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OVERVIEW & SCRUTINY COMMITTEE - 27.7.2023

MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE HELD ON THURSDAY, 27 JULY 2023

COUNCILLORS

PRESENT (Chair) Margaret Greer, Mahmut Aksanoglu, Maria Alexandrou, Nawshad Ali, Kate Anolue, Hivran Dalkaya, James Hockney and Michael Rye OBE

ABSENT

STATUTORY CO-OPTES: *1 vacancy (Church of England diocese representative), vacancy (other faiths/denominations representative), vacancy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor representative) - Italics Denotes absence*

OFFICERS: Sarah Cary Executive Director Housing, Regeneration & Development, Fay Hammond Executive Director Resources, Jennifer Lee Principal Asset Manager, Claire Johnson (Head of Governance, Scrutiny and Registration Services), Elizabeth Paraskeva, Principal Lawyer, James Wheeler, Interim Director of Property Harry Blake-Herbert (Governance Officer), and Petra Stephenson (Governance Officer)

Also Attending: Cllr Hannah Dyson (Call-in Lead), Cllr Nesil Caliskan`

1 WELCOME & APOLOGIES

The Chair, Margaret Greer welcomed everyone to the meeting.

The Chair explained the expectation of public conduct during the call-in.

The call-in lead Member, Cllr Hannah Dyson introduced herself.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 DECISION CALLED-IN-KD5607- DECISION TO LEASE LAND AT WHITEWEBBS PARK GOLF COURSE

Overview & Scrutiny Committee were to consider the decision to proceed with the disposal (agreement for lease) for land at Whitewebbs Park Golf course and review the decision taken.

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Details of the decision taken and issued on 7 July 2023, were included on the Publication of Decision List No. 07/23-24. The report also set out officer responses to the reason for call-in.

The decision was called in for review by 8 Members of the Council; Councillors Hannah Dyson (Lead), Reece Fox, David Skelton, Lee Chamberlain, Alessandro Georgiou, Chris Joannides, Ruby Fox and Andrew Thorpe.

3.1 REASONS FOR AND OFFICER RESPONSE TO CALL-IN-KD5607-DECISION TO LEASE LAND AT WHITEWEBBS PARK GOLF COURSE

Reasons for the call-in received from eight Members of the Council were presented by Councillor Hannah Dyson, Lead Member for the decision.

3.2 ORIGINAL DECISION OF CALL-IN-KD5607-DECISION TO LEASE LAND AT WHITEWEBBS PARK GOLF COURSE

Councillor Hannah Dyson, Call-In Lead Member, summarised concerns /objections received by local resident groups and comments received via Whitewebbs Ward Councillors.

Councillor Dyson felt that the council should not proceed with the proposed lease for the following key reasons: lack of local support and consultation, the requirement to maintain open access to the parkland, a 90% miscalculation in initial calculations, the loss of a crucial hub for biodiversity and the decision is subject to ongoing legal action. The scale of public opposition has been made clear on numerous occasions and people feel ignored and un-consulted.

Particular points of contention were the inadequate notice during Christmas holidays, the lease terms were not made available even in draft form, so residents had little time to respond. Also, the lack of evidence to support claims of full public access or significant enhancements to the park, which are only indicative proposals with no legal contractual significance.

The Chair, Margaret Greer thanked the crowd for their attendance.

Officers and the Leader of the council were invited to respond.

The Leader, Cllr Nesil Caliskan thanked Councillors and public for the opportunity to address some of the points raised by the call-in Lead.

The Leader asserted that there had been a considerable amount of consultation and information shared, dating back to 2021. Whilst this call-in was about the lease process the Whitewebbs debate had gone on for several years.

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On the specific point of the notice for the proposed lease and notice going up on the site itself, Cllr Caliskan pointed out that alongside the site notice there was a notice in four hub, libraries, the civic centre and local press in conjunction with other public documents published online as part of the council reports. Crucially, there had been a local election in which the administration was very clear as to the intention for the site, decisions made by the administration are made in the interest of the whole borough and this decision is both a chance to enhance the whole ward and benefit all residents.

