

# OLD FARM PARK, SIDCUP



## Resident Objections to the Disposal of Open Space Land

This document has been prepared in response to the statutory notice relating to the disposal of Old Farm Park (East), Sidcup, posted on the Bexley Council web site on 2 December 2015.

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# OLD FARM PARK, SIDCUP

## OBJECTIONS TO THE DISPOSAL OF OPEN SPACE LAND

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## INTRODUCTION

This document has been prepared in response to the statutory notice relating to the disposal of Old Farm Park (East), posted on the Bexley Council web site on 2 December 2015 at the following link:

<http://www.bexley.gov.uk/CHttpHandler.ashx?id=15088&p=0>

This document has been reviewed and agreed with the unincorporated Friends of Old Farm Park with a core membership exceeding 21 Bexley residents, and with the backing of:

- 2,500 Bexley residents who signed a petition handed to the mayor at the Full Council meeting on 15 July 2015
- 1,500 Bexley residents who objected in the public consultation in the summer of 2015
- 476 Bexley residents who completed a petition on the Bexley Council web site over the summer of 2015
- 2,031 supporters who signed a 37 Degrees petition
- 1,000 Facebook supporters

This document clearly lays out a number of objections in terms of failure in the entire process being conducted in a fair, unbiased way with appropriate due diligence, and also challenges the sale of land as a sustainable means to control the council's deficit. The outcome sought from this document is at the very least the process commences again with proper due care, and at best the process is stopped and a recommendation made to the Bexley Council Cabinet that the sale of open parks is non-sustainable and should not continue.

## FAILURE IN PROCESS

### Visitor Survey

In January 2015, the EIA stated:

**“Due to the universal, free of charge and unrestricted nature of parks and open spaces, the Parks service has limited equalities data for users of parks and open spaces”  
Page127, Appendix.PDF (Published results from consultation on 29 savings proposals),  
January 2015**

This meant that the council did not have any accurate or valid visitor survey data to support the disposal of Old Farm Park. The council proceeded to public consultation in the summer of 2015 with no indication of how well-used the park was. However, the response was overwhelming with over 1,500 responses and in excess of 99% were opposed to the disposal.

The council attempted to counter this by running a week-long visitor survey from Wednesday 28 October to Tuesday 3 November 2015. However, the visitor survey can be proven to be at best inaccurate and at worst, the figures have been deliberately manipulated to demonstrate low usage. The survey data was used as a key decision point for moving towards the statutory sale taken on 17 November 2015 at the Full Cabinet meeting. The summary document stated:

**“It is noted that this survey was undertaken during the late Autumn, so will not reflect peak usage over the Summer period. However, this issue is to some extent addressed by the fact that the week that the survey was undertaken was the half term holiday period for Bexley’s school children, so usage would be higher than on an average school week across the whole year. The survey provides a good indication of the winter volumes and also a snapshot of key recreational reasons for visiting the site, which has enabled an analysis to be undertaken to understand how displaced demand, by type (rather than volume), might be accommodated at other local sites.”**

Objections are raised as follows:

- Ward security and council staff only monitored two of the six entrances to the park. This was not noted in the decision documents of 17 November 2015.
- The weather for the entire week was poor. It was raining and misty for all seven days of the survey. This was not noted in the decision documents on 17 November 2015. Rather, the document misled councillors into believing usage should have been higher due to half term.
- Ward security and council staff rarely left their vehicles and preferred to sit at the entrances. They cannot, therefore, have had line of sight of those who used the park as opposed to those who use it to traverse to the railway bridge, as mentioned in the document of 17 November 2015.
- Council staff did exit their vehicles to count residents who attended a park meeting on Sunday 1 November. They counted 37 individuals (Item 5-1 Open Space Sites.pdf, 17 November 2015) who attended the Site Meeting. However, as demonstrated from the photographic evidence in Appendix

1: Visitor Survey, there were approximately 70 individuals who attended the meeting. The photographic evidence also serves to prove the weather conditions.

