

## **Proposed Leasing of Whitewebbs Park and Golf Course (WPGC)**

### **Summary of Section 123 Process**

The London Borough of Enfield (LBE) propose to lease part of the land at Whitewebbs Park, which was formerly used as a golf course, to Tottenham Hotspur Limited. Following a competitive tender process, approval for the proposed lease was granted by the Leader (KD5177) in September 2021.

Formal notice to enter into an agreement for lease was advertised in accordance with Section 123(2A) of the Local Government Act 1972, and published in a local newspaper, the Enfield Independent, for two consecutive weeks beginning 14<sup>th</sup> December 2022. In addition, officers displayed the Notice in A3 print at the Civic Centre, Silver Street and the four hub libraries (Library Green, Ordnance Road, Edmonton Green and Broomfield Lane). A further copy was displayed on the LBE-owned WCs at the southern end of Whitewebbs Park adjacent to the public carpark.

The Notice directed any person objecting to the proposal to do so via an online response form detailed in the Notice, email a dedicated address or write to the Council's Strategic Property Services. The deadline for receipt was given as a full calendar month, namely 11.59pm on Sunday 15<sup>th</sup> January 2023.

Following the deadline, all responses were merged into a single document and considered accordingly. A total of 788 responses were received. Where respondents submitted their objections more than once, any duplications were considered and only counted once.

The process called for respondents to submit their objection only with no further information requested, save for web responses giving the option of supplying a postcode.

Following careful consideration of the topics raised, objections were placed into the categories set out below. Where a response detailed multiple reasons, these were separated to allow for each point to be considered.

The Section 123 Notice called for objections and there were a number of responses in support of the proposed lease or that they would be on receipt of further information. It is not possible to assess the level of public support for the proposals since the Section 123(2A) process does not seek to gather evidence in this regard.

<b>Key Themes</b>
1. Lack of consultation / engagement / information about the proposals
2. Community impact
3. Environmental impact
4. Financial
5. Physical and mental health
6. Process and decision making
7. Miscellaneous

## **Objections Raised**

### **1. Lack of consultation / engagement / information about the proposals**

The common theme in this area related to how the plans had been communicated, with some respondents expressing their concern over the lack of information provided. Many comments were a request for more information or highlighted that it was felt that there had been limited engagement.

	<b>Theme of objection</b>	<b>LBE Response</b>
1.1	The plans and commitment to the process have been vague.	The process is in the early stages. More detailed plans will be shared once the public engagement begins. Full public engagement will begin shortly after the agreement for lease is signed as part of the planning process.
1.2	There has been no consultation with the people of Enfield.	
1.3	We would like further consultation with local residents before any decision is made.	
1.4	There does not appear to have been any / adequate consultation with the local community who it will impact significantly	Prior to the marketing of Whitewebbs Park, the Council engaged directly with stakeholders of the park, to inform them of the Council's plans to market the site and

		provide updates throughout the marketing process.
1.5	We should have been able to see the agreement to lease, planning application & draft lease	<p>The negotiations for the Agreement for Lease (AfL) are commercially sensitive and confidential and in some respects subject to legal professional privilege and accordingly the draft AfL cannot be shared with the public.</p> <p>The planning application has not yet been submitted, but when submitted will be available on the Council's planning portal in the usual way.</p> <p>The terms of the Lease will be negotiated and finalised in due course, but as with the draft AfL these negotiations and the draft Lease will be commercially sensitive, confidential and/or protected by legal professional privilege.</p>
1.6	There are NO ACTUAL details published and/or agreed as to how Spurs will use the 'taken over' land. How can Enfield Council therefore agree to Spurs' proposal since they don't know their ACTUAL proposals. 2. As seen very recently, Whitewebbs was FULLY used by local residents during the Pandemic. The residents of Enfield MUST be able to use (and therefore retain) this vital access to open countryside - at all times. There should not be ANY restriction and/or curtailment of its access and/or use.	Full details of THL's proposals will be revealed publicly through the planning process.
1.7	Why is it that this is not generally known about? Why have the club not engaged as required? Why have the council been pushing this through on the quiet?	THL are preparing a communications and engagement strategy which will begin if and when THL have a contractual arrangement through the Agreement for Lease. The Council has not been pushing this through

