



**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:

The Commons Team
The Planning Inspectorate
3A Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0303 444 5408

E-mail: commonlandcasework@planninginspectorate.gov.uk

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- **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

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: Lucy

Surname: Zaman

Organisation (if appropriate) **Lambeth Council**

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

Civic Centre
6 Brixton Hill
London

Postcode – **SW2 1EG**

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 Cafe

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 temporary events permitted under Article 7 of the greater London parks and open spaces order 1967, for fixed periods of time, on the grassed areas of Streatham Common.

Temporary structures include funfair rides and amusements, big top tents concession stands, stages, catering units, gazebos, toilets and welfare facilities, back of house and 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:

NO	DATE (2024)	EVENT	NUMBER OF DAYS
1	12 May	Streatham Common Kite Day	1
2	20 May – 3 June	Bensons Funfair	15
3	22 July – 12 Aug	Bensons Funfair	22
4	20 Aug – 27 Aug	Vegandale	8
TOTAL			46

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 temporary entertainment, leisure and recreational events at Streatham Common over the course of 46 days in 2024. The scheduling of the proposed four events does not overlap onsite at any point.

No works have been carried out as yet.

The proposed works are temporary.

The 4 proposed events are:

- **Streatham Common Kite Day 2023 (May): Community family- friendly kit one day festival**
- **Bensons Funfair (May - June): Funfair**
- **Bensons Funfair (July -August): Funfair**
- **Vegandale (August) - Vegandale is a family-friendly event that includes vegan food and drink vendors, art installations and music.**

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, stages, marquees, concession stands, catering units, gazebos, toilets and welfare facilities, back of house and staff cabins and plant enclosures.

Use of heras style fencing will be a maximum of 700 metres in length and 2 metres in height. The temporary fencing will safely enclose the temporary event sites and will include public and staff entrances, including fire exits. These temporarily enclosed fenced sites cover an event site area maximum of 26,000 square metres, less than 10 percent of the common.

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

The proposed temporary event sites are located at 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 event applications, covering 46 days in total in 2024.

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.

Lambeth has been at the forefront of cultural events for over 170 years, with musical events and entertainment in our parks dating back to 1785. Furthermore, Lambeth Council has a long history of hosting public recreational events on Streatham Common permitted under Part B, Article 7 of the Greater London Parks and Open Spaces Order 1967. 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 2020-2025 Events Strategy. These events promote the use and enjoyment of the common for local residents, as well as the wider general public by providing diverse activities for different age groups and demographics to enjoy the common.

This application seeks to provide public entertainment, leisure and recreational events on Streatham Common in accordance with the aforementioned 2020-2025 Events Strategy and in line with operational requirements set out in the Lambeth Events Policy 2020-2025.

The temporary event fences and structures are needed to 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 Council is the freehold owner of the Common and has formal decision-making processes in place to determine if and how its land is used for public events. There is a robust permitting process to ensure any event organisers are scrutinised appropriately before being granted access. This approval is in addition to any statutory legislation including licensing and planning permissions, which deal with noise, litter, anti-social behaviour and use of the land, ground damage etc.

The four events covered in this application provide for the public interest in numerous ways. Notably, by offering cultural, community and social engagement opportunities to different public audiences, while also bringing vital funds to allow EventLambeth to facilitate smaller cultural events for free / low cost delivered by community organisations across the Borough.

It is important to note that without larger commercial events that are of a higher value, the events service would not generate sufficient income to cover the cost of staffing the team. If that was the case, as a non-statutory service it would be disbanded and no events would be able to take place across the common, including any community events. An events team is essential to safely facilitate all events.

In delivering against the commitments set out in the strategy, we aim to ensure that Lambeth's vibrancy and diversity is reflected in its events programming by hosting a range of small, medium, large and major events on Streatham Common to ensure the impact of events is managed appropriately.

The following information details how each event provides for the public interest, explaining the nature of each booking and our justification for hosting them on Streatham Common.

