

FIELD CHANGE REQUEST

REQUESTING CONSENT FOR CHANGES TO A SITE PROTECTED BY FIELDS IN TRUST



Before completing this form please refer to the guidance notes and ensure you have completed our Heads of Terms document. Please type straight into the allocated text fields or if completing a hard copy please write legibly in block capitals otherwise it might hinder the process. Please ensure you provide supplementary documents where requested as without them we cannot make an initial assessment.

SECTION A: Information about the site and the applying Organisation

The application should be completed by the Landowner or persons acting on their behalf due. If you are not the Landowner please submit a letter from the Landowner in support of your application.

1. Name of site: Court Meadow
2. Address (including postcode): Tunbridge Wells Road, Mayfield, East Sussex, TN20 6PJ
3. Dedication type / reference: n/a
4. Charity No. (if any): n/a
5. Name of Organisation: Mayfield & Five Ashes Parish Council
6. Relationship to the site: Landowner ☒ Leaseholder ☐ Managing Trustee ☐
7. Contact Name (including salutation): Janna Todd (Clerk)
8. Position held within Organisation: Clerk to the Council
9. Contact Address (including postcode): Mayfield & Five Pashes Parish Council, The Old Manor House, High St., Mayfield, TN20 6AL
10. Telephone numbers: Daytime: 01 435 873784
11. Mobile:
12. Email: clerk@mayfieldfiveashes.org.uk

Agency acting for the Organisation e.g. Solicitor (if applicable)

13. Name of Organisation:
14. Contact Name (including salutation):
15. Position held within Organisation:
16. Contact Address (including postcode):
17. Telephone numbers: Daytime:
18. Mobile:
19. Email:

SECTION B: General details about your request

20. Please select the option(s) which best describe your proposal

- | | | | | | |
|--------------------|--------------------------|---------------------------|-------------------------------------|--------------------------------|-------------------------------------|
| Lease | <input type="checkbox"/> | Transfer of Land | <input type="checkbox"/> | Exchange of Land | <input checked="" type="checkbox"/> |
| Release of Land | <input type="checkbox"/> | Wayleave | <input type="checkbox"/> | Easement/Servitude | <input type="checkbox"/> |
| New building | <input type="checkbox"/> | Replace existing building | <input checked="" type="checkbox"/> | Extension to existing building | <input checked="" type="checkbox"/> |
| Temporary building | <input type="checkbox"/> | Car Park | <input type="checkbox"/> | Occasional use | <input type="checkbox"/> |
| Change of use | <input type="checkbox"/> | Legal Charge | <input type="checkbox"/> | Structure | <input type="checkbox"/> |
| Licence | <input type="checkbox"/> | Change of Trustee | <input type="checkbox"/> | Other, please specify: | |

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21. Please outline the nature of your request, including the purpose of any proposed facilities

This submission is on a WITHOUT PREJUDICE basis and is a successor to an earlier application made by the parish council (PC) and agreed in principle by FIT in July 2020 but which was subsequently unilaterally withdrawn by FIT. There continues to be no agreement between FIT and the PC legal teams as to whether Court Meadow is legally a KGV field and therefore under the jurisdiction of FIT, although it is conceded that in 1938 it was the will of the parish council that the land should be registered as a KGV field. The existing village hall located on Court Meadow is no longer fit for purpose and the Parish Council plans to replace it with a new community and health centre. The 5.87 hectares of Court Meadow currently comprises 95% of mainly grass, with the remainder being mainly the village hall, associated car parking and non-recreational grass. The plan is to replace the village hall with a new community centre together with an integrated health centre, but the 95% of existing recreational grassland will be unaffected by the development.

22. How will the proposal benefit the site and its users?

The development will much improve the appearance of the built area and enhance the use of Court Meadow by offering additional parking, toilet facilities etc.

23. Please outline why the proposal is needed and who the beneficiaries are

Whilst there is a distinct lack of legal clarity as to the status of Court Meadow vis-a-vis FIT the parish council would nevertheless wish to reach a mutually acceptable understanding such that the development can proceed unfettered. In the interests of reaching an accommodation between the parties the parish council is offering a number of options for FIT to consider which are included in an addendum (ref: MCC 2382) and agreement is sought by the end of November 2022

The beneficiaries of the development are the people of the parish and other adjacent areas.

24. Please state what the current use of the site/part of the site/building is, and if the proposal affects the current use

The current building is a village hall erected in 1957 based on a design from World War II, which is used for all the larger indoor social and recreational activities of the village. Usage of the replacement community centre will remain much the same as the old village hall.

25. Does the proposal affect the whole of the site? Yes ☐ No ☒ If No, then please ensure the area affected is clearly represented on the plans you provide with your application.

26. If public access to the site, part of the site or building affected by the proposal will be restricted in any way then please provide details and explain the reasons for that

There will be no restrictions to the public and great care is being taken to avoid any impact on the registered footpaths..