- No comparative survey took place in the summer months at the height of park usage.

Given the above, the survey provided by council officers has misled Cabinet members in their decision, as it gives a false impression on lower than actual park usage, including by type.

## Site Plans

The site plans presented throughout the process, up to and including the decision to commence statutory proceedings for sale taken at the Public Cabinet meeting on 17 November 2015, were incorrect. Even the subsequent plan that has been drawn up and published on 1 December 2015 is incorrect as it includes the footpath on the Eastern boundary which is excluded as stated below.

**"The footpath used runs along the eastern boundary of the site and does not form part of the land proposed for disposal." Item 5-1 Open Space Sites.pdf, 17 November 2015**

This means that the council, the Cabinet, and residents have been provided with inaccurate and misleading information throughout the process on which to base their decisions and responses and an objection is raised to this effect.

A copy of both plans are provided in **Appendix 2: Site Plans**.

## Use of Receipts

At the Public Council meeting on 4 November 2015, Councillor Peter Craske was questioned twice by two members of the public as to the use of the receipts from the sale of parks and open space. In particular, the questions requested confirmation on whether the funds would be used for paying debt or capital financing, or maintaining the parks. Councillor Craske was unable to respond consistently, contradicting himself in the space of five minutes. Firstly,

**"The money is going to be used to reduce the capital borrowing"**

Followed by:

**"The money will be used to fund the grounds maintenance"**

The information given to the public has been misleading and inconsistent, and has been misrepresented to the councillors and the public including in the following statement:

**“Disposal of 27 of these sites would generate receipts which would reduce the financing costs on the Council's capital programme” Page 29, Appendix.PDF (Published results from consultation on 29 savings proposals), January 2015**

This assertion was re-stated by Director Toni Ainge at the Full Cabinet meeting on 17 November 2015, and again at the Places and Scrutiny Committee on 8 December 2015. Given non-statutory costs cannot be ring-fenced, it is misleading and incorrect for the council to claim that the sale of Old Farm Park will secure and guarantee grounds maintenance for the remaining sites as this cannot be assured. This inconsistency has been repeated through various documentation provided by the council including on 20 February 2015 on the Bexley council web site at: <http://www.bexley.gov.uk/index.aspx?articleid=18839> where a Press Release stated:

**“The Council is consulting residents on the principle of disposing of a very small proportion of its open space and highway land to reduce its maintenance costs. This will avoid the need for a dramatic reduction in the upkeep of all the borough's parks and open areas and will mean there is no need to close playgrounds.”**

In this case, the council is seeking to claim that the reason for sale is to reduce maintenance costs. Given the cost of maintenance of Old Farm Park is £27,000 per annum (obtained under a FOI request) and that sale of half a park will only result in an incremental reduction, again, the information is inconsistent and misleading.

Given this background, the objection raised in this document is that the Cabinet have based their decision to proceed to the statutory process leading to disposal based on false assurances and contradictory messages, and that residents have equally been misled from the outset with regards to the security disposal will provide to other sites, and the purpose that the receipts from sale will actually serve.

## Statistical Bias

In relation to Bexley having one of the lowest percentages of green space in the outer London boroughs, Deputy Director Toni Ainge stated at the Public Cabinet meeting on 17 November 2015:

**“We have struggled to find [the statistics]”**

Instead, council officers presented a number of statistics that demonstrated that Bexley had the highest percentage of green space per capita. However, the statistics that demonstrate Bexley being 4<sup>th</sup> lowest in the outer London boroughs is available on the Generalised Land Use Database available from:

<https://data.gov.uk/dataset/land-use-statistics-generalised-land-use-database>

An objection is raised that this information, generally regarded as the only accurate official information available on land use in the United Kingdom, was not made available to cabinet members to provide them with a fair, unbiased view. Instead, council officers misled cabinet members into presenting arguments that

failed to take into account this data and instead led them to the view that the loss of the open space would not come at a detriment given the positive statistics that had been presented. This misleading and biased data has been used several times by cabinet members, most notably Councillor Craske who used the data to present his arguments in favour of sale in response to public questions raised on 4 November 2015.