		on the quiet: there is a publicly available trail of relevant Council decisions; and the present Section 123 consultation-style process is a public process, as the planning process will be in the usual way
1.8	I object as there has been legally insufficient consultation with the public as to what we want.	Stakeholders were consulted prior to the former golf course being marketed ahead of the tender process and will be invited for more detailed engagement as part of the planning process.  There is no legal obligation for the Council to undertake a more extensive consultation process than the one that has taken place.
1.9	THL has made no effort to engage meaningfully with the Enfield community - even though to do so was a stipulation for the successful bidder - therefore I object to the proposal.	
1.10	What will the land be used for? Will the public still have access? Is there any intention of building on the land?	It is proposed that approximately 18% of Whitewebbs Park would be used (subject to planning) as a dedicated women and girls' football training academy and turf academy. The remaining accessible areas would be open to the public. Further detail will be given in THL's planning application and as part of its communications and engagement exercise referred to above.

## 2. **Community Impact**

Objections received under the principal theme of community impact raised concerns over the potential loss of a community asset, i.e., green space to the public, and lack of any public benefit from the proposals. The Council believes that the community experience would be more enhanced than when the golf course was operational, creating a more accessible open space. Under the proposals, the area of the park which THL would control and to which public access would be limited is approximately 18% of the original bid boundary. This area would be dedicated to developing the Women's and Girls' game

with a new state of the art Football Academy and Turf Academy, and access would be managed by the Club. The remaining approximately 82% of the Park would remain open and accessible to the public.

	<b>Theme of objection</b>	<b>LBE Response</b>
2.1	<p>The proposals are not in the interests of the community today or the future.</p> <p>Whitewebbs is for the people of Enfield we love the freedom of Whitewebbs please don't take it away from us it should be for now and for future generations to enjoy</p> <p>1.I remain unconvinced that the Agreement to lease and the proposed lease are of any benefit to anyone but THFC/ENIC. 2.I urge Enfield Council to reconsider its position and find a solution which genuinely serves the interests of the people of Enfield.</p>	<p>The THFC bid also would see the improvements to the wider park, for example carrying out repairs and renovations to paths, bridleways and fences, as well as improving the existing café and toilet facilities to serve public users of Whitewebbs.</p> <p>The bid also includes proposals for a new Women and Girls' Football Academy and a Sports Turf Academy. These would provide top-class facilities and sporting opportunities for the next generation, helping to meet the Council's ambition of increasing opportunity for women and girls to play sport in Enfield.</p> <p>The bid proposals would also enable the Council to invest in grassroots sport for young people, which has been enthusiastically received by residents across the borough.</p>
2.3	<p>This space should be kept free for the public and not football</p>	<p>The majority of the land would remain accessible to the public.</p>
2.4	<p>It has a strong community of walkers, families gathering and golfers.</p> <p>The land belongs to the people of Enfield.</p>	<p>We acknowledge the community benefits of the parkland and anticipate that these benefits would be enhanced through a revised estates management programme.</p>
2.6	<p>This will no longer be able to be used by the public for</p>	<p>The majority of the land would remain accessible to the</p>

	recreational walking and riding. Affect local business due to unable to use bridle paths, Jillan's Riding School, Kings Oak Equestrian Centre and Guy Lodge livery stables	public.  It is proposed that associated bridleways would be upgraded as part of the agreement.
2.7	I object to the lease as it does not appear to enhance the public space itself, support public use of or access to the space	It is expected that the THL proposals would enable the enhancement of the public space, for example, the proposed improvement works forming part of the lease agreement would include refurbishment of the former southern clubhouse to provide a new café.
2.8	Whitewebbs is for the people of Enfield we love the freedom of Whitewebbs please don't take it away from us it should be for now and for future generations to enjoy	Please see comments above.
2.9	1.I remain unconvinced that the Agreement to lease and the proposed lease are of any benefit to anyone but THFC/ENIC. 2.I urge Enfield Council to reconsider its position and find a solution which genuinely serves the interests of the people of Enfield	Please see comments above.
2.10	I object to this land being used in this way. It should not become private	The area which is proposed to be used as a Women's Football Academy would be only approximately 1/3 <sup>rd</sup> of the area intended to be leased.  The remainder of the park would be accessible to the public.

