

NOGOE

No to Greenwich Olympic Equestrian Events
17 City Business Centre, Lower Road, London SE16 2XB
www.nogoe2012.com

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THE SCHEME THAT'LL SCUPPER LOCOG'S PLANS

In December NOGOE learnt of the news that LOCOG's proposal to use Circus Field, Blackheath, would be unlawful because erection of their compound is not permitted under the Metropolitan Commons Act 1866 and the Supplemental Act for Blackheath of 1871. When interrogated about this by a DCMS Select Committee, Lord Coe stated that lawyers were working on it to obtain permission.

However retired solicitor, Lionel Lewis, who researched this Act in the Law Society library, noted the reference to a management scheme for Blackheath, which he then located in the Heritage Library at Woolwich Arsenal. **The Scheme not only prohibits enclosure generally but limits enclosure by those managing the Heath to the shortest period of time for the purpose only of repair of the grasses.**

Further research into the Commons Act of 2006 has revealed that where there is a scheme, such as at Blackheath, there is **no means for obtaining any permission to build any fence or structure**. DEFRA also publish on their website a flow chart which states that they don't have the power to grant exemption **where there is the existence of a scheme**. So, if the current managers, Greenwich Council, were to give LOCOG permission to use this land, **they would be breaking the law of the land, and NOGOE would then consider legal action.**

Lionel Lewis, who worked with distinguished local historian, Neil Rhind, and the Blackheath Society on this investigation thinks LOCOG's plans cannot go ahead and is amazed that LOCOG appear not to have researched these laws despite their team of lawyers; and he's equally surprised that Greenwich Council, in entertaining an application for the use, appear to be unaware of laws relating to the land they are supposed to manage. He has given interviews on radio and tv and comments: "THIS COULD WELL BE A HOLE UNDER THE LOCOG WATERLINE".

NOGOE's Coordinator, John Hine commented: "We are most impressed with the careful research that has been carried out by Lionel and Neil. They have developed what seems to be an unarguable case, which we expect the Council to endorse. We always said that Greenwich Park was too small and since LOCOG are unable to use Circus Field, **it should do the decent thing and take the events to a venue which does have the space, but not the fantastic heritage that they wish to destroy at Greenwich**".

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**Dame Jennifer Jenkins, Blake Morrison, Dr David Starkey, Jonathan Sumption QC,
Margaret Tyzack CBE, Sir Willard White**

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ENDS - For more information, call Sev D'Souza on 020 8858 2253

Notes to Editors

1. Having found Greenwich Park too small, LOCOG now plan to use 10.5 hectares of Circus Field on Blackheath, just outside the Park gates. Circus Field is between Charlton Way, Prince Charles Road and Shooters Hill Road (the A2). Its precise location and relationship with the Park can be seen from this link:
<http://www.streetmap.co.uk/map.srf?x=539134&y=176743&z=110&sv=charlton+way&st=1&tl=Map+of+Charlton+Way,+SE3&searchp=ids.srf&mapp=map.srf>.

They intend to build a fenced compound 2.7 metres high with CCTV and security lighting, in which they plan to house canteens, horse boxes, stables, training areas and a large area for lorries to park and to dump their materials before they are taken into the Park.

2. The Metropolitan Commons Act 1866 (section 5 below) says that here shall be no "inclosure" (the spelling of the day) of any metropolitan common land and that the authorities (now the London Borough of Greenwich) should not "entertain" the idea.

5 Exclusion of authority of commissioners to inclose, etc

The Commissioners shall not entertain an application for the inclosure of a metropolitan common under the control and management of a London borough council, or any part thereof; . . . and notwithstanding any proceedings taken under any Act other than this Act, or any provisional order of the Commissioners made but not already confirmed by Act of Parliament, proceedings may be taken under this Act in relation to any metropolitan common."

There was a supplemental Act of 1871 just for Blackheath designating it as a metropolitan common. The Scheme (see para 4 of the attachment) re-enforces the 1866 Act.

3. In summary, LOCOG's plans cannot go ahead. Greenwich cannot give them the permission because to do so would be **breaking the law of the land**. On top of this Greenwich, as local planning authority, cannot grant planning permission for an unlawful use.

Other examples of LOCOG's incompetence include:

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- The mismeasurement of the Park on the plans submitted to the International Olympic Committee at the time when the Bid was made, thereby giving the false impression that the Park was more than twice the size that it actually is.
- The failure in its original designs for the cross-country course to take any account of archaeological remains (Roman and Saxon) just below the surface of the ground. Even now, it is not certain that proper protection is to be provided.
- The failure to establish that The Royal Parks (an executive agency of the DCMS) has the legal right to hand over the Park for the Olympics. Correspondence on this issue with the DCMS is continuing.

4. NOGOE is a community-based organisation who oppose the use of Greenwich Park for the equestrian Olympics because of the risk of damage to a World Heritage site, and the disruption imposed on residents in a densely populated location.

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