

Corporate Management Team
The Guildhall,
SWANSEA. SA1 4PE
www.swansea.gov.uk

Friends of Waunarwydd fields-action group -
Suzanne Jeffreys & Karen Dean

Friendsofwaunarwyddfields@outlook.com

Please ask for: Mark Wade
Direct Line: 01792 637516
E-Mail: mark.wade@swansea.gov.uk
Our Ref: MW/ajw/fow0410
Your Ref:
Date: 4th October 2022

Dear Ms Jeffreys & Ms Dean,

Petition relating to the Waunarwydd Playing Fields

I respond in relation to the above matter to which formal petition was received by Swansea Council, Democratic Services on 15th August, with further signatories received on 6th and 29th September 2022.

In line with the Council's Petitions Working Protocol as set out in Part 5 of the Council's Constitution, the issues raised have been considered and investigated, with the following findings and course of action noted.

Petition summary

Fig 1.

<p>Petition Summary and Background</p>	<p>We the undersigned object to the erection of a fence which has been recently constructed around the Waunarwydd playing fields. This has caused significant disruption within the community on multiple levels. Loss of green space, area for local families to enjoy free of charge, footpath across the field which was a short cut to the welsh school and local amenities to name just a few. Many flats in the immediate vicinity do not have gardens and now have no access to open spaces which is paramount for peoples mental health and wellbeing. Also a substantial increase in the amount of traffic especially around the only entrance now available on Roseland Road.</p>
---	---

The detail provided on the headed sheet of each petition page (**Fig1.**) has formed the focus of the Council's investigation.

From the summary we identified the following lines of inquiry:

- *Was a formal process to dispose of the land under a lease to a leaseholder followed?*
- *Was the fence erected by the leaseholder done so with permission from the landowner and did the Council consult with relevant stakeholders in supporting this?*
- *Are there formal easements or rights of way across the land which are now restricted?*
- *Are the football pitches accessible to and regularly used by the wider community, through the leaseholder, and does their use provide important health and wellbeing outcomes for direct and indirect users?*
- *Is there sufficient, alternative, accessible, open space in the area, available to the public free of charge for play, recreation, dog walking etc.?*
- *Has the erection of the fencing caused direct highway complaints or issues in respect of the entrance off Roseland Road?*

In response to the above lines of inquiry, Officers investigated the processes, decisions and related correspondence and communication concerning these. At this time, the Council has also received and responded to direct complaints and Freedom of Information requests concerning this issue, therefore the investigation was able to draw this material into a conclusive response to cover all elements.

Q - Was a formal process to dispose of the land under a lease to a leaseholder followed?

Wanarlwydd Football Club expressed an interest in leasing the playing fields, which they had been self-managing since 06/09/16, in an approach similar to a number of other clubs self-managing their venues at that time. With no alternative plans for this space held by the Council, the application, along with others, took the following course; as required by law, an Open Space Disposal Notice was posted in the South Wales Evening Post on the 8th of October 2020 for two consecutive weeks. The notice and plan was also posted on the 'Public Notices Section' of the Council's Website (as referenced in the notice). The plan was also available for inspection at the Civic Centre, which was also accessible for this time. **(The notice is attached as Appendix 1)**

No objections were received during the statutory consultation period and a lease was entered into on 14th April 2021 for a term of 25 years, executed by the Council's Legal Dept. The leasehold information is publicly available and can be found by searching for: 'Land At Wanarlwydd Park Roseland Road Wanarlwydd Swansea' at <https://www.gov.uk/search-property-information-land-registry>.

Findings: The process for granting a lease to Wanarlwydd Football Club was followed in line with the Council's formal land transaction rules and procedures and relevant legislation.

Q- Was the fence erected by the leaseholder done so with permission from the landowner and did the Council consult with relevant stakeholders in supporting this?

The Council were aware of the Football Club's aspiration to invest in and improve the area, including the intention to address poor drainage and ongoing vandalism, including issues with motorbikes and dog fouling. Images below show the condition of the pitches before the lease was granted, as witnessed and evidenced by Council Officers.



It was agreed addressing these issues would allow a much needed investment in the area, to create safe, well managed sports and recreation facilities.

The Football Club requested permission to erect a fence around this entire area, retaining a main entrance gate off Roseland Road. In considering this request, Officers consulted with Ward and Cabinet Members and the local PCSO. The Council was required to grant permission for the erection of a fence around the entire area. All consultees provided their support, as this was key to securing the improvements proposed by the Football Club.

There was no requirement to consult more widely as the terms of the lease, which allow for changes that are reasonable and backed up with evidence, were not affected. On balance, it was acknowledged that whilst the fence restricted access for general open space use, it unlocked investment in sports facilities for the community and protected the space from further damage and hostile behaviours.

Findings: The leaseholder sought the necessary permissions under the terms of the lease to make changes to the leased land. The Council reviewed the request and consulted appropriately with stakeholders to inform its decision to permit the changes.

Q – Are there formal easements or rights of way across the land which are now restricted?

Prior to the lease being granted to Waunarlwydd Football Club, the Council undertook a series of searches on title and land ownership and determined that no formal easements were restricted by the erection of the fencing.