### 3. Environmental Impact

This principal theme includes objections relating to loss of habitat and to carbon sink during a biodiversity and climate crisis, as well as concerns relating to increased noise, traffic movements, drainage and flooding.

Around half of the former golf club would be rewilded and transformed into new parkland and wildflower meadows. The northern boundary would also be rewilded to form a natural connection between Whitewebbs Wood and the new nature reserve the Club is delivering at Dickenson’s Meadow.

Also nearby, the Club is creating a new environmental centre and nature reserve at Dickensons Meadow. The intention here is to provide the borough with a high quality education experience for both primary and secondary school level pupils and a hands-on experience with nature. Works to deliver the Meadow are due to start this year.

	<b>Theme of objection</b>	<b>LBE Response</b>
3.1	The plans destroy a beautiful area.	The Council understand the concerns that green space may lost be once the park is leased. The proposals seek to enhance and celebrate the open space through the creation of an estate management plan.
3.2	This is a beautiful green space that is used and enjoyed by many including wildlife. It is good for the soul and environment. It should not be made elite by leasing it THFC. Outrageous.	The green space would continue to be enjoyed by the public, save for approximately 18% of the Park being enclosed as a football academy.
3.3	I object to the lease of whitewebbs park to Spurs due to the diverse nature of the animals that live in this park. The space should remain a sanctuary for animals and an outdoor space for residents.	The Council and THL are alive to this and any development would be sensitive to any issues in this regard.  The proposed rewilding the majority of the site would lead to an overall increase in habitat for wildlife as well as creating a more diverse place for residents to visit for leisure purposes.
3.4	By allowing this to go ahead this will not only be damaging to	Please see the responses above in this section.

	<p>the local residents, but the wildlife population too. This area is home to a variety of Flora and fauna which will all be destroyed when the development goes ahead. Hundreds, if not thousands of beautiful trees will need to be torn down, some of which have been growing for hundreds of years and are a vital part of the eco system in the area. Even if every tree was replanted, there will still be considerable damage to the environment, something that the government was meant to be fixing with its money making ulez expansion, not increasing by tearing down acres of forest. The countless animals that call this area home will have no where to go when the demolition starts and a large number of the smaller woodland creatures may even be killed in the process.</p>	
3.5	<p>I am objecting the lease of Whitewebbs to Tottenham! The environmental damage is not appropriate in our time. We need to keep our green spaces.</p>	<p>Any environmental damage would be minimal but where it occurred it would be more than compensated for by enhancements to habitat elsewhere.</p>
3.6	<p>This site is important for biodiversity including providing vital nesting habitat for ivy bees.</p>	<p>These comments are noted. The Council and THL would work closely together to ensure that any damage is minimal. As above, the proposed rewilding would enhance the habitat for wildlife.</p>
3.7	<p>Whitewebbs park and woods offer a valuable and important facility to the local community both human and wildlife. Bats, owls and a multitude of other animals are present. This is ancient woodland and must be left alone.</p>	<p>Under the proposals, bat habitats would be protected accordingly.</p>
3.8	<p>This is a hugely valuable space for people and wildlife alike. It has become a nature reserve, since the golf course was abandoned. It has an array of wild bee species; woodpeckers; kestrels; stag beetles; frogs. It's an incredible piece of</p>	<p>The proposals seek to enhance the Park through rewilding and increasing the current natural habitats.</p>



	greenspace and we cannot afford to lose it - especially with the climate and biodiversity crises, in addition to the lack of London wild spaces. Astroturf is an environmental disaster and more pitches for Spurs is simply not acceptable	
3.9	There is a climate crisis & you are destroying a beautiful rewilded park.	
3.10	As a Garden Designer I strongly object to this proposal. Astroturf pitches and plastic reinforced hybrid pitches provide zero value to Enfield's green belt, in fact they'll have a negative impact.	The designs would be considered through the planning process.

