



## **APPLICATION FOR CONSENT TO CARRY OUT WORKS ON COMMON LAND**

Commons Act 2006: Section 38

National Trust Act 1971: Section 23

Greater London Parks and Open Spaces Order 1967: Article 12

Return completed application to: [commonlandcasework@planninginspectorate.gov.uk](mailto:commonlandcasework@planninginspectorate.gov.uk)

Where possible, please send in your application by e-mail. If you are unable to submit your application by email and require a postal address please telephone: 0303 444 5340.

Please ensure you refer to the current Notes for making an application when completing this form and advertising your proposals. Failure to do so may delay your application and you may be asked to re-advertise if you do not follow the current guidance in full.

- 
- **Before you apply for consent you should consult informally and widely about the proposed works as this may help you identify and overcome any objections.**
  - Answer all the questions on this form in full, tick all relevant boxes and use a separate sheet where there is insufficient space for your answer.
  - Refer to separate **Notes** on completing this form (the “Notes”) and **Guidance Sheets** (listed at **Annex F** of the **Notes**) before applying.
  - Read **Guidance Sheets 1a, 1b and 1c** for all Section 38 cases.
  - Read **Guidance Sheet 2a** if the land is owned by the National Trust.
  - Read **Guidance Sheet 2b** if the land is registered as a town or village green.
  - Read **Guidance Sheet 2c** if the land is regulated by a scheme of management.
  - Read **Guidance Sheet 2d** if the land is owned/managed by a London Borough Council.
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## Legislation

This application is made under:

Section 38: Commons Act 2006 for land which is: -

- registered common land
- other land (e.g., registered town or village green) to which Section 38 applies

Section 23: National Trust Act 1971

**X** Article 12: The Greater London Parks and Open Spaces Order 1967

## SECTION A – The common land

1. Name and full address of common

**Streatham Common**  
**London**  
**SW16 3BX**

CL no or VG no – **COMMON 2810**

Commons Registration Authority (Usually the county council or unitary authority) – **London Borough of Lambeth**

## SECTION B1 – The applicant

2. Forename: n/a

Surname: n/a

Organisation (if appropriate) **EventLambeth**  
**(Part of London Borough of Lambeth)**

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

**Civic Centre**  
**6 Brixton Hill**  
**London**

Postcode – **SW2 1EG**

Telephone No/Mobile – **020 7926 6207**

E-mail address – **events@lambeth.gov.uk**

3. Do you prefer to be contacted by (ignore if you are using an agent)  Post  E-mail **X**

### **SECTION B1a – The agent (where relevant)**

3a. Forename **Lauren**

Surname **Thiede-Palmer**

Organisation (if appropriate)

Title (Mr/Mrs/Miss/Dr) **Mrs**

Full Postal Address

**Turley, 12 Brownlow Mews, Roger St, London**

Postcode **WC1N 2JU**

Telephone No/Mobile **07795 396688**

E-mail address **Lauren.thiede-palmer@turley.co.uk**

Do you prefer to be contacted by  Post  E-mail **X**

### **SECTION B2 – The owner of the common land**

4. Forename

Surname

Organisation (if appropriate)

**The London Borough of Lambeth**

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

**Lambeth Town Hall  
Brixton Hill  
London**

Postcode – **SW2 1RW**

Telephone No/Mobile – **020 7926 6207**

E-mail address – **events@lambeth.gov.uk**

## **SECTION C – Area of common and common rights**

5. What is the total area of the common as registered?

**26,120 HA**

What common rights, if any, are registered? (e.g., number and type)

**To the best of our knowledge there are no commons rights registered**

6. Are the common rights ever exercised? Yes  No

If yes, please give details e.g., which commoners are active, which rights are exercised and how frequently?

7. Give details of any relevant leaseholders, other occupiers, those holding any relevant charges or those with rights of access over the land.