The Council acknowledges the impact on the shortcut to the School but on balance, with no right of way compromised, the compensation remains the provision of facilities that can be enjoyed by the community and the next generations, as a result.

Findings: There are no formal easements, or registered public rights of way, on record, that the fencing interferes with or now restricts.

Q- Are the football pitches accessible to and regularly used by the wider community, through the leaseholder, and does their use provide important health and wellbeing outcomes for direct and indirect users?

The Football Club is accessible to children and young people from within and outside the local community, providing equal opportunities for 3 to 13 years old at mini and junior level. Activities include training during the week, and fixtures over the weekend, for hundreds of players. Additionally, the Club runs three league teams for seniors and two teams for older players (40 plus and 55 plus), with the oldest registered participant being 71 years old. Accepting there may be waiting lists for some age groups and sessions, due to capacity; safeguarding and risk assessments, these are in line with other activities and follow regulations of the FAW (Football Association of Wales).

Similarly, membership fees (subs) are standard at most amateur and junior/mini sports clubs of this nature, supporting the ongoing running costs of the Club, hire of indoor/floodlit facilities, kit/equipment and maintenance of the facilities. On consulting with the Club representatives, the investigating Officers also learnt that in cases of hardship, the Club will absorb or defer charges to ensure cost is not a barrier.

The facilities were also used to host a Parklives session in August 2022, which was Free of Charge to all, and welcomed over 24 children/young people from 5 years to 11 years old to participate in a range of fun activities. These activities significantly improve physical and mental wellbeing for those that directly and indirectly participate, supporting families and communities. Due to its success, Parklives plan to deliver further sessions in school holidays in partnership with the leaseholder.

Findings: The leaseholder provides opportunities for the community to participate in organised recreational and competitive sporting activities, accredited by the National Governing Body for Football in Wales. This requires all activities/fixtures to be organised and managed in a safe and suitable environment with the appropriate risk and control measures in place, including fit for purpose facilities, coaches with suitable qualifications, and DBS checks. Such activities promote community cohesion through recreation, sport and physical activity and significantly improve the lives of participants. These positive outcomes are shared by those directly and indirectly involved, including players, families, social networks, coaches and other volunteers. To note the land has been opened up to the wider community through organised 'free of charge' sessions, which helps individuals find out more about what is happening in their

area and contributes to community cohesion and an opportunity to promote and improve physical and mental wellbeing.

Q- Is there sufficient, alternative, accessible, open space in the area, available to the public free of charge for play, recreation, dog walking etc?

The investigating officers acknowledge that the installation of the fence, whilst made with best intentions to deter antisocial behaviour and protect the new facilities, do restrict access for informal recreation. The mitigation to this inconvenience is described above and also supported by the knowledge that the school continues to have access to the playing fields, free of charge, by arrangement with the leaseholder. This is welcomed by both parties for activities that benefit from their improved facilities e.g. Sports days, PE sessions etc.

Concerning the wider community's need for informal recreation space for activities such as walking, exercise and play, alternative spaces exist within walking distance. Victoria Road, which has recently undergone a significant upgrade to the play equipment is adjoined to open land to the rear on a slight incline, but which then further adjoins to more level land off Caer-Gynydd Road, as shown in the images below:



In closer proximity to the land at Roseland Road and accessible via Cwm Clyd or Ystrad Road, is the open land off B4295 Swansea Road/Cwmbach Road and open land directly off Cwm Clyd.



Larger areas known as the Graig and Mynydd Bach Y Glo (The Common) are also accessible and well used, as understood by officers conducting this investigation.

Findings; Whilst it is acknowledged that the area of land is no longer accessible for the general public for informal uses which also contribute to wellbeing and health outcomes, it remains a community facility for organised sports and recreation, and is a marked improvement of these spaces, ensuring safe and accessible use for future generations. Alternative green spaces in the immediate area indicate there is no deficit to available green space for informal uses as a result.

Q- Has the erection of the fencing caused direct highway complaints or issues in respect of the entrance off Roseland Road?

The erection of fencing did not require planning permission, therefore no formal consultation has been undertaken with Highways and no specific complaints in respect to increased traffic in the area, particularly around the main entrance around Roseland Road, were recorded during the investigation period.

It is also noted that the main entrance and parking area has not altered as a result of the changes, and alternative pedestrian access points, via gates controlled by the Football Club, remain around the perimeter of the fencing. It is considered to be an effective and reasonable management plan to open these when the site is operational, and close after.

That said, it is understood that the area around the site, including adjoining streets are busier during peak periods, including match days, school drop-off/pick up and training but there is no evidence to suggest this is a 'new' issue or that it has emerged as a result of the fencing install.

Findings; There are no highways complaints or access issues recorded, as a result of the erection of fencing the land by the Football Club.

This concludes the Council's investigation and findings to the petition. If you wish for your petition to be considered by a petitions hearing, you are required to request this, in writing, within 10 working days of receipt of this formal response.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Mark Wade', with a long horizontal line extending to the right.

Mark Wade
Cyfarwyddwr Dros Dro - Lleoedd
Interim Director - Place