

TELFORD & WREKIN COUNCIL

CABINET 6 January 2021

GREEN GUARANTEE REVIEW

REPORT OF DIRECTOR: PROSPERITY AND INVESTMENT

LEAD CABINET MEMBER - COUNCILLOR CAROLYN HEALY: CABINET MEMBER FOR CLIMATE CHANGE, GREEN SPACES, NATURAL AND HISTORIC ENVIRONMENT AND CULTURAL SERVICES

PART A) – SUMMARY REPORT

1.0 SUMMARY OF MAIN PROPOSALS

- 1.1 The Council is committed to investing and protecting our parks and open spaces. During the last 18 months we have seen how these areas have played an important part in the health and wellbeing of our residents. As part of the £16m 'On Your Side' investment package, the Council has committed £3m investment into our parks and open spaces to enhance and further protect these important local assets.
- 1.2 In addition to this investment, the Green Guarantee Strategy provides added security for green spaces of local importance which are in the ownership of the Council and safeguards these from future development. These sites are not currently protected by other means such as Local Nature Reserves, Sites of Special Scientific Interest, Fields in Trust sites and Village Greens.
- 1.3 The protection is also recognised in the Telford & Wrekin Local Plan which confirms the Council's commitment to the provision of locally accessible green spaces and to meeting the needs of local communities. The sites are valuable to the wildlife they support and the opportunities they provide for leisure and recreation and the positive impacts they bring to health and wellbeing.
- 1.4 Since the Strategy was adopted by Cabinet in 2015, 200 sites to date covering 557 hectares - the equivalent of 680 football pitches, have been protected by Cabinet, and have benefited from £52,000 of investment as a result of the 'Big Green Vote' which engaged local people with their nearby green spaces. Further opportunities to designate more sites are being explored currently.
- 1.5 The purpose of this report is to provide a review of the Council's Green Guarantee Strategy and provide more clarity regarding the way spaces can be managed and maintained through licences or leases to ensure the land is retained as high quality green spaces. It should be noted however any proposal for the freehold sale of a Green Guarantee site will still require Cabinet approval.

2.0 RECOMMENDATIONS

- 2.1 **That Cabinet endorses the continued promotion of the use of the designated Green Guarantee sites for use by the public;**
- 2.2 **That Cabinet authorises the Director; Prosperity & Investment and the Associate Director; Policy & Governance in consultation with the Cabinet Member for Climate Change, Green Spaces, Natural and Historical Environment and Cultural Services to grant relevant leases and licences and other interests in accordance with paragraph 4.7 of this report; and**

2.3 That Cabinet confirms that any decision that does not meet the requirements set out within paragraph 4.7 of this report, including freehold disposals, will remain decisions to be taken by Cabinet.

3.0 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Our natural environment is protected, and the Council has a leading role in addressing the climate emergency - Protecting 200 green spaces from development
	Will the proposals impact on specific groups of people?	
	Yes	Telford & Wrekin Council, Local Green Space Infrastructure Needs Survey (2013) states that qualitative improvements of natural green spaces would help address health and wellbeing needs.
TARGET COMPLETION/ DELIVERY DATE	Immediate	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<p>The continued promotion of the Green Guarantee sites will not commit the Council to undertaking additional maintenance or works on those sites.</p> <p>The Council will continue working in partnership with Town Councils, Parishes, Friends groups and local communities to ensure maintenance costs are kept within the budget available.</p> <p>AEM 01/12/21</p>
LEGAL ISSUES	Yes	<p>Cabinet is the decision-making body in respect of management of Council owned land unless those powers have been delegated to officers. This means that powers can be exercised by officers without the need to seek Cabinet approval by way of a formal report.</p> <p>Cabinet has already decided that it should retain the decision-making responsibility for all significant decisions relating to those areas included in the Council's Green Guarantee list.</p> <p>Such decisions currently include the granting of leases or licences the impact of this is that a decision to offer a lease or licence to current or future occupiers of Green Guarantee sites, even where such arrangements do not undermine the aims of the Green Guarantee protection, would need to be reported to Cabinet. This report recommends arrangements which helpfully clarify when officers are able to exercise their delegated powers in consultation with the relevant Cabinet member in respect of these sites without having to seek Cabinet authority. AI 23/12/2021</p>

OTHER IMPACTS, RISKS & OPPORTUNITIES		Enhances the natural environment of the borough, supports climate change and contributes to the overall attractiveness of the borough that will support residents, and the local business and visitor economy.
IMPACT ON SPECIFIC WARDS		Borough wide impact.