It is also noted, that it took members of the Friends of Old Farm Park group less than five minutes to source the information that the Deputy Director had struggled with.

### **Approval Process for Disposal**

Paragraph 9 of Land and Property Framework states:

**“No land shall be disposed of without the approval of the appropriate cabinet member.”**

However, the decision made in the Full Cabinet meeting of 17 November 2015 passes the decision to the General Purposes Committee. The authority given to the General Purposes Committee in Paragraph 10 of the Land and Property Framework allows only for the resolution of unresolved objections and to determine those cases where a public enquiry may be necessary.

An objection is raised in respect that the Full Cabinet have passed authority to approve the disposal to a Committee that is not authorised to do so. Further, with the Committee largely including members of the Conservative party who are known to support the disposal, a further objection is raised that the Committee will be unable to provide an impartial view.

Further, it is understood that disposals in excess of £3m (of which Old Farm Park East will be) are required to be taken at a full council vote (Land and Property Framework, 9.2). Thus, an objection is raised that cabinet members have attempted to divert from due process in order to expedite the sale.

### **Technical Evaluation Missing from Public Consultation**

The public consultation ran from 31 July - 18 September 2015. However, vital information in the form of the Technical Evaluation documents to allow the public to be fully informed were not made available until 7 September 2015, just one week before closure of the consultation. An objection is raised that this did not allow for the public to be made fully aware of all technical details that may have prompted further objections to have been raised.

### **Notice Not Being Provided As Assured and Failure Under Section 123 of the Local Government Act 1972**

In the documentation provided to Full Cabinet on 17 November, the following statement is made:

**“In order to ensure maximum visibility of the formal advertisement of the proposed disposal, in addition to the notice being published in the local newspaper for 2 consecutive weeks, it will also be placed on the website, and further notices will also be placed at the 4 sites under consideration.” Item 5-1 Open Space Sites.pdf, 17 November 2015**

Councillors could therefore be led to believe that the public is being provided with a fair opportunity to response and therefore, any following decision following closure of the window for responses on 7 January 2016 may be made against the context that it was well advertised. As discussed later in the section *“Lack of Publicity of the Sale”* many residents in Old Farm Avenue do not receive the News Shopper or Bexley Times. Further, many elderly users of the park do not use the Internet. Finally, in an email received by the Friends group on 7 December 2015, the Head of Parks and Open Spaces stated

**“The Council will not be displaying notices on site as it is not a requirement of the statutory process.”**

As such, the process following the decision on 17 November 2015 is seriously flawed, and the council has not taken sufficient due care to ensure residents, particularly vulnerable groups, are aware of this second period for objections (following the consultation in the summer 2015). It should be noted that the matter was raised at the Places and Scrutiny Committee on 8 December where Deputy Director Toni Ainge stated that sufficient notice as required by statute had been provided.

Further, and to this point **Section 123 2(A) of the Local Government Act 1972** states:

**“A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.”**

As discussed above, the council has been made fully aware that there are no newspapers circulating in the area in which the land is situated, and the response has been that the council believes it has met its statutory duty. This point is duly challenged in that the council being fully aware of the lack of distribution of newspaper in the area, and being unwilling to provide alternative means to inform residents, has failed in its duty of care under Section 123 2(A) of the Local Government Act 1972 and that this should now be subject to public inquiry or judicial review.

Objections are hereby raised on the above points.



