



# Nailsworth Town Council

## Open Spaces Policy

### 1. Commitments

Nailsworth Town Council is committed to providing good quality public open spaces for the benefit of its residents.

This Policy supports the following Visions in the Town Action Plan:

- Vision 1: An attractive Cotswold market town
- Vision 2: A safe place to live and welcoming to visitors
- Vision 3: A town with opportunities to work and play
- Vision 5: Accessible
- Vision 6: A town which protects and values the environment

In accordance with the National Planning Policy Framework (NPPF)<sup>1</sup>, NTC will provide opportunities for meetings between members of the community who might not otherwise come into contact with each other; provide safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; safe and accessible, high quality public open spaces which encourage the active and continual use of public areas.

This Open Spaces Policy is informed by NTC's Environmental Policy<sup>2</sup> and Commemorative Policy, and the commitment to manage environmental impact. The Environment committee and the Recreation and Amenities committee have responsibility for the implementation of the Policy and will agree open space priorities and targets for recommendation to Full Council. This Policy will be reviewed and updated according to strategic, environmental and recreational priorities annually.

### 2. Objectives

- To maintain and improve attractive, safe public open spaces for residents and visitors
- To manage NTC owned land appropriately, according to the landscape conditions, biodiversity, heritage, recreational resources and local distinctiveness of each piece of land.
- To provide opportunities for recreation and play for all ages
- To ensure play equipment, street furniture, signage and bins are regularly inspected and maintained
- To increase accessibility in a way that is appropriate to each piece of land
- To protect and improve biodiversity and the natural environment
- To recognise the importance of working with our community and to encourage participation in the care of public open spaces
- To protect public open spaces from damage and encroachment

---

<sup>1</sup> *National Planning Policy Framework 2012, ss8,9 and 11*

<sup>2</sup> *Climate Change Act 2008 (take steps to mitigate and adapt to climate change)*



## Nailsworth Town Council

### Open Spaces Policy

#### 3. Areas of public open space

Responsibility for NTC's public open spaces is divided between two Council committees as show in the table below:

Environment committee	Recreation & Amenities committee
Norton Wood	King George V Playing Field
Bunting Hill	King George V Extension Field
Shortwood Green	Miles Marling Field
Shortwood and Rockness manorial waste	Mortimer Garden
All Saints closed churchyard, Shortwood	Market Street Garden
Star Hill/Jubilee Road greens	Leves Corner
The Green, Nymphsfield Road	Clock tower garden
Land at Wood Lane	War Memorial (Fountain Street)

#### 4. Grounds maintenance

Where open spaces are managed on NTC's behalf by contractors, this is done according to an agreed specification. Grounds maintenance specifications ensure appropriate management of each open space. The following public open spaces are maintained in this way by contractors;

- Town Gardens (Mortimer Garden, Market Street Garden, Leves Corner, Clock tower Garden and Mortimer Room flowerbed)
- All Saints closed churchyard, Shortwood<sup>3</sup>
- Miles Marling Field (grass cutting only)
- King George V Playing Field and Extension Field (grass cutting only)
- Shortwood Green (grass cutting only)
- Shortwood and Rockness manorial waste (grass cutting only)
- Star Hill/Jubilee Road greens (grass cutting only)

The control of harmful weeds and invasive species on NTC open spaces is carried out in accordance with legal duties<sup>4</sup>. Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulation 2010. Use of pesticides and herbicides is according to COSHH requirements and by qualified staff or contractors. NTC does not use pesticides and limits the use of herbicides. The Council will always seek to use non-chemical means of control where feasible. Where no other method is possible, glyphosate is used to control weeds.

#### 5. Legal agreements, leases and licences Common land

Site name	Legal agreement	Agreement with
King George V playing field	Deed of Dedication	Fields in Trust
King George V Extension Field	NTC lease this land from	Mr Alan Smith

<sup>3</sup> Local Government Act 1972, s.215 (power to maintain a closed churchyard)

<sup>4</sup> Wildlife and Countryside Act 1981 and Conservation of Habitats and Species Regulation 2010



## Nailsworth Town Council

### Open Spaces Policy

Miles Marling Field (north section)	NTC lease this land from	Stroud District Council
<b>Shortwood manorial waste</b>		
Land at Box Cottage	Licence for resident to use land	Box Cottage
Land at Cherry Tree Cottage	Licence for resident to use land	Cherry Tree Cottage
Land at Yew Tree Cottage	Licence for resident to use land	Yew Tree Cottage
Land at The Old Cottage	Licence for access across land	The Old Cottage
<b>Common land</b>		n/a
The Green, Nympsfield Road	Commons Act 2006	n/a
Shortwood Green	Commons Act 2006	n/a
Star Hill/Jubilee Road greens	Commons Act 2006	n/a

#### 6. Hire and use of Open Spaces

The privacy of hirers is protected under the General Data Protection Regulations 2018. Businesses such as sports and fitness coaches, community groups and schools wishing to use NTC open space must inform NTC beforehand.