- **Streatham Common Kite Day - Annual kite festival on Streatham Common. Free entry event run by the community for the community. This event has been running for over 20 years.**
- **Benson's Funfair – Historic funfair for a budget friendly family day out**
- **Vegandale - a one-day, family-friendly event that includes vegan food and drink vendors, art installations and music. Established event that has taken place around the world successfully.**

Lambeth Council, the organisation with primary interest in the site, uses the income from the events it hosts on the common (which comes in the form of a ring-fenced Park Investment Levy (PIL)) to fund projects across the Common in discussion between the Friends of Streatham Common Group and the Parks Service.

Due to Lambeth Council halving the Parks budget in 2016, the PIL income (which is a set percentage of the total income from every event) 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 Grassland Restoration works on Streatham Common).

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 maintenance works and improvements to Streatham Common, and where possible to support the delivery of other essential maintenance and improvements works at other core council services where funding availability is severely limited. 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 archaeological remains.

The Streatham Common Ecological Impacts Assessment undertaken by Salix Ecology in 2020 confirms that the areas proposed for the temporary events are in majority low ecological sensitivity areas. The assessment states that areas of identified low ecological sensitivity are likely to be robust 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.

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 follows similar requests for events in Streatham Common in 2022 and 2023. The events that took place following the date of the decision notice for the application in 2022 (Ref: COM/3293911) and 2023 (COM/3311223 / COM/3316215) were granted consent by the planning inspectorate who was satisfied that the proposed works would not proportionately negatively impact on the interests of those occupying or having rights over the land or the neighbourhood.

In conclusion of the 2022 / 2023 applications, The Planning Inspectorate also did not consider it would negatively impact on the public interest in nature conservation or the conservation of the landscape or on archaeological remains or features of historic interest.

It was taken into account the limited periods of time that the proposed structures would remain in place, and therefore the planning inspector did not 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.

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 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 license 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 based on the common and remedial works are regularly monitored.

In conclusion of the 2022 and 2023 applications, 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 and social engagement opportunities that arise from the facilitation of the events proposed and therefore events were granted consent on this basis.

The temporary events will be set up and conducted, and impacts managed and mitigated in accordance with the Lambeth Events Policy 2020-2025 and Lambeth's Ecology Management Plan (2020).

The cultural and social engagement opportunities that arise from the facilitation of the proposed events should out-weigh the localised visual impact and restrictions on public access over this relatively small area 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.

Bensons Funfair – approx. 700m in length; 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.

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 2024.

Vegandale - 675.88M of external heras fencing with 3 emergency exits and 1 main entrance.

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 adopted Lambeth 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, restricted to ticket holders, official entrants or event operatives. Both from a safety and revenue protection point of view.**
- 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 Safety Advisory Group can be managed.**
- 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 conserves the landscape of the 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 conserves the landscape of the remaining common for other users of the common.**
- 7. Ensure that event producers are working within the 10% of the common 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. Containing the events within the event area fence lines will 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. Containing the events, their temporary fencing and associated structures within the perimeter site fence also reduces the impact of the event on assets of historic interest.**

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 proposed event works, including the fencing are temporary.

The event perimeters will consist of Heras fencing and pedestrian barriers.

The relatively low fencing heights and open nature of some of the events will reduce the visual impact of fencing for each site on the common. Where necessary, barrier scrim will be used to block view of the site and to support with the visual impact of the fencing.

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

Please see attached event site plans showing the entry and exit points within the proposed event perimeter fencing. The scope of these varies depending on whether the event’s perimeter fencing is fully or partially enclosed.

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

- **There are numerous roads and surfaced paths on the Common, several of which are Public Highway –Streatham Common North and South and Streatham High Road and dozens of internal roads, paths and cycleways.**
- **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 the Rookery Café on the edge of the park.

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?

On what date will the representation period end? **Sunday 7th January 2024.**

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. **We will submit this once we have a copy of the newspaper**

Signed: **EventLambeth**

Name: **EventLambeth**

Date: Sunday 10th
December 2023

You should keep a copy of the completed form.

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](#).