

Cabinet

Tuesday 2 December 2025

11.00 am

Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

Supplemental Agenda No. 1

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Contact

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Date: 27 November 2025

Meeting Name:	Cabinet
Date:	2 December 2025
Report title:	Deputation requests
Cabinet Member:	Not applicable
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Proper Constitutional Officer

RECOMMENDATION

1. That cabinet considers whether to hear two deputation requests in respect of item 10, Disposal of Land at Greendale, East Dulwich from:
 - Dulwich Hamlet Football Club (FC) and
 - Local residents.

BACKGROUND INFORMATION

2. When considering whether to hear deputation requests, cabinet can decide:
 - To receive the deputation at this meeting or a future meeting; or
 - That the deputation not be received (if the matter is not dealt with by cabinet, the matter shall be referred without debate to the relevant cabinet member who shall after consideration, respond with an open reply to the sender); or
 - To refer the deputation to the most appropriate committee/sub-committee.
3. A deputation shall consist of no more than six people, including its spokesperson. Only one member of the deputation shall be allowed to address the meeting for no longer than five minutes. After this time cabinet members may ask questions of the deputation for up to five minutes. At the conclusion of the questions, the deputation will be shown to the public area where they may listen to the remainder of the open section of the meeting.

KEY ISSUES FOR CONSIDERATION

4. The deadline for receipt of deputation requests for this cabinet meeting was midnight 26 November 2025. The requests were received before this constitutional deadline.

Deputation request from Dulwich Hamlet Football Club

5. The deputation which to make a statement in respect of the report on the agenda relating to the item on the disposal of Greendale, East Dulwich.

Deputation request from local residents

6. The deputation wishes to address the cabinet to ask it to consider, and then take appropriate action, in relation to play and recreation with regard to the proposed Dulwich Hamlet Football stadium development and their concern about what they feel is the pending loss of community access to the Greendale Astro.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet procedure rule 2.12 on deputations:	160 Tooley Street London SE1 2QH	Paula.thornton@southwark.gov.uk
Link (copy and paste into browser): http://moderngov.southwark.gov.uk/documents/s80630/Cabinet%20procedure%20rules%20November%202016.pdf		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Members Services		
Report Author	Paula Thornton, Constitutional Officer		
Version	Final		
Dated	27 November 2025		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Assistant Chief Executive, Governance and Assurance	No	No	
Strategic Director of Resources	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		27 November 2025	

Meeting Name:	Cabinet
Date:	2 December 2025
Report title:	Disposal of land at Greendale, East Dulwich
Cabinet Member:	Councillor Stephanie Cryan, Equalities, Democracy and Finance
Ward(s) or groups affected:	Champion Hill
Classification:	Open
Reason for lateness (if applicable):	Yes (at paragraphs 84 and 85)

FOREWORD – COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR EQUALITIES, DEMOCRACY AND FINANCE

The open space at Greendale Playing Fields has long been a much-loved space for the local community, providing access to nature and recreational spaces but parts of it have fallen into significant disrepair.

This report approves proposed land arrangements to secure the implementation of the consented scheme for the redevelopment of Champion Hill and the Astro Turf Pitch Site within Greendale Playing Fields, East Dulwich.

The wider redevelopment scheme will also secure 219 new homes and associated public realm improvements, a new kick-about space for informal sports use and a new green link.

The decision will facilitate significant external investment into the currently dilapidated Astro Turf Pitch Site, at no cost to the council, which is otherwise at the end of its economic life and is currently unfit for organised sports use.

The wider Greendale Playing Fields green space will not be directly impacted by the new development and will remain open space contributing to biodiversity and local amenity, while the community will continue to benefit from informal sports provision through the creation of a new kick-about space within the wider development site. The scheme will result in a new, modern fit-for-purpose 4,000-capacity football stadium, with all-weather sports pitch, along with associated clubhouse and sporting facilities, for use by both Dulwich Hamlet Football Club and the wider community.

A community use agreement will ensure that these facilities are available for use by the wider community for formal sports when not in use by the football club.

The arrangements will ensure that the freehold ownership of these new facilities will be entirely owned by the council, including land transferred to the council by the developer at nil cost to the council, thereby securing the long-term security of the community football club and use of these facilities by the community.

RECOMMENDATIONS

Recommendations for the Cabinet

That Cabinet:

1. Agrees the proposed land transfer arrangements for land at Greendale, East Dulwich, in line with the principles set out within this report, including acceptance of a freehold transfer of land from Greendale Property Company Limited (or their successors in title) and disposal of a long leasehold interest to Dulwich Hamlet Football Club Limited (referred to herein as “Dulwich Hamlet FC”, “DHFC” or “the club”).
2. Delegates finalisation of the detailed contractual terms for the proposed land transfer arrangements to the Director of Planning & Growth to agree in line with the principles set out in this report.

REASONS FOR RECOMMENDATIONS

3. To ensure that the consented development is able to be implemented, delivering a new all-weather pitch for both the use of Dulwich Hamlet FC and of the wider community. The site is currently dilapidated and in need of investment in order to provide sporting facilities safe and suitable for community use. Planning consent is in place for the redevelopment of the Astro Turf Pitch Site to be delivered by the developer and owner of the wider Champion Hill stadium site pursuant to planning permission 19/AP/1867 (see the Background Documents).
4. The proposed land transfer arrangements allow for the delivery of new modern sporting facilities for use by both DHFC and the wider community on land that will be owned freehold by the council, including additional land currently in the developer's ownership under title SGL62094, to be transferred to the council.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

5. There are no feasible alternative delivery routes to secure implementation of the consented development including delivery of the new football and community facilities. Proceeding with implementation and the land transaction without first appropriating the site was considered, given the current use and future uses of the site are both as an artificial sports pitch, but was not recommended. Although the use of the site under the consented scheme could still be considered to be compatible with continuing open space use of the land, this was not considered to be the optimum route as it would not remove the risk of future legal challenge.

POST DECISION IMPLEMENTATION

6. Following the decision by cabinet, the following actions will be taken:

Key Activity	Target completion date
Finalise detailed contractual arrangements for land transfer	February 2026

