

DECISION TAKER: Cabinet Member for Climate Emergency, Councillor Kelsie Learney

TITLE: FIELD IN TRUST DEDICATION FOR TOPFIELD, KINGS WORTHY

9 OCTOBER 2023

Contact Officer: Coral Rogers Tel No: 01962 848543 Email  
crogers@winchester.gov.uk

WARD(S): THE WORTHYS

DECISION:

1. That the council agrees to dedicate the land (“the Land”) shown edged red on the attached plan (Appendix 1) as a “Field in Trust” in perpetuity in order to secure the use of the land for biodiversity, access and recreation.
2. That the Service Lead – Legal be authorised to liaise with and to enter into a deed of dedication with Fields in Trust in respect of the Land.

REASONS FOR THE DECISION

Topfield, Kings Worthy was used to meet the planning requirement for open space provision for the adjacent housing development and was purchased by the council from the developer in 2020/21 along with the site’s 35 new affordable housing units. Its status as public open space was secured by a s106 planning agreement.

Topfield is approximately 5 hectares of open space consisting of wildflower meadow grassland, amenity grassland and woodland with footpath provision and site furniture including benches, picnic tables and interpretation boards. It is owned and managed by the city council.

The community has been consulted on options for the protection method for the open space and Fields In Trust is the preferred option. Fields in Trust protection is a legal agreement (a deed of dedication) between Fields in Trust and a landowner that they will retain it for use as a green space, usually a public park, playing field or recreation ground, in perpetuity.

### OTHER OPTIONS CONSIDERED AND REJECTED

- 1.1 The council could decide not to dedicate the land. This has been rejected as the dedication of the land by FIT emerged as an important consideration for local people during the public consultation so not to dedicate would mean that we would not be responding to local aspirations.
- 1.2 Other options of securing the land were considered, such as a local nature reserve or wildlife site but these have been discounted as they did not afford the enhanced protection in perpetuity under FIT and which is preferred by the community. Local Nature Reserves are protected by the National Policy Framework. There is no explicit recommendation against development of these sites. Fields in Trust affords more protection as it is for in perpetuity and consultation events led to the feeling that FIT offers a more suitable protection for this site which includes access and recreation aspects of open space as well as nature benefits.
- 1.3 As highlighted in section 4, significant consultation and communication with the community and members was undertaken in relation to the management of Topfield and the conclusion was that FIT is the preferable dedication to secure the needs of the community.
- 1.4 Previously (before the planning permission for 35 affordable houses was granted) there was a community group that was pushing for the land to be a village green. This was prior to the council taking on ownership of the land and prior to discussions and consultation with the community & TFAG. The village green application was rejected by Hampshire County Council.

### DECLARATION OF INTEREST

None.

### DISPENSATION GRANTED BY CHIEF EXECUTIVE:

None.

APPROVED BY: Kelsie Learney

DATE: 09.10.2023

**Councillor Kelsie Learney, Cabinet Member for Climate Emergency**