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Plans and diagrams

In order to assess your application it is imperative that you provide clear plans of the site delineating the locations of the following where relevant:

- Boundaries of the protected site;
- Existing or proposed buildings;
- Proposed leased or licensed areas;
- Proposed easement area;
- Proposed replacement land

We will not be able to assess your proposal without these. If possible then please also illustrate the proposal on an aerial/satellite map.

SECTION D: Planning Permission

Any consent granted by Fields in Trust is conditional upon you obtaining the necessary planning permission through the Local Planning Authority.

27. Is planning permission required? Yes ☒ No ☐ Not applicable ☐

28. If Yes, has planning permission been agreed? Yes ☐ No ☐ Not yet ☒

29. If planning permission has not yet been confirmed, what is the anticipated time-frame for obtaining it?
A planning application was submitted in July 2022 and planning permission is anticipated in October / November 2022.

SECTION E: Consultations

We require documentary evidence about the outcome of the consultations as well as any committee minutes or reports that specifically reference any decisions about this proposal.

30. Please describe what public consultation has taken place with users of the site and the local community

A public consultation with the whole parish was held in January 2020 which showed that 76% of respondents wanted a combined community and health centre (see attachment no. 3).

The minutes of a council meeting on 13th July 2020 show that a resolution was passed agreeing to a combined community and health centre (see attachment no. 4).

A second event was held in November 2021 at which the proposed designs were shared. Only 8% of those who used the comment forms had any objection.

31. Has there been any opposition to the proposal? Yes ☒ No ☐

32. If Yes, please state how you have you dealt with any objections:

Inevitably there will be objectors to any major proposal of this type but the public consultation showed support for a combined community and health centre in the ratio of 3:1.

The parish council has shared the details of the project via monthly newsletter articles together with regular updates on the village website and Facebook page.

Objectors main concern relates to the presence of a health centre on Court Meadow.

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SECTION F: Specific details about your request N/A

Please answer any questions that are relevant to your request and leave any others blank.

Request for a Lease

We require a copy of the Heads of Terms of the lease or the draft lease.

33. Please select one option which best describes the area involved in the proposed Lease:

- | | | | |
|--------------------|--------------------------|----------------------------|--------------------------|
| On the entire site | <input type="checkbox"/> | On part of the entire site | <input type="checkbox"/> |
| On a building | <input type="checkbox"/> | On part of a building | <input type="checkbox"/> |

34. Please state the reason for requesting a Lease:

- | | | | | | |
|-----------------------------|--------------------------|---------------------------|--------------------------|-----------|--------------------------|
| Extending an existing lease | <input type="checkbox"/> | Replace an existing lease | <input type="checkbox"/> | New lease | <input type="checkbox"/> |
|-----------------------------|--------------------------|---------------------------|--------------------------|-----------|--------------------------|

35. Name of current leaseholder:

36. Name of proposed leaseholder:

37. What is the term of the proposed lease?

38. What is the permitted use?

39. Is the proposed leaseholder a non-corporate body? Yes ☐ No ☐

40. Are there any break clauses in the Lease? Yes ☐ No ☐

41. If Yes, please state what they are:

42. Are you intending to charge a nominal rent? Yes ☐ No ☐

43. If yes, please specify the proposed rent amount: £

44. What are the reasons for the proposed rent?

45. If your application is approved please tick here to confirm you intend to reinvest the entire rental income into the recreational use of the site ☐

46. If you are intending to charge rent, and the site is charitable, and in England or Wales, please provide a copy of a report undertaken through the Charities (Qualified Surveyors' Reports) Regulations 1992, please tick here ☐ to indicate this is included. Alternatively state reason for exemption:

47. Does the proposed lease include no right of alienation, whether by assignment or sub-letting? Yes ☐ No ☐

48. Please state who will be responsible for costs, insurance and maintenance of the leased area:

49. Will the lease be contracted out of the security of tenure provisions of the Landlords and Tenants Act 1954? Yes ☐ No ☐

50. If No, please give reasons why this is necessary. Please refer to our guidance on this.

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51. If the proposed leaseholder is a sports club, please state if it has an open membership policy and provide details of the membership fees.

52. Does the proposed leaseholder intend to introduce any charges for the use of the demised premises?
Yes ☐ No ☐

53. If Yes, please provide details and the reasons for the charges

Request for a Licence N/A

We require a copy of the draft licence and the licensees' governing documents.

54. What term is the licence for?

55. What are the hours of use?

56. What is the permitted use?

Request for a change in Trustee N/A

We require a copy of the draft deed of appointment.

57. If your application is approved, will the new Trustee agree to enter into a supplemental Deed with Fields in Trust agreeing to be bound by the terms of the existing Deed of Dedication? Yes ☐ No ☐

Request for a building or structure (replacement, new, extension or temporary)

58. What are the measurements of the existing building or structure? nominal 34m x 16m

59. What are the measurements of the proposed building or structure? nominal 45m x 21m

60. What percentage of the open land comprising the property does the building's footprint cover? 1.6%

61. Who will be managing the building and on what terms? The parish council

62. What is the anticipated long-stop date by which the temporary building or structure will be removed?
n/a

63. What is the proposed use of the new building/ structure /extension?

Combined community and health centre

Request for a wayleave, easement or servitude N/A

We require a copy of the wayleave, easement or servitude terms.

