

# Freehold Community Association

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Submission to the resumed enquiry into the Pinkham Way site.

In October 2011 Haringey received evidence supporting our evidence of June 2011 that the Pinkham Way site was capable of registration as common land under the Commons Act 2006. The effect of registration is of substantial significance to the future of the site and it's designation in Haringey's Core Strategy.

Had Haringey administered the registration process, with due regard to it's importance to the Core Strategy, it is possible that by the start of 2012 the designation of the site would have been determined as common land and any further deliberations on this matter would have been unnecessary, saving considerable cost, time and concern to our members, residents and the public at large. We have already presented evidence of Haringey's approach to dealing with this application. It may not be for this enquiry to determine the validity of the application but we would contend that Haringey did have a duty, being in possession of such evidence, to include such information and assess it's importance in it's re-consultation on the Pinkham Way site. Particularly as it would be of considerable interest to the public at large as well as the inhabitants of the localities surrounding this site. The benefits to health, the environment and the heritage of communities in having access to common land is recognised and supported by the Commons Act 2006 and all these matters and their inter-relationship with each other are required consultation elements of a Specific Environmental Assessment. We would claim that Haringey's failure to evaluate the Commons evidence as part of their re-consultation renders it seriously flawed and unlawful and we believe we are supported in our claim by the judgement of Mr Justice Collins in the High Court case of Save Historic Newmarket Ltd v Forest Heath District Council. The reasons for Haringey's failure to determine the Commons application as well as ensuring that their re-consultation was lawful are clearly matters for them to explain.

We believe that, should Haringey continue in their industrial designation for the Pinkham Way site, it would be so contrary to the evidence in their possession, that they would create a real threat to the lawfulness of their completed Core Strategy, a situation that would be avoided by maintaining it's present designation as a site of importance for nature conservation.

Jane Inzani - Secretary

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