PART B) – ADDITIONAL INFORMATION

4.0 BACKGROUND

- 4.1 The Green Guarantee Strategy is part of the Council’s overarching commitment to promote accessible green space. Approximately 90% of the borough is composed of ‘Green Infrastructure’ with only 10% comprising buildings, roofs, roads, footpaths, town squares and carparks. Telford Green Network covers approximately 2500ha and, described as “*one of the largest scale, visually beneficial and informal recreation assets of any town in the country*”, is a lasting legacy of the original landscape structure plan designed for the New Town in 1971.
- 4.2 Within this Green Network sits a hierarchy of statutory and non-statutory sites comprising:
- c. 108 ha of SSSI (Site of Special Scientific Interest), of a total 297ha in the borough.
 - c 410 ha of Local Nature Reserve (LNR)
 - c 144 ha of proposed Local Nature Reserve (LNR)
 - c. 513 ha of Local Wildlife Sites (some of which overlap with LNRs), and
 - c. 557 ha of existing Green Guarantee sites
- 4.3 The selection of sites has been made using the experience and knowledge across the Council. The Council have applied a set of criteria based on the value of the site to local communities, biodiversity value and leisure and recreational value evidence work undertaken as part of the Local Plan in accordance with the set criteria:

	Criteria	Explanation	Evidence Base
1	Ownership	Is the site owned by Telford and Wrekin Council	Telford and Wrekin land ownership datasets
2	Green Network	Is the site within the Green Network (as defined in the emerging Local Plan)	Green Network mapping 2018 as shown on the policies map within the Telford & Wrekin Local Plan
3	Local Support	Has the community been involved in the site in the past? E.g. community events, litter picking, tree planting etc... .	Council knowledge
4	Ecological Value	Does the site have ecological value evidenced by: a) Historical species records from the Shropshire Ecological Data Network b) Natural or Semi-natural habitats present on site c) Potential for wildlife to be	a) All species records from the Shropshire Ecological Data Network April 2015 b) & c) Council knowledge and interpretation

		present	
5	Ecological Corridor/Stepping Stone	Does the site form part of the Ecological Corridor or Stepping Stone as defined by the Lawton Report ¹	Telford & Wrekin Council Ecological Network Mapping Technical Paper & mapping 2014
6	Friends Group	Is there an active 'Friends of' group involved on the site	Council knowledge
7	Passive Recreation	Is the site used for passive recreation? E.g. dog walking, informal play etc... .	Council knowledge
8	Active Recreation	Is the site used for active recreation? E.g. formal sport and more formal play including use of formal play areas, pitches and games areas etc... .	Council knowledge
9	Cultural/Events Potential	Does the site have potential to be used for small scale community events?	Council knowledge

4.4 Protection of the Green Guarantee sites is afforded by the Council's ownership and that any such disposal of, or change of use of a Green Guarantee site is considered by Cabinet. As mentioned in previous Cabinet Reports, certain works that are in the community interest and do not impose any unbudgeted financial commitment on the Council can be authorised by the Director. Such works are regarded as being wholly consistent with the Green Guarantee strategy and would include:

- Proposals intended to enhance the recreational or leisure value of Green Guarantee sites for the communities they serve
- Proposals directly related to the management of the site for its current use
- The removal and/or replacement of existing structures or apparatus where there had been public engagement and where the local Parish Council are in agreement with the proposal
- Proposals for the creation or management of below ground easements and wayleaves with full re-instatement following the proposed works

4.5 It has been recognised that opportunities do arise where an organisation or body wants to manage and maintain a Green Guarantee site in a way which preserves or enhances the features that qualify the site for Green Guarantee status. It should also be noted that a number of the sites, including allotments and playing fields across the borough, when originally designated, were already under lease arrangements. Under the current delegations, any re-leasing of a site to an existing tenant or entering into a new lease of a site would require a report to Cabinet. The Council can impose terms within the tenancy agreement which ensure that a site continues to be managed and maintained in a way which preserves or enhances the features that qualified it for Green Guarantee status, it is considered that such leases/licences in accordance with section 4.7 below should be able to be granted without the need for Cabinet approval.