In terms of access to parkland and biodiversity the proposal will see 60% of the former golf course turned into parkland with better access to the woods.

In respect to the calculation of finances, all aspects of costs were included, overheads and capital costs are a cost to the local authority.

It was emphasised that the lease will only be completed if planning permission is granted and this is subject to planning committee agreeing the application.

The Chair thanked the leader and opened the floor for questions from members of the committee as follows:

Cllr Hockney began by referencing cases in other Local Authorities, where it was found that alternative uses of parks was found to be a breach of the parks act 1967 and questioned if these cases had been considered.

Principal Lawyer, Elizabeth Paraskeva confirmed there were no concerns as regards the cases referenced, and that correct and lawful action had been taken by the Council.

The Leader iterated the site had previously been commercially leased and reiterated that she is comfortable with the legal advice taken.

Sarah Cary, Executive Director Housing, Regeneration and Development also reminded members that there was a published officer's response which explained the procedure in which parks can be leased out.

Cllr Hockney continued and asked about the carbon footprint of the artificial pitches and how it fit with the councils Climate change strategy.

The Leader expressed that increased biodiversity is a net benefit. 60% of the golf course will benefit from rewilding plus additional investment in the woodlands will attract biodiversity. The weighting of the decision was not just about financial gain, there were several aspects including a net benefit to biodiversity and improvement to public access.

Officers addressed carbon emissions, noting there were a few objectives such as enhancing public access, community engagement, provision of refreshments and welfare facilities. There is no current assessment relating to the carbon emissions associated with the development. It will however be considered as part of the planning application.

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A series of questions were asked by Cllr Dalkaya relating to the history of the site.

The Leader stated that the lease of the golf course was a long-standing arrangement and not the only one in the borough. The site closed as it became unviable, so reverted back to Enfield.

This opportunity to secure additional investment for the site and whole park, would enhance the space meaning more people can use the site, it would provide the first women's football training ground in the UK. Overall, residents will benefit from the proposed lease of the site subject to the planning permission it will have to go through.

Sarah Cary, Executive Director, Housing, Regeneration and Development confirmed the golf course had been leased in the 1990's however the operator was not able to make the course viable and walked away. In 2019 Cabinet took the decision to remarket the site with a broader range of uses.

Fay Hammond, Executive Director - Resources responded to the financial question, affirming that the course was loss making and did not cover its costs. To modernise and make it more competitive substantial investment will be needed as originally noted in April 2021 in KD 5517. This current proposal increases income to the council with the additional business rates generated, so is more financially favourable than the previous arrangement.

Cllr Rye questioned why the report suggests that only 18% of the area is shut off, which is misleading as the whole site has been available to date, so sought confirmation that the whole site would be open to the public.

The Leader responded by clarifying the figures, the 82% referred to includes the whole park, the woodlands and the golf course, a third of the golf course will be a training camp. This investment means additional accessibility for more people.

Cllr Rye followed by addressing the issue of the notices.

Cllr Caliskan stressed that the council went over and above the statutory consultation period. Although not everyone agrees with the decision and will always want more consultations the fact that members of the public have expressed their views through Councillors shows adequate consultation.

Officers added that the day the notices went up the park was covered in snow. The choice was taken to put it on a building owned by the council, visible and to go above and beyond by having a sign in the park as the plan was to only have it in the paper as that is all that is required.

The Chair interjected stating it should be taken on board that with the snow mentioned it would have been difficult for people to have seen the notice and accept that there was some disquiet about how notice was given, even though

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the administration was trying to adhere to the process. Although it is a little disingenuous to talk about “the toilet” because there were other places that it was shown, libraries and accessible buildings.

Cllr Rye posed his final question around proposals in the lease which suggest Tottenham will control all entrances to the park except for Flash Lane.

The Chair clarified that there is a plan in progress, there were discussions around public access and that there will be an expectation of access.