## Misleading Question Presented in the Consultation

In the public consultation that ran from 31 July 2015 – 18 September 2015, the public were asked:

**“Q5 If you do not support the redevelopment of any or all of these sites, please indicate which of the following options you prefer:**

- 1. Substantial reductions in grounds maintenance, which would result in unmaintained parks, the removal of children’s playgrounds and the loss of sports pitches.**
- 2. £1 million reduction per year in spending on other Council services.**
- 3. A Council tax rise of more than 1.99% (subject to a local referendum)**

This question in particular was misleading, in that the three options suggest that the sale of these four sites could be offset by one of the options. However, the options and in particular sums quoted were for the 26 sites under consideration and not the 4 sites. As a result, the public were unfairly misled into believing that the sale of the four sites would prevent a £1m reduction or greater than 1.99% increase in council tax. Whilst this is true for the 26 sites, it is not true of the four sites and the question itself is specific in its wording that it relates only to the four sites.

This issue was brought up at the Places and Scrutiny Committee on 8 December 2015 but duly overruled as a ‘red herring’ (Councillor Cheryl Bacon). An objection is raised that the inaccuracy in the public consultation has misled the public and should be restarted.

## UNRESOLVED OBJECTIONS FROM THE PUBLIC CONSULTATION

### Physical and Mental Health Studies

The following question was tabled by a member of the public for the Full Council meeting on 4 November 2015:

**“Many studies have proven that physical and mental health are improved with local access to green open space. What studies have the Council carried out on the potential impact to both physical and mental health that selling the parks and open spaces could have?”**

In a written response to the question Councillor Craske stated:

**“We have not commissioned any such studies”**

An objection is hereby raised that by not commissioning at the bare minimum a review of the available scientific research, the council is failing in its duty to protect residents’ mental health in the mid to long term. Council officers included in their document that was used in the decision-making process of 17 November a statement that:

**“There are no specific Health and Well-being implications arising from this report.” Item 5-1 Open Space Sites.pdf, 17 November 2015**

This report lays out a very small selection of scientific evidence that should have been made available to cabinet members ahead of proceeding further with the disposal. There have been numerous studies on the subject; too many to disprove the findings. All highlight that access to green space within towns and cities has proven benefits for mental wellbeing. One such recent study conducted by the University of Exeter Medical School in 2014 concluded that

**“Individuals who move to greener areas have significant and long-lasting improvements in mental health”.**

Further studies have found that the proportion of green and open space is linked to self-reported levels of health and mental health (Barton and Pretty 2010) for all ages and socio-economic groups (Maas et al 2006), through improving companionship, sense of identity and belonging (Pinder et al 2009) and happiness (White 2013).

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Looking at wider health issues, a study in the Netherlands showed that every 10 per cent increase in exposure to green space translated into a reduction of five years in age in terms of expected health problems (Groenewegen et al 2003) with similar benefits found by studies in Canada (Villeneuve et al 2012) and Japan (Takano et al 2002).

Perhaps the most surprising study was Ulrich (1999) which drew the conclusion that clinical evidence suggests that exposure to an outdoor green environment reduces stress faster than anything else. Key though was that simply **viewing** nature can produce significant recovery or restoration from stress within three to five minutes.

These are examples but there are many more studies that all reach the same conclusions; access to green space reduces anxiety and stress, reduces the symptoms of depression (including chronic depression), increases mental wellbeing, improves physical health, and so provides far-reaching, long-lasting mental, physical and spiritual benefits.

Further, at the public cabinet meeting on 17 November 2015, Councillor Don Massey stated

**"Unfortunately, just having an open space nearby to people does not impact on levels of activity. I wish it were otherwise."**

As mentioned earlier, no evaluation has been conducted and council officers have not made any representation of available evidence with regards to the proximity of open space and physical health, which in turn has presented a bias on the council's decision made on 17 November 2015

A further objection is hereby raised on the basis that such evidence does exist and that the council has not considered this in assessing the medium to long-term consequences in disposing of Old Farm Park. One such study *Childhood Obesity and Proximity to Urban Parks and Recreational Resources: A Longitudinal Cohort Study* (reference: [http://activelivingresearch.org/files/2009\\_ChildhoodObesity\\_Wolch.pdf](http://activelivingresearch.org/files/2009_ChildhoodObesity_Wolch.pdf)) concludes

**"Park space within 500m of child's home inversely associated with BMI at age 18"**

Whilst this study is indicative of children, other studies looking at adult (and in particular elderly) physical health also exist. Ahead of any decisions having been taken, a full study and review on the medium to long-term consequences on physical health should be conducted and presented to councillors.

