

Rebecca Owen
Parks Development Officer
Town Hall
Bexhill-on-Sea
East Sussex TN39 3JX

1st May 2022

Dear Rebecca

**'Objection' to Disposal of Section of Public Open Space Land
Situated at St Mary's Recreation Ground, Bexhill
Quote Reference BEXSTMA156**

We see with great horror as very frequent users of the beautiful public open space above the plan to now dispose a section of this space to '1066 Racing Radio Control Car Club' for their permanent venue!!

We exercise my successor 'Assistance Dog' a Hearing Dog for Deaf People 'Humphrey' and also my retired Hearing Dog 'Marti' on the above public space. It is ideal as all enclosed to keep my very important Hearing Dogs safe when having their daily vital exercise when off duty. This would be threatened firstly with access to the very small car park – I am aware there are plans to extend the car park (which is not mentioned/shown marked on the latest Rother Council announcement for the above). So we take it the car park extension will not be done for some time if disposal of the section of the open space above goes ahead!

May we bring to your notice that no one who came to exercise their dogs, have an enjoyable family time playing ball could access the St Mary's Recreation Ground in St Mary's Lane a few weeks ago. The reason? The 1066 Racing Radio Control Car Club members completely blocked the car park to any access! The car park was solid with parked cars even in the 'middle space' of the car park so no chance of driving into the car park at all. What will happen is 1066 Racing Radio Control Car Club will have 'exclusive use' of this open public land car park in its present size and when the club membership grows even with later added car parking spaces!

We would be losing space more precious green space, that would have unsightly storage facility and a concrete base on which is at present beautiful grass. The club storage facility would definitely attract vandalism when the Radio Racing Control Car Club members are not at the St Mary's Public Ground. No matter what club members assurances say!

The plans for the disposal of a section of the St Mary's Public Open Space Land to the 1066 Racing Radio Control Car Club is opposed. The venue is totally unsuitable for this kind of club and will attract vandalism. That section marked on the Rother Plans would be better suited for 'swings and slides' play park for children.

Yours sincerely

[REDACTED]

5th May 2022

Rebecca Owen
Parks Development Officer
Town Hall
Bexhill
TN39 3JX

BEXSTMA156

Dear Ms Owen.


This is a further comment regarding a Remote Control Car Track application proposed at St Mary's Lane Sports Ground.

So yet another application for this unacceptable application in the first round, I'm advised the company are requesting a further 37 extra parking spaces. So there will there be extra excessive noise, way more congestion and lots more litter.

If the committee received nearly 90 local residents objections the first time round how on earth would an extra 37 car spaces be more acceptable?

I and many local people consider congestion in St Mary's Lane the worse outcome, the entrance is on the brow of a hill and I myself have had vehicles cresting the brow in the centre of a single carriageway and many times I have had to avoid a head on crash, this road is also used as a shortcut to the Link Road to the north of St Mary's Lane, I have certainly noticed the rise in traffic congestion in the last few years since the Link road was completed, this proposal will definitely make the situation a whole lot worse.

[REDACTED]



The noise that a remote control car can make is intense and multiply that by say 10+ other cars, it will be horrendous and the extra disgusting litter, I pity the people and households that live very close by to St Mary's sports ground.

Once again consider rejecting the 1066 R.C. Cars proposal.'

Yours sincerely

Rebecca Owens
Parks Development Officer,
Town Hall,
Bexhill o/s,
East Sussex.
TN39 3JX.

10th May 2022

Your Ref BEXSTMA156

RE:- The disposal of part of St. Marys Rec. to 1066 Racing

I object to the disposal of the above land because as in Section 123 Local Government Act 1972 the consideration of £1 per annum is "a consideration less than the best that can reasonably be obtained". Having spoken to a professional local land agent the market rate for such a site should be a bare minimum of £1 per m² P.A. including parking! This is a private members club & charges its members about £15 per entrant to use its facilities. Its website is called "1066 racing company" normally attracts 30-40 entrants per competition.