BACKGROUND INFORMATION

7. Greendale Playing Fields is an area of open space near to East Dulwich Station. It is broadly bounded by Green Dale, Wanley Road, Sainsbury's Dog Kennel Hill, Champion Hill stadium and a public footpath. Greendale Playing Fields is currently designated as Metropolitan Open Land ("MOL") within the adopted local plan. The land now comprises areas of wild grassland and dilapidated former sports facilities, including tennis courts and an Astro Turf pitch.
8. The Greendale Playing Fields site is owned by Southwark council and registered under Title Numbers LN245239 and TGL57173. Further background is set out in the report to cabinet of 17 June 2025 regarding the appropriation of land at Greendale (see the Background Documents).
9. The Astro Turf Pitch Site is an area within the wider Greendale Playing Fields comprising a derelict Astro Turf pitch and immediately adjacent soft landscaped land. An Astro Turf pitch is a "2G" or second-generation, sand-dressed pitch originally intended for use for sports such as hockey, tennis and football, but no longer considered acceptable for competitive football. The site is shown edged red within the plan at Appendix 1.
10. Adjacent to Greendale Playing Fields is the Champion Hill Stadium Site. The Stadium has been home to Dulwich Hamlet FC since its construction in the early 1990s. The Champion Hill Stadium Site comprises the existing football pitch, stadium and associated facilities including car park. The Champion Hill Stadium Site is owned by Greendale Property Company Limited (or "Greendale PropCo"). The existing grass pitch is designated as Other Open Space within the adopted local plan.
11. On 18 June 2019, a planning application was submitted for a comprehensive redevelopment scheme across land comprising the Champion Hill Stadium Site plus the AstroTurf Pitch Site (but excluding the remainder of Greendale Playing Fields). The scheme (application reference 19/AP/1867) comprises redevelopment of the Champion Hill Stadium Site, including the demolition of existing buildings, and use of the AstroTurf Pitch Site, to provide:
 - the erection of a New Stadium with relocated playing pitch with associated floodlighting and boundary treatment, and part two-storey, part three-storey clubhouse building with sports and leisure facilities, with capacity for 4,000 spectators
 - the construction of a multi-functional "kick-about" recreational space
 - the erection of a series of buildings between four and six storeys in height to provide 219 residential dwellings, associated car parking, cycle parking, refuse storage and access road
 - the widening and greening of a public route with associated hard and soft landscaping; and
 - the relocation of telecommunications equipment and re-provision of the substation together with plant and equipment.

12. On 27 July 2020, the council's Planning Committee resolved to grant planning permission. On 21 February 2022, planning permission was granted. The planning permission has an associated section 106 Agreement made between Southwark Council, Greendale PropCo and Dulwich Hamlet FC, which sets out proposed land transfer arrangements which are summarised as follows:
 - The developer will construct a new football stadium for the benefit of Dulwich Hamlet FC, comprising new pitch predominantly on the council land at the Astroturf Pitch Site (as shown at Appendix 1) and a new Stand and New Stadium on part of its own land at the southwest end of the Champion Hill Stadium Site.
 - Once the new football stadium is built, the developer would then offer the transfer of the freehold interest in that part of the New Stadium which it owns to the council, shown at Appendix 2.
 - Following the freehold transfer, the council would then grant a long lease to Dulwich Hamlet FC, over the football stadium site, shown at Appendix 3.
13. Although deemed acceptable by the local planning authority, the proposed transfer arrangements remain subject to approval by the council as landowner.
14. On 17 June 2025, cabinet approved the appropriation of the Astro turf pitch Site at Greendale for planning purposes.

KEY ISSUES FOR CONSIDERATION

15. This report seeks approval for the disposal of land under section 233 of the Town and Country Planning Act 1990 which gives local authorities the power to dispose of land previously appropriated for planning purposes provided that this is considered to be in the public interest in securing either the best use of that land or development needed for the proper planning of the area. The relevant section is set out more fully in paragraph 64 below.
16. The council-owned Astro Turf Pitch Site comprises an area of the wider Greendale Playing Fields and is illustrated edged red within the plan at Appendix 1. This land comprises the derelict all-weather pitch plus ancillary soft landscaped land surrounding it. The site was previously let to Dulwich Hamlet FC for the club's own use. Inadequate pitch boundary treatment and historic misuse have resulted in the artificial grass playing surface becoming heavily dilapidated and now well past its economic life. The pitch has been unfit for safe use for organised sports now for some years, the club have not used it for training purposes since 2017, and recent external inspection reports have condemned the current playing surface. Despite the pitch being unfit for formal use for organised sports, in practice the general public have been able to access the pitch in recent years, due to dilapidated boundary fencing and main site gates being left unlocked from around 2018 onwards, and the site has been subject to ongoing informal recreational use, including dog walking and informal sports.
17. Planning consent for the redevelopment of the site was granted on 21 February 2022. The consented scheme would see the existing dilapidated pitch replaced

with a new, modern all-weather playing surface, along with associated boundary treatments to ensure it is protected for sporting use. The new facilities would be used by both DHFC and the wider community, as required by planning condition of the consented scheme. The replacement of existing unsafe and dilapidated facilities with new fit-for-purpose sporting facilities and associated infrastructure would be a significant benefit, while the informally accessed nature of the existing pitch would also be replicated through the provision of a new kick-about space in the associated development.

18. The Site was appropriated for planning purposes on 17 June 2025. A building licence is intended to be granted, under officer delegated powers, to Greendale PropCo over the Astro Turf Pitch Site for the construction of the new sporting facilities on the council-owned land and access over the council's land to carry out the remainder of the development after the construction of the football stadium. The developer will therefore have the ability to implement the above consent in line with the planning application across the whole site.
19. The developer has recently submitted a non-material amendment application (under Section 96A of the Town & Country Planning Act 1990) to amend the description of development and some of the pre-commencement conditions. The applicant also proposes to insert phasing conditions into the development and alter the phasing. This allows the applicant some flexibility with the implementation of the planning permission without having to discharge the pre-commencement conditions. In summary, the following amendments are proposed:
 - To make minor changes to the description of development
 - To secure insertion of phasing into the planning permission by adding a condition that requires phasing to be implemented in accordance with the Phasing Plan that has been submitted with the Section 96A application
 - To amend planning conditions to exclude demolition and
 - To agree to make changes to key approved documents to align with the Phasing Plan.
20. The proposed changes are currently subject to non-statutory public consultation and are anticipated to be approved in December 2025.
21. As part of the determination of the original planning application for the proposed redevelopment site an agreement pursuant to section 106 of the Town and Country Planning Act 1990 was entered into between the council (acting as local planning authority) and the developer, Greendale PropCo, and Dulwich Hamlet Football Club. That Agreement sets out that the developer wishes to construct the Development upon the Site in accordance with the planning permission and the obligations contained within. The developer will construct the new pitch (predominantly on the council's land) together with the Stand and the New Stadium (on part of the developer's Land) in accordance with the Planning Consent and s.106 Agreement. The developer will then offer to transfer the freehold interest in the Stand and the New Stadium to the council at nil consideration and following that transfer and the council (as landowner) will grant a lease of the whole of the new football stadium to DHFC. See Appendices 1 – 3 for a plan of the astroturf pitch site, the freehold transfer site and the New Stadium lease site.