## Remaining Outstanding Issues

Three further issues remain from the public consultation run from 31 July to 18 September 2015 that were closed out without due care or proper response. From Item 5-6 Open Space Sites.pdf made available on 17 November 2015 to the full cabinet:

1. Threat to local health and wellbeing / increased local obesity levels
2. Concern for the preservation of wildlife and trees
3. Preservation of open land for future generations

The three issues were all closed out as:

**“This would be considered as part of any subsequent development proposal in accordance with the statutory planning process.”**

Clearly, planning control cannot resolve any of these three issues. The first has been mentioned in the section above (Physical and Mental Health Studies), the second concerns the loss of the land and despite the SINC area being protected the supporting copses and trees backing on to the houses on Old Farm Avenue would not be protected. These trees and copses support numerous amounts of wildlife and the land as a whole, in its current state allows for species to traverse the park from the gardens to the copses. Finally, if the land is not preserved for future generations because it is disposed of to property developers, it cannot therefore be a planning issue because by then it is too late.

Therefore, an objection is raised from the public consultation these three issues and each individual response that highlighted them, have not been closed out and are still to be addressed. The result of the documentation prepared by council officers on 17 November 2015, misled the cabinet into believing there were no unresolved issues, and this is not the case.

## OTHER OBJECTIONS

### Gaelic Football Ground

The Gaelic Football Ground is less than 100 meters from Old Farm Avenue. On 2 March 2015, the Head of Development Control outlined the council's objections to the development of the Gaelic Football Ground in New Eltham. All the objections outlined by the Head of Development Control are valid objections to any proposed development of Old Farm Park that would result from its sale. The summary of objections is as follows:

1. The loss of this public open space in an area that is deficient in local open space.
2. The character of public open space should be safeguarded and enhanced; destruction of a quiet area for nature conservation, loss of wildlife habitat, and removal of trees.
3. This is a green field site. There is a national prescription that residential development should be located on brownfield land. There is adequate housing land in Bexley - albeit it may not all be owned by the council. It is not necessary to sell off this land for development for housing.
4. The vehicle access to the site will be inadequate and unsafe for the number of vehicles using it.
5. Exacerbation of existing drainage and flooding issues in surrounding roads.
6. The traffic generated by activity on site would have a serious impact on local road network. Local roads are already used as "racing tracks", and rat-runs - this will be made worse.
7. Extra pressure on schools, health care and transport infrastructure; our schools are already full with waiting lists, and children having to travel to Welling.

An objection is raised on the basis that the proximity of the ground to Old Farm Park, and the objections raised by the council all apply to the proposed disposal of Old Farm Park. It is the opinion of this report that the above factors do apply to Old Farm Park and all have been raised in the public consultation and dismissed by council officers, rather than providing an evidence-based review prior to disposal of the land.

In the supporting documentation for the disposal of Old Farm Park, the council has sought to push several of these factors down the road as 'will be resolved in planning' or even non-issues. This inconsistency should be addressed by a Public Inquiry to determine the facts behind the above statements made by the Head of Development Control, and how they are applicable to Old Farm Park before any further disposal process is permitted.

### Referendum on Council Tax Increase

The public consultation provided three options for alternative suggestions for how the council could fund its deficit. One such suggestion was to increase council tax. Council officers responded to this with the following statement:

**"A decision to set a Council Tax that leads to an increase of 2% or more will trigger a local referendum. The cost of running a referendum - from printing ballot papers, providing polling stations, to undertaking the count - is likely to be similar to the cost of a local election, which costs up to £0.35 - £0.5m (although these costs could be reduced considerably if the referendum was held on the same day as an existing planned election). In addition, if a referendum vote were to be unsuccessful then bills would need to be reissued and refunds made to households for any additional tax paid. The estimated**

**cost of re-issuing Bexley's bills is around £0.08m." Item 5-1 Open Space Sites.pdf, 17 November 2015**

This information was seized upon by cabinet members at the Full Cabinet meeting on 17 November. However, an objection is hereby raised that council officers did not present a fair and unbiased alternative to cabinet members; that a referendum could take place on 5 May 2016 to coincide with the London Mayoral Elections that would substantially reduce the cost of running a referendum. Whilst an incremental cost to re-issue council tax bills would then apply if successful, this could be built into the cost of such as increase.

