



# Friends of Pinn Meadows

Rob Cousins re Village Green Petition 2 July 2013



**From:** [Rob Cousins](#)

**Sent:** Tuesday, July 02, 2013 10:07 AM

**To:** [Cllr Jonathan Bianco](#) ; [Cllr Bruce Baker](#) ; [Cllr Catherine Dann](#) ; [Cllr David Payne](#)

**Cc:** [Cllr John Riley](#) ; [Cllr Philip Corthorne](#) ; [Cllr Brian Crowe](#) ; [Cllr Michael Markham](#) ; [Cllr Susan O'Brien](#) ; [Cllr Douglas Mills](#) ; [Cllr Eddie Lavery](#) ; [Cllr Raymond Graham](#) ; [Cllr Michael White](#) ; [Lloyd White](#) ; [Nikki O'Halloran](#) ; [James Rodger](#) ; [Nicole Cameron](#) ; [Raj Alagh](#)

**Subject:** Re: Agenda Document for Petition Hearing - Cabinet Member for Finance, Property and Business Services, 03/07/2013 19:00

Dear Councillors,

As you are aware we will not be attending the petition hearing on Wednesday 3rd July as we do not wish to prejudice our ability to legally challenge the Council's decision to change their petition rules retrospectively to prevent our petition being presented to a Full Council meeting. Having gathered over 5000 signatures from local residents on the basis of the petition policy at that time, promising a platform to address the entire council chamber, to accept a lesser alternative applied retrospectively would be unfair to those who have taken the time and effort to support our petition.

We do, however, wish to bring to your attention the unsatisfactory and unbalanced nature of the attached Council report regarding our petition and highlight the following points :-

- i) The report lacks balance as it concentrates solely on managerial reasons why officers advised the Council against voluntary registration of Pinn Meadows as a Village Green. It contains no information on the background or reasons for our request. Nor does it state the significant benefits which would accrue to the local community from Village Green designation. This appears to be contrary to the Wednesbury principles.
- ii) The report states on page 2 that there are no proposals within the Council's Local Plan to "depart from the planning policies which currently protect Pinn Meadows". This is manifestly incorrect as it ignores the proposal which has recently gone out to consultation to change the designation of this land from Green Chain to Metropolitan Open Land, to which we have submitted an objection.
- iii) The report on page 2 states "therefore, there is no current threat to Pinn Meadows in either the short or long term". This is also clearly wrong as it completely ignores the repeated submissions of planning applications for development of a second fenced off and floodlit all-weather hockey pitch.
- iv) The report on page 2 states "If the Council was to voluntarily register the land as a village green, then this could set an undesirable precedent or expectation that the Council should voluntarily register all of its public open spaces as a village green." Surely, the Council should judge each case on its merits.

For example, Pinn Meadows is situated on a floodplain, so it is totally unclear what use the council may wish to put the land to in the future which would be restricted by Village Green as only water compatible development is permitted under EA guidelines. However, any merits or considerations for registration of Pinn Meadows as a village green are entirely absent from the Council officers' report.

v) The report on page 3 states "to allow the cabinet member an opportunity to meet with petitioners to discuss their concerns in detail". This statement is grossly misleading as it implies that the petitioners would be allowed to discuss the matter with the cabinet member. We do not believe the petition process permits this but only a 5 minute statement by the lead petitioner to which the cabinet member may then respond as he chooses. No opportunity for discussion is envisaged in the Council's petition procedures.

vi) The report on page 3 under legal comments states "Pinn Meadows is owned in freehold by the Council". However neither here nor anywhere else in the report is any mention made of the original purpose of the purchase for open space purposes, the restrictive covenants relating to its use, or use of Pinn Meadows since its purchase for open space purposes, nor that this has been placed under further threat by proposals from the Hockey Club for a second all-weather pitch.

vii) The report on page 4 paragraph 5 of the legal comments states "it should be noted that de-registration would therefore be very difficult to achieve. Therefore, if at a later date the Council wished to change the area of land let to the existing or a future tenant, it would find it very difficult to do this." Whilst this appears to be given as a reason for not supporting voluntary registration we would wish to argue that this is exactly the reason why such registration is considered so important to the overwhelming majority of local residents to provide added protection for the retention of this highly valued area of open space against any further development or disposal.

viii) The report on pages 4 and 5 the planning service comments refer to the existing Green Chain Policy but again make no mention of the proposals recently put out to consultation to re-designate Pinn Meadows as Metropolitan Open Land. The comments state "it is considered that the new policy relating to Green Chain Land, such as Pinn Meadows, is robust and acts to adequately protect this open space from inappropriate development." FoPM considers however, that not only is the statement about policy incorrect as it is subject to current proposals by the Council itself for change but also it is as yet untested. The Hockey Club have stated it is their intention to submit a further (fourth) planning application and even if this is refused by the Council it could still be subject to an appeal which would be decided outside the Council's powers by a planning inspector.

Regards

Rob Cousins  
Chairman - Friends of Pinn Meadows