**The following tenancies are granted.**

- 1) The Rookery Café, leased to Parklife**

## SECTION D1 – The proposal

8. What works are proposed? (tick **all** that apply)

fencing (**see below**)

building(s)

other structures(s)

ditch(es), trench(es), embankment(s)

sealed paths, roads or tracks (e.g., concrete or tarmacadam)

other works, please specify:

**The creation of temporarily enclosed fenced sites for four short-lived events permitted under Article 7 of the Greater London Parks and Open Spaces Order 1967, for fixed periods of time, on grassed areas of Streatham Common.**

**Temporary structures include funfair rides and amusements, big top tents, concession stands, catering units, gazebos, toilets and welfare facilities, back of house units, staff cabins and plant enclosures. See enclosed event site plans for further details.**

9. Are the proposed works permanent or temporary?

permanent

temporary

mixed permanent and temporary

If temporary, how long will they be needed?

**The temporary works will be needed for the following dates:**

**Zippos Circus: 23 April–1 May 2023 (9 days);**

**Streatham Common Kite Day: 14 May 2023 (1 day);**

**Benson's Funfair: 22 May–12 June 2023 (22 days) and 31 July–14 August 2023 (15 days)**

**This totals 47 days of onsite temporary event fencing and structures in 2023.**

10. Is this application, or any part of it, for works that have already been carried out?

Yes  No

11. Describe the proposed works below, including the area (in square metres) that they will occupy. Please include details such as materials to be used and dimensions of all structures. Make clear which works are permanent, which are temporary, and which works, if any, have already been carried out. (If the works are only for fencing go straight to Section D2)

**This application for common land consent seeks approval for the temporary installation of fencing and structures associated with the operation of four short-lived entertainment, leisure and recreational events on Streatham Common over the course of 47 days in total during 2023. The scheduling of the proposed four events does not overlap on-site at any point.**

**No works have been carried out as yet.**

**The proposed works are temporary.**

**The four proposed events are:**

- **Zippos Circus (April 2023): Circus**
- **Streatham Common Kite Day 2023 (May 2023): Community family-friendly one day kite festival**
- **Bensons Funfair (May 2023): Funfair**
- **Bensons Funfair (August 2023): Funfair**

**The temporary works comprise the creation of temporary event sites for four public events on Streatham Common with associated temporary event fencing and structures.**

**The temporary structures include the erection of funfair rides and amusements, big top style tents, marquees, concession stands, catering units, gazebos, toilets and welfare facilities, back of house and staff cabins and plant enclosures.**

**Three of the four events require an enclosed site with Heras perimeter fencing. These are Zippos Circus and the two Benson's Funfair events. These temporarily enclosed fenced sites cover a maximum event site area of 26,120 square metres, no more than 10 percent of the common.**

**Pig iron fencing for the Kite Festival is proposed to enclose two separate areas measuring a maximum of 100m x 75m and 50m x 50m.**

**See enclosed Section J Map and individual event site plans for further details.**

**The proposed temporary event sites are located on the western side of the Common, within an area of Streatham Common that is a designated event site and has previously been used for a range of public events on the common.**

**Ground protection will be in the form of trackway to mitigate the impacts of vehicle movement. This application is for the works associated with these temporary event applications, covering 47 days in total in 2023.**

**These temporary events and their associated fences and structures were granted common land consent in the preceding year, in 2022 (COM/3293911) (hereafter known as "the 2022 Decision").**

12. Explain why the proposed works are needed and how they fulfil the criteria set out in Section 39 of the Commons Act 2006. If the proposed works include fencing, please also complete section D2.

**Streatham Common has a long history of hosting commercial and charity public entertainment, leisure, and recreational events permitted under Article 7 of the Greater London Parks and Open Spaces Order 1967 ("The Order"). These events promote the use and enjoyment of Streatham Common by and for local residents, as well as the wider general public in accordance with the Borough's 2020 Events Strategy.**

**The application seeks consent for the creation of temporarily enclosed fenced sites for four temporary events permitted under Article 7 of the Greater London Parks and Open Spaces Order 1967, for fixed periods of time, on grassed areas of Streatham Common. The temporary structures include fencing, funfair rides and amusements, big top tents, concession stands, catering units, gazebos, toilets, and welfare facilities, back of house and staff cabins and plant enclosures. This is to facilitate the provision of Article 7 entertainment, leisure, and recreational events in the spring and summer of 2023 on Streatham Common in accordance with Lambeth's 2020 Events Strategy and in line with operational requirements set out in Lambeth's Events Policy 2020-2025.**