22. The developer will not offer the freehold transfer to the council until such time as the new pitch has been constructed, the Stand has been constructed; the New Stadium including the leisure facilities have been constructed; and each are ready for operation, including to the standard required by the Football Association Ground Grading Requirements, ready for football matches to be played and such facilities are ready to be operated by DHFC who will carry out a final fit out of the new stadium and leisure facilities to the standards required for use by the general public prior to taking the lease, under a licence to be put in place under officer delegated approval.
23. On the basis of the overall assessment of open space set out within the Southwark Open Space Strategy (January 2013), the broad locality is not one with an open space deficiency, and it benefits from access within walkable distances to large nearby parks including Goose Green, Ruskin Park and Dulwich Park with space for informal sport and play. The open space strategy does, however, note that a number of open spaces locally are not fulfilling their current potential, including specifically the artificial pitches at Greendale. Improvements to these facilities are therefore long overdue. The borough also has a recognised need for additional, modern 3G football pitches (a “3G” or third-generation pitch is an artificial grass surface designed to replicate natural grass for sports like football and rugby) borough-wide and particularly within the centre of the borough, as identified in the council’s Playing Pitch Strategy (March 2017). The latest Football Foundation’s Local Football Facility Plan (February 2025) highlights the need for 5 new full size 3G pitches in the borough to meet demand and recognises that the opportunities to build them mostly exist in the south of the borough, noting under priority projects that the pipeline full size 3G pitch at Greendale as contributing towards meeting this demand should the proposed facilities come to fruition.
24. The consented planning uses are considered to be in the public interest as they would result in the redevelopment of the Astro Turf Pitch Site in addition to the adjoining Champion Hill stadium site, delivering much-needed new sporting facilities on the land plus further ancillary facilities on adjacent land, including replacement informal recreational space, as well as enabling the delivery of new homes, open space and public realm as part of the wider development. These arrangements would also secure the long-term future of local community football club, Dulwich Hamlet FC.
25. The council has publicly advertised notice of its intention to dispose of land at Greendale as required by statute and further details of this process are set out in the Consultation section below. The considerations raised through consultation and the council’s consideration of them are addressed at paragraphs 54-61 below.
26. On the basis of the key issues detailed above and including those issues set out within the Consultation section below, the council considers that the proposed land transfer arrangements including long leasehold disposal are in the public interest as they will allow for the redevelopment of the site in line with the consented scheme. The council considers that the public need for access to identified recreational activities would be satisfactorily met by new arrangements, so those needs no longer require the land to be held for its

current purpose. The scheme will result in a substantial improvement in the site itself, unlocking significant investment at no cost to the council, which will result in the delivery on council land of new, modern, all-weather sports facilities that will both protect the long term future of the local football club and will also be made available for use by the wider community. The wider Greendale Playing Fields green space will remain accessible to the local community providing amenity space and supporting biodiversity, while the wider development will also result in public realm improvements including the greening of the widened north-south link. The local community will continue to benefit from access to facilities for informal sports with the provision of a new kick-about space within the wider development site, overall representing a material improvement in the provision of sports and recreational facilities in the local area.

Policy framework implications

27. Detailed planning consent is in place for the redevelopment of the site (planning ref 19/AP/1867). That planning permission remains extant. The policy framework position was considered as part of the local planning authority's determination of the scheme, which included where the development proposal was in accordance with the policy framework and where it was a departure, including the impacts on MOL and the very special circumstances, linked to the protection of the Club and the increased potential for participation in sport, that would justify these impacts.
28. During the period between the committee resolution to approve and the issuing of the planning approval, the London Plan 2021 was adopted, and the Southwark Plan 2022 completed Examination in Public stage and was imminently due to be adopted. The draft policies within both these documents were also considered in the assessment of the application. Within the now adopted Southwark Plan 2022, the Astro Turf pitch site remains designated as MOL and sits immediately adjacent to site designation NSP40: Dulwich Hamlet Champion Hill Stadium, Dog Kennel Hill, which requires the delivery of new homes in addition to retention or reprovision of the football ground and associated facilities. The site designation specifically notes that planning application 19/AP/1867 is relevant to the designated site.
29. Since the consent was granted, the National Planning Policy Framework ("NPPF") 2021 has been replaced by the NPPF 2024. NPPF 2024 continues to provide overarching policy support for sustainable development that meets social objectives including delivery of new homes and open spaces that reflect the needs and support communities' health, social and cultural well-being. It notes that development impacting open space can be acceptable where replaced by equivalent or better provision in terms of quantity and quality. For the reasons set out earlier in this report, it is considered that the scheme would result in a material improvement in the provision of sports and recreational facilities in the local area through unlocking investment into the existing dilapidated astro turf pitch and creation of a new modern all-weather pitch serving both the needs of the football club and the wider community, combined with the reprovision of informal sports uses through the creation of a new kick-about space within the wider development site, which will also see significant environmental improvements through the creation of new public

realm and widening and greening of existing routes.

30. While the 2022 planning consent remains extant, it is considered that when assessed against the current policy framework the development proposal would continue to be supported, given the mitigations included against departures.

Community, equalities (including socio-economic) and health impacts

Community impact statement

31. The site is currently used for informal recreation. Land is laid out for formal sporting use although those facilities are dilapidated and the land is only available for informal recreation. Informal public access is available.
32. The proposed redevelopment scheme replaces existing dilapidated facilities with new fit-for-purpose modern facilities, meeting the needs of both the club and the wider community for all weather sports pitches. The loss of informal sporting use is mitigated through the provision of a kick-about space within the adjoining development.

Equalities (including socio-economic) impact statement

33. The Equality Act 2010 creates at s.149 a Public Sector Equality Duty that in summary requires the council in the exercise of its functions to have due regard to the need to:
 - a) eliminate discrimination
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
34. Relevant protected characteristics for the purposes of the Equality Act 2010 are:
 - Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex, and
 - Sexual orientation.
35. In considering the recommendations herein the cabinet must have due regard to the possible effects them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
36. Both the council as Local Planning Authority and the Mayor of London

previously undertook consideration of equalities impacts in assessing and determining the original planning application. These considerations included specific focus on the issue of the loss of the astro turf pitch and took into account the proposed mitigations, including the replacement 3G pitch and proposed Community Use Agreement and the informal kick-about space. At that stage the council concluded that the impact of the loss of the existing astro turf pitch was appropriately mitigated through the reprovion of sport and recreation facilities, the robust community use safeguards and the significant qualitative enhancements. These conclusions remain relevant to the present report.

37. Should the recommendations set out within the present report be approved, the redevelopment of the site would be able to proceed including the delivery of new sporting facilities within the Astro Turf Pitch Site for use by both the club and wider community, in addition to the redevelopment of the wider Champion Hill Stadium site, delivering new homes, additional open space and public realm. While there could be considered to be impacts, particularly during the implementation phase, on access to green and open space associated health impacts and impacts on opportunities for sporting participation, the site is designated as MOL, it is not a public park and has been in private control for some decades. These potential impacts could impact various groups with protected characteristics, including age and race, however this is considered to be outweighed given that the impacts are appropriately mitigated, the scheme will result in an overall increase in public and green space, including green links between existing green spaces, new play spaces and informal kick-about space, as well as new community assets including new and upgraded sports facilities, plus new and affordable housing. Overall, this creates a compelling case in the public interest to proceed to facilitate the improved social outcomes for the local community that the redevelopment will provide.

