

**MINUTES OF THE PUBLIC MEETING
HELD ON WEDNESDAY 12TH NOVEMBER 2003
8.00PM at OLD COULSDON CONGREGATIONAL CHURCH, COULSDON ROAD,
OLD COULSDON**

ATTENDANCE:

over 200 local residents including Action Group members: Arthur McCaffrey (AMcC), Alex Martin (AM), Graeme Lomas (GL). Also attending were Counc. Ian Payne (IP) and Tony Middleton (TM), Steve Gregory (SG) and Clare Malcomson (CM) from Croydon Council's Property Services department.

INTRODUCTION

Graham Lomas opened the meeting by thanking everyone for coming and introduced himself and the Action Group. He outlined the proposed structure of the meeting and then gave a personal account of how he felt when, just 1 week after moving into his current home in Woodplace Lane, he found out that Croydon Council was to auction off the Green Belt field behind his property.

BACKGROUND

Alex Martin had seen the notice at the stables on Friday 10th October stating that the two fields (referred to as lots 48 and 49) were to be auctioned at 2pm on the following Monday 13th October 2003. Approximately 40 flyers were quickly produced and distributed to households in Wilhelmina Avenue and Woodplace Lane. The strength of feeling was such among these residents and others that an emergency meeting was called on Sunday 12th October and the group agreed to do all they could to remove these lots from the sale. Repeated contact with the Council and the Auction House (Nelson Bakewell) on the Monday morning resulted in Lot 49 being withdrawn 15 minutes prior to the sale but did not stop the sale of Lot 48 to a property development company despite 3 members of the action group attending and bidding at the auction on behalf of the residents. The field was sold for £132,000.

Owing to our intervention prior to the sale, the Council are now in discussion with the City Corporation of London iro.their purchasing lot49 due to it's proximity to Farthing Downs.

Direct contact with the Auction House was not welcomed by the Nelson Bakewell.

Since the sale the Action Group has been formed and a website has been set up to keep local residents informed of progress. **AM** expressed her amazement at the number of websites that currently exist that are specifically geared to the sale of Green Belt Land.

AM thanked the local residents for their support and other local pressure groups such as RAID (Residents Against Insensitive Development) for the support that she had received but made the comment that the preference would be ownership of the land by residents rather than having to fight constant planning applications being made by the developer.

COUNCILLOR IAN PAYNE

GL introduced IP and his colleagues from LBC planning department (Tony Middleton, Steve Gregory & Clare Malcolmson). **IP** stated that the Council has a duty to get value from its assets. The land is protected by the UDP, which is framed with government advice, updated every 5 years and follows a process to become a legal document. The UDP currently denotes both lots 48 and 49 as Green Belt. Talks are in progress with the Corporation of London iro. Lot 49 owing to its environmental interest and proximity to Farthing Downs. IP stated that Lot 49 will not be put up for sale.

PRESET QUESTIONS – PUT BY ARTHUR MC CAFFREY

Q1 When was the sale of Lots 48 and 49 first mooted?

IP - It became public when it was discussed at the Corporate Services Committee Meeting on 2nd July (2003). There were lots of items on that committee paper-several properties were decided not to sell...it was not appropriate to put lots of properties in the public domain...can't reveal the details to the public in case they decide not to sell.

There were 2 parts to the paper – the public section and that exempt from the public. The sale of lots 48/49 came under the exempt from public bit, the reason being that if the Council then changed their minds this may put their policy in trouble. The first time the sale of the land was made public was when it came to the July 2nd corporate services meeting, though the possibility of sale was known before the meeting.

Q2. Why were these lots chosen out of the range of sites that Croydon Council owns?

IP - The land was chosen from others because of the requirement to review all sites. We looked at non-operational assets (those not needed by the Council). A paper came to the committee covering financial information on value and on what the yield was to the council. These two plots earned 1.5% of their value – unjustifiable in terms of stewardship of public assets. We must provide a return on assets. The law protects land irrespective of ownership. It's the UDP that protects, not council ownership. Surrey council are selling part of the Hogsback.

Q3. What is the procedure and can you provide the evidence to support the claim that the land known as Lot 48 was sold correctly?

IP - The procedure for the sale is contained within the Constitution of the London Borough of Croydon (*Document was shown*). IP offered the meeting written extracts of relevant sections. He assured the meeting that the procedure had been followed correctly and that the meeting was welcome to take up any queries with the council's legal team.

Q4. Was any consideration given to the possibility of a 'community based' offer for ownership'? (SHARON)

IP - There was no such consideration. 'I would be scared of putting the community in that position because of liabilities and encumbrances on houses, but that's a personal view.' [scornful laughter]. It was advertised legally in the normal way.

Q5. Why was the land not advertised locally? (JO) (and mentioned the Jewish Chronicle)

IP – 'I don't know about the Jewish Chronicle. We have an obligation to get best value. An auction gives an equal opportunity to all to bid.' [protests from the floor that residents weren't given enough notice to put in a realistic bid]

Q6. What is the implication in the Council setting a so-called 'claw-back' value added clause of 25% on green belt land?