**The proposed temporary event fences and structures are needed to fully enclose the event sites, facilitate the staging of the events, provide food, drink, welfare and toilet facilities, house plant, designate back of house operational areas for event operatives and manage event security and crowd control.**

**The four events covered in this application provide for the public interest in numerous ways. Firstly, by offering a variety of cultural, family friendly social engagement and entertainment opportunities to public audiences.**

**Secondly, the various types and formats of the proposed events increase the variety of ways the Common can be used and enjoyed by thousands of members of the public to provide an important public benefit.**

**Thirdly, these temporary events beneficially supplement and diversify the recreation and entertainment uses provided on the common permitted by Article 7 of the Order, to enable the common to best serve the broad and diverse interests of the neighbourhood, the borough and the wider London population.**

**Providing a broader public benefit, events such as these, taking place on appropriately sized, well managed accessible sites, are needed to increase the profile of London's leisure and events industry, particularly in support of a post Covid-19 recovery for the hospitality and leisure sector.**

**In the commercial interests of the neighbourhood, such events bring visitors to the area, many of whom will spend money at the businesses bordering the common.**

**These events offer significant employment opportunities for local residents; and staff employed on events also spend money at local businesses.**

**Lambeth Council, the organisation with primary interest in the site, uses the income from the events it hosts on the common to fund a range of essential Council services, including Parks, Adult Services and Children's Services. A fixed percentage of events income (the Parks Investment Levy (PIL)) is ring-fenced to fund enhancements across parks and open spaces. For events**

held on Streatham Common 80% of the PIL is ring-fenced for expenditure on the Common, with spend decisions made in discussion between the Friends of Streatham Common Group and the Parks Service. The remaining 20% is ring-fenced for projects on smaller open spaces within the local area, for example Streatham Memorial Garden or The Rookery.

Due to Lambeth Council having to more than halve the Parks budget in 2016, the PIL income (which is a set percentage of the total income from every event) is crucial in enabling Lambeth to maintain Streatham common to a good standard in accordance with the Local Nature Reserve (LNR) Management Plan for Streatham Common 2013–2018. PIL also funds projects and initiatives on the common like additional litter-picking, boundary protection, benches, new bins, biodiversity and grass reconditioning projects (such as that recommended in the August 2020 Salix Ecology feasibility study for Acid Grassland restoration works).

Any remaining income from events is returned to the Council's General Fund and supports core council services such as Parks and Adult Services. In this way income from the proposed events will be used in the public interest to promote nature conservation and conservation of landscape at Streatham Common and at other green public spaces in the borough of Lambeth.

The proposed temporary events are needed to generate crucial PIL income to fund essential improvements to Streatham Common. The PIL generated from these events, needed to fund a variety of council projects in the public interest is therefore clearly a public benefit of the proposed temporary works.

The proposed event sites are not located within an archaeological priority area. The closest archaeological priority area is land under and immediately adjacent to Streatham High Road bordering Streatham Common. Though this designated area is not overly far from the proposed event sites, there is still sufficient buffer between the event site and the archaeological priority area for the events to not have an impact on the heritage assets. Furthermore, subterranean excavation works are not proposed for the set up and operation of the event site's fencing and associated temporary structures, thereby ensuring the protection of any archaeological remains.

The Heritage Statement submitted with this application considers the proposed temporary development to have been carefully designed so that the proposals will not adversely impact the significance of the identified heritage assets, neither during nor after the erection of the temporary structures.

The Streatham Common Ecological Impacts Assessment undertaken by Salix Ecology in 2020 confirms that the areas proposed for the temporary events are of low ecological sensitivity. The assessment states that areas of identified low ecological sensitivity are likely to be resilient to the occasional large-scale public event. On this basis the proposed temporary medium and small-scale events are considered to be acceptable in terms of the ecological impacts to the common from the fences, structures and event footfall. The areas of high ecological value run from the centre of the common to its eastern end. The location of the proposed events is at the far western end of the common.

The temporary installation and operation of the proposed event sites over a cumulative period of 47 days only within the year protects the common from long term ecological impacts. It also protects the long-term public rights of access to any area of the common.