#### 4. **Financial**

The objections received under this principal theme related to insufficient financial benefit from the proposed lease and that the lease would not be at the best consideration reasonably obtainable.

	<b>Theme of objection</b>	<b>LBE Response</b>
4.1	Rent falls below market level / I feel that this land is massively undervalued in today's market / Fails to secure the best price for the land / I object to the lease to THL for a very small sum of money	A confidential up-to-date valuation report on best consideration has been prepared by the Council's valuers, Knight Frank.
4.2	I feel that this land is massively undervalued in today's market.	Please see the response to 4.1 above.
4.3	The land is going to Tottenham Hotspur for a minuscule amount of money. They are a wealthy company who want this land so they should be charged much more money that can then be invested in Enfield services.	Please see the answer in response to 4.1 above.

4.4	The proposed rental income (averaged out at £80,000 a year) will not be sufficient to support the stated intention “to reinvest an extra £100,000 a year into grassroots sport for young people across the borough”. The Council could have made the existing use of the land more viable by adopting a more business-like approach to the existing facilities.	Please see the Financial Implications section in the main Report.
4.5	The monies talked about for the lease is pitiful and a slap in the face to the local community	Please see the response to 4.1 above.
4.6	I realise that all councils are experiencing financial hardships but, selling off/leasing green space, especially at such an insultingly low amount, does not benefit the people of Enfield. A council should always act with the best interests of it's constituents at heart and this does not do that in any way	The Council are not proposing the sell off the land. The proposal is to lease the land for a 25 year term with an estate management programme appended to the lease.
4.7	I am also very concerned that the local authority seem to be charging too little for the leased land and this cannot be in the best interests of the community. If money is to be raised from leasing Whitewebbs surely the local authority would want to maximise the profit made for the benefit of all Enfield residents?	Please see the response to 4.1 above.
4.8	I also feel that if our public park is to be privately leased, this should be done at the market rate or even a premium to that, to justify the loss of access and benefit the local community in other ways. I feel particularly strongly that a business as well financed as THL should be paying significantly more than the current terms of the lease.	Please see the response to 4.1 above.
4.9	I do not believe that this represents good value for local residents	Please see the response to 4.1 above.

## 5. Physical & Mental Health

The objections reported under this principal theme concern the importance of green spaces for mental health and well-being, in particular (but not only) for retired people and dog walkers.

	<b>Theme of objection</b>	<b>LBE Response</b>
5.1	As a recovering cancer patient daily access has been essential to recovery.	The land would not be lost to the public. There would continue to be public access over the majority of the park.
5.2	Our parks are essential for our wellbeing. Once Spurs start building, it will be completely lost to the public.	Please see the response to 5.1 above.
5.3	The pandemic has shown how important green spaces are and the accessibility of these spaces, for physical and mental well-being.	The Council agrees with this statement and fully appreciates the popularity of the park in this regard.
5.4	This space should be left for general public as its vital for people's mental health.	The land would not be lost to the public. There would continue to be public access over the majority of the park.
5.5	I walk and play golf on this land. Who decided it was your right to deny me and the rest of the public this escape from urban living.	Please see the response to 5.5 above.
5.6	The need to have access to open spaces for recreation for resident's mental health and well-being is key	The Council fully agrees, and hopes residents would choose to continue using the park in this way.
5.7	Green space is of vital importance to people in all walks of life in particular those needing to enjoy the outdoor space which is	Please see the response to 5.6 above.

