

# **NOGOE**

**No to Greenwich Olympic Equestrian Events**  
17 City Business Centre, Lower Road, London SE16 2XB  
[www.nogoe2012.com](http://www.nogoe2012.com)

**PRESS RELEASE - 07/12/09**

## **LOCOG'S PLANS UNLAWFUL**

LOCOG is facing a further challenge to its plans to hold the equestrian Olympics in Greenwich Park. According to a recent letter from Neil Rhind MBE, an eminent local historian, and Lionel Lewis, a local solicitor, (both also NOGOE supporters) to the chief executive of the London Borough of Greenwich, Mary Ney, LOCOG's proposed use of about 26 acres of Blackheath common just outside the Park gates, known as Circus Field, would be unlawful. They also say that it would be equally unlawful for the London Borough of Greenwich to entertain LOCOG's application for planning permission to use the land. This is because the enclosure of any part of the Heath (including Circus Field), would be contrary to the Metropolitan Commons Act 1866, which established the concept of metropolitan commons being available at all times for the benefit of members of the public.

In its application for planning permission, LOCOG has nevertheless included Circus Field, which it now wants to enclose with 2.7 metre high security fencing, frequent CCTV cameras and lighting in order to provide a compound for the storage of materials, horse boxes, stables, training area etc. By making this application, LOCOG has finally recognised one of NOGOE's main objections to its plans, namely that the Park is too small to accommodate the Olympics. Unfortunately for LOCOG, its solution is unlawful.

Objection to the plans has been taken up by The Blackheath Society, the principal local amenity society, and it has also written to Greenwich Council's chief executive: the care and protection of the Heath is, according to its website, a primary objective of the Society.

NOGOE coordinator, John Hine, said:

“This is yet another example of complacency and incompetence on the part of LOCOG. Not only has it bludgeoned its plans to this point in complete disregard of the legal and practical problems associated with using Greenwich Park, but it has done so without adequately researching the many practical difficulties associated with use of the venue. It is not too late to change and we urge LOCOG to do so now, rather than later.”

ENDS

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## **NOTES TO EDITORS**

### **Patrons:**

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

Incorporated as a Company Limited by Guarantee  
NOGOE (Save Greenwich Park)  
Registered in England No. 6986444

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1. In October 2009, a petition against the use of the Park, signed by over 13,000 local residents and visitors to the Park, was handed in to Downing Street, the Mayor of London and the London Borough of Greenwich.
2. The Metropolitan Commons Act 1866 (section 5) says that metropolitan common land (and Blackheath was added to the list by another Act of Parliament in 1871) that there 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.”

The words underlined have been added by Schedule 4 to the Commons Act 2006.

3. By considering LOCOG’s planning application to use the Circus Field, the Council (as successors to the “Commissioners” would be “entertaining” the proposal to enclose and that would also be unlawful on the part of the local authority. The Blackheath Society and others are therefore requiring the Council to stop its consideration of the planning application in relation to the Circus Field.
4. Other examples of LOCOG’s incompetence include:
  - 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.

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- 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.
5. 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>

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