**In line with Article 12 of The Greater London Parks and Open Spaces Order 1967 each event site will cover substantially less than 10% of the total area of the common at any given time, which is the maximum permitted to be fenced off for the provision of listening to or viewing an entertainment.**

**This application seeks common land consent for a very similar programme and scope of temporary events on Streatham Common that was permitted by common land consent Ref: COM/3293911. The planning inspectorate was satisfied that the approved 2022 temporary spring and summer events would not proportionately negatively impact on the interests of those occupying or having rights over the land or the neighbourhood.**

**In the conclusion to the 2022 Decision, the Inspector did not consider the events applied for would negatively impact on the public interest, nature conservation, conservation of the landscape or on archaeological remains or features of historic interest.**

**The limited periods of time that the proposed structures would remain in place was taken into account, and the planning Inspector did not therefore consider there would be any significant impact on the public interest in permitting the works and concluded that consent should be granted for the erection of fencing and structures associated with the two remaining admissible events for the dates and periods set out in the application.**

**The scopes of the proposed events and associated structures and fencing are deliberately very closely repeated for the proposed 2023 programme of events so that they are very closely comparable to those consented in the 2022 Decision. Therefore, the environmental and heritage impacts of the events and the public benefits are considered to be the same and the proposals should be acceptable for the grant of common land consent.**

13. Give details of any measures proposed to mitigate the visual impact of the works and, where appropriate, the way in which the common will be restored once the works are completed if consent is granted.

**These works are all temporary and so the visual impact will be limited. The larger funfair and circus events will be contained within perimeter fence lines, of which Heras fencing will be used to reduce the visual impact.**

**Trackway and other mitigations are agreed as part of the EventLambeth event licence application process. Parks and events staff walk the site before each event with event producers to agree the site condition. All event producers are required to pay a damage deposit prior to the commencement of the events. Another site assessment takes place post event to agree any restoration works that may be needed. Restoration works are undertaken by parks staff using specialist equipment and the costs are deducted from the damage deposit. If costs exceed the damage deposit, Lambeth Council's terms and conditions require that any additional costs are recovered from the event producer. If any works fail during the year, they will be remedied by parks staff and remedial works are regularly monitored.**

**In the conclusion of the 2022 decision, although it was acknowledged there would be some localised visual impact and a restriction on public access over some small areas of the common for limited periods of time, it was understood by the Inspector that this would need to be balanced against the cultural, charitable and social engagement opportunities that arise from the facilitation of the events proposed and therefore events were granted consent on this basis.**

**The scopes and arrangements of the proposed events and associated structures and fencing are very closely comparable to those consented in the 2022 Decision. On this basis, the cultural, charitable and social engagement opportunities that arise from the facilitation of the events should again outweigh the localised visual impact and restrictions on public access over small areas of the common for limited periods of time to be acceptable for the grant of common land consent.**

## **SECTION D2 – Where the proposed works include fencing (temporary and permanent)**

(If your proposal does not include fencing, go straight to Section E)

14. Please give details of the type(s) of fence proposed, including the height and length, the area (in square meters) it will enclose and the materials used.

**Benson's Funfair – approximately 700m in length; enclosing 10,000 square metres. The site would cover 3% of the total area of the common. Perimeter fence line for funfair events will be standard 2m high metal Heras fencing.**

**Zippos Circus – Zippos use a mix of two types of fencing: decorative arched fencing and Heras fencing. In total the fenced area occupied by the circus is a maximum of 14,400 square metres.**

**The decorative arched fence is erected at the front of the circus where the public access the Box Office, Foyer and Big Top. One section that is the main entrance is 4m high and 4.2m wide leaving a gap allowing public to access and egress the Big Top. The rest of the arched fencing is 2.8 metres high – this fencing extends to a length of 65 metres.**

**Heras Fencing is erected at the front of the show either side of the decorative fencing and also on both sides and the rear of the circus site. This is the standard type of Heras fencing, two metres in height. It encloses the temporary event site safely and includes public and staff entrances, including fire exits. Zippos use up to 400 metres of Heras fencing in total.**

**Pig iron fencing is proposed to enclose two separate areas measuring a maximum of 100m x 75m and 50m x 50m at the Streatham Common Kite Day 2023.**

15. Please explain why the fencing is needed and how it fulfils the criteria set out in Section 39 of the Commons Act 2006. This should cover why fencing of this type is needed, what the aim of the fencing is, and why it is the length proposed. You should also explain what other types of fencing, if any, have been considered and rejected. If you are applying for permanent consent, please explain why temporary consent is not appropriate.

