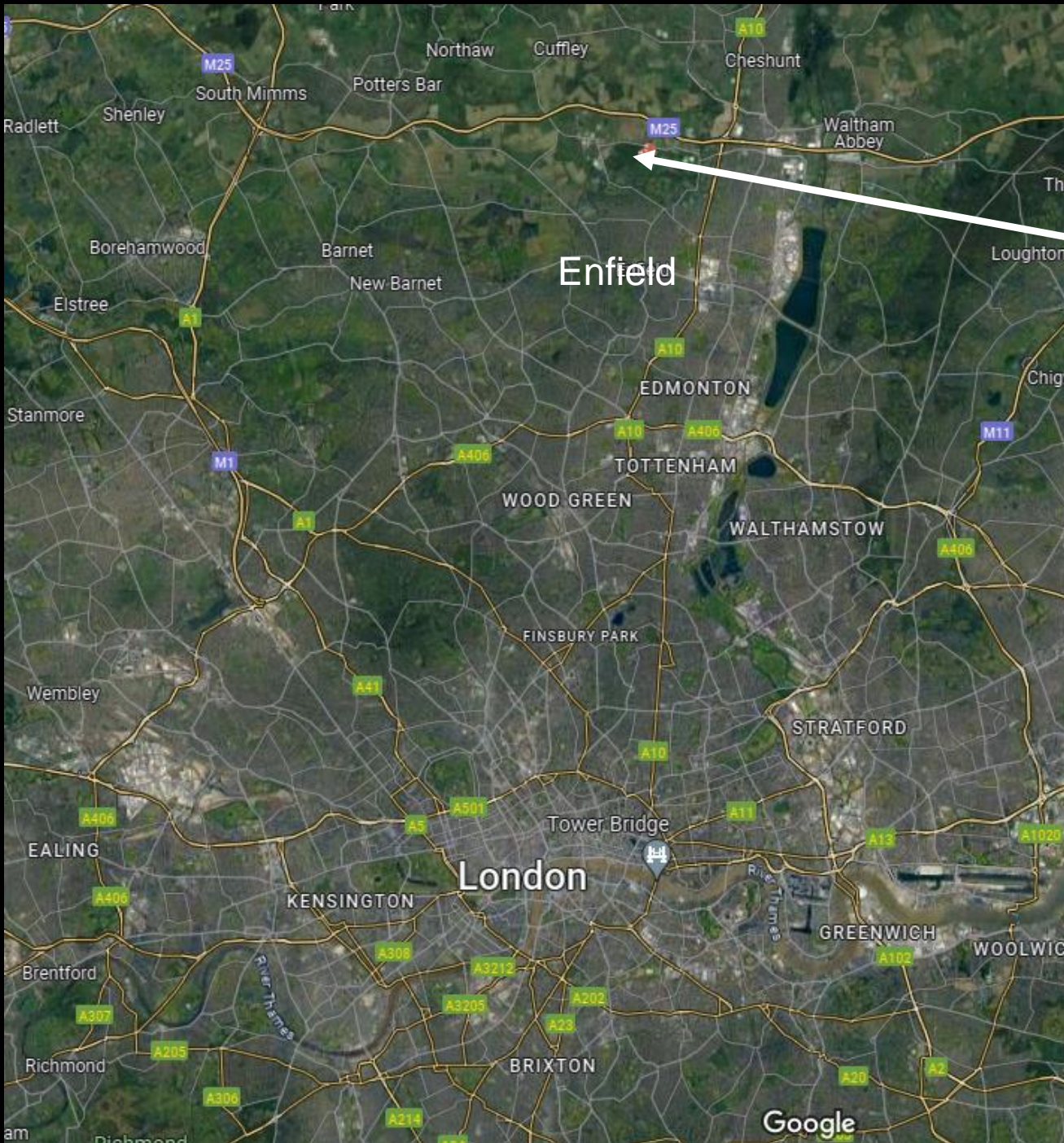




Whitewebbs Park

The fight for public open
space in Enfield, London and
Beyond

**Enfield Council plans to dispose of 60% of Whitewebbs
Park to Tottenham Hotspur Ltd**

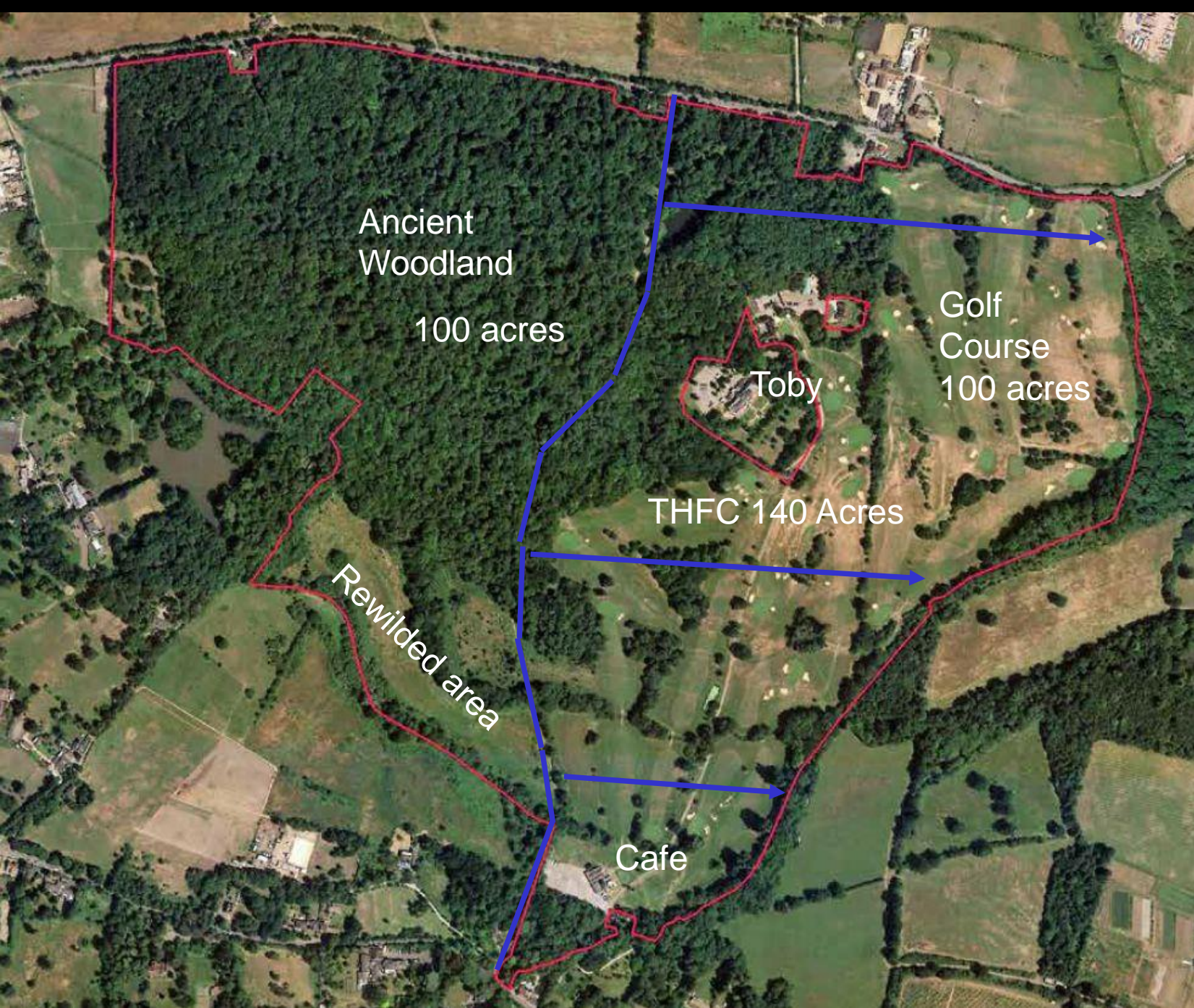