	good for mental health.	
5.8	I object to the proposal on the basis that will create an obstruction to the absolute freedom to walk/run through the area. We are a mixed group, some living in west Enfield...(west of Ridgeway) and others east of Great Cambridge Road but walks and runs take us east to west taking routes that are varied and often off the beaten track but pass through the proposed area. Any proposal that would prevent us continuing these decades old healthy life improving activities should be stopped or only permitted to all absolute free movement of people irrespective of times or dates.	Part of the park would not be accessible but the proposals would not on the whole prevent these walks and runs. The Council believes that members of the public would benefit from a more enhanced experience.
5.9	Whitewebbs is a much loved and much used open space easily accessed for the residents of Enfield. At a time when we need to encourage greater use of such a great facility to improve physical and mental health	The land would not be lost to the public. There would continue to be public access over the majority of the park.
5.10	I am a member of a walking group for retired people and we are recommended to take regular exercise for our health.	Please see the response to 5.9 above.

## 6. **Process & Decision Making**

The objections themes set out and responded to below relate to non-legal aspects of the Council's decision-making and process.

	<b>Theme of objection</b>	<b>LBE Response</b>
6.1	Whitewebbs Park is public trust land. It was acquired by Middlesex County Council under section 169 of the Public Health Act 1875. The land is subject to a public trust and Enfield Council is a trustee, as opposed to a beneficial owner.	Please see the Legal Implications section of the main Report.  The Council has responded directly to CPRE on these

	<p>Enfield Council thus have no rights at all to sell or lease any part of the park to a private corporation for an exclusive training academy, inaccessible by the general public. The land is also "open space" as defined in Article 6 of the Greater London Parks and Open Spaces order 19672. Various articles within that order prevent Enfield Council from leasing any part of the park for exclusive use by a private corporation, whilst excluding the general public.</p>	<p>matters.</p>
6.2	<p>The timing is close to Christmas when people are distracted and is totally undemocratic as residents have consistently made their objections known.</p>	<p>There has been no deliberate attempt to minimise public awareness or restrict the public's ability to respond to the section 123 Notices.</p> <p>In light of the December timing, the response period was extended to account for public holidays allowing objections to be received up until midnight on 15<sup>th</sup> January 2023, thereby allowing a full month for responses to be made to the Notices.</p>
6.3	<p>The Council have gone back on commitment to not agree leases until the planning process has concluded.</p>	<p>The Council proposes to enter into an Agreement for Lease. The Lease would not be granted until planning permission had been obtained.</p>
6.5	<p>Change of publicised tact i.e. planning before lease. As Spurs are agreeing to the terms of the lease now, have they have been in touch with Planning to verbally agree their plans without proper planning consultation? Property Director/department agreed at the public Green Belt Forum meeting to not award this lease to an organisation that had not fulfilled previous Section 106's. Spurs have still not complied with some Section 106s and have foregone at least two planning applications Buildings and Floodlights and completed constructions. The</p>	<p>Please see the response to 6.3 above.</p>

	people of Enfield depend on Enfield Council to comply with their own policies to protect residents' rights and hopefully wishes. LBE is mainly funded by Enfield residents after all.	
6.6	Whitewebbs Park is public trust land. Legislation states that the land is to be used as open space and for public recreational activities.	Please see the Legal Implications section of the main Report.
6.7	The leasing of Whitewebbs Park to Tottenham Hotspur FC appears to be unlawful. As stated in the letter from CPRE sent to Helen Berry Senior Property Lawyer. To which I understand there has been no response.	All letters from CPRE to the Council have been replied to.
6.9	The Council has not demonstrated that it is lawful for this land to be leased to THL for the purposes indicated. In the absence of this information, we object to the Council's proposal. We have not seen a copy of the draft lease so we are being deprived of the opportunity to make an informed judgment.	Please see the response to 1.5 above.
6.10	The lease of the park to a commercial organisation is unlawful. It is for the use of the people of Enfield not a private company. Spurs have proven not to be trustworthy in respect of commitments made in respect of footpaths and nature reserves around their main training ground and are not a suitable tenant. It is unnecessary to lease the whole of the park to Spurs in any event when their plans are only for a limited area.	The proposals are to lease only a proportion of the park.