

THE FRIENDS *of* WHITEWEBBS PARK



Protecting *what's* PRECIOUS

Newsletter Spring 2023 **Legal Action Fund Raiser Edition**

Main Topics

1. The agreement to lease proposal
2. Legal Action
3. Fund raising
4. The changing landscape of Whitewebbs Park
5. Observed species—keeping a record of biodiversity
6. Additional notes

Where are we with the Spurs bid?

Just before Christmas the Council announced that it was planning to sign an “agreement to lease “ for Whitewebbs with THFC. The public were asked for objections. The response was terrific. Hundreds wrote to the Enfield Council, copying in their councillors and their local MPs. Such was the extent and quality of the objections that both Bambos Charalambous MP and Feryal Clark MP wrote to the Council expressing their concerns over the process .

To date no action has been taken to sign the agreement to lease.

Thanks to all supporters of the park for their rapid and effective response.

Legal Action

Supporters will know that we have been seeking legal advice as to the lawfulness of the Enfield Council’s action in proposing to dispose of about 60% of our park to THFC.

Legal action requires much preparation and thought. Many have felt frustrated at the slow pace and lack of detailed information. Please bear in mind that legal arguments are complex and that it is unwise to alert opponents of plans at too early a stage. The barrister has visited Whitewebbs and spent some 3 hours on site. He was accompanied by the team from the CPRE.

We are now in a position to proceed. The next step is raising the funds.



The process

For technical and legal reasons the legal action has to go forward under the name of one person. Certain requirements have to be met and it can be a demanding process with some financial risk. Sean Wilkinson has volunteered but if anyone else wishes to take on the role please contact whitewebbspark@gmail.com without delay.

The legal advice is that we go for **Judicial Review**, challenging the lawfulness of the Council's decision to dispose of public trust land. Several Acts of Parliament are involved and the legal arguments are complex and unique to each case. Our barrister is very experienced in these matters and has recently taken a similar case successfully to the Supreme Court.

Please do not assume that newspaper accounts of apparently similar cases are complete. These are often based on over simplified press releases from the successful side. If you want to know the real arguments, read the full judgements on line.

Success in court action cannot be guaranteed—the outcome depends on so many factors and on legal interpretations of several Acts of Parliament.

We have a good chance, an experienced barrister and the backing of the CPRE which is fighting similar battles all over the country.

Many have contributed to the earlier stages of this battle which has helped get us to this point. We now need to make a massive effort to raise the funds for this legal action. We are using a crowd funding organisation, [crowdjustice.com](https://www.crowdjustice.com) to collect the contributions and pay them directly to the barristers. There is more detail of how this works below.

There are some who will argue that we are imposing costs on Enfield Council. Our requests for meaningful consultation have been ignored and our letters, emails and protests have been disregarded. Unfortunately there is no other route left.



Initial target (to get process started)

£18,000

Overall target

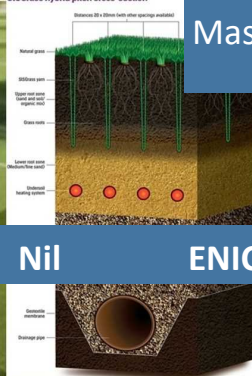
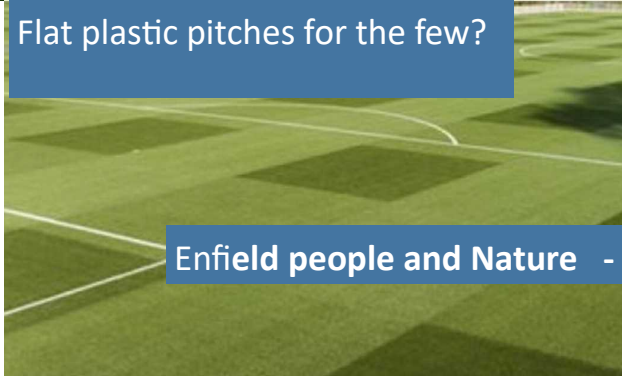
£40,000



Visions of the future for Whitewebbs?

Flat plastic pitches for the few?

Massive construction works?



Enfield people and Nature - Nil

ENIC / THFC - \$\$\$\$\$\$\$\$

This is the full message that will go out in the appeal for funding.