The hire of open spaces is covered by NTC's Hire Agreement and by the usage table below;

Site name	Football / formal ball sports	Tennis	Exercise classes/ Fitness	Barbecues	Camping	Fetes and community events	Fairgrounds	Sports days	Fires	Public performances	Markets	Forest School activities	Parking	Children's parties
King George V playing field	X	X	X	X		X		X	X	X		X	X	X
King George V Extension Field			X						X	X		X		X
Miles Marling Field	X		X	X		X	X	X	X	X		X		X
Mortimer Garden			X			X				X	X			
Market Street Garden						X				X	X			
Leves Corner										X	X			
Clock tower garden						X								
War Memorial (Fountain Street)														
Norton Wood			X			X						X		
Bunting Hill												X		
Shortwood Green			X	X		X				X	X	X		X
Shortwood and Rockness manorial waste												X		
Star Hill/Jubilee Road Greens			X			X						X		
Nympsfield Road common land														
Land at Wood Lane												X		



## Nailsworth Town Council

### Open Spaces Policy

#### 7. Prohibited activities

It is not permitted to camp, scatter or bury ashes, shoot or hold car boot sales on any NTC public open spaces. It is not permitted to restrict access to an entire public open space for a private event or to charge a fee for access to an entire public open space in NTC ownership. Free public access for recreational use must be kept to a significant part of the open space.

NTC strongly object to badger culling on public open space in NTC's ownership and will act within its powers to prevent it.

#### 8. Management Procedure

Public open spaces are managed by the Environment committee and the Recreation and Amenities committee, with day to day management delegated to the Clerk.

General rights and powers for all areas of public open space covered under this Policy;

8.1 The overall management and maintenance of all public open spaces owned or leased by this Council and all related facilities including the trees on Council land, footpaths, street furniture, play equipment and any other item which may properly be considered to come within the remit of this Committee, by virtue of being on or within an open space<sup>5</sup>

8.2 To repair or replace any such item within the agreed budget, to include making such provision for their upkeep and improvement as is deemed necessary by the Environment and Recreation and Amenities committees. This function will be devolved to the Clerk

8.3 To remove any such items deemed unsafe

8.4 To determine and define any policies appertaining to the open spaces, their care, use and maintenance within known Council guidelines

8.5 To make adequate budget provision for all open spaces and facilities within the care of the Committee. Such budgets will be recommended to Full Council for approval

8.6 To deal with complaints or requests related to the open spaces and associated facilities within known Council policies

---

<sup>5</sup> *Open Spaces Act 1906 ss9-10 and s.15 (power to provide and maintain open space or burial ground)*

*Public Health Act 1875, s.164 (power to provide and maintain recreation grounds, public walks, pleasure grounds and open spaces)*

*Local Government (Miscellaneous Provisions) Act 1976, s.19 (power to provide and contribute to a wide range of recreational facilities)*



## Nailsworth Town Council

### Open Spaces Policy

8.7 To supervise any leases, rentals, licences, hire agreements for property owned by the Council and managed by the Environment committee and Recreation and Amenities committee; full power being granted to administer these in line with any existing Council policies

8.8 To take action to protect the Council's land from encroachment and illegal camping

8.9 To consider and make recommendations related to health and safety issues where they are relevant to the work of these Committees, and to ensure as far as possible that all legal requirements are met

8.10 To delegate power to the Clerk and NTC officers to deal with urgent items that arise. For the Clerk to report actions to the Chair of the relevant committee and the Mayor as soon as possible and, where relevant, to the whole committee

8.11 To delegate power to the Clerk to spend up to the maximum on any previously agreed and allocated budget item without further reference to the committee or Full Council, in accordance with NTC's Financial Regulations. Any spending that has not been previously agreed in the annual budget will be approved at the next appropriate Full Council meeting

8.12 To agree annual maintenance contracts for areas within each committee's remit

8.13 To appoint contractors in accordance with NTC's Standing Orders and Financial Regulations

8.14 the Council have adopted the Woodland's Trust Tree Charter and manage trees according to the Charter

8.15 To ensure that regular play equipment inspections are undertaken by a suitably qualified person and that appropriate and timely action is taken to ensure the safety of residents and children using the facility

8.16 To consider and make recommendations to Full Council for a budget for capital expenditure and to purchase and install any equipment within a realistic replacement programme

8.17 To ensure litter and dog bins on NTC public open space are maintained and emptied regularly by the appointed contractor or the Groundsman<sup>6</sup>

8.18 To manage commemorative furniture, sculpture, structures, trees and other plants in accordance with NTC's Commemorative Policy

Policy Title:	Open Spaces Policy		
Version, Date and Change History:	Version 1.0	July 2018	Adopted 4 September 2018 (Minute 2018/093)
	Review Date	Sept 2019	
Author	Clerk		

<sup>6</sup> *Litter Act 1983, ss.5-6 (power to provide and maintain litter bins)*



## **Nailsworth Town Council**

### **Open Spaces Policy**