Health impact statement

38. The disposal of the site will enable the redevelopment providing new sporting facilities for use by Dulwich Hamlet FC, as well as for use by the wider community. In addition, they will enable the wider development to proceed delivering new homes, open space and public realm including a formal kick-about space and a number of play spaces.
39. The wider Greendale Playing Fields will not be directly affected and will remain available for informal recreation. These arrangements will therefore deliver a range of open spaces for use by the breadth of the community from formal sports pitches, informal kick-about area, younger play areas and general open space, which will increase opportunities for participation in organised and informal sporting activities, improving health and wellbeing.
40. The development will also secure the long-term future at the site of Dulwich Hamlet FC. The continued presence of a local community football club also supports health outcomes through its sense of community identity and wider community work.

Climate change implications

- 41. There are no direct climate change implications resulting from the disposal of land at Greendale.
- 42. Issues around climate change implications resulting from the future development were considered as part of the determination of the planning application.

Resource implications

- 43. The resource implications resulting from the disposal of land at Greendale is covered in the Financial Implications section, below.

Legal implications

- 44. For legal implications, see the comments of the Assistant Chief Executive Governance and Assurance, below.

Financial implications

- 45. Having taken possession of the Astro Turf Pitch Site in October 2024, the council is now responsible for maintenance costs of the existing dilapidated pitch site, which has had to be factored into ongoing revenue budgets. No capital funding has been identified for significant improvements to the site.
- 46. The proposed land transfer arrangements will facilitate the redevelopment of an area of council-owned land to deliver new, modern, fit-for-purpose sporting facilities for use of both DHFC and the wider community. While the disposal of a long leasehold interest in council land will not generate a premium, it will secure the capital investment required to deliver the new facilities as part of the wider redevelopment of the Champion Hill stadium site. Ongoing costs of operating the stadium and wider sporting facilities, including providing community stadium use, will be borne by DHFC as leasehold operator.
- 47. The council is taking external specialist advice on the tax implications of the proposed transaction and any subsequent decisions relating to the financing of such liabilities will be taken by the appropriate decision maker.
- 48. The costs of the disposal will be met from existing budgets.

Consultation

- 49. The proposed development scheme was consulted upon prior to planning submission, as set out within the planning application documents, and was also subject to statutory consultation ahead of determination. Over 2,000 responses were received with a majority of respondents generally supportive of the scheme and in particular supportive of the club as a community asset and its positive impact on the local economy.
- 50. Objections to the planning application were considered by the local planning

authority in determining the planning application. The material planning considerations raised by objectors can be summarised as follows:

- Loss of Metropolitan Open Land and inappropriate building on MOL
- The impact on the openness of MOL and absence of 'very special circumstances' justifying development on MOL
- Loss of existing artificial pitch which is available to the public and the replacement facility is significantly smaller
- Replacement of open space is not adequate
- Impact on ecology and wildlife and the Site of Importance for Nature Conservation ("SINC");
- Introduction of residential would lead to transport impacts
- The residential development is overbearing and out of scale with the surrounding dwellings
- Impact on the future of the football club
- There should be more social housing
- Noise and light pollution and
- Loss of trees and its implications for climate change.

51. The above objections were considered and officers concluded that on balance the benefits of the overall development outweighed the harm caused, and recommended that planning permission be granted and Planning committee resolved to grant consent on that basis.
52. The council undertook further statutory consultation in April – May 2025 prior to appropriating the site in June 2025. Only one written representation was received in response to this consultation, from the club itself setting out its support for the proposed redevelopment scheme.
53. It is a statutory requirement that the council advertise its intention to dispose of land. The proposed disposal was consulted upon through advertisements in the local press for a minimum of 2 consecutive weeks. Public notices were placed weeks within Southwark News on 30 October, 6 November and 13 November, with a deadline for responses of 18 November.
54. The council received a total of 16 representations from 15 individuals. Details of the issues raised are summarised as follows:

Loss of Open Space

- The Astro Turf Pitch and surrounding green space are a freely accessible, safe, and level open space for informal recreation, play, and social interaction.
- The local area suffers from a shortage of green space.
- Its removal disproportionately harms families, children, older residents, and lower-income households.
- Accessible open space is essential for mental and physical health, wellbeing, and social cohesion.
- Proposed "kick-about" space is not of equivalent size or character to the existing astro turf pitch space.

Wider Development

- Additional flats will overload remaining play space.
- Intensification of stadium activity and new dwellings impact open space provision.

Planning & Legal

- Disposal conflicts with section 233 TCPA as public interest test not met for the disposal of open space.
- Concern that the planning permission 19/AP/1867 may have expired.

Environmental & Ecological Impact

- Noise assessment flawed.
- Threat to biodiversity, nature, and ecological value of surrounding margins and SINC designation.

55. The majority of the issues raised at consultation relate to the original planning process and matters that were addressed through its determination and/or the subsequent judicial review process relating to the wider scheme and not specifically to the proposed disposal of land that is the subject of this report. That consent remains extant following the judicial review.
56. A number of comments also related directly to the statutory consultation being undertaken on non-material amendments to the original planning application. These comments were passed to the case officer to review as part of the determination of that application.
57. Regarding concerns around loss of open space, the astro turf pitch site is designated MOL but is currently derelict and unsafe for formal sports despite community use for informal recreation. Redevelopment will deliver new fit-for-purpose facilities plus an additional kick-about space for informal recreation and additional public realm. The stadium pitch will remain for sporting use, which is acknowledged as an appropriate MOL use under the London Plan, and the very special circumstances for MOL development were assessed during the planning determination and remain applicable. The pitch will be sunken with demountable screens maintaining its predominantly open character.
58. The Southwark Open Space Strategy did not identify the locality as deficient in open space with walkable access to Goose Green, Ruskin Park and Dulwich Park. The wider Greendale Playing Fields remain unaffected and an accessible open space. The wider scheme also provides a new public green link of circa 2,600 sqm with landscaping, seating play areas, and outdoor gym.
59. Regarding loss of recreational space, the astro turf pitch will be replaced by an equivalent modern all-weather pitch capable for use by both the club and wider community for formal sporting use. A community use agreement will secure local community access to the new pitch for organised sports, while the new kick-about space (24m x 12m) will be available for use for free for informal play. A new kick-about space will be provided as part of the wider development which provides additional space for informal games and recreation. Combined there will be an improvement in the provision of

recreational space for both formal and informal play. Play space provision within the wider development, exceeds the London plan standards and is complemented by the green link and kick-about space which are both open to the public.