The Council's proposal

The proposal is to lease approx. 60% of the park (the old golf course, the lake area and some woodland) to ENIC /THFC. This would end nearly 100 years of the Park being public trust land bought as open space and recreational land for the people of Enfield.

We do not have details of what THFC plan to do – we have not seen the planning application or a draft of the terms of the lease. Only a mess of uncoordinated statements from the Council and some vague “indicative proposals” from ENIC /THFC have been issued.

There is an underlying question – THFC wants 40 acres for their plastic and plastic-reinforced pitches, so why do they want control of an additional 100 acres of our public open space? Under this plan THFC will have control of all entrances and car parks.

The supporters of Whitewebbs Park have been working with CPRE London, Enfield RoadWatch and the Friends of Whitewebbs since summer 2021* to object to Enfield Council's proposal to dispose of about 60% of Whitewebbs Park to Tottenham Hotspur Football Club. We have told Enfield Council that the Park should be used for public recreation only. Sadly, they have not listened. There has been no meaningful consultation, petitions have been ignored, protests and letters have been dismissed.

Thanks to generous donations totalling £2,664 from local residents we were able to seek legal advice. Following that advice CPRE (London), Enfield RoadWatch and the Friends of Whitewebbs wrote to Enfield Council setting out why the whole proposal is unlawful.

Copies of the letters to and from the Council have been displayed and can be seen on www.whitewebbspark.org.uk

Unfortunately, Enfield Council has not backed down and has proceeded to advertise its intention to dispose of part of Whitewebbs Park by publishing a proposed “agreement to lease”. Councillors and local MPs received hundreds of objections. The Council, for whatever reasons, seems determined to continue with their proposal.

Legal Action

The next step is to take legal action to protect our open space. For legal and technical reasons, an individual closely associated with the campaign is best placed to do this. My name is Sean Wilkinson, I am chair of the Friends of Whitewebbs and have been working with the campaign since 2019. I am prepared to take the legal case. Community support has been strong throughout the campaign which has received valuable support from the team at CPRE London. We have the services of a first rate barrister, very experienced in this area of law. The legal work is being done at a concessionary rate.

*The date at which groups began working with CPRE

Legal work, even at a concessionary rate, is not cheap and the estimated cost for legal work is £23,500 plus VAT – yes VAT is payable on barrister's fees. A margin for additional work, say 10%, and provision to cover any liability to pay the other side's costs is needed. The aim is to raise £40,000. Initially, the target is £18,000 to get the case started and apply for permission to bring a judicial review at the High Court. Please keep the £40,000 in mind as the overall target.

It must be made clear, there is a risk in taking court action and a favourable result cannot be guaranteed. I believe, however, that there is a good case to be made that the Park should remain fully public. Cases are complex -read the 40 page judgment on the recently decided Shrewsbury case, which was a fantastic victory for public open space: ref <https://www.supremecourt.uk/cases/uksc-2021-0031.html> for a link.)

Victory cannot be guaranteed but we must try for the sake of our park and future generations. Sharing the cost will make this possible.

Costs – protection from costs will be sought under the provisions of the Aarhus Convention. This Convention is designed to secure access to justice in environmental matters. The Court will be asked to cap liability for the other side's costs at £5000. Unfortunately both THFC and Enfield Council may try and defend the case, raising the amount of potential costs involved. The funds needed to cover this liability are included within the fundraising target.

Fund raising

To keep arrangements manageable, efficient and transparent Crowdjustice.com will be used to collect the funds. It is a well-established crowdfunding scheme specifically designed for legal cases. Please check out their website for details.

How it works

1. Supporters pledge an amount online to the Whitewebbs fund with Crowdjustice using this link : <https://www.crowdjustice.com/case/save-whitewebbs/>
2. When the target amount (Initially £18000) is reached Crowdjustice collects the money from the debit and credit cards and payment is then made directly to the lawyers. Crowdjustice will continue to collect to the £40,000 figure
3. No money will be collected from your account until the initial target is met.
4. Crowdjustice does charge fees but these are reasonable, they do all the admin work and ensure that data and other legal requirements are met.
5. If you cannot donate online please get together with friends who can. Alternatively we will give times and dates for collection times for cash by the café in the park. Receipts will be issued and authorised collectors will be identified.

Publicity will be on Facebook, press release, posters in the park and leaflets



Is this worth fighting for?

If, like me, you believe that the answer is "Yes" then please make your contribution.

This is not just for us but for all generations to come.