**The proposed temporary fencing on Streatham Common is needed to safely and responsibly manage and operate the proposed events in line with Lambeth's Events Policy and Strategy.**

**The proposed temporary pig iron fencing is needed to cordon off areas for kite flyers to enable them to safely focus on the kite flying activities. It also gathers the kite flyers/spectators into the same location leaving other areas of the common clear for other activities.**

**The proposed lengths of temporary Heras fencing are required to enclose the relevant proposed event sites so that they can be safely and responsibly accessed, managed and operated depending on their space, operational, commercial and licensing needs.**

**The requirements for a perimeter fence-line to enclose the relevant temporary event sites are as follows:**

- 1. Prevent unauthorised access by persons and vehicles, restricting access to ticket holders, official entrants or event operatives, for safety and revenue protection.**
- 2. Create a controlled environment where the event organisers know the numbers of people on-site in-line with licensing and CDM requirements.**
- 3. Ensure that search regimes as requested by Licensing and the Safety Advisory Group can be managed effectively.**
- 4. Contain the event, funnel and manage crowd control.**
- 5. Establish and maintain clear event site areas for the event to take place in, clearly demarcating the other areas of the common that are not being used by the event and are 'event-free'. This maximises the area of remaining common for other general uses by the public.**
- 6. Shield views of large crowds and less visually attractive or engaging back-of-house activities from public view. This minimises the negative visual impact of the events.**
- 7. Ensure that event producers are operating within the 10% of the common as permitted under legislation.**
- 8. Create a safe working environment for both event operatives and the public for the build and break of the event infrastructure.**
- 9. Protect infrastructure within the site from damage, incursions, and sabotage.**
- 10. Contain the events within the event area fence lines to reduce the environmental impact of the event on the remainder of the common, and enable any remediation works to be specifically and efficiently targeted.**
- 11. Contain the events, their temporary fencing and associated structures within the perimeter site fence to reduce the impact of the event on assets of historic interest. Further details of this are included with the Heritage Statement submitted in support of this application.**

16. Please say what other measures (if any) you have considered (i.e., alternatives to fencing) and explain why these are not suitable.

**The only other alternative that might be considered would be steelshield style fencing – but is considered unnecessarily imposing for these events due to its height and visually striking nature.**

17. Give details of any measures proposed to mitigate the visual impact of the fencing.

**The event perimeters will consist of Heras fencing and for Zippos a small area of decorative arched fences. Its relatively low height and open nature will reduce the visual impact of each event. Each funfair or circus event is only in place for between 9 and 22 days at a time.**

18. Give details of the number, type and location of stiles, gates, gaps or other means of access.

**For the funfair and circus events once the event sites are created there will be no public access points.**

**Please see attached plans showing the guest entrance/exits within the perimeter fencing.**

## **SECTION E – Planning permission**

19. a) Is planning permission needed for your proposal?  Yes  No  
b) If yes, has planning permission been given?  Yes  No  
If yes to b), please enclose a copy of the planning permission.

## SECTION F – Designations

20. Is the proposal in or near a Site of Special Scientific Interest (SSSI), a Special Area of Conservation (SAC) a Special Protection Area (SPA), or a wetland listed in accordance with the Ramsar convention? Yes  No

If yes, please give details and identify this area on the map (see Section J).

21. Will the proposal affect a Scheduled Ancient Monument (SAM)? Yes  No   
If yes, please give details and identify the location of the SAM on the map (see Section J).

22. Is the proposal in a National Park? Yes  No

If yes, please give the name of the National Park.

Is the proposal in an Area of Outstanding Natural Beauty (AONB)? Yes  No

If yes, please give the name of the AONB.

