

REPORT TO CABINET

17 October 2018

Subject:	Recommendations Arising from Land and Asset Management Committee at its meeting on 4 October 2018 – Fields in Trust Centenary Fields Programme Smethwick ‘Lions of the Great War’
Presenting Cabinet Member:	Councillor Bill Gavan – Chair of the Land and Asset Management Committee
Director:	Executive Director – Neighbourhoods – Dr Alison Knight
Contribution towards Vision 2030:	
Key Decision:	Yes
Forward Plan (28 day notice) Reference:	SMBC10/10/2018
Cabinet Member Approval and Date:	Councillor Bill Gavan
Director Approval:	Dr Alison Knight
Reason for Urgency:	Urgency provisions do not apply
Exempt Information Ref:	Exemption provisions do not apply
Ward Councillor (s) Consulted (if applicable):	Ward councillors have not been consulted
Scrutiny Consultation Considered?	Scrutiny have not been consulted
Contact Officer(s):	Darren Jones – Parks and Green Spaces Manager darren_jones@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

- (1) Approve the dedication of the land located on Smethwick High Street through the Centenary Fields programme.
- (2) Subject to (1) above, authorise the Director – Monitoring Officer to enter into or execute under seal, if necessary, any other related documentation in connection with the protection of the land on terms and conditions to be agreed by the Executive Director – Neighbourhoods.

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek authority to place in perpetuity the public open space on Smethwick High Street. The Fields in Trust Charity 'Centenary Fields' programme has been created to honour the memory of the millions who lost their lives in World War I. The focal point of the site will be the 'Lions of the great war monument' a three metre bronze statue depicting a First World War Sikh soldier, erected to honour the sacrifices made by South Asian service personnel of all faiths from the Indian subcontinent who fought for Britain in both World Wars and in all subsequent conflicts.

2 IMPLICATION FOR THE COUNCIL'S AMBITION

- 2.1 Ambition 5 – Our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.
- 2.2 Ambition 8 – Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
- 2.3 Ambition 10 – Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 Fields in Trust is an independent charity with over 90 years of experience protecting parks and green spaces. Over 2,700 sites have been protected since the charity was established in 1925.
- 3.2 The Association was founded by King George V as the National Playing Fields Association and is now actively supported by its President HRH The Duke of Cambridge, who took over the role when HRH The Duke of Edinburgh retired after 66 years. HM The Queen has been Patron of the charity since 1952.
- 3.3 The Centenary Fields programme aims to protect at least one green space in every local authority area across England, Wales, Scotland and Northern Ireland to commemorate the centenary of World War I (WWI). These protected sites could be war memorial parks or recreation grounds, memorial gardens, parks and recreation grounds that contain war memorials or other valued green spaces. Safeguarding these sites will create a living UK-wide legacy in commemoration of the sacrifice made by those who lost their lives in WWI. Fields in Trust is working in partnership with the Royal British Legion to deliver the programme.

- 3.4 Local authorities and other landowners are encouraged to dedicate such sites as Centenary Fields through the Centenary Fields programme. By doing so, they can ensure valuable green space is protected as a living remembrance to those who fought and lost their lives in WW1. This dedication is aligned with the spirit of the Armed Forces Community Covenant and will be recognised by the local community as a clear commitment to the importance of these spaces now and in the future.
- 3.5 All Centenary Fields dedicated will receive a commemorative plaque to display on the site: this will have provision for the name of the site and/or the name of the landowner or the geographical location.
- 3.6 The site proposed as Sandwell's contribution to the Centenary Fields programme stands between Tollhouse Way and High Street Smethwick, between the Guru Nanak Gurdwara and Rolfe Street station. The site is approximately 2000 square metres in area and is in council ownership, forming part of the adopted highway. (Appendix 1 location plan)
- 3.7 The site has two distinct components. Approximately 500 square metres is currently being laid out as a high-quality, paved public space.(Appendix 2 plan of public space) The focal point will be a monument entitled "Lions of the Great War". The nearby Guru Nanak Gurdwara Smethwick has appointed Black Country sculptor Luke Perry to create the monument to honour the sacrifices made by South Asian service personnel of all faiths from the Indian subcontinent who fought for Britain in both World Wars and in all subsequent conflicts.
- 3.8 The monument will take the form of a 3 metre bronze statue depicting a First World War Sikh soldier, in full trench wear and bearing a rifle. The statue will stand on a 2 metre high granite plinth, inscribed appropriately to explain the significance of the memorial. This inscription will highlight the key role played by all soldiers from the Indian sub-continent who served in the British armed forces and will emphasise the importance of the statue for Smethwick's long-established South Asian communities.(Appendix 3 press release)
- 3.9 Immediately adjoining the new monument is an area of mounded green space which includes paving, seating, a fountain, landscaping and a metal sculpture celebrating inventor James Watt, who pioneered steam power in Smethwick. This area was laid out in the mid-1980s and will be refurbished as part of the Lions project.