Enfield

London

Whitewebbs Park

About 12 miles
from Westminster



Ancient
Woodland

100 acres

Golf
Course
100 acres

Toby

THFC 140 Acres

Rewilded area

Cafe



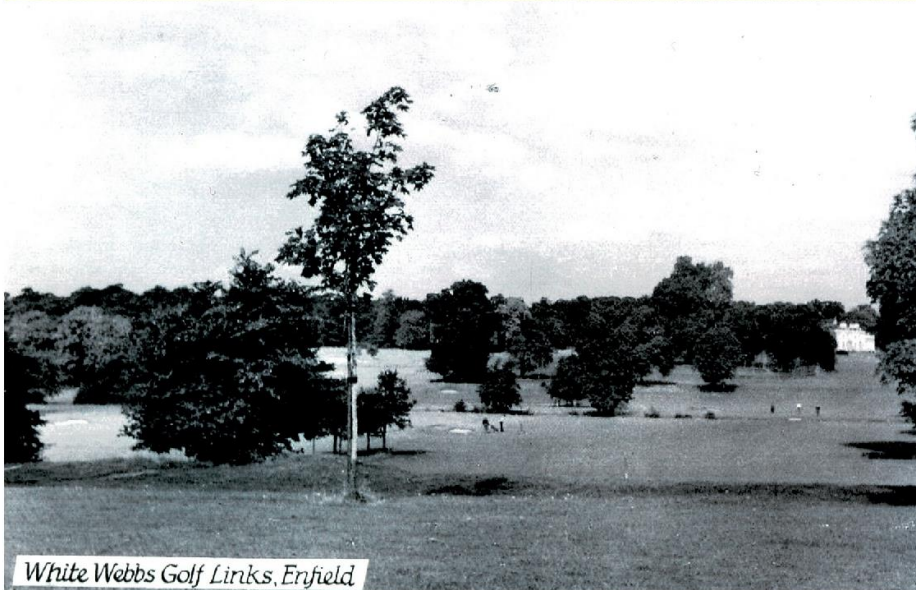
New young oaks on the golf course Autumn 2022





