

Football in Blackbird Leys – Nigel Gibson, October 2011

I am speaking as a member of the Save Temple Cowley Pools Campaign, appalled at the way the Council has behaved in relation to what are perfectly legal and democratic activities by a group of concerned citizens in Blackbird Leys. As a Campaign Group we are very supportive of what the group is doing, simply because their success would mean a huge saving in taxpayers money. However, the Save Temple Cowley Pools Campaign has no direct connection with the Town Green campaigners, despite the innuendo coming publicly from senior council officers in the Press.

The Council's propaganda machine has been in full swing recently trying to bully the group in Blackbird Leys - this is simply wrong. In particular, the Council has been involved in claiming that Town Green status will mean no more organised football in Blackbird Leys. This is completely untrue.

So, a group of Blackbird Leys residents has applied for Town Green Status for Blackbird Leys Park, the only large green space in the area. This Town Green application is not a threat to football in Blackbird Leys.

Town Green status can be granted to any space that has been used for leisure and recreation for a period of over 20 years. Blackbird Leys Park has been used like this for decades, and making it a Town Green will simply keep it the way it has been, without any more development eating away at it.

If Blackbird Leys Park becomes a Town Green, this would mean that the Labour-led City Council is unable to build its 25m, non-Olympic Swimming Pool, the most expensive in the country, and which would cost us, the taxpayers, well over £9m.

The Council is annoyed at having its plans thwarted by a group of ordinary people who simply want to keep the green space they have seen and enjoyed for many years. The Council is now doing all it can to discredit the Town Green application, and is spreading misinformation and propaganda around the Blackbird Leys community, particularly the junior football club which uses the Blackbird Leys Park, and will be able to carry on when Town Green status is granted.

Here is the real information:

- The plan for the Town Green shows clearly that the football pitches will be outside the Town Green area, and all football activity will be able to carry on as it always has. The Town Green application is not a threat to football in Blackbird Leys.
- Can people come and "sit down and picnic" in the middle of a football match? They can do that at the moment, but it doesn't happen, and simply wouldn't happen if Town Green status was granted.
- What about Council rules being unenforceable on a Town Green? Not true, a Town Green is still part of a local authority area, and they are able to enforce their rules if they want to - Oxford already has two other Town Greens, and there are no issues there. Churchwardens, parish and town councils, as well as members of the

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public, can prosecute anyone damaging a Green, or carrying out unlawful activities.

- Football changing rooms - the council can provide changing rooms whenever it likes, there is no link with the proposed new pool. And Town Green legislation allows for buildings such as changing rooms that will enhance the recreation/sport activities.
- Astro turf - this area is not in the Town Green, it is on the existing tennis courts, and during September the Council approved changing these to Astro turf.
- The City Council has a target for green space in the city of 7.5 hectares per 1000 population. In Blackbird Leys at the moment, it is only 2.25 hectares per 1000 population, and this will get worse if the proposed new pool is built.
- Blackbird Leys Park used to be much bigger, but the Council has eaten away at the green space, and will continue to do so. Unless it is stopped, very little green space will be left.

- If the City Council plans go ahead, the amount of space for football will be reduced - and one of the pitches will be shifted very close towards the area that gets bogged down and flooded.
- The City Council has very carefully positioned the site of the proposed new pool so that they can at some point in the future put a new ice rink behind it - how much green space will be left then, and where will football be played?
- The Oxford Blackbirds are being used by the City Council to set the Blackbird Leys community against itself, so that it can build a new swimming pool and close other leisure facilities such as the existing Blackbird Leys Swimming Pool - this is wrong.
- Town and village greens originate in customary law, where long-standing recreational use of land by the local inhabitants came to be recognised and protected by the courts. Greens are areas of land where local people have for many years indulged in lawful sports and pastimes, which might include organised or informal games, picnics, fêtes, dog walking and similar activities.
- Town and village greens, once registered, are protected by:
 - Section 12 of the Inclosure Act 1857 against injury or damage and interruption to their use or enjoyment as a place for exercise and recreation. It is a criminal offence to cause injury or damage to village greens.
 - Section 29 of the Commons Act 1876 makes encroachment on, or inclosure of, a green, and interference with or occupation of the land, illegal unless it is with the aim of improving the enjoyment of the green.

- Where an offence has occurred, a prosecution in respect of section 12 of the 1857 Act can be brought by a churchwarden, the owner of the green, or by a parish, town or district council. Any inhabitant of the parish can bring a prosecution under section 29 of the 1876 Act
- The owner of a green cannot do anything that interferes with the lawful recreational activities of the local inhabitants. Town

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Greens in local authority ownership are often managed under the Open Spaces Act 1906 by the imposition of byelaws or with a scheme of regulation under the Commons Act 1899

- Local inhabitants have a right to take part in any lawful sport or pastime on a green. Lawful sports and pastimes are not restricted to those activities which were enjoyed during the period of use which led to the green being registered.
- Is permission needed to carry out works on a green? Works can be permitted (like putting up changing rooms) but only if they are for the "better enjoyment" of the green, but will still be subject to planning permission.
- Who is responsible for maintaining greens? Greens in local authority ownership can be managed by the authority under the Open Spaces Act 1906 or by a scheme of regulation under the Commons Act 1899

In summary, Blackbird Leys Park becoming a Town Green is not a threat to football in Blackbird Leys, or any other organised sport or recreation. Town Green status means that the Labour City Council will not be able to take any space that is currently used for playing football or training. Residents and footballers must not be taken in by Labour and Council propaganda.

All in all, Town Green status for Blackbird Leys would serve all members of the community in every way to enable them to keep what we have and maintain and improve it forever.