IP - The land is protected by law, under Green Belt policy. But government can change the law and at some time, maybe in 10 or 20 years, Green Belt law will change as a result of an act of government. If LBC were to hold onto the land, they would also have to build. If it was no longer Green Belt, land value would increase enormously and LBC would sell for a large profit and plough this back into the community.

Supplementary question from the hall – why then didn't LBC hold onto the land do as to get a profit for Croydon residents, instead of selling at this stage?

IP - Car parks are being sold for social housing. In this instance, because of the 1.5% yield, we knew we could realise a higher value by sale. The developer is holding a land bank. They know they can't currently get planning permission but think in time they may be able to develop. So Croydon wants to benefit from the increase in land value if development were to take place. If there were power to develop now, LBC would develop the land itself.

Q7. What would be the attitude of the Council to a planning application by the developer?

IP – Objections would be put and considered in the light of the UDP. Any current application would be rejected owing to the land being designated as Green Belt in the existing UDP.

Q8. Are Lots 48 and 49 precursors to other open space sales and if so what are they?

IP – 'LBC owns other plots. I can't reveal what we are looking at.'

QUESTIONS FROM THE FLOOR

For what purpose was Lot 49 originally acquired?

(Peter White, Mead Way)

IP – No idea. Suggested that they had 'no purpose' hence the reason for their sale.

AM - confirmed that it had originally been part of Woodplace Farm and could provide further information.

If there's an application you would probably turn it down. But what happens at appeal?

(Cathryn Tracy, Woodplace Lane)

CM- If an application is refused and appealed, the Inspectorate (based in Bristol) starts a quasi-judicial process. They will look at the reasons for refusal and the reasons for the appeal. The Inspector is bound by government policy. The UDP is very important, carries weight with the Inspectorate, but government policy guidance notes are also relevant. There is no appeal against the Inspectorate's decision. But if the appeal is dismissed, the developer can appeal to the High Court on the way the Inspector reached his decision rather than on his views or opinions.

IP - LBC's decision is also a quasi-judicial process. Some aspects of information.....But the UDP is crucial and if we made a decision against the UDP LBC would be in trouble. We need to have clear reasons for a decision. The Bristol Inspectors visit each site and take evidence and write a report.

What was the value of Lot 48 on which the 1.5% yield was based?

(J.J.Fisher, Tollers Lane)

IP - I can't disclose that. It was the same order as the sale value but somewhat less.

The developer is gambling on making a lot of money with Lot 48. LBC is gambling that planning permission will not be given. Did they take advice on a reserve price for the land? It's a prime area.

(Sue Toyer, Wilhelmina Avenue)

IP - LBC is not gambling, we have a duty to realize value.

Sue.- **Our own plot of land is worth 130,000. The council should have held the land to get value later.**

IP - Yes, if the law changed LBC would develop the land, so ownership is not the issue.

About the price of plot 48, it doesn't seem a very shrewd move to sell such a prime piece of land for such a small amount

(Resident from The Netherlands)

TM - The land sold for what it was worth. *[protest from the floor that only because no-one knew about the sale]*

Why were people given only 2 days notice of the sale of the land?

(Jo Barcock, Wilhelmina Avenue)

SG – Nelson Bakewell had the brief to advertise and 12,000 showed interest *[comments from the floor that 12,000 may have requested catalogues rather than showing interest in a single lot]*

AM - The auctioneer said only one person would be bidding. The other four were local residents, bidding to save the land.

SG - Adverts were placed and boards were up by Sept 30th. *[shouts of No]* The boards were taken down and had to be redone.

from hall - I go to the stables twice a day and boards were not there

You are accusing residents of lying about the boards. Why didn't you advertise in the Croydon Advertiser? and Where does that leave the rest of the borough's open spaces?

(Neil Foreman)

IP - There is an agricultural tenancy, so the land is a non-operational asset. Parks are operational assets and are therefore not under threat. Advertising is undertaken in publications which will attract the most interest. IP named other property journals where the land was believed to have been advertised but was unable to validate.

What % of planning applications refused by LBC is passed by the Bristol inspectorate on appeal?

(Peter Barber, ECRA)

IP – approximately 20%

Is LBC willing to change its advertising procedure? Will they use a community paper? When is the next meeting about land sales?

(Alison Daley, Tollers Lane)

IP – On July 2nd local councillors were present but were not made aware of the decision to sell. In future local councillors **will** be made aware once a decision is made to sell land for onward discussion with residents. The Minutes should also disclose where a decision has been made, as a result of last week's meeting. Meeting of the Corporate Services committee are held fortnightly but property discussions do not take place at every meeting. IP not convinced that local press is the most appropriate place to advertise land sales. As well as their local councillors, Residents can get details through the official journals.