Public golf course – modest fees, no restrictions

Closed March 31st 2021



White Webbs Golf Links, Enfield

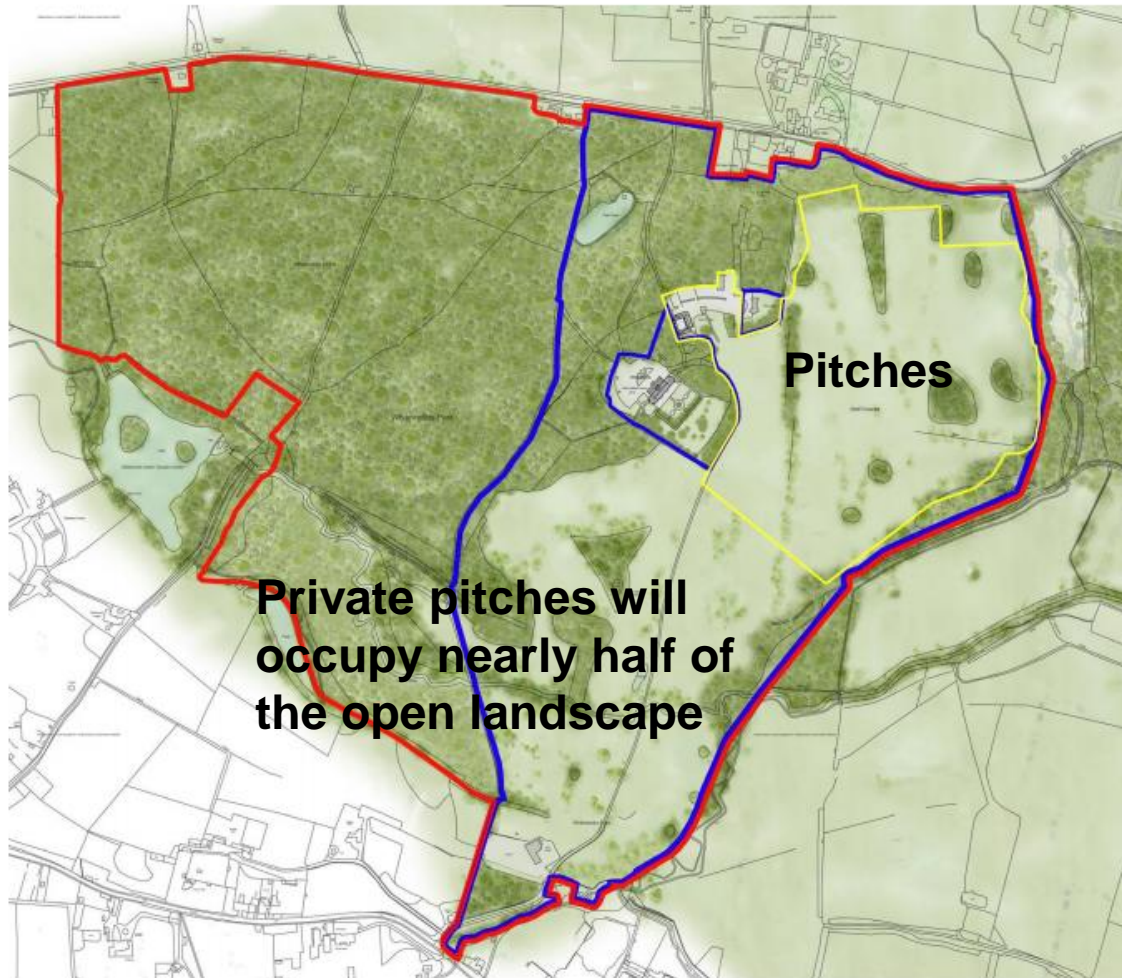


Re naturing after just year





Plan of THFC bid



Red line =
Whitewebbs park
boundary

Blue line = area to
be leased
(54% of park)

Yellow line = area
THFC will occupy
(33% of leased area;
18% of park)



Key question: If THL needs only 40 acres for pitches why do they want 140 acres?

The Choice



We have tried arguments

We have written letters

We have voted

We have protested

We have petitioned

We have been ignored



QR link to Fundraising site

Now we have to go to Law!

To do this we need Funds

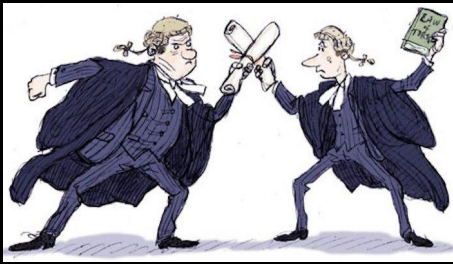
<https://www.crowdfunder.com/case/save-whitevebls/>

The Legal Process

I must first acknowledge the huge debt that we owe to CPRE, in particular Alice and the legal volunteers, Harriet and Michael. This would not have been possible without them.

Having exhausted the other processes available to us, we looked at the legal possibilities.

1. We sought a legal opinion from a suitably qualified and experienced barrister.
2. This enabled us to write to LBE stating what we considered to be the legal situation.
3. There was an exchange of letters with LBE which got us nowhere.
4. We then decided to take legal action and were advised that Judicial Review was the best course in our circumstances



5. Timing – At what stage should we take legal action? Immediately or wait until after planning applications have been approved or rejected?

We fixed on the signing of an agreement to lease by LBE and THFC.

6. More timing – There are strict timelines for the submission of court papers – 6 weeks for planning cases, 3 months in our case.

Now it gets really serious:

7. A Pre Action Letter is sent to the defendant (LBE) with a copy to the Interested Party (THFC) stating what we intend to do and our grounds for so doing.

8 . There being no satisfactory response court papers are submitted to the Administrative office of the Royal Courts of Justice N461 (Claim Form) and N244 seeking Permission for a Judicial Review with a request for cost capping.

9. There are strict timetables and deadlines – cases can fail if these are missed

Selecting the claimant, litigant in person and cost capping.

The cost of litigation can be enormous, especially if you lose. Cost capping was essential in case we lost.