60. On noise impacts, a noise impact assessment was submitted as part of the original application and was assessed by Environmental Protection Team. Whilst they recognised that the proposed pitch could potentially be more intrusive to existing neighbouring properties, they also acknowledged the existing baseline condition and use of the artificial pitch without restrictions. Officers made the decision to impose conditions relating to noise on for hours, PA system limits, acoustic barriers in the original decision.
61. The considerations raised through the statutory public consultation process and set out within this section have been taken into account within the council's assessment of the public interest test at paragraph 26 above.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

62. Not applicable.

Assistant Chief Executive, Governance and Assurance

63. On 17 June 2025, the council appropriated the land in accordance with section 122(1) of the Local Government Act 1972. The statutory procedure under section 122(2A), of public advertisement and consideration of any objections was followed.
64. Under section 233(1) of the Town and Country Planning Act 1990, a local authority may dispose of land acquired or appropriated for planning purposes. In particular, "...in such manner and subject to such conditions as appear to them to be expedient in order - (a) to secure the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out on it (whether by themselves or by any other person), or (b) to secure the erection, construction or carrying out on it of any buildings or works appearing to them to be needed for the proper planning of the area of the authority.
65. Where the land comprises or forms part of an open space, Section 233(4) requires the authority to publish notice of its intention to dispose in a local newspaper for at least two consecutive weeks and to consider any objections. Note this is the correct statutory authority and not section 123 and 123(2A), as the disposal is pursuant to the appropriation, see section 233(8) of the Town and Country Planning Act 1990. The council has followed this procedure, and as with the appropriation pursuant to section 122(1) and section 122(2A), published for three consecutive weeks.
66. The council is acquiring land from Greendale PropCo, which is the southwest portion of the Champion Hill Site upon which the new stadium has been completed and referred to in this report as the "Stand" and "New Stadium".

The Strategic Director of Resources is advised that section 120(1) of the Local Government Act 1972 authorises the council to acquire any land by agreement for the purposes of (a) any of its statutory functions or (b) for the benefit, improvement or development of its area. This report confirms that the acquisition will be at nil value. It is noted the full terms are to be settled by the Director of Planning & Growth.

67. In terms of the subsequent lease to DHFC, again the terms are to be settled by the Director of Planning & Growth. As the land has been appropriated for planning purposes, any disposal must be made under section 233(1) of the Town and Country Planning Act 1990. Section 123 of the Local Government Act 1972 does not apply, as confirmed by section 233(8).
68. However, section 233(3) does contain an analogous provision to “best consideration” in section 123(2) of the Local Government Act 1972, and consent from the Secretary of State is required where the consideration is for “less than the best that can reasonably be obtained” and is not for a term of “seven years or less” or “the assignment of a term of years of which seven years or less are unexpired at the date of the assignment”.
69. It is therefore difficult to advise definitively without clarity on the lease term and the level of rent. If the lease is for a term exceeding seven years and is at an undervalue, the council would need consent from the Secretary of State. Note, the General Disposal Consent 2003 (Circular 06/2003) will not apply to a disposal pursuant to section 233(1) of the Town and Country Planning Act 1990 as it relates to disposals specifically pursuant to section 123(1)-(2) of the Local Government Act 1972.
70. For disposals in accordance with section 123(1)-(2), section 270(1) is the definition section. Again, there is an analogous provision here, so “disposal”, “means disposal by way of sale, exchange or lease...”, and “lease” includes an underlease and an agreement for a lease or underlease...”.
71. Cabinet must have due regard to its obligations under Section 149 of the Equality Act 2010 (Public Sector Equality Duty). This has been considered in detail above. For example, the loss of the AstroTurf pitch and previous assessments and mitigation through re-provision.

Strategic Director of Resources (FIN25/25)

72. The report seeks approval for a proposed land transaction that comprises three key elements: the Council to grant the developer (Greendale Property Co) a license to build the New Stadium on Southwark’s share of the land; a transfer of freehold to the council of the developer’s share of the land and the New Stadium; finally, grant of a long lease over the new football stadium site covering the two parcels of land, comprising the existing astro turf pitch site at Greendale playing fields and the adjoining freehold transfer land, to Dulwich Hamlet Football Club.
73. The primary aim of these transfers is to benefit the local community. As such, the Council does not seek to gain any monetary benefit. On the transfer of the

developer's land and the development of the New Stadium, the council is seeking assurance that there is no tax liability on this transaction.

Other officers

Assistant Director of Property

74. The council land outlined in Appendix 1 comprises derelict sporting facilities in the form of an astro turf pitch, which was formerly used by Dulwich Hamlet FC, but has now reached the end of its economic life.
75. Currently, the pitch is in poor condition, is a maintenance and liability burden to the council, and is not capable of use for formal sports requiring full replacement. The site is therefore of minimal value.
76. The proposed transaction will result in the delivery at no cost to the council of new, modern, fit-for-purpose sporting facilities comprising a new all-weather artificial pitch and associated floodlighting, stands and enclosures on existing council land.
77. In addition, the council will also receive the freehold transfer of c. 2,100 sqm of additional land currently owned by Greendale PropCo, along with rights of access over the remainder of the site at nil consideration.
78. On this land the developer will deliver at their cost additional new sporting facilities comprising the clubhouse and other facilities ancillary to the football stadium. Post construction the freehold of the land and buildings will be transferred at no consideration to the council.
79. Within the scheme Financial Viability Assessment (April, 2020) undertaken by RedLoft in support of the original planning application, the costs of the New Stadium and leisure facilities is estimated to total circa £11.4m.
80. The council will therefore directly benefit from the value of this investment following the freehold transfer.
81. The council will then hold the freehold ownership of the entire new Football Site of c. 11,600 sqm. It will then grant a long leasehold interest to Dulwich Hamlet FC at a peppercorn for use by the club itself and for the wider community.
82. Dulwich Hamlet FC will be required to fund and undertake the fit out of the club house facilities. The club will be under the obligation to enter into agreements to provide for community bookings of the new artificial pitch. Under the terms of the lease the club will be fully responsible for the repair, maintenance and all other costs of the land and buildings.
83. For the purposes of section 233(3) of the Town & Country Planning Act 1990, the proposed transaction represents best consideration to the council for the reasons set out above. At no cost to the council a dilapidated facility will be replaced with a modern and much enhanced facility benefiting the community.

REASONS FOR URGENCY

84. Consideration of the report is required now in order to ensure implementation of the proposed decision can be achieved prior to the expiry of the extant planning consent for the development scheme. Delaying this decision would risk the council's ability to ensure all necessary delivery arrangements are in place prior to the deadline for expiry of the planning consent, which would ultimately result in the failure to deliver both the new sporting facilities and the wider development.

REASON FOR LATENESS

85. It has not been possible to circulate this report five clear days in advance of the meeting in order to allow additional time for full consideration of all representations made to the council on its notice of intention to dispose of the land and to seek specialist external advice to confirm the position on the tax implications of the proposed land transfer arrangements.

