

REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Place

SUBJECT: Community Request for the Designation of Lauderdale Park, Dunbar as a 'Field in Trust'

1 PURPOSE

- 1.1 This report is to request East Lothian Council's consent to work with the charity 'Fields in Trust' to designate Lauderdale Park, Dunbar as a Field in Trust, thus legally protecting it as a park in perpetuity. The original request for designation arose from the Dunbar Community.

2 RECOMMENDATIONS

- 2.1 That the Council agrees to the submission of an application to the charity Fields in Trust, to secure legal protection in perpetuity for Lauderdale Park, Dunbar.
- 2.2 That authority be delegated to the Head of Corporate Support to execute the formal legal agreement, giving effect to the decision of the Council.

3 BACKGROUND

- 3.1 Fields in Trust, founded in 1925, provides legal protection for parks and playing fields. Fields in Trust currently protects 2891 spaces across the UK, including 6 spaces in East Lothian (King George Field, Port Seton; Goolwa Park, Port Seton; Ormiston Park; Polson Park, Tranent; Cuthil Park, Prestonpans; and Winterfield Park, Dunbar).
- 3.2 The process is a simple one, involving entering into a Minute of Agreement with Fields in Trust, with the agreement setting out what the landowner can and cannot do with a space, without triggering the need to consult with Fields in Trust. A plaque is provided, to be installed somewhere within the space, to allow users to know that it is protected in perpetuity.

- 3.3 The organisation's first patron was King George V and the oldest designated spaces are the King George Fields of which East Lothian has one. There have been two more recent campaigns to designate more fields, the first being the designation of Queen Elizabeth II Fields in 2012, in celebration of the Queen's Diamond Jubilee and the London Olympic and Paralympic Games, the second being the Centenary Fields programme to permanently protect recreational spaces connected with World War 1. There are also numerous spaces that are protected outwith these programmes and the effect of designation is the same, regardless of whether the space is, or is not, designated under a particular programme.
- 3.4 A request was brought forward in April by Dunbar Community Council, in a letter from Pippa Swan (attached as part of this report), following a proposal by the late Mr Herbert Coutts, that Lauderdale Park should be designated as a Field In Trust, in honour of the Queen's Platinum Jubilee. It seems appropriate that this request is actioned, particularly as it can be undertaken in memory of Mr Coutts, following his sad passing.
- 3.5 Members are asked to agree to officers approaching Fields in Trust to put the process of designation in motion. This will involve staff from Corporate Services, Infrastructure and Development. Fields in Trust has a template Minute of Agreement which can be adapted to suit individual circumstances. The designation for Lauderdale Park will be drafted to ensure that the tenanted cafeteria within the park can continue to function as such in the future and that the building can be maintained, redesigned and replaced, including an allowance for an element of expansion, were that ever to be deemed appropriate in the future. The Minute of Agreement already allows for changes to be made that are ancillary to the use of the park as such; however, it will also be made clear that changes, such as the recent addition of the Petanque pitch, can be made without the need for consent. All other matters in relation to the governance and maintenance of the park will remain with East Lothian Council.
- 3.6 Once the application for designation is completed and the legal agreement is signed, the park will receive a plaque, as noted above. Prior to the placing of the plaque, officers from the Sport, Countryside and Leisure team will consult with the Dunbar Community Council to agree a suitable location.

4 POLICY IMPLICATIONS

- 4.1 The Council already has 6 designated open spaces with Fields in Trust and there is no policy barrier to a further designation. There is no intention for the park to ever be used for anything other than a park and therefore very limited risk arising from this proposal. As noted above, the Minute of Agreement will be tailored to ensure that the park can be updated and adapted to meet the future needs and aspirations of its users.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – the proposal will involve officer time taken up in negotiating and implementing the Minute of Agreement with Fields In Trust. There will also be a small cost in mounting the plaque in an appropriate location within the park.
- 6.2 Personnel – As noted above, some officer time is required to negotiate and execute a suitable Minute of Agreement.