I must contradict Mr Payne concerning Neale's field. Chipstead Residents bought the land after two public appeals. There was no problem in owning the land by the community. I urge you to contact residents

(Marian Brewster, Councillor from Reigate and Banstead)

**'This land has no purpose'! What about rest, recreation and an environment for people?
Croydon residents pay heavily for you to protect that environment**
(Simpson, Fairdene Road)

IP - It's not an operational asset, not a park, so there's no reason to own it. I know Council Tax is very high but it's only a quarter of LBC income. When the government reduces the grant, LBC must increase Council tax fourfold.

Mr Payne isn't noting the feeling of people in opposition, or considered the quality of life of all residents – stress, problems. £132,000 feels like pieces of silver.

IP - . The UDP looks after the environment. I appreciate that people are upset.

What additional services will be provided if the land is developed – schools, GPs, dentists etc?

(Sharon Woolenough, Woodplace Lane)

IP - That's hypothetical. These questions would be pertinent to planning issues.

GL - Netherne has already put pressure on services – Surrey County Council can't take any more into their schools.

These two plots are the tip of the iceberg, there are more plots. The Council Offices in Brighton Road for example. People were not told until it was a fait accompli. The Council must consult with locals who want to develop sensitively. It's a listed building.

(Paul Sandford, The Bourne Society)

IP - The Town Hall was discussed at length. It was sold with a covenant to keep the council chamber available to the public. We have safeguarded public access . People knew for months.

Mr Sandford. - One day a year is useless access. We wanted it used for educational purposes but were obstructed.

IP- Anyone could bid for its use.

Is there an undertaking not to sell Lot 49?

(Philip Fitzgerald, Woodplace Lane)

IP - Yes

Mr Fitzgerald.- A written undertaking?

IP - The Corporation of London and LBC will discuss. When a decision is minuted we will tell you. We won't put it in writing. As a cabinet member it would be my recommendation not to sell but the whole committee needs to be in agreement.

The UDP has been derived through LBC's interpretation of the deputy prime minister's office rules. how much confidence can we have in the document? Can LBC change the land status from Green Belt at the next review?

(Clive Potheary, Woodplace Lane)

IP- Draft 2 is currently being reviewed, we're getting comments back. After judicial inspection it will be adopted in 2005. LBC could change it but have to follow government guidelines on certain types of land, so it's very difficult to make changes.

Mr Potheary- **Will LBC recommend change in the Green Belt for Lots 48 and 49?**

IP- No, not in this round. It's the same use as before until the 2010 UDP review.

SUMMARY by Graeme Lomas

The UDP currently gives green belt status to Lots 48 and 49 and the council give their assurance that they intend to retain that status. However,

- ?? LBC is committed to securing development of 850 new dwellings each year until 2016 but all of the available sites are going to be used up before this date.
- ?? After 2006, the London Plan will require individual borough council housing plans to be reviewed to allow more space for housing to be freed up. Any plans already in place will therefore need to be reviewed in light of this.
- ?? The Appeals inspectors hold the worrying view that the loss of one field does not mean the loss of the Green Belt
- ?? LBC as protector of the Green Belt stand to make millions out of any subsequent development. It doesn't feel right that LBC can be both judge and jury.
- ?? Notwithstanding the UDP and LBC's current view, developers are buying up plots and selling them off almost with the promise that permission to build will be given.

In respect of the points above, people believe that the risks of losing Green Belt land are very real and getting more real.

Cllr Payne – Final Word

With regard to protecting green belt, he said that **he has been a Cllr since 1994 and on the planning board since then. Since then he had 'never passed an application on green belt regarding development'...**

Q (Chris Wright): What about Addington Palace!

A: This was not green belt and involved an ancient driveway...

THE POSSIBILITY OF PURCHASE by Alex Martin

Lot 48 – Initial contact has been made with the developer with a view to buying the land back. 40 residents (Wilhelmina Ave and Woodplace Lane) have been contacted initially – Response has been encouraging.

Lot 49 – We are in contact with the Corporation of London. We may still be asked to assist them with raising funds to purchase the site

RESOLUTIONS

The meeting was asked to pass the following resolutions

1. This meeting regrets the sale of green belt land in Coulsdon and asks Croydon Council to immediately confirm their declared commitment to green belt policy and that applications to develop lots 48/49 will be rejected.

1 against – resolution carried

2. This meeting would welcome the acquisition of Lot 49 by the City of London Corporation and will lend support to it's incorporation into the open Downs; but failing this Croydon Council should retain ownership of the land.

0 against – resolution carried

3. This meeting urges the Action Group to continue monitoring the risks to open land on the southern fringe of the borough and campaign accordingly.

0 against – resolution carried

THANKS AND CLOSURE by Graeme Lomas

GL thanked the Church and congregation for use of the building and facilities, the Bourne society for use of their display boards, fellow Action Group members for their time and energy, Arthur McCaffrey for the website, Alex Martin for galvanising residents to action, ECRA for use of their PA system, councillor Chris Wright for his support to the Action Group, and to Councillor Ian Payne, Tony Middleton, Steve Gregory and Clare Malcolmson for attending the meeting.

The meeting closed at 9.30pm