Will the proposal affect an area of special landscape value or World Heritage Site? Yes  No

If yes, please give details and identify the area on the map (see Section J).

## SECTION G – Existing works and adjacent common land

23. Are there any existing buildings, roads, fences or other constructions on the common?  Yes  No

If yes, please give details. Please also identify these on the map (see Section J).

- **The Rookery Café, leased to Parklife**
- **There are numerous internal roads and surfaced paths on the common.**
- **The buildings and highways are marked out on the map which is attached to this application.**

24. Does any area of common land or village green of a different registration number adjoin the common on which the works are proposed? Yes  No

If yes, please give details. Please also identify the boundaries on the map (see Section J).

## **Section H – Procedure**

25. Most applications are determined by the written representation procedure. However, we may decide that a site inspection by an Inspector is needed. Where we decide that there should be a site inspection the Inspector will usually visit the site unaccompanied.

Do you wish to be present or be represented at the site visit?  Yes  No

If yes, please suggest a suitable meeting place.

**Please meet in front of the Rookery Café.**

## **SECTION I – Advertisement and consultation**

26. **You must advertise your proposal** in one main local newspaper and at the main points of entry to the common (or, if there are none, at a conspicuous place on the boundary of the common). Use the draft notice at **Annex A** of the **Notes**.



27. You must also send a copy of the notice (using the letter at **Annex C, C1** or **C2** of the **Notes**) to the following:

- X** the owners of the land (if different from the applicant)
- X** the commons council or commoners' association (if there is one)
- X** all active commoners
- X** others with a legal interest e.g., tenants, those with easements, or other rights over the land and any other person occupying the land
  
- X** the Parish Council
  
- X** the relevant Commons Registration Authority (usually the county council or unitary authority), District or Borough Council
- X** Natural England (Please send only to enquiries@naturalengland.org.uk)
- X** Historic England  
National Park Authority (if the proposal is in a National Park)  
AONB Conservation Board or Joint Advisory Committee (if the proposal is in an AONB)
- X** Open Spaces Society
- X** the local authority archaeological service

28. Which newspaper has the advertisement appeared in? **South London Press**  
On what date?  
**04 November 2022**

On what date will the representation period end?

**This date must be at least 28 days from the date the application is advertised. Incorrect notices are a common problem and may result in you having to re-advertise, so please read Section I of the Notes carefully.**

## **Section J – Maps**

29. Please enclose two copies of the map that meets the requirements set out in Section J of the Notes. The map should show everything required by sections F and G of this form, and it must clearly show what you are proposing to do and where. **Incorrect or unclear maps are a common type of problem with applications for works, so please read Section J of the Notes carefully.**

## Section K – Checklist (tick to confirm)

30. For all applications:

- ✓ I have read the relevant Notes and Guidance Sheets.
- ✓ I have answered all the questions on this form in full (where appropriate.)
- ✓ I have enclosed a map (2 copies) that meets the requirements of Section J of the Notes.
- ✓ I have enclosed a copy of the commons register in respect of this common, where registered, i.e., details of the land, rights, ownership and the register map.
- ✓ I have enclosed a copy of any document mentioned in answering the questions on this form (e.g., planning permission, etc.)
  - ✓ I have completed and enclosed a copy of the health and safety questionnaire
- ✓ I understand that any of the application papers may be copied to anyone who asks to see them.

31. For Section 23 (National Trust Act 1971) only:

I have enclosed a letter from the National Trust confirming its view that the proposed works are "desirable" under Section 23(1)

32. I have:

Advertised the proposal in one local newspaper –

Posted a copy of the notice at the main entry points to the common –

Sent a copy of the notice to all those listed at Section I –

Made available (electronic) copy of the notice, map and application at publicly accessible website and via email request –

Enclosed the letter, based on the example at Annex D of the Notes, confirming that the advertising requirements have been met.

Signed: **EventLambeth**

Name: **EventLambeth**

Date: 04 November 2022

**You should keep a copy of the completed form.**

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### General Data Protection Regulation

Your application will be in the public domain. Therefore, all documents (both paper and electronic) associated with it may be disclosed during the application process to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.

### How we use your information

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).