BACKGROUND DOCUMENTS

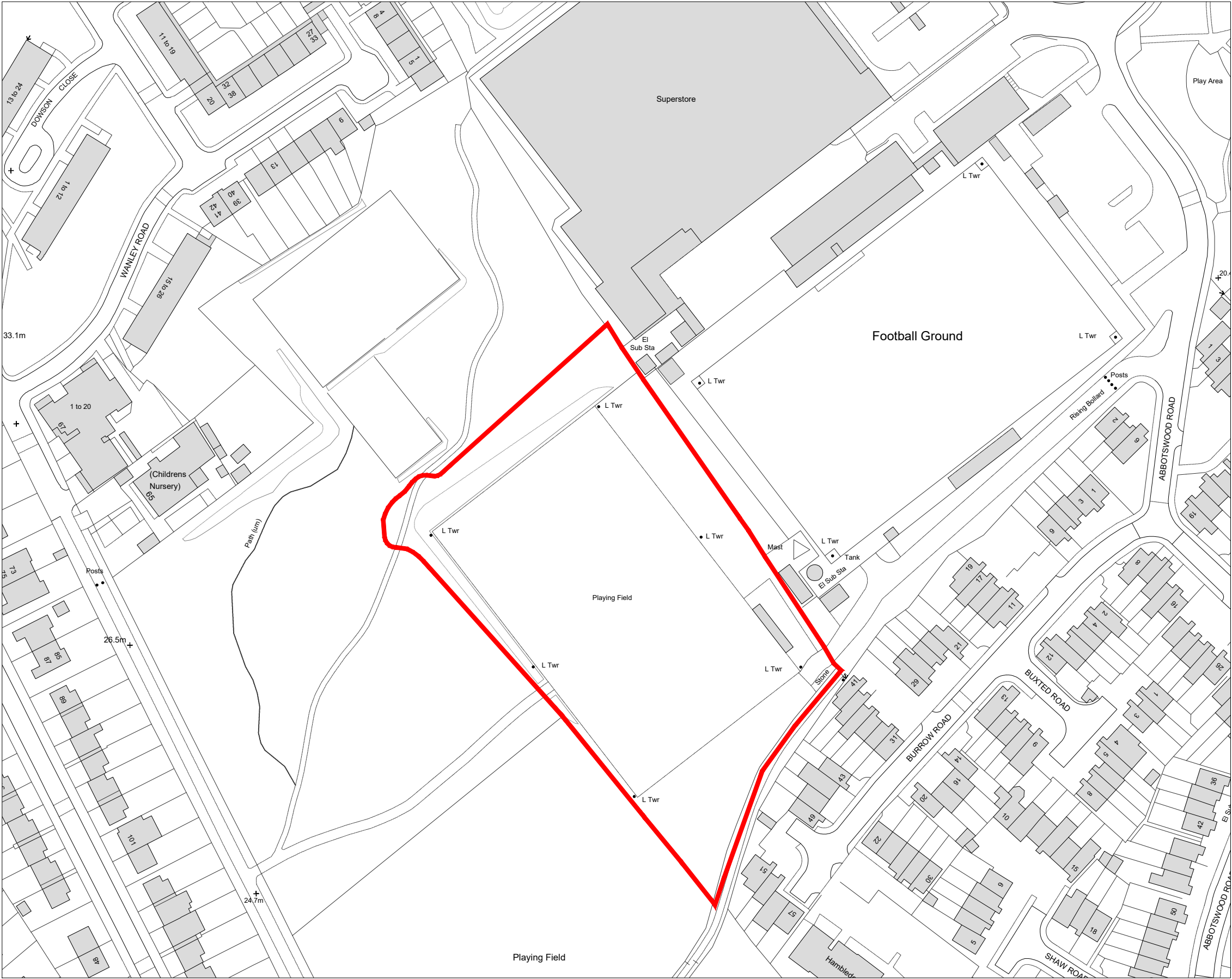
Background Papers	Held At	Contact
Planning application (ref. 19/AP/1867) documents, case officer's reports and s.106 agreement: https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ZZZV0JKBWR961	Planning & Growth, 160 Tooley Street	Matt Derry 07718 961418
Appropriation of land at Greendale, Cabinet Report, 17 June 2025, available at: http://moderngov.southwark.gov.uk/mgAi.aspx?id=74066	Planning & Growth, 160 Tooley Street	Matt Derry 07718 961418

APPENDICES

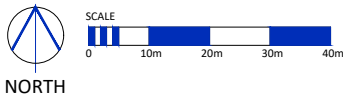
No.	Title
Appendix 1	Astro Turf Pitch Site plan
Appendix 2	Freehold transfer Site plan
Appendix 3	New Stadium Lease Site plan

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Equalities, Democracy and Finance		
Lead Officer	Clive Palfreyman, Strategic Director Resources		
Report Author	Matt Derry, Head of Sustainable Growth South		
Version	Final		
Dated	27 November 2025		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Assistant Chief Executive, Governance and Assurance	Yes	Yes	
Strategic Director, Resources	Yes	Yes	
Assistant Director of Property	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		27 November 2025	



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address
ASTRO TURF PITCH SITE
GREENDALE PLAYING FIELDS
LONDON
SE5/SE22