The Leader reiterated the Chair's point, asserting as part of the planning process, there would be consideration as regards adequacy of public access ensuring compliance with equalities requirements and this would be the expectation from the administration. Secondly, it was stipulated as part of the marketing exercise that there should be investment in the café and toilets, which should provide some reassurance that access is permitted.

Cllr Ali, sought clarification on the lease area and further explanation on how Tottenham Hotspur compared to others during the bidding process.

In response, Officers referenced published KD5517 and gave a summary; primarily Tottenham Hotspur were the 3rd highest bidder financially but offered a wider range of uses.

Cllr Alexandrou questioned how many letters were sent to residents prior to the leasing of the park, and who will be monitoring the formal paths and toilets in the parks?

The Leader stipulated that a new café and toilets which are accessible and available to the public were a requirement and reiterated there were a series of notices. Letters were posted through doors to properties adjacent to the park and more recently a letter to everyone in Whitewebbs. Cllr Caliskan reminded the committee that the call-in was about a notice not a consultation. Further there will be an additional statutory process in respect of the proposed planning application.

Cllr Mahmut Aksanoglu, Vice Chair followed by asking if a decision had been made on how the finances will be spent?

The Leader explained no assumptions have been made in the budget position as the lease has not been granted nor gone through the planning process. Instead, clear commitments to the residents across the borough have been made and income will be used in part to fund grass route activities.

Cllr Mahmut Aksanoglu also enquired how long the golf club made a loss for?

The Leader responded that a loss was made for the last five years whilst under the councils control, however it was never viable.

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Reassurance was sought from the Vice Chair that Tottenham Hotspur will consult and work with residents if the park is leased and would take the points made at the OSC meeting onboard and address concerns.

Cllr Kate Anolue stated that a football academy for girls sounds very exciting but how will this benefit residents?

Sarah Cary articulated that it was a positive thing for the borough as a regional and national facility, other socio-economic benefits will be discussed including investments in the park and bringing wider benefits to local residents.

The Leader added that the marketing process had given confidence to the investment. There are several golf courses in the borough but no women's training academy

The Chair invited Cllr Dyson to ask any further questions which she declined.

The Leader gave further assurances that the proposal was for an agreement to lease and the lease itself would not be granted without planning permission.

The Chair specified that two more questions would be taken.

Cllr Rye referenced page 9 of the call in, to ask about grass roots football for girls and how it will benefit school children as there were no details provided.

Sarah Cary informed that the bid was on the basis of a specific women's regional training facility. There are wider benefits to the borough in terms of improvements to the park, better toilets and café, improving biodiversity and the pathways which was the purpose of the marketing. It was always proposed to be a training facility and not a pop-in centre.

Cllr Rye expressed that he was happy with the response, but it was not quite what was spoken about under point 9 when it talks about grass roots footballers which would mean opportunities for people to play football in/for Enfield.

The Leader underlined that planning committee could consider the adequacy of the social benefits as part of the planning application process. This will provide an opportunity for further reassurance from the applicant that they will add more benefits to the borough.

Cllr Ali concluded the questions by asking in terms of accessibility, if the proposal goes ahead what about wheelchair users?

The Leader assured all future proposals go over and above the legal responsibility of the Equalities act to ensure everyone has access to our green spaces. In respect of the point on disability, The Chair drew attention to the equality impact assessment on page 65 where it talks about mitigation and provides action that the council is duty bound to take.

The Chair motioned/proposed to move to Part 2 and asked for a seconder. Cllr Rye seconded the move to Part 2.

The public and press were excused.

4 DATES OF FUTURE MEETINGS

The next business meeting would be 14th September 2023.

5 ORIGINAL DECISION OF CALL-IN-KD5607 - DECISION TO LEASE LAND AT WHITEWEBBS PARK

The Call-In Lead, Hannah Dyson, summarised the points made during the discussion and called for the residents to be listened to and the decision referred back to Cabinet so concerns could be adequately addressed.

The Chair, Cllr Greer summarised the discussion and asked Committee Members to decide upon the three options available to them.

The Committee AGREED to confirm the original decision made by The Leader, Cllr Caliskan.

Cllr Greer thanked the public, members and officers for their time and consideration.

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