Café and community

The staff at the café have worked hard to develop the community atmosphere of the facility and are to be congratulated on all they have done. Copies of the Enfield Dispatch are distributed and details of park activities are on display.



Planning applications

The planning application for Whitewebbs Park by THFC has not yet been submitted. There are signs of related activity. The black numbered mats distributed in many areas recently are part of an ecological survey by, we believe, THFC consultants.

A planning application has been submitted for an “environmental centre” on the patch of land between the current training ground and Whitewebbs Park.

Planning applications can be found by clicking this link [Planning](#). Choose the monthly or weekly list and select the ward e.g. White-webbs, for a list of the validated applications. There are more specific search options available. Searching for Hotspur Way brings up most THFC related applications.

Exploring and monitoring Whitewebbs Park

The wildlife and plants of Whitewebbs Park have not been well recorded, possibly as a deliberate policy. Recording what we see there has been made a lot easier by apps for mobile phones. Inaturalist (and its junior version Seek) is good for identifying plants and insects. Data gathered eventually finds its way to central databases such as GIGL which serves as a reference point for planners and policy makers. To judge by the number of leaflets taken, many users supported the Inaturalist City Nature Challenge. Please carry on recording and send butterfly sightings, with a picture and location to whitewebbspark@gmail.com. The best location app is What3words.

For birdsong identification the Merlin app is easier to use than Birdnet and produces attractive, informative results very quickly. It is very sensitive to birdsong and, so far, it has been very accurate. Download it for Android or Apple. Set it for UK English and download the Britain and Europe Birdpack (database). As this is stored on your smartphone identification does not rely on a phone signal. It will ask for your email address but does not pester you. Highly recommended.

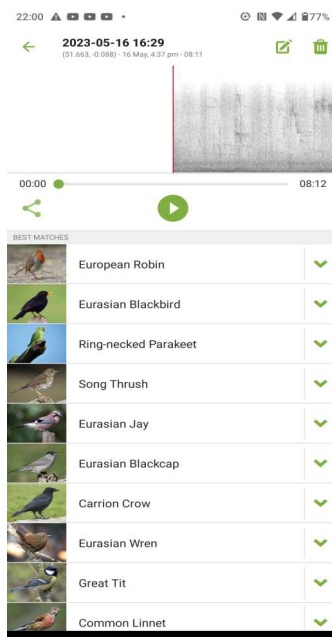
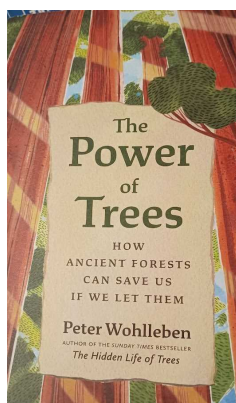
The ground is drying out and whole park is accessible. It is at this time of year that the wildflowers start to appear in greater variety. The meadow area along Cuffley Brook is still a little wettish underfoot but full of new life. To help explore there are maps available by the café and on www.whitewebbspark.org.uk

Rewilding /Renaturing

It is fascinating to watch nature at work. It is only two years since the grass cutting stopped on the old golf course. There is a large number of small but very healthy looking trees establishing themselves despite the very hot dry summer last year. Many of the sand bunkers are barely visible under the plants that have colonised them.

The rewilding of the meadow areas either side of Cuffley Brook over the last 20 years is dramatic. Thousands of young healthy trees are growing there. Their healthy state despite the rigour of last summer lends credence to the idea that the “mother” tree gives aid and protection to the young. This theory received attention in the recent Wild Isles series.

“The power of trees” - how Ancient Forests can save us if we let them by Peter Wohlleben is highly recommended. He gives an explanation which accounts for why that lone horse chestnut in the middle of the golf course decided to go into its Spring glory last Autumn. He explores the role of forests in climate control and advocates letting nature do most of the management.