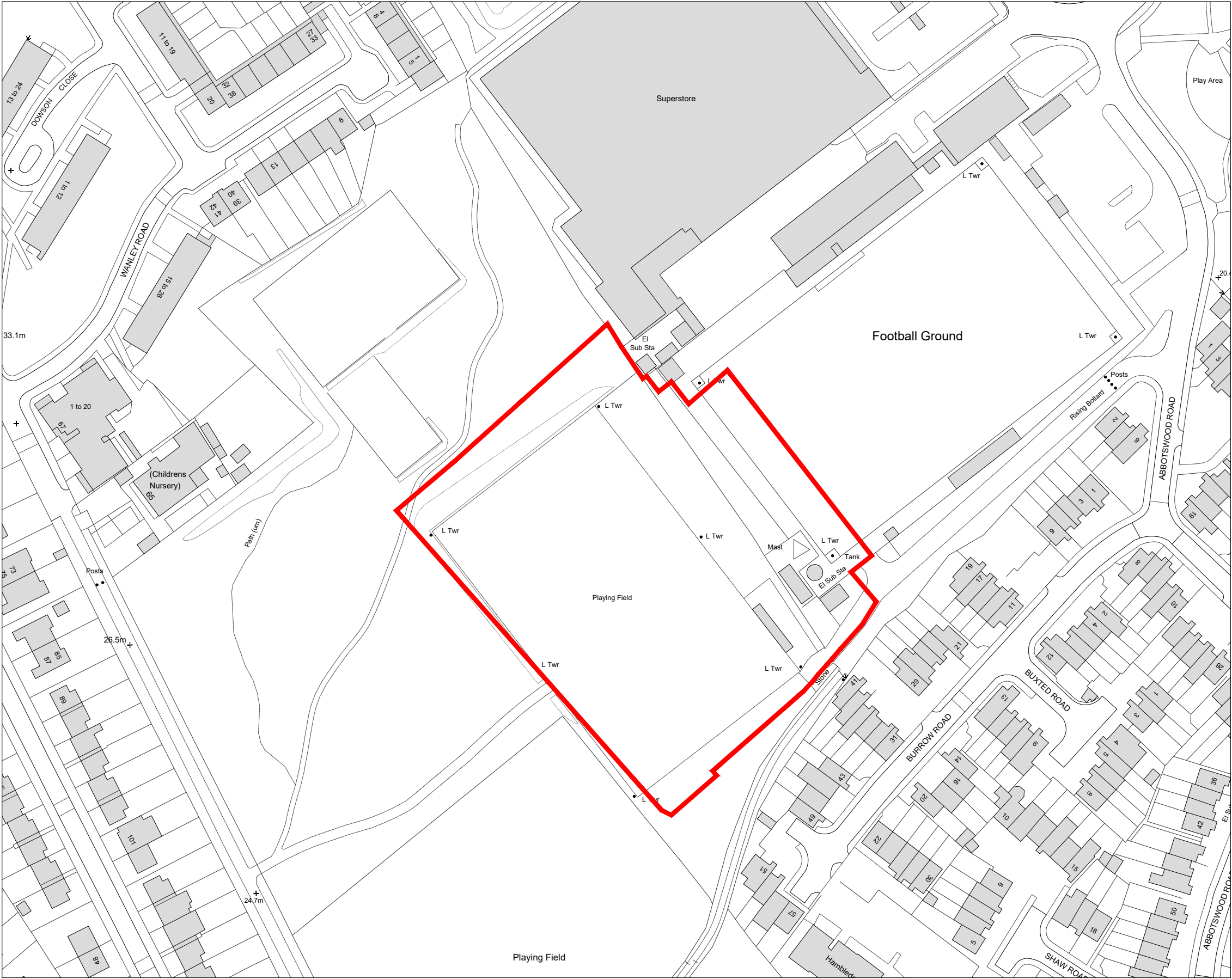
title
APPROPRIATION OF LAND

date 14.04.2025	scale 1:1250	sheet A3
dwg no. PL16101-01	revision	drawn SB
	checked AA	

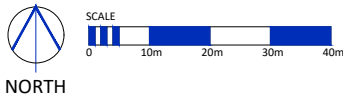



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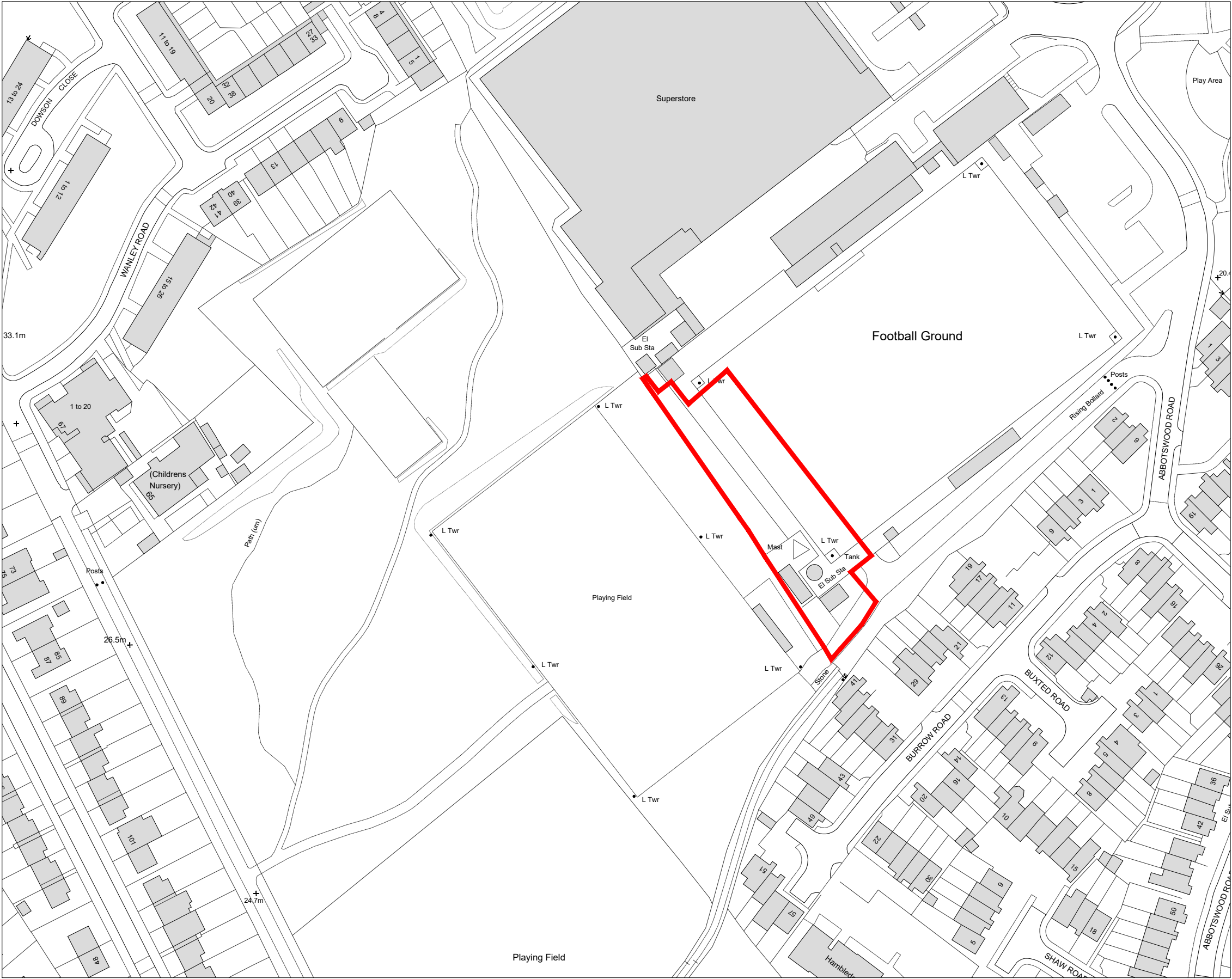
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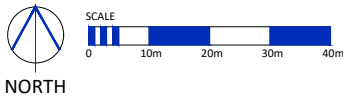
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address GREENDALE PLAYING FIELDS LONDON SE5/SE22	title APPENDIX 2 - FOOTBALL SITE	date 19.11.2025	scale 1:1250	sheet A3		 Plan London Ltd 15 Davids Road London SE23 3EP T 020 8699 1129 E surveys@plan-london.co.uk W plan-london.co.uk
		dwg no. PL16101-02	revision	drawn EJ	checked AA	



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<div>client</div> <div>Southwark Council southwark.gov.uk</div>	<div>address</div> <div>GREENDALE PLAYING FIELDS LONDON SE5/SE22</div>	<div>title</div> <div>APPENDIX 3 - FREEHOLD LAND TRANSFER</div>	<div>date</div> <div>19.11.2025</div>	<div>scale</div> <div>1:1250</div>	<div>sheet</div> <div>A3</div>		<div>Plan London <small>Plan London Ltd 15 Davids Road London SE23 3EP T 020 8699 1129 E surveys@plan-london.co.uk W plan-london.co.uk</small></div>
			<div>dwg no.</div> <div>PL16101-03</div>	<div>revision</div>	<div>drawn</div> <div>EJ</div>	<div>checked</div> <div>AA</div>	

Meeting Name:	Cabinet
Date:	2 December 2025
Report title:	Report of the Overview and Scrutiny Committee: Asylum Road Care Home - disposal of the site by way of a long-leasehold interest with a selected party to deliver and operate a new care home at Asylum Road, SE15
Lead Member:	Councillor Ian Wingfield, Chair, Overview and Scrutiny Committee
Ward(s) or groups affected:	Nunhead and Queens Road
Classification:	Open
Reason for lateness (if applicable):	Yes

RECOMMENDATIONS

1. That cabinet note the recommendations from the overview and scrutiny committee arising from the call-in of the cabinet decision in respect of Asylum Road Care Home – disposal of the site by way of a long-leasehold interest with a selected party to deliver and operate a new care home at Asylum Road, SE15.
2. That cabinet consider the recommendations from the committee and request that the relevant cabinet member report back to cabinet on the recommendations within two months.

