



Protecting Green Space with Fields in Trust

Introduction

In a nutshell, protection is a legal agreement between Fields in Trust and a space's landowner that they will retain it for use as a green space, usually a public park, playing field or recreation ground, in perpetuity. Over the years, since our founding in 1925, we have used a number of mechanisms for protecting land, from taking ownership in the early years, to restrictive covenants to Deeds of Trust.

In the mid-2000s we worked with a major legal firm to develop our own, unique instrument called a "Deed of Dedication".

The Deed of Dedication

The Deed is agreed with the landowner and sets out what they can and can't do with a space, without needing to consult Fields in Trust. We think it is important that the local community remain fully involved in the space and so the ownership and management of the land remains locally with the existing landowner, usually the local authority or town or parish council, and there is no requirement to rename the space. We provide a commemorative plaque which we ask is installed somewhere on the space to let everyone who uses it know that it is protected in perpetuity.

Flexible Protection

We recognise that circumstances can change, however, and for this reason the Deed does have a certain level of flexibility built into it. In general, changes to the space which are ancillary to its use – supporting the primary activities taking place – are usually fine and do not require our consent. Anything which is not ancillary to a space's use, such as buildings, commercial leases and changes of use, can be permissible but generally require our consent. A landowner can seek this consent by making an application through our [Field Change Request](#) procedure, with any such applications being considered by our experienced Policy and Planning Committee of Trustees. In rare cases a landowner may wish to remove a piece of land from protection. This can be possible, through a Field Change Request application, but in general we will require a new space, which is of equal or better quality than the existing protected space and which serves the same community, to be protected in return.

Leading the Way

If Shaftesbury Town Council were to protect all their green spaces, they would be the first Town Council in England to do so. Fields in Trust would work in partnership with Shaftesbury Town Council to promote the protection programme to generate positive PR for both organisations.

"Until now, I've always considered we are custodians of green space that belongs to our children. But it's becoming clear that it is far more than that. It's also about biodiversity, our climate, our environment, or physical and mental health, our own space we all need be it for time out, socialising or 'social distancing' and much more."

Roy Wilson, Eden District Council