4.6 Suitable controls will be imposed in lease terms which safeguard land to ensure that any works or changes of use still meet the requirements of the Green Guarantee Strategy. It is proposed that any new lease/licence arrangement for a Green

¹ Sir John Lawton. Making Space for Nature: A review of England's Wildlife Sites and Ecological Network (2010).

Guarantee site would secure control over 'development' but would allow some categories of appropriate works e.g. the erection of a shed on an allotment. It should be noted that any site that is subject to a lease/licence will still retain its Green Guarantee designation.

4.7 For clarity it is proposed that Cabinet approval is always sought for the disposal or change of use of any Designated Green Guarantee Site subject to the following exceptions:

1. Works and changes of use that are in the community interest and do not impose any unbudgeted financial commitment on the Council and which are consistent with the Green Guarantee strategy including:
 - a. Proposals intended to enhance the recreational or leisure value of Green Guarantee sites for the communities they serve
 - b. Proposals directly related to the management of the site for its current use
 - c. The removal and/or replacement of existing structures or apparatus where this is subject to consultation
 - d. Proposals that enclose designated areas for the purpose of facilitating or improving the operation of education or community facilities
 - e. Proposals for the creation or management of below ground easements and wayleaves with full re-instatement following the proposed works
 - f. Proposals that demonstrate enhancement of recreational or leisure value of Green Guarantee sites and the communities they serve
 - g. Proposals that involve the right to access or physical alterations to facilitate neighbouring development on third party land
2. Entering into a lease or licence arrangement to an organisation or body which proposes to manage and maintain the Green Guarantee site in a way which ensures that the site continues to qualify as a Green Guarantee site and on terms which enable the Council to:
 - a. protect the site from any future disposals, works or changes of use but
 - b. authorise future works or changes of use which meet one or more of the requirements of point 1 a to g above.

All such decisions taken in line with the exceptions set out above must have been approved in writing by the Director Prosperity & Investment (or an officer authorised in writing by that Director) in consultation with the Cabinet member for Climate Change, Green Spaces, Natural and Historical Environment and Cultural Services .

5.0 IMPACT ASSESSMENT

5.1 All members of the community should have the opportunity to benefit from the diverse range of species and habitat present in the Borough. Research has shown that improving the provision of and access to natural green space can be valuable to a wide range of groups within the community. A statement of land management for green spaces provides clarity that the Council recognises the importance of green space.

5.2 Research has shown that the public health benefits derived from living close to accessible green spaces are considerable and include decreased levels of obesity, heart disease and diabetes as well as lower levels of stress. Access to green spaces is also seen as an effective treatment for clinical depression and regular

walking has been shown to increase life expectancy. Provision of accessible green spaces can help to reduce costs on some local NHS services.

6 PREVIOUS MINUTES

Full Council Report 9 July 2015 entitled Draft Telford & Wrekin Local Plan 2011-2031

Cabinet Report 15 October 2015 entitled Green Guarantee & associated minutes

Cabinet Report 29 January 2016 entitled Donnington Recreation Ground Centenary Fields and associated minutes

Cabinet Report 31st May 2018 entitled Green Guarantee and the big green vote & associated minutes

7 BACKGROUND PAPERS

Our Natural Health Service: The Role of the Natural Environment in Maintaining Healthy Lives. Natural England. (2009).

Telford & Wrekin Local Plan: Publication Document

Shropshire Ecological Data Network April 2015

Telford & Wrekin Council Ecological Network Mapping Technical Paper & mapping 2016

Sir John Lawton. Making Space for Nature: A review of England's Wildlife Sites and Ecological Network (2010).

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