BACKGROUND INFORMATION

3. At its meeting held on 11 November 2025, the overview and scrutiny committee considered the call-in of the 14 October 2025 cabinet decision respect Asylum Road Care Home – disposal of the site by way of a long-leasehold interest with a selected party to deliver and operate a new care home at Asylum Road, SE15.
4. The committee heard from the requesters of the call-in, Councillors Suzanne Abachor, Esme Dobson, Sandra Rhule and Charlie Smith (Note: apologies for absence were given by Councillor Maria Linforth-Hall due to being unwell). They addressed the committee and answered questions around the governance process in relation to the proposed route for delivery of the care home, the accuracy of information received by cabinet when making the decision to dispose of the site, consultation and engagement with key stakeholders, the council's ability long term to ensure quality, affordability and alignment with the residential care charter, information received at the Health and Social Care Scrutiny Commission in April 2025, alternative options for

delivery of the care home, council discussions held with the NHS.

5. The committee also heard from the lead cabinet members, Councillor Evelyn Akoto (Health and Wellbeing) and Helen Dennis (New Homes and Sustainable Development) and officers David Quirke-Thornton, Strategic Director of Children's and Adults Services, Stephen Platts, Director of Planning and Growth, Pauline O'Hare, Director of Adult Social Care, Claire Belgard, Acting Director of Integrated Commissioning and Catherine Brownell, Head of Sustainable Growth (North). The cabinet members and officers clarified points around the concerns raised and answered questions of the committee.
6. Having considered the decision and relevant advice, the overview and scrutiny committee did not refer the decision back to cabinet for re-consideration. The decision of cabinet therefore took effect on 11 November 2025. The committee did, however, make several recommendations to cabinet, having regard to the evidence heard at the meeting. The recommendations and rationale for the recommendations are set out in paragraphs 7 to 17 of the report.

KEY ISSUES FOR CONSIDERATION

Recommendations from the committee

7. **Recommendation 1.** That the cabinet ensure that in appointing providers for Adult Social Care due diligence is carried out in areas of Care Quality Commission (CQC) ratings, and for any fall in two or more categories from either outstanding or good, that there is clear evidence of an improvement plan and effective management system, to be shared with the health and social care scrutiny commission, the overview and scrutiny committee and cabinet.
8. The council should be mindful of pursuing a relationship with a partner independent of future CQC ratings falling further down other CQC categories. The committee heard from councillors who requested the call-in, that the cabinet had received information in respect of CQC ratings on the selected provider which was out of date in two areas. It is considered important that any drops in Care Quality Ratings are followed by an improvement plan and that there is an effective management system built around it to mitigate issues. This will provide reassurance that the council is entering into an arrangement with a partner that is holding itself to the highest standards.
9. **Recommendation 2.** That the Overview and Scrutiny Committee receive an update around the council plan on what is being proposed in relation to exceptional design in care homes and the broader movement to having a council plan that better reflects what the council wants for residents particularly in respect of adult and social care.
10. The committee notes that this is the first step in taking this decision and that future steps include planning aspects that will be considered by the planning committee in areas of design, layout and construction. Learnings from previous planning applications for care homes such as Mission Care in areas

of internal design and space for residents is a key factor in ensuring proper care for Southwark residents, and the need for exceptional design and space in care homes especially for dementia. This was discussed with the lead cabinet members at the meeting, and the committee would like to receive a future update in this regard prior to any such plan being released.

11. **Recommendation 3.** That the Cabinet provide information on the consultation process carried out in making this decision on Asylum Road Care Home including key stakeholders and responses, and also provides an update on the equalities implications of this decision on the communities within Southwark.
12. Consultation was not elaborated on at the call-in meeting and responses from key stakeholders were not included in the agenda papers. It would be useful to understand the opinions of key stakeholders.
13. Discussion also took place around the distinction between care and nursing homes, and the relationship between the council and the NHS. It would also be useful to understand the equalities implications this might have as early as possible in the process.
14. **Recommendation 4.** That a mechanism is set up for scrutiny chairs to be briefed by lead cabinet members or scrutiny committees to be briefed by directors, in cases where there are significant or material changes to information previously submitted to a scrutiny committee.
15. From the evidence given at the committee, it became apparent that the scrutiny call-in may not have been necessarily made if the scrutiny commission had the opportunity to either follow up on the original scrutiny meeting, or there was a mechanism in place for the scrutiny chair/commission to take note of significant or material changes to the evidence previously given.
16. **Recommendation 5.** That sufficient up to date information is provided to the cabinet as and when they make decisions, and that care is taken when considering alternatives to the usual public procurement system as opposed to alternative options.
17. There is concern over the amount of control the council has in respect of the ongoing quality of an outsourced service in general (compared to public procurement), and how quality of service can be ensured over time.

Resource implications

18. There are no specific resource implications arising from this report.

Legal implications

19. There are no specific legal implications arising from this report.
20. It is for cabinet to decide whether or not to accept the committee's recommendations.

REASONS FOR URGENCY

21. Cabinet is being asked to consider and provide a written response to the report within two months. If the report is not received at this cabinet meeting, then it is likely that the response will not be considered by cabinet until its 10 March 2026 meeting, which is after the last meeting of the health and social care scrutiny commission before the local elections.
22. Care home provision has been an integral part of the commission's ongoing work, and in order to provide the current commission with the opportunity to have benefit of the cabinet response to inform future direction, the report needs to be received at this meeting to fit with the cabinet response timescales which will enable the commission to view the response in this municipal year.

REASONS FOR LATENESS

23. The drafting of the report required additional time beyond the cabinet report deadline to ensure that the sentiments of the committee in respect of the recommendations were adequately relayed.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Asylum Road Care Home Call-in report – 11 November 2025	Council Website	Amit Alva 020 7525 0496
Link: Agenda for Overview & Scrutiny Committee on Tuesday 11 November 2025, 6.30 pm - Southwark Council (see item 5)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee		
Lead Officer	Everton Roberts, Head of Scrutiny		
Report Author	Everton Roberts		
Version	Final		
Dated	27 November 2025		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments Included
Assistant Chief Executive, Governance and Assurance		No	No
Strategic Director of Resources		No	No
Cabinet Member		No	No
Date final report sent to Constitutional Team			27 November 2025

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Paula.thornton@southwark.gov.uk

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