Secondly, there is still an unanswered complaint of maladministration and other issues (copy enclosed) regarding the planning application for the proposed track, which if not satisfactorily answered will be taken to the ombudsman/Judicial Review. The 40 day to respond (because of covid) will expire on Monday 16th May

Regards

Screenshot_20220502-085620.png

Open with

08:56



<https://www.legislation.gov.uk/ukpga/1972/70/section/123>



Changes to legislation: Local Government Act 1972, Section 123 is up to date with all changes known to be in force on or before 01 May 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

123 Disposal of land by principal councils.

- (1) Subject to the following provisions of this section, **[F1]** and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010, a principal council may dispose of land held by them in any manner they wish.
- (2) Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, **[F2]** or a consideration less than the best that can reasonably be obtained.
- [F2]** (2A) A principal council may not dispose under subsection (1) above of any land consisting of or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.
- [F3]** (2AA) Subsection (2A) does not apply to a disposal to which the provisions of regulations made under section 1 of the Playing Fields

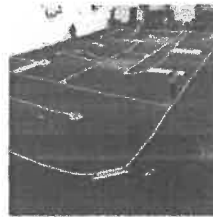
Screenshot_20220104-0534(Open with

April 10th ALL DAY WINTER WHIP RND 3

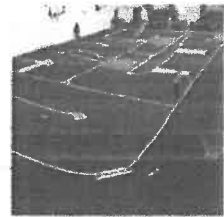


April 24th 1600-2200

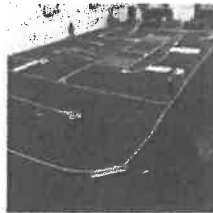
Booking In



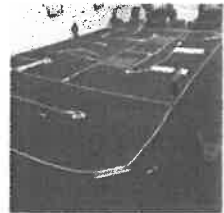
1066 Racing Winter
Whip Round One 5th
December 0800 - 1700
£15.00



1066 Racing Winter
Whip Round Two 13th
February 0800 - 1700
£15.00



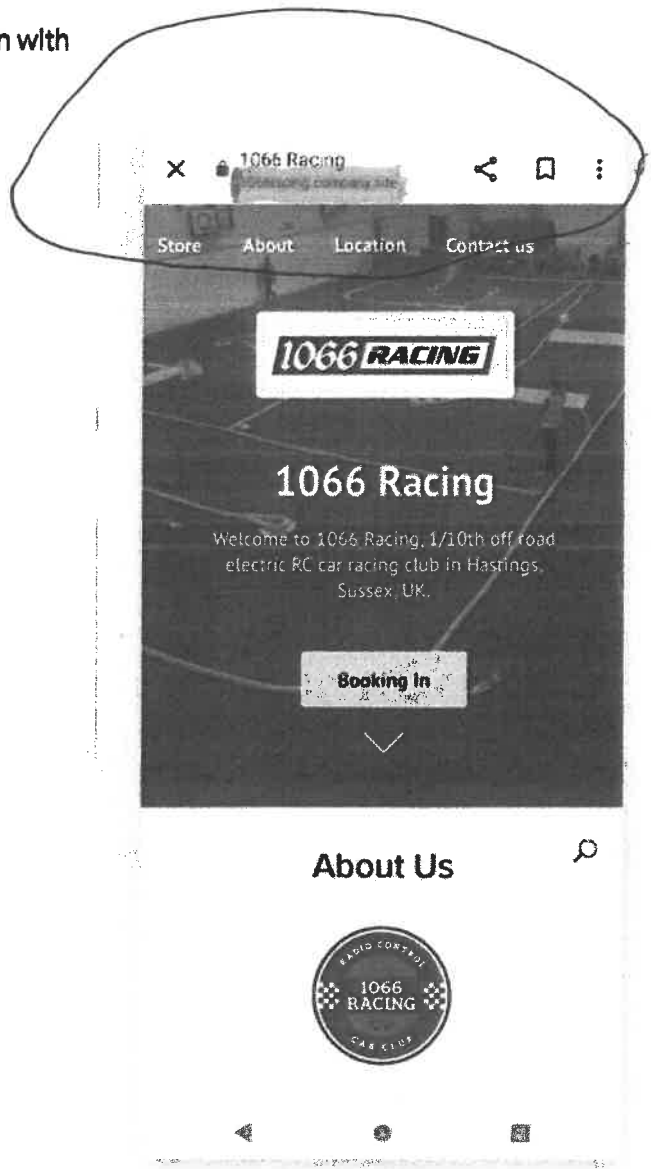
1066 Racing Winter
Whip Round Three 10th
April 0800 - 1700
£15.00



Next Club Night on
calendar 1066 Racing
1600 2200
£10.50



Screenshot_20220511-144220 Open with





Fwd: HEAD OF PLANNING RDC, RE: APPLICATION RR/2021/2252/P. St Mary's Lane, Bexhill.

