

General

Fields in Trust is the only national organisation which has specific responsibility for acquiring, protecting and improving playing fields, and other outdoor facilities for sport, recreation and play. Fields in Trust works to improve the quality of life and health of everyone by working to ensure the availability, protection and development of high quality, well used local facilities for all communities throughout the United Kingdom.

Founded in 1925 and granted a Royal Charter in 1933 as the playing fields organisation for the UK, Fields in Trust carries out its work by protecting and improving playing fields for local communities. Wherever Fields in Trust has a legal interest in recreational land by way of legal arrangements such as deeds, its prior, written consent is required if land is to be disposed of. This consent is necessarily irrespective of any other legal requirements such as planning permission for change of use, or educational legislation including the School Standards and Framework Act, 1998.

Exchange Criteria

Fields in Trust is responsive to local change and flexible in its dealings with others provided betterment for local communities in terms of outdoor sport, recreation and play can be demonstrated. Where facilities are protected by Fields in Trust, land exchanges may be agreed. Normally, Fields in Trust requires the following criteria to be met:

- The quantity of land to be newly protected must be no less than that to be released. This equivalent size criterion normally applies to the replacement land being land newly brought into recreational use. In certain circumstances, land already in recreational use might be acceptable for exchange but it would need to be substantially greater in size than the land being released. This satisfies two of Fields in Trust's objectives, namely **(a)** the protection of the overall recreational land bank and/or **(b)** the increase in the amount of recreational land



Policy Statement



which is protects for community use.

- The quality of the land and facilities to be acquired should be better than those being released.
- The replacement facilities should serve the same community as those being released. The definition of the catchment area 'of the same community' may vary with the specific circumstances of each transaction and the type of facilities provided.
- The replacement land and facilities must be as accessible to the public as those being released.
- The landowner must apply such of the proceeds of sale as are necessary to provide the replacement land and/or facilities
- Where land is owned by a charity, or is itself registered as a charity, the requirements of the Charities Acts of 1993 and 2006 must be followed. For example, disposal must be in the best interests of the charity and an independent valuation by a qualified valuer or surveyor is required. Proceeds must be reinvested in trust purposes. Guidance is available in CC28 – "Sales, leases, transfers or mortgages: What trustees need to know about disposing of charity land" available from the Charity Commission.
- A new deed protecting the replacement site must be entered into by both parties. Conditions may be set relating to the onward use of the land to be disposed of.
- All of Fields in Trust's professional fees and internal costs must be covered by the organisation requesting the disposal or exchange.