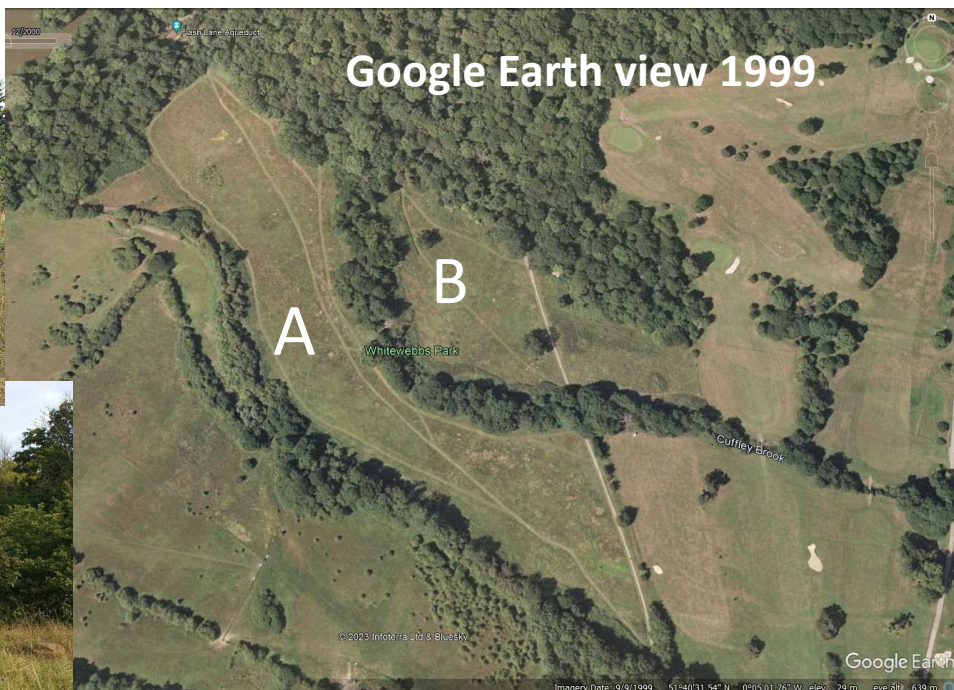
A Merlin screenshot



Area A 2022



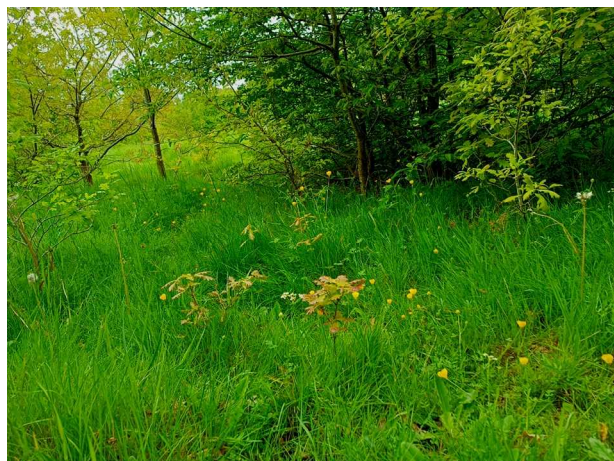
Area B 2022



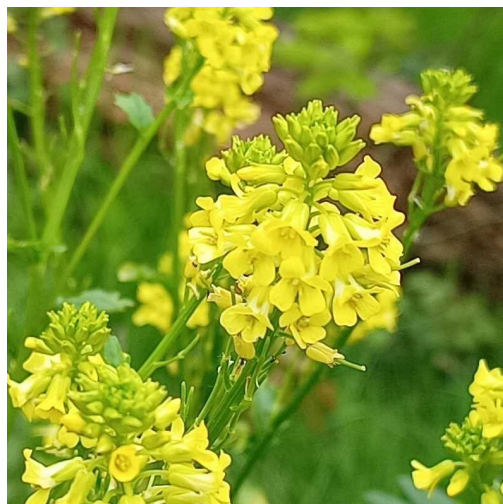
In 1999 areas A and B were open grassland with very few trees and no brambles. Note the clearly defined footpaths.

The changing landscape of Whitewebbs

Nature at work



Healthy young oaks renaturing area A



Some of the plants and wildflowers flourishing at this time of year



The weather is good, the paths are dry, or nearly so. Time to explore and record. Maps available by the cafe

Other news

At the last parks forum meeting several “Friends” representatives mentioned poor levels of maintenance in parks of all sizes including the new mini parks. Concern was expressed that while there was funding for capital projects there seemed to be no planned funding for maintenance of these new and or existing facilities.

In the last edition I reported that I had had an online “surgery”* meeting with the head of parks. This was backed up by a written report of concerns and proposals for action. Areas affected are the ancient woodland and the “meadow” areas either side of Cuffley Brook.