4 THE CURRENT POSITION

- 4.1 Landowners across the UK have been encouraged to dedicate war memorial playing fields and recreation grounds, memorial gardens, parks or recreation grounds that contain a war memorial and other valued green spaces that have some significance to World War I as Centenary Fields.
- 4.2 By dedicating land through the Centenary Fields programme local authorities can ensure valuable green space is protected in perpetuity as a living remembrance to those who fought and lost their lives in World War I. This dedication is aligned with the spirit of the Armed Forces Community Covenant and will be recognised by the local community as a clear commitment to the importance of these spaces now and in the future.
- 4.3 The proposed site in Smethwick has been selected for designation through the Centenary Fields programme due to the cultural symbolism of the 'Lions of the Great War' monument; its direct relevance to the centenary of Armistice Day; its emergence as a partnership project initiated by the local Sikh gurdwara; its telling of an often-overlooked aspect of Britain's military history through honouring the contributions made by South Asian servicemen; the future role of the statue as a destination of pilgrimage and remembrance on a national stage; and finally its key role as a high-profile focal point within a major programme of gateway improvements proposed around Rolfe Street rail station.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 During 2017 sculptor Luke Perry undertook a consultation workshop with a group of primary schoolchildren at Ingestre Hall. He also spent time in the Guru Nanak Gurdwara, talking to: the Punjabi School; elders of the temple, including the President and General Secretary; descendants of military personnel involved in the wars; and the 1914 Sikh group. He worked separately with female groups at the nearby Brasshouse centre about cultural histories of the area. He then synthesised all these ideas, suggestions and models into the proposal that depicts a First World War marching Sikh warrior. After undertaking further extensive research to ensure his depiction was historically accurate, he created a series of models of the proposed statue at various scales, to gauge opinion and ensure details were correct.
- 5.2 The Lions of the Great War monument proposal was submitted to Sandwell MBC as a planning application in July 2018 and was subject to formal consultation.

6 ALTERNATIVE OPTIONS

6.1 Do Nothing

The consequences of doing nothing are that the council will miss out on making the connection with Fields in Trust and hence in contributing to its Centenary Fields programme. Fields in Trust have emphasised that they are seeking to identify one such site in each local authority area. It would be remiss of the council to dismiss this request without giving it adequate consideration. The “Lions of the Great War” monument is set to be unveiled on 4 November 2018 as part of wider WW1 Centenary commemorations and, due to the anticipated interest in the project, this event is likely to attract widespread media coverage and fits with the objectives of the Centenary Fields initiative.

6.2 Select another location for Fields in Trust Centenary Fields Programme

For the reasons set out in paragraph 4.3 the proposed site at High Street Smethwick fully meets the qualifying criteria for the Centenary Fields programme, as well as offering an opportunity to protect the site from development in perpetuity. No other location in the borough meets these criteria. Or even comes close.

7 STRATEGIC RESOURCE IMPLICATIONS

7.1 The costs are as follows:

- Any legal costs associated with agreeing the deed
- The cost of installing the commemorative plaque – which will be provided free of charge
- The cost of registering the resulting restrictions with the Land Registry – currently £80 for up to three titles

8 LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 Through a deed of dedication Fields in Trust legally protect the site in perpetuity.

8.2 Fields in Trust does accept that on rare occasions communities change and land use changes accordingly. Parts of sites, or very rarely, whole sites can therefore be disposed of provided the disposal is of clear advantage to, and in the best interests of, the community from a recreational perspective.

9 EQUALITY IMPACT ASSESSMENT

9.1 An initial Equality Impact Assessment (EIA) has been carried out by the service area for the proposals. No issues have been identified which impact on a particular group and therefore a full EIA is not required.

10 **DATA PROTECTION IMPACT ASSESSMENT**

10.1 There are no specific data protection measures to consider, all data relating to the matter is maintained in accordance with the Data Protection measures previously implemented by the Council.