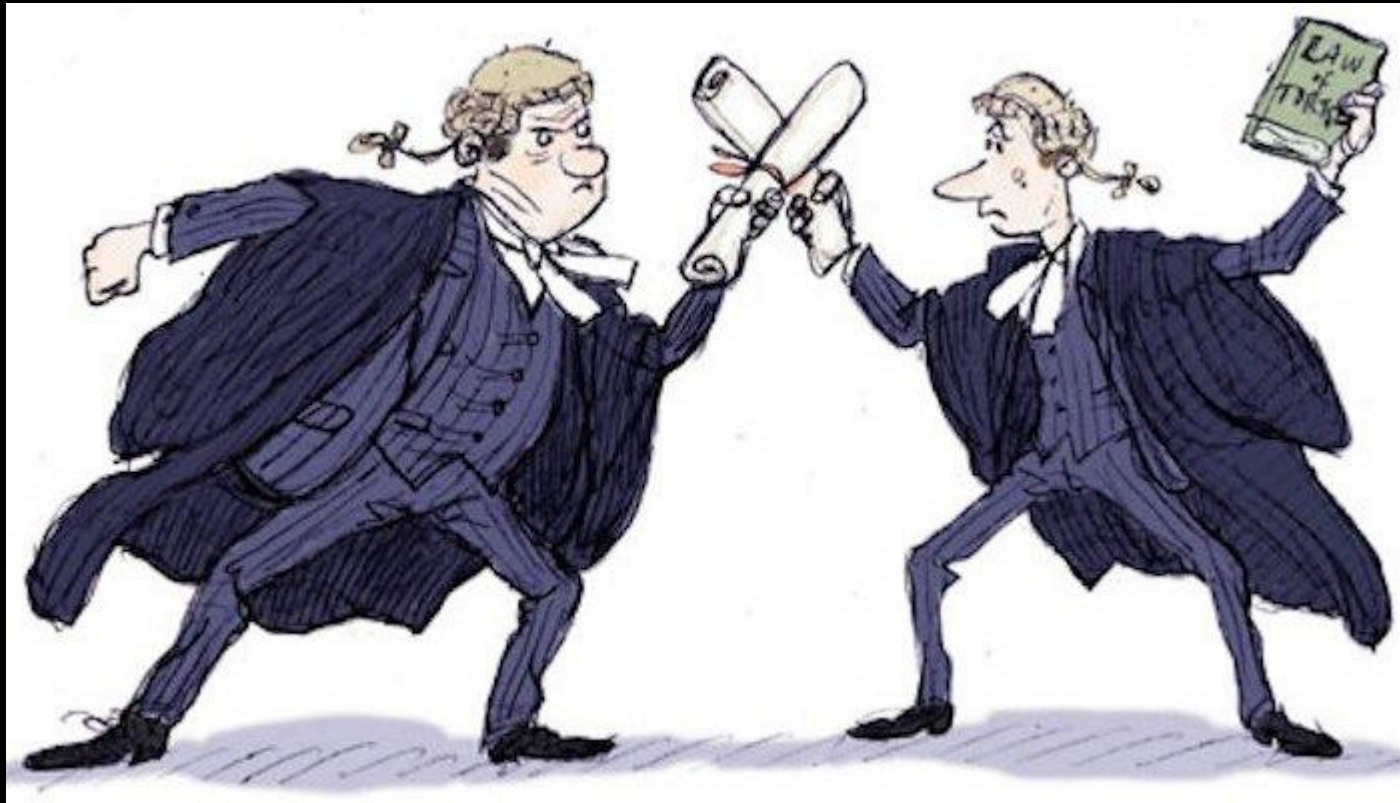
We looked to the Aarhus Convention as this is an environmental case. To qualify the claimant needed to be someone associated strongly with the campaign and of modest means. (I fitted the bill)

Although we had a barrister we did not have a solicitor acting for the claimant (me). I had to be a “Litigant in Person” albeit with a lot of help and advice. The courts are accommodating and helpful within limits. If the case is complex everyone will get frustrated at the litigant in person’s limitations.

If at all possible I suggest that a solicitor is engaged. The law and procedures are very complex and the work load involved is enormous.

Thankfully Harriet Child moved to the PILC* and arranged to act as my solicitor.

*Public Interest Law Centre



Judicial Review

Judicial Review Stages – how we got on

Raise money for the first stage - Success, raised £18,000

Court papers prepared, served and accepted

Apply for permission for Judicial Review - Allowed

Apply for costs protection – Granted but challenged by LBE and THFC. Pressure tactic? Resolved at the last minute

Raise funds for the next stage – Success, over £23,000 raised in 4 weeks

More preparation and paperwork

The Full Hearing at the RCJ - now awaiting the ruling

This whole process requires a huge effort, dogged determination and community support.