7 BACKGROUND PAPERS

- 7.1 Attached is the letter from Pippa Swan, Chair of Dunbar Community Council, setting out the request for Lauderdale Park to be designated as a Field In Trust.
- 7.2 A link is provided to the website of Fields In Trust [What is Fields in Trust protection? | Fields in Trust](#)

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DATE	4 August 2022



5th April 2022

Ms Monica Patterson
East Lothian Council
John Muir Hous
Brewery Park
Haddington EH41 3HA

Dear Ms Patterson

LAUDERDALE PARK, DUNBAR – PROPOSED DESIGNATION AS QUEEN ELIZABETH FIELD

At the most recent meeting of the Dunbar Community Council, we considered a paper (see below) from one of our members, Herbert Coutts, suggesting that the Community Council propose to East Lothian Council that our much loved Lauderdale Park be accorded Queen Elizabeth Field status. This would provide legal protection for the Park in perpetuity, and remain as a lasting memorial to the Queen's Platinum Jubilee.

The proposal was enthusiastically supported by the Community Council, and so I hope it will be given sympathetic consideration by ELC.

I leave the attached paper to speak for itself. If you would like more information about this proposal, please get in touch with me.

Yours sincerely

A handwritten signature in blue ink that reads "P.A. Swan". Below the signature is a long, horizontal blue line that tapers to a point on the right side.

Pippa Swan
Chairman
Dunbar Community Council

dunbarcommunitycouncil@gmail.com

ACCORDING LAUDERDALE PARK QUEEN ELIZABETH FIELD STATUS

WHY APPLY FOR QUEEN ELIZABETH FIELD STATUS?

I have no reason to believe East Lothian Council (ELC) has any plans to change the status of Lauderdale Park. In the future, however, successor Councils may come under pressure from aggressive developers to permit inappropriate developments in the Park, which if refused could lead to appeals to the Scottish Government, and permission given by that means. That is why many local authorities, as well as private landowners, have applied for this special status for their green spaces.

HOW DOES IT WORK?

Established in 1925 as a UK-wide system, the first tranche of green spaces were protected under the title of King George V Playing Fields. A total of 2,890 parks and green spaces across the UK now enjoy long-term protection. The overarching charity involved, Fields in Trust, which was established by Royal Charter, provides this by entering into legally binding Deeds of Dedication with the owners of the parks/green spaces involved. Under a Deed of Dedication, Lauderdale Park would remain in the ownership of East Lothian Council, and would continue to be managed by the Council.

Fields in Trust, whose Patron is HM The Queen and President HRH the Duke of Cambridge, is not involved in the day-to-day management of the land in question, but can be requested to intervene if an attempt is made to introduce significant changes to the park/green space in question (e.g. turn it into a car park). A Deed of Dedication represents a much more substantial guarantee for the long-term protection/preservation of a green space for the benefit of future generations than can be provided by the planning system.

The work of Fields In Trust is overseen by a Council of Trustees, and its activities in Scotland and Wales are guided by Committees.

With the agreement of ELC, Dunbar's Winterfield Park was accorded the status of a Queen Elizabeth Field at the time of the Queen's Diamond Jubilee. It would be particularly fitting, if a similar designation were achieved for Lauderdale Park during the Queen's Platinum Jubilee year.

BENEFITS

In addition to providing legal protection in perpetuity, Queen Elizabeth Field status can be of assistance when grant-aid is sought for appropriate improvements to green spaces from the National Lottery Heritage Fund and other grant giving foundations and charities. A standard requirement of such bodies is concrete evidence of the secure long-term future of the park/green space involved.

VOICE OF DUNBAR

The CC attempts to be the "voice of Dunbar", though with controversial issues that can be difficult to substantiate in the absence of detailed, and expensive, opinion surveys. In this case, I have no doubt that action to ensure the long-term future of a much-loved local park would attract widespread support in the town.

RECOMMENDATION

Dunbar Community Council recommends ELC opens discussions with Fields in Trust, with a view to Lauderdale Park being accorded Queen Elizabeth Field Status.

Herbert Coutts
19/03/2022