64. Why has this route been chosen? What other sites have been considered and why were they rejected?

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65. What payment, if any, has been offered by the service/utility provider?

66. If your application is approved please tick here to confirm you intend to reinvest the entire income into the recreational use of the site ☐

67. How long will the works take?

68. What disruptions, if any, are the works likely to cause to the use of the site?

69. What arrangements are in place for reinstatement and who will bear the cost?

Request for a car park

70. Is car parking available outside the site?

71. What percentage of the site is the footprint of the proposed car park?

72. How many (additional) spaces will the car park provide?

73. Will the car park have any charges associated with its use? Yes ☐ No ☐

74. What measures will be taken to ensure that the car park will be used solely by the users of the site?

Request for Transfer of Land where Fields in Trust protection will continue

75. If your application is approved, is the proposed transferee willing to enter into a new Deed of Dedication with Fields in Trust? Yes ☒ No ☐

76. Are you satisfied that the proposed transferee has the means to maintain the site? Yes ☒ No ☐

Request for Transfer of Land requiring a release from Fields in Trust protection

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77. Please refer to our Disposals Policy and provide details of the proposed replacement land being offered in consideration for the release, including location, size and use

Please see document MCC2382 FIT - summary of options v1.2 - Sept 2022
Depending on option chosen land could comprise Jubilee Wood - see drawing reference MCC1094. Note that the land between Jubilee Wood and the road is a public thoroughfare owned by the East Sussex Highways Authority and hence there are no access issues regarding land ownership.

78. Please state how the proposed replacement land meets the requirements of our Disposal Policy

Please see document MCC2382 FIT - summary of options v1.2 - Sept 2022

79. Are there any restrictions on the title of the proposed replacement land that prevent it being dedicated as a playing field and recreation ground? No ☒ Yes ☐ If Yes, please provide details

80. Are there any leases or licences or other third party rights that may affect the dedication of the replacement land? Yes ☐ No ☒ If Yes, please provide details

Request for occasional use (e.g. festival, temporary site closure, temporary car park) N/A

81. What is the extent of the area required?

82. What is the duration of use required?

83. What is the anticipated long-stop date for the temporary use?

Request for a change of use (not relating to a building) N/A

84. Is replacement land being offered? Yes ☐ No ☐ If yes please provide details

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Request for a

Change of use (relating to a building) N/A

85. For mixed use, what proportion of the time will the building be used for purposes compatible with the permitted recreational use?

Request for a legal charge (pursuant to funding agreements) or a mortgage N/A

We require a copy of the funding agreement and a copy of the required legal charge

86. Is any part of the funding a loan? Yes ☐ No

87. If Yes what guarantee can you give that the loan will be repaid?

SECTION G: Supporting documents checklist

Please ensure the relevant supplementary information accompanies your application

Signed FIT Heads of Terms form	<input type="checkbox"/>	Landowner consent letter	<input type="checkbox"/> n/a <input type="checkbox"/>
Plans and diagrams of the proposal	<input checked="" type="checkbox"/>	Outcomes of any consultations (Q32)	<input checked="" type="checkbox"/> n/a <input type="checkbox"/>
Minutes of meetings and reports (Q32)	<input checked="" type="checkbox"/> n/a <input type="checkbox"/>	Heads of Terms / copy of draft lease (Q33)	<input type="checkbox"/> n/a <input type="checkbox"/>
Copy of the valuation undertaken (Q46)	<input type="checkbox"/> n/a <input type="checkbox"/>	Leaseholder's governing documents (Q51)	<input type="checkbox"/> n/a <input type="checkbox"/>
Copy of licence (Q54)	<input type="checkbox"/> n/a <input type="checkbox"/>	Licensee's governing documents (Q54)	<input type="checkbox"/> n/a <input type="checkbox"/>
Copy of Deed of Appointment/TR1 (Q57)	<input type="checkbox"/> n/a <input type="checkbox"/>	Copy of wayleave (Q64)	<input type="checkbox"/> n/a <input type="checkbox"/>
Copy of easement / servitude (Q64)	<input type="checkbox"/> n/a <input type="checkbox"/>	Grant funding paperwork (Q86)	<input type="checkbox"/> n/a <input type="checkbox"/>
Legal charge paperwork (Q86)	<input type="checkbox"/> n/a <input type="checkbox"/>		

DECLARATION

I have the authority to act on behalf of the above-named Organisation and declare that the information submitted on this form and any supplementary documents are correct and accurate to the best of my knowledge.

Name: Cllr Deveda Redman

Position held within Organisation: Chairman

Date: 12/09/22

Completed forms should be returned to:

England & Northern Ireland

Development Manager
Fields in Trust
2D Woodstock Studios
36 Woodstock Grove

Wales

Rhodri Edwards
Fields in Trust Cymru
Sport Wales National Centre
Sophia Gardens

Scotland

Colin Rennie
Fields in Trust Scotland
The Circle
Staffa Place

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