Our Grounds – a very short summary

1. No power to grant the lease
The land is “open space” as defined in Article 6 of the Greater London Parks and open spaces order 1967.
2. Use of the land would be inconsistent with statutory purpose
As the land would be used for a private training academy this would be inconsistent with its statutory purpose
3. Unlawful use of funds
As the land forms part of public trust land any proceeds from the sale must be reinvested in the remaining public trust land
4. Error of fact
The golf course was publicly accessible
5. Failure to appropriate the park
For the park to be appropriated to a new purpose the Council must be of the view that it is no longer required for its former purpose

Why we needed a first class team of Barrister and Solicitor

Our basic claim was that the London Borough of Enfield had acted unlawfully in attempting to dispose of a large part of Whitewebbs Park to THFC

Reference was made to the various provisions in these Acts

1849 Public Health Act

1875 Public Health Act

1907 Public Health Act

1925 Public Health Act

1933 Local Government Act

1947 Town and Country Planning Act

1959 Town and Country Planning Act

1967 Greater London Parks and Open Spaces Act

1971 Town and Country Planning Act

1972 Local Government Act

1980 Amendment to the 1972 Local Government Act

There was also a range of precedents to consider:

Just a few of them:

Muir v Wandsworth Borough Council

Burnell v. Downham Market Urban District Council

Mayor of Liverpool v Assessment Committee of West Derby Union

British Transport Commission v Westmoreland County Council

Goodman v Secretary of State for Environment, Food and Rural Affairs

Day v. Shropshire

And the defendants had their favoured precedents as well.....

There is an obligation on all parties for full disclosure:

All evidence must be submitted to the court and to other parties in “the bundle” well before the day of the hearing.

Everything must be cross referenced. Computer versions submitted as pdf files together with paper versions in large ring binders.

Failure to disclose is treated very very seriously.

There were hundreds of pages in my bundle.

Researching records can be vital. There were records from Middlesex County Council, Enfield Urban District Council, GLC, GLA and the London Borough of Enfield all in different locations.

One of our supporters spent a day photographing documents in the London Metropolitan Archives. This enabled our solicitor to locate key documentary evidence before the hearing.

Do not assume that Councils have full and accurate records.

The day(s) of the hearing for the Full Judicial Review



Our hearing was scheduled for two and a half days but went to three. This is long for a JR

Courts vary in size with limited room for the public. If you expect a lot of supporters ask for larger courtroom.

Our hearing consisted of Barristers presenting their cases to the Judge. The claimant's barrister presents a summary to the court on the last day. The defendants' do not.

Our barrister took full advantage of the opportunity and made a devastating analysis of the defendants' positions.

Advice: Allow time for the airport style security at the entrance. You can bring placards and posters for photo opportunities outside the court. The security people will store them for you while you are in court.

The acoustics in the court were not good – it was not easy to hear everything that was said. The seats are uncomfortable.

Do not expect a judgement on the day – it can take several weeks.

The Money

Litigation is expensive, even if you get discounted rates.

Get the best legal support that you can – your funds will not be wasted.

We raised funds for each stage of the process – people seem to respond best to short term targets.

Give full information to donors about where the money is going and the likelihood of success.

We used [Crowdfunder.com](https://www.crowdfunder.com). They understand the legal world and have experience of working with solicitors. We found them efficient and helpful. Yes, they take a small percentage, but they deal with all the banking, accounts, GDPR requirements and administrative arrangements. In total we have raised about £45,000 to cover all the stages from Legal Opinion to the Full Hearing.

There will always be extra costs and allow for the VAT payable on legal fees (The Treasury has done well out of our campaign)

ENFIELD DISPATCH



Whitewebbs Golf Course (Photo: UGC)

f t in e 0 comment

Labour councillors were heckled over their response to a petition signed by more than 3,500 people urging them to protect an area of green belt land.