The main outcomes of the meeting were:

1. The need for a management plan for the park which would involve officers, park Friends and external stakeholder groups such as wildlife trusts and, for example but not specifically, the Woodland Trust and Thames 21.
2. An onsite meeting to look at the work needed.
3. The provision of machines and labour for a couple of days a year to do the heavy machine work. The Friends would recruit volunteers to do the less heavy year round maintenance. Initially this would be targeted at footpath clearance and drainage.

Unfortunately, despite a reminder and a promised response, at the March Parks Forum I have still to receive notice of any progress on these matters. A further reminder has been sent.

I am told that there have been a number of changes in personnel, organisation and responsibilities at more senior levels in the Council Offices

* The “surgery” sessions were a really good idea, allowing individual parks a short one to one session with the parks officer to run through issues specific to each park. I understand that these have been discontinued, temporarily at least.

On a more positive note:

When the regular team is on the bins (there are over 20 of them) are being emptied and the car park is being litter picked.

When fly tipping is reported to the litter teams it is cleared promptly. Some users have experienced problems using the council’s web site to report problems.

Toilet blockages are being dealt with promptly. (the general state of the toilet block is another matter)

Reporting issues

If you come across a problem in the park—damage, fly tipping, tree blocking a main pathway etc. take a photo if you can and report it using the council web site <https://www.enfield.gov.uk/services/leisure-and-culture/parks>

If you are totally unable to report it, send the same information to whitewebbspark@gmail.com

Please describe the location as precisely as you can. The What3words app is great for this. It is especially useful in areas such as large parks in an emergency. About 80% of UK emergency services are familiar with it. Just make sure that you spell out the words carefully when using it to give a location.

The app is free to use

This is an example— the world is divided into 3 metre squares and each square has a unique three word code. This combination for the café seems most appropriate.

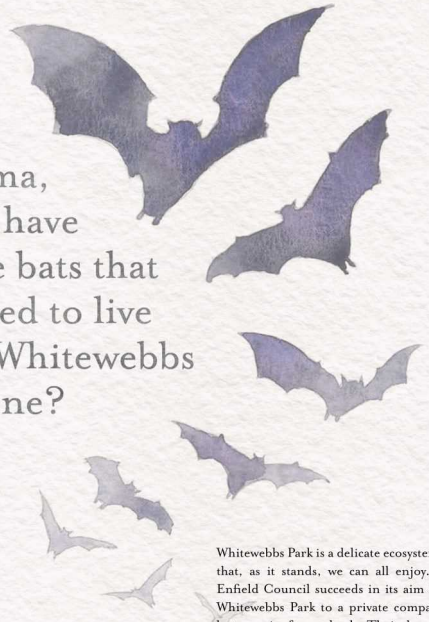




Grandad, why are the only bees we see at Whitewebbs JCBs?

Whitewebbs Park is a delicate ecosystem. One that, as it stands, we can all enjoy. But if Enfield Council succeeds in its aim to lease Whitewebbs Park to a private company, there will be years of redevelopment work. Acres of naturally re-wilded meadow will be fenced off and ripped up, with swarms of diggers moving earth to level the ground for all-weather plasticised football pitches. Pitches that won't provide any habitat to help bees survive and thrive. If we don't stand against the Council's plans, how will we explain the missing bees to our kids?

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Grandma, where have all the bats that used to live at Whitewebbs gone?

Whitewebbs Park is a delicate ecosystem. One that, as it stands, we can all enjoy. But if Enfield Council succeeds in its aim to lease Whitewebbs Park to a private company, the bats are in for a shock. Their homes face colonisation by new, completely unnatural all-weather plasticised football pitches. Worse still (if you're a bat) the pitches will be harshly floodlit at night. The bats won't stick around for long. If we don't stand against the Council's plans, how will we explain the missing bats to our grandkids?

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Protecting *what's* PRECIOUS

Some of the thought provoking posters from
Rich Stoney

Dad, where have all of Whitewebbs' rabbits gone?

Whitewebbs Park is a delicate ecosystem. One that, as it stands, we can all enjoy. But if Enfield Council succeeds in its aim to lease Whitewebbs Park to a private company, you won't spot the twitching ears of rabbits any more. Their warrens will be destroyed to make way for completely unnatural all-weather plasticised football pitches. The noise and disturbance of building will see them run for their lives to find somewhere more peaceful. If we don't stand against the Council's plans, how will we explain the missing rabbits to our kids?



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