial and advisory.

**8. What is the difference between 'Fields in Trust's 'Green Spaces for Good' protected sites and 'Centenary Fields'?**

Fields in Trust's ongoing 'Green Spaces for Good' protection runs constantly alongside UK-wide projects. Fields in Trust's current project, Centenary Fields, is running until November 2018 and commemorates the 100<sup>th</sup> anniversary of World War I. Landowners with any sites that have a tangible link to The Great War are being invited to nominate them as part of this exclusive time-limited project. There are no differences in the process or protection levels between Fields in Trust's ongoing protection and its time-limited projects.

**For more information please contact Jamie Leeson, Fields in Trust Development Manager, on 07525 182414, or at [Jamie.leeson@fieldsintrust.org](mailto:Jamie.leeson@fieldsintrust.org) or visit [www.fieldsintrust.org](http://www.fieldsintrust.org)**