11 **CRIME AND DISORDER AND RISK ASSESSMENT**

11.1 The new paved square has been designed to a robust and low-maintenance specification and is clear and open with good sight lines to facilitate casual surveillance. The site is well-lit from surrounding streets but additional feature spotlighting will illuminate the statue and plinth. The GNG have also pledged to install an additional CCTV camera connected to their existing comprehensive system, trained on the monument.

11.2. The initial design for this space was submitted to West Midlands Police's counter-terrorism officer, whose comments were incorporated into the final design. As a consequence, the perimeter of the site is protected by a range of measures designed to maintain visitors' safety and security.

12 **SUSTAINABILITY OF PROPOSALS**

12.1 The monument, its plinth and the hard-surfaced public space have been designed with robustness, longevity and ease of maintenance in mind.

12.2 The mounded green space around the Watts governor forms part of a planned ground maintenance regime and this will continue.

12.3 The Guru Nanak Gurdwara have indicated their willingness to undertake day-to-day maintenance tasks around the monument and the paved space; these include cleaning, tidying and looking after planters.

12.4 'Permanent protection' or 'protection in perpetuity' does indeed mean forever in the case of freehold land or at least 99 years in the case of leased land. Each space's protection is specified in its own Deed of Dedication or Minute of Agreement.

13 **HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

13.1 The Lions of the Great War Monument has evolved as a partnership between Sandwell MBC and the Guru Nanak Gurdwara Smethwick to commemorate the sacrifices made not only by Sikh warriors but also by servicemen drawn from the entire Indian subcontinent, who served in the British Armed forces in World War 1, as well as other conflicts since.

13.2 The Smethwick Gurdwara forms a focal point to one of the longest established Sikh communities in the United Kingdom. The intention is to use the Monument to ensure that the contributions and sacrifices of previous generations of servicemen are never forgotten, as well as providing a permanent place of pilgrimage and reflection for emerging generations, where they can honour the war dead.

14 **IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

14.1 Fields in Trust protect land through a binding legal agreement called a Deed of Dedication. This is a robust yet flexible way of safeguarding the future of a space. Both Deeds and Minutes of Agreement legally ensure that space is protected for future generations to enjoy. This means that before certain developments can take place Sandwell Council will need to seek permission from Fields in Trust. There are two types of Deed - charitable and non-charitable. If the Deed creates a charity both charity law and Fields in Trust will ensure the protection if the Deed is non-charitable Fields in Trust will ensure the protection.

14.2 There is no intention in the council's behalf to develop this area of land, which is to remain as public open space in perpetuity. The formal designation of the land as Centenary Fields therefore has no impact on its management.

15 **CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 Fields in Trust is an independent charity whose aim is to protect parks and green spaces. It has set up a Centenary Fields programme, aiming to protect at least one green space in every local authority area across the UK to commemorate the centenary of World War I and to honour the sacrifice made by those who lost their lives in the Great War.

15.2 The site proposed as Sandwell's contribution to the Centenary Fields programme stands between Tollhouse Way and High Street Smethwick, between the Guru Nanak Gurdwara (GNG) and Rolfe Street station. It is council-owned and around 2000 square metres in area.

15.3 Approximately 500 square metres of this area is currently being laid out as a high-quality, paved public space. Its focal point will be a monument entitled "Lions of the Great War", a 3 metre bronze statue depicting a First World War Sikh soldier commissioned by the GNG from Black Country sculptor Luke Perry, to honour the sacrifices made by service personnel of all faiths from the Indian subcontinent who fought for Britain in both World Wars and in all subsequent conflicts.

- 15.4 Immediately adjoining the new monument is an area of green space which includes paving, seating, a fountain, landscaping and a metal sculpture celebrating Smethwick steam pioneer James Watt. This will be refurbished and incorporated into the Lions of the Great War project.
- 15.5 Dedicating this land through the Centenary Fields programme ensures valuable green space is protected in perpetuity as a living remembrance to those who fought and lost their lives in World War I. This dedication will be recognised by the local community as a clear commitment from the council to the importance of these spaces now and in the future.
- 15.6 The designation of this land through the Centenary Fields programme reflects the cultural symbolism of the 'Lions of the Great War' monument; its direct relevance to the centenary of Armistice Day on 11-11-18; the partnership between the council and the local Sikh Gurdwara; and the monument's honouring of the contributions made by South Asian soldiers.

16 **BACKGROUND PAPERS**

None

17 **APPENDICES:**

Appendix 1 – Guru Nanak Gurdwara, Smethwick Lions of the Great War Monument Location Plan

Dr Alison Knight
Executive Director – Neighbourhoods