

DECISION TAKER: CLLR TOD (CABINET MEMBER FOR SERVICE QUALITY & TRANSFORMATION), ON BEHALF OF CLLR MURPHY (CABINET MEMBER FOR ENVIRONMENT)

REPORT TITLE: THE GARRISON GROUND - DEDICATION OF LAND TO FIELDS IN TRUST

13 JANUARY 2020

Contact Officer: Coral Rogers Tel No: 01962 848543

Email [crogers@winchester.gov.uk](mailto:crogers@winchester.gov.uk)

WARD(S): ST MICHAEL

### PURPOSE

To enter into a deed of dedication with Fields in Trust in respect of the land shown edged red on the plan attached as Appendix 1 to secure the use of the land as playing fields and recreation on such terms as she shall determine.

### RECOMMENDATIONS:

1. It is recommended that the Council enter into a deed of dedication with Fields in Trust.
2. The Service Lead-Legal be authorised to negotiate, prepare and to enter into a deed of dedication with Fields in Trust in respect of the land shown edged red on the plan attached as Appendix 1 to secure the use of the land as playing fields and recreation on such terms as she shall determine.

## IMPLICATIONS:

### 1 COUNCIL STRATEGY OUTCOME

- 1.1 The emerging Council Plan (considered by Cabinet in October 2019 and currently subject to consultation) includes the priority of "Living Well" which seeks to actively promote greater participation in physical activities. The Plan also makes a very clear commitment to tackling the Climate Emergency and making carbon neutrality central to everything it does.
- 1.2 The deed of dedication will protect the land for sports pitches and recreation for the future.

### 2 FINANCIAL IMPLICATIONS

- 2.1 A small administration fee (under £100) is payable to Fields in Trust.

### 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The extent of the land to be dedicated has been carefully considered and agreed by all parties. The dedication is in perpetuity and the purpose is to protect the land as playing fields.
- 3.2 Legal officer time will be required to deal with the deed of dedication but this can be managed within the existing resources of the Legal team. As part of the legal framework the Council will be liable for the maintenance upkeep of the land which will pertain to outdoor playing fields uses, thus enabling a wide range of sport, leisure and recreation on the land.
- 3.3 The Council could decide not to dedicate the land. Such a course of action would allow the Council to deal with the land in the future without any restrictions (other than the normal planning constraints and any enforceable restrictions on the title).

### 4 CONSULTATION AND COMMUNICATION

- 4.1 Local residents requested that the land be protected as playing fields and for leisure purposes and this has been supported by SALT (Winchester Sport Art and Leisure Trust) and local and cabinet members.

### 5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 Species rich grassland will be sown as part of the Leisure Centre mitigation providing a habitat for reptiles. The deed of dedication will ensure that there will be no future impact on the environment.

### 6 RISK MANAGEMENT

- 6.1 There are no risks but the deed will allow for minor changes such as an outdoor gym or pathways.

## 7 OTHER KEY ISSUES

7.1 None

## 8 SUPPORTING INFORMATION:

- 8.1 King George V playing fields are on the site next door to the Garrison Ground and this land is designated Fields in Trust land which is under the ownership and management of Winchester City Council apart from the artificial sports pitch which is let to the University of Winchester. Fields in Trust works in partnership with landowners to protect land through a Deed of Dedication, which is a binding legal commitment to protect the land in perpetuity.
- 8.2 The Garrison Ground is the location for the new Sport and Leisure Park which is currently under construction. A condition of the planning permission for the new Sport and Leisure Park stipulated that two football pitches be provided on the Garrison Ground site to mitigate the loss of one adult football pitch as part of the development. As part of this project, a new footpath has been installed linking the playing fields on the Garrison Ground directly to the site at King George V Playing Fields.
- 8.3 All the sports pitches across both sites are managed and maintained by the Natural Environment and Recreation Team (with the exception of the pitch let to the University of Winchester.) Part of this site is already protected by Fields in Trust and this report seeks to protect the Garrison Ground in the same way. The area to be dedicated is shown on the map in Appendix One and outlined in red.
- 8.4 As part of the Garrison Ground which was formerly playing fields used as sports pitches and leisure land has been affected by the construction of the Sport and Leisure Centre, local residents have expressed concern about the loss of open space and requested that the land shown on the map in Appendix One be dedicated Fields in Trust.

## 9 OTHER OPTIONS CONSIDERED AND REJECTED

- 9.1 The Council could choose not to dedicate the land as Fields in Trust. This option has been rejected as this report seeks to retain the land as playing fields and recreation land in perpetuity.

### BACKGROUND DOCUMENTS:-

#### Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

PHD760 – King George V Playing Fields, Bar End – Dedication of Land

#### Other Background Documents:- None

APPENDICES: Appendix 1 – map of proposed area for dedication.