They faced cries of "you should be ashamed" and "that's the end of my Labour support" from residents in a packed public gallery at a meeting of Enfield's full council on Wednesday (February 26).

The petition calls on the council to protect Whitewebbs Golf Course and surrounding woodland, which the local authority wants to lease out to a third-party provider.

It makes five requests of the council aimed at protecting public access to the land, restricting development and ensuring there is "full public consultation" before any

28th February

Anger over response to Enfield green belt golf petition

By Simon Allin | [@SimonAllin3](#)

Local Democracy Reporter, Barnet, Enfield and Haringey

News Coverage

- The Sun
- Private Eye
- GB news
- Local Radio
- ITN Local news
- BBC TV Local News
- BBC Radio London –
- Live interview
- Evening Standard
- The Guardian

PRIVATE EYE

PARKS & REMUNERATION
 Why is Enfield park in a beautiful stretch of ancient woodland and open parkland in Enfield north London.
 In 1911, the enlightened local authority bought the land as open space for the people of Enfield. A public golf course was opened on part of the land to help towards costs, but during the 1960s, it was closed by the council on the grounds that it was being abused. Local pressure and protest led to it being reopened. Local pressure re-emerged in popularity when it opened briefly between lockdowns.
 The council declared the land – amounting to 60 percent of the park – would be leased to a private company, and Tottenham Hotspur FC was announced as its preferred bidder. The club already owns a green belt adjacent to the park for its men's training grounds.
 Spurs is entirely owned by billionaire currency trader Jose Luis, who lives on a £17m property in the City. His company, Enspurs, registered 4,000 miles away from Spurs at a Bahamas lawyers' office that specialises in creating offshore tax structures. Tottenham chairman Daniel Levy is Enspurs' other shareholder.
 In planning documents, the club wants to build a football academy for its women's and girls' teams at Whitewebbs Park, with women's and hybrid pitches and an academy building, replacing the golf clubhouse. According to its glossy proposal document, the club would also upgrade the club, maintain hospital and create a "sustainable future for this important site".
 Residents and park users are furious about the council's plan. They don't want to see part of their park closed off for the Premier League's money to cover legal fees to seek permission for a judicial review of the council's decision of the land.
 The Labour MP, Stephen Charlesworth (recently suspended by Labour) and Ferral Clark, have spoken out against the council's actions, raising concerns over the lack of community consultation, or the friends of Whitewebbs Park, told the Eye: "The council are saying this is a 25-year lease, but in one opinion since that land is gone, it's gone."
 The football club has agreed to pay an initial premium of £300,000 for the lease of the area of land, followed by £75,000 yearly rent from year one to year 25. The council plans to require to hold the amount paid each year in wages to Spurs striker Harry Kane.
 Spurs is offering payments, "concluded Withnotters: "Enfield is effectively subsidising a multi-billion pound offshore company when the council is supposed to be the owner of this land on one hand and a football club on the other."
 In EPRF London, part of the countryside in Enfield is also competing to see the lease to Spurs. The Eye asked Enfield council about its plans, but a spokesperson said it had "nothing further to add at this stage".

Locals hit back at Spurs' football plans for 'green and biodiverse' space

Enfield council's move to lease part of north London park to Tottenham Hotspur prompts local anger and judicial review



Tottenham's proposals for a 'world-leading' women's football academy at Whitewebbs Park are opposed by many local people. Photograph: Friends of Whitewebbs Park

The expansion of women's football has been pitched against public green space and a rewilded golf course in a growing dispute between Tottenham Hotspur Football Club and local residents.

The club are expected to submit a planning application for a "world-leading"

Keep up to date

Facebook - *Walking in Whitewebbs*

Web www.whitewebbspark.org.uk

Email: whitewebbspark@gmail.com

February 6th, 7th and 8th full Judicial Review hearing at the RCJ



Daily reports in the Enfield Dispatch, supporters in attendance every day

Enfield Council accused of 'gaslighting' residents over Whitewebbs lease to Spurs

Lawyer rejects claim councillors 'misled' over decision to lease Whitewebbs Park

Judicial review case concludes with final plea to 'quash' Spurs lease of Whitewebbs Park



We are expecting a ruling towards the end of March