

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Council	
MEETING/ DECISION DATE:	10 <sup>th</sup> September 2015	
TITLE:	Transforming Firs Field into a Centenary Park	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: N/A		

## **1 THE ISSUE**

- 1.1 Fields in Trust has launched a new initiative called Centenary Fields, to protect and preserve the UK's war memorial fields, parks and green spaces that include war memorials and other valued green space with significance to World War I.
- 1.2 Designated sites would be protected in perpetuity through a legal deed of dedication between the Council and Fields in Trust.
- 1.3 Following discussions with officers and local consultation with the Friends of Firs Field, it is proposed that Firs Field would be ideal for this programme.
- 1.4 The Cabinet will have considered the matter at its meeting on 9 September and its views and decision will be available at (or before) the Council meeting.

## **2 RECOMMENDATION**

- 2.1 Subject to the outcome of the Cabinet meeting of 9 September, that the Council enters into a legal deed of dedication giving Centenary Field designation to Firs Field, subject to discussion with the Charity Commission
- 2.2 That the Council recommends that the Leader of the Council agrees, on behalf of the Council as corporate trustee, to include the land held on trust within this designation, on the basis that Centenary Field designation will appropriately serve the aims of the trust created.

### **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 3.1 There are no additional resource implications in designating the site as it is currently managed and maintained by the Council's Parks Service.
- 3.2 The site will continue to be the responsibility of the Council to maintain, there is therefore no expected change to the costs of this site within the Parks budget, however the maintenance costs would become a continuing budget requirement in perpetuity - in line with the deed of dedication.
- 3.3 The costs associated with the process are any legal costs; the installation of the commemorative plaque (the plaque is provided free) and the cost of registering the resulting restrictions with the land registry approximately £80.00. Legal costs will be covered by the WW1 Centenary Budget held by the Arts Development Section.
- 3.4 The site will be designated in perpetuity and cannot therefore be sold or developed in the future without meeting specific criteria detailed in 5.7 below.
- 3.5 Fields in Trust is an external trust separate to the Council and there are therefore no implications for management and finance of the Trust itself.

### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 The main consideration is that Members should be aware that this decision is in perpetuity and therefore may limit any development proposals of a future administration.
- 4.2 The Planning department have confirmed that this site is not required to meet any development needs identified in current or emerging plans.

### **5 THE REPORT**

- 5.1 This report is presented following representation by the Friends of Firs Field to designate the site as a Centenary Field.

#### **5.2 Background relating to the site's significance in relation to World War I**

At a meeting of discharged soldiers in February 1919, the men had asked that a Church Army hut should be built as a memorial to those who had died in the war, and as a place that ex-soldiers could use for recreation.

According to the Historical Guide to Monkton Combe, Combe Down and Claverton (1924) the Reverend Sweetapple was instrumental in arranging the purchase of Firs Field which then measured 4.75 acres. The Reverend Sweetapple is named in the first conveyance of 3<sup>rd</sup> March 1919 as purchasing the whole field from the

Misses Stennard, acting on behalf of the residents who had subscribed to the cost of the field. The larger part of Firs Field was conveyed to Monkton Combe Parish Council for £750.00 on 9<sup>th</sup> February 1920. The Misses Stennard kindly refunded £50.00 of the price to commemorate England's victory in the Great War and to keep in memory those who so bravely laid down their lives for their King and Country from the Parish of Combe Down.

The remainder of Firs Field continued to be held under a charitable trust but was finally conveyed to the Parish Council on 1<sup>st</sup> June 1965. A handsome memorial cross which still stands today was also erected in the Field along with a Church Army hut that was demolished in the 1960s.

Following several boundary changes and local government re-organisations, Bath and North East Somerset Council is now the statutory successor to the Parish Council and responsible for the management of Firs Field. Following a Counsel's Opinion obtained in 2009, the land conveyed in 1965 is deemed to be held by the Council on trust to provide a public recreation facility for the residents.

Harry Patch, known as the 'Last fighting Tommy' grew up on Combe Down and was called up in October 1916. He was sent to France in June 1917 and was wounded while serving in the Duke of Cornwall's Light Infantry. He returned to live in Combe Down village after the war. Harry Patch took part in the church service and the ceremony to unveil the war memorial on the 28<sup>th</sup> May 1921 and this is recorded movingly in his memoirs.

- 5.3 Firs Field has continued to be the centre of community life on Combe Down. Older residents - some the direct descendants of the original subscribers - have ensured that the story is known of how the field was bought by public subscription as a memorial to those who lost their lives in the First World War..
- 5.4 The Centenary Fields programme aims to protect at least one green space in every local authority area to commemorate the centenary of World War 1.
- 5.5 Fields in Trust exists to safeguard fields in perpetuity via a legal document called a deed of dedication through the Centenary Fields Programme and other similar initiatives.
- 5.6 Phase 1 began in April 2014 when first tier local authorities received an initial approach. Phase 2 began in November when Town and Parish councils were approached with a similar request to nominate suitable sites.
- 5.7 Fields in Trust want the network of Centenary Fields to be established by November 2018 with all deeds of dedication signed by this time. Any sites that have not completed the deed by this date will not be eligible to take part in the scheme.
- 5.8 Each application is assessed through a site visit after the application is filled out by the landowner evidencing ownership. The principal use of the site should be outdoor recreation, sport or play. The site must have public access and be accessible in terms of its location and affordability for the local community. Sites must also have local managers e.g. the council's Parks department. The Deed of Dedication must be agreed and signed within six months of submitting an application.

5.9 The site continues to be managed by the Local Authority and all aspects of the management and maintenance remain the same and will retain the name. The site will receive a commemorative plaque to be display denoting its status as a Centenary Field. The decision is legally binding in perpetuity and protects the site from future development or from being considered a disposable asset.

5.10 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.

5.11 Additionally, and very importantly, the entire proceeds of any disposal should normally be re-applied to new sport, recreation and/or play facilities, with priority given to outdoor before indoor facilities

## **6 RATIONALE**

6.1 This proposal has community support and is a positive way of commemorating local war heroes and the centenary of the Great War.

## **7 OTHER OPTIONS CONSIDERED**

7.1 None.

## **8 CONSULTATION**

8.1 Friends of Firs Field, Monitoring officer, Section 151 officer, Planning Department, Property Services, Legal Services, Strategic Director Place.

8.2 The Charity Commission will need to be consulted to ensure there are no issues with this proposal from their perspective, in relation to the piece of land currently held in trust.

## **9 RISK MANAGEMENT**

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

<b>Contact person</b>	<i>Michael Rowan 01225 396811</i>
<b>Background papers</b>	<a href="http://www.fieldsintrust.org/centenaryfields.aspx">http://www.fieldsintrust.org/centenaryfields.aspx</a>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