## Holistic Asset Review

An objection is raised that the council has not taken a holistic approach to its assets in deciding how to finance its deficit, and as such is not making reliably informed decisions that have the least impact on the residents of the borough. In particular:

### **Burr Farm**

Burr Farm is a substantial plot of land behind Church Road in Bexleyheath, not dissimilar to Old Farm Park in Sidcup. The land is maintained, but locked with steel gates so not accessible to the public and unused. The Head of Parks stated on 28 November 2015 that:

**"The land referred to as Burr Farm was acquired under the Town and Country Planning Acts in 1968. It is designated as Education Buildings and Playing Fields in Planning terms, but ceased being used as playing fields when Upland Primary School was rebuilt some years ago. As it is held as Education Land it was not looked at as part of our review of open spaces and highway land."**

The land has been unused for years and there are no plans for future use, and should therefore have been considered as a prime asset for disposal ahead of an actively used park.

It is also noted that the land backs on to the council leader's home in Church Road, and this report recommends that a Public Inquiry is held to discount a potential conflict of interest by not including this plot on a list of disposable assets.

### **Bexleyheath and Erith Shopping Centres**

At the Full Cabinet meeting on 17 November 2015, Councillor Beazley raised that the council owned Bexleyheath and Erith Shopping Centres and both were leased to Jones Lang LaSalle. Initially, Councillor Bailey denied ownership before the statement was corrected later in the meeting. Again, a holistic approach to asset ownership could see the council sell the prime retail freehold to the current leaseholder, or another bidder to reduce capital financing over the short to medium term.

## Lack of Publicity of the Sale

In the documentation supporting the decision at Full Cabinet on 17 November 2015, the following statement was made:

**Details of the consultation were published on the website on 31 July together with a link to an online survey. A paper version of the survey was also made available in libraries and signage was also displayed at each of the four sites, alerting parks users to the consultation. The consultation was also publicised on the Council's website, using social media, email and a news release sent to the local media.**

The signage placed on the site was minimal and poorly attached. Further, it was only placed on three of the six entrances to the park. Many users of the park are elderly residents with little / no access to the internet so would have been unable to receive details on the consultation via electronic means. Further, in Old Farm Park, the News Shopper and Bexley Times are rarely delivered and as such many residents would again have been unaware.

An objection is raised that given the significance of the sale, and the potential loss of valuable space to residents, the council provided the bare minimum legally required, but that as this did not reach all affected residents it therefore failed in its duty of care to residents to ensure that they were made aware of the proposals. This document recommends that all residents within a significant radius of the park should have been written to by the council with details on how to raise an objection.

Further, this report objects on the current notice provided to the same effect that a significant proportion of local residents will be unaware of the notices made. And, again, given the detrimental impact this will have to many in the area, the council should further its efforts to ensure that all residents likely to be affected are made aware.

### **Accessibility and Protection of Vulnerable Groups**

In the response document to the 39 savings proposals, council offers had stated in respect of the sale of open spaces and parks:

**Disability Residents have a wide range of disabilities, but many of them will be less able to travel greater distances unaided to another site. Those with eye sight problems or learning difficulties or anxiety issues may be less adaptable to new locations or routines. Where public open space is disposed of, especially where sites have had very open access or had features adapted for certain disabilities, to ensure that there are open spaces close by that have similar characteristics.**

The documentation used for the Full Cabinet decision on 17 November 2015 used simple 500m radius techniques to identify that there was a surplus of green / open space to Old Farm Park and that, as such, the park should be disposed of. The evidence provided by council officers to the Cabinet failed to mention that in order to reach complimentary space (St George's Playing Fields and Longlands Recreational Park), residents would need to cross a railway bridge with over 40 steps. This was re-asserted by Councillor Massey at the 17 November 2015 Full Cabinet when he stated that residents closest to the Eastern End will be able to visit St George's Playing Fields.

Clearly, for disabled residents including the large numbers of elderly who use Old Farm Park, traversing a railway bridge is not an option. Using the consultation responses alone, almost 6% reported having a disability and 33% were either retired or will shortly reach retirement.

It should also be noted that 25.7% of Sidcup ward residents are one person households aged over 65 (Source: Bexley Council). This is higher than the Bexley average of 21.1%. Single person households in this age demographic rely on social interaction, and Old Farm Park plays a pivotal role for many – sometimes being the only daily interaction the group might receive.

An objection is therefore raised that the proximity evidence supporting the disposal of Old Farm Park, along with no supporting study on demographic types and usage, do not take into account disabled and elderly residents and thus the council is failing in its duty to protect vulnerable sections of the community.

### The London Plan

The London Plan 2015 (P305) defines a Local Park as approx. 2 hectares and providing for court games, children's play, sitting out areas and nature conservation areas. It further recommends that a Local Park should not be more than 400m from residents' homes.

According to the GLA London Datastore, and information provided by the Greenspace Information for Greater London, 59.7% of Sidcup ward residents have access to a Local Park that meet this criteria. This places Sidcup in 127<sup>th</sup> place across London. This problem is compounded when discussing the accessibility issues proposed following sale mentioned earlier.

An objection is raised that the council has not taken sufficient due care in respect of London Plan and seeks to ignore the purpose for which it is intended. Further, although council officers mentioned on Page 10 of the documentation in relation to the decision on 17 November at the Full Cabinet meeting, no mention was made in respect of the percentage of residents who already do not have direct access (40.3%) and that this will rise following any sale. Therefore, again council officers have provided bias in the report rather than present accurate, fair, and complete information on which to base the decision to proceed towards sale.

### Funding Changes and Miscalculated Financial Review

In the past three months there have been significant changes to the funding position of councils including the delay of the Care Act implementation, and apportionment of business rates to the local authority rather than central government. Whilst finances are challenging and to a certain degree will remain fluid, an objection is raised that the council have not taking into account these significant changes and that any move to dispose of non-replaceable assets should be delayed until their impact can be understood. At a minimum, this should be 6 months but possibly longer to fully assess, as the result means that the financial information on which decisions to proceed with the disposal process were made have now changes and are now invalid.

### Planning Application – 101 Old Farm Avenue

In July 2014 and at subsequent appeal in January 2015, development behind 101 Old Farm Park was refused on the following grounds. From the original application rejection:



**“The proposed development will introduce new buildings in very close proximity to the Old Farm Avenue Park, and will require the removal of the mature tree and shrub growth in this area, which forms a verdant back-drop to this small area of Urban Open Space.**

**The views from within the park will be fundamentally and irretrievably altered to the detriment of the public perception and enjoyment of this urban open space. This will not be compatible with the local character or appearance, and it would remove landscape features of importance, contrary to Unitary Development Plan (2004) Policies H3 and ENV39, as well as the Core Strategy Policy CS06”**

And subsequently at appeal:

**“The main issues are that the effect of the proposed development upon the character and appearance of the host site and the surrounding area, and with particular regard to the adjacent Old Farm Park. In particular, the bungalows would be sited very close to the footpath, would extend back across much of the site, and would directly face the park. As such, the scheme would appear as an unduly imposing and discordant feature at variance with the wider pattern of development, but particularly when viewed by users of the park and of the adjacent footpath. I also note that the tree survey does give some recognition of the collective value of the existing planting to the wider landscape. Further, in the context of its relationship to the park, I do not accept the existing frontage and adjacent footpath make for a dreary contribution to the setting. Moreover, the implications of the scheme should it proceed would be to introduce a built character to the site at the expense of its current openness and green buffer contribution, and out-of-keeping with the local character and distinctive pattern of development. I therefore conclude that the proposed development would be harmful to the character and appearance of the host site and the surrounding area, and with particular regard to the adjacent park.”**

An objection is hereby raised that all points from the 101 Old Farm Avenue planning refusal apply in this case as well, in particular the loss of urban open space, and where it is contrary to the development plan and core strategy policy.

## **Air Quality**

Using annual data from the London Air Quality Network (LAQN), pollution in London's air - including outer boroughs such as Bexley - exceeds recommended limits every year. With London continuing to grow, pollution levels will increase. According to the Forestry Commission

"Vegetation intercepts airborne particulate matter (PM10), reducing concentrations in air, thereby improving air quality".

By reducing the availability and proximity of green space, Bexley council risks the health of residents. An objection is raised that Bexley has not considered this factor in the disposal of land for development and the value the land itself brings to ensuring high quality air for residents. In particular, anecdotal evidence from residents of Old Farm Avenue suggest significant traffic increases in the past 2-5 years that are resulting in greater levels of particulate matter that will detrimentally affect health. This report calls on the council to fully consider the health implications from decreased vegetation should the sale proceed.

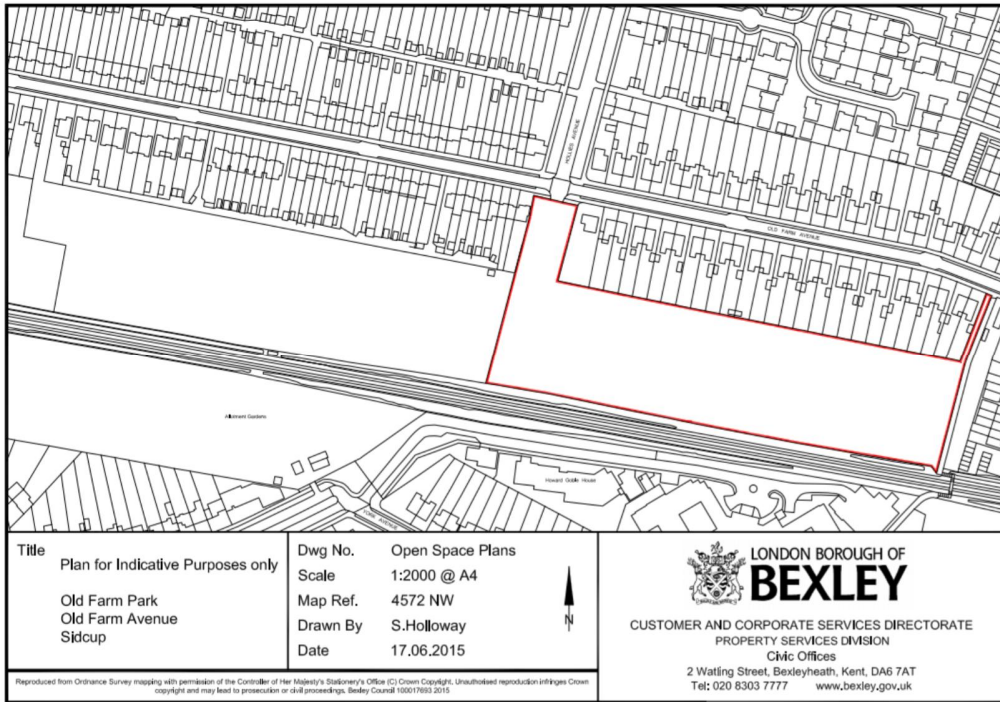
## APPENDIX 1: VISITOR SURVEY

### Most attendees of the site meeting, 1 November 2015



## APPENDIX 2: SITE PLANS

### Plan as presented until 30 November 2015



### Plan as presented from 1 December 2015