1 message

Wed, May 11, 2022 at 10:38 AM

Please can you print this darling

----- Forwarded message -----

From: [REDACTED]
Date: Wed, 16 Mar 2022, 15:28
Subject: Fwd: HEAD OF PLANNING RDC, RE: APPLICATION RR/2021/2252/P. St Mary's Lane, Bexhill.
To: [REDACTED]

Sent to RDC 16/3/2022 Now let's see if they ignore this or try and change all the faults before the end of tomorrow!!

----- Forwarded message -----

From: [REDACTED]
Date: Wed, 16 Mar 2022, 15:25
Subject: HEAD OF PLANNING RDC, RE: APPLICATION RR/2021/2252/P. St Mary's Lane, Bexhill.
To: <customer.services@rother.gov.uk>

16th March 2022.

OFFICIAL COMPLAINT ABOUT THE ABOVE APPLICATION.

Firstly the application form is fundamentally & substantially wrong.
Question:-

4. Area is not 1,600m² but 2,538m².

6. Existing use. No contamination assessment was ever submitted with this application even though the applicant ticked yes to suspected contamination for all or part of the site! Considering the proposed application will be building fencing and rostrum and "sustainable drainage"(as stated in 10.) and digging approx 1m into what is an old landfill site this could be a public a danger and expose hazardous materials!

7. External materials are to be used, the applicant has ticked NO.

9. Vehicle parking, the application does blatantly add vehicle parking even though the applicant ticked NO.

13. States "No plans for toilets on site" this is in contradiction of the application which states toilets will be supplied at larger events" but again fail to give any details!

19. Clearly the hours of opening are relevant to the application even though the applicant ticked NO.

This should NOT have passed validation!

PLANS

I must officially ask why RDC neighborhood services have prepared all the drawings for this independent clubs

application when RDC's neighborhood services have declared NO ongoing planning applications?
This is not only suspicious but a conflict of interests!?

The ammended location plan clearly shows the development line in red, including the new proposed parking, but it fails to outline in red the route to access the new parking spaces. This requirement is definitely stated in section 1 of the national list of planning requirements and the council's own validation checklist!

OFFICER'S REPORT TO PLANNING COMMITTEE.

The officers report is misleading and incorrect. It states that Parking is proposed for 20-25 car parking spaces of 3mx5m but the amended block plan clearly shows that there are 37 car parking spaces around the track. This statement was read to the planning committee and this alone should be reason to withdraw/reject this application!

NOISE

No noise assessment has been undertaken by the applicant even though it has been requested on numerous occasions! It is the council's obligation and duty of care to ensure that a statutory noise nuisance does not occur. If it turns out there is a statutory noise nuisance further legal action will be taken!
No restrictive planning condition to adequately police the track when 1066 racing are not present has been implemented. Leaving misuse inevitable! like the use of extremely noisy Nitro cars causing a statutory noise nuisance!

ACCESS,

No consultation with ESCC Highways department regarding this application has been carried out. It is the duty of the council to ensure the safety of everyone by not consulting with the ESCC HIGHWAYS Department is a blatant disregard of it's duty of care and health and safety obligations!

No planning restriction has been used to prevent parking on St. Mary's Lane, a narrow country lane with sharp bends and single file in places especially in the vicinity of the proposed track. This is also neglectful and very dangerous as this will block emergency services vehicles from passing and also be disregard of the council's duty of care!

ATTENDEES.

No restrictions on the numbers of attendees has been implemented on the planning restrictions. Figures of 80, 40, 35, 30, 25,20 and 15 people have been quoted. It is the council's responsibility to ensure that safety is paramount and not restricting the number of attendees is not just an oversight but neglectful.

I need an answer as to who first suggested that this proposed site be let at £1 per annum to a club that currently charges £20.50 per competitor per Sunday event? And for the cabinet to approve it is NOT prudent use of council tax payers money when some of the affected surrounding properties are paying £3,000+ in council tax!
Unbelievable!!!

I would also like to bring to your attention the blatant disregard by the officer of all the many and numerous 70+ VALID objections to this application! And in comparison the few supporters comments being received and all but two were in support of the hobby (including Cllr Coleman's speech to Committee.) not the suitability of the site for the proposed use!

I have been trying to contact the delegated officer, Harriet Nurse since 4/1/2022. I have left messages and my contact details for her to return my calls, sent emails and have heard nothing! I know there was COVID in early Jan but nothing in 10 weeks is inexcusable!

I would have thought that an application made on council land would be "squeaky clean" instead of this extremely poorly conceived, awfully executed and MALADMINISTRATED application, that RDC seems intent to pass regardless of the due process that should be followed!

For all the enclosed reasons I require you to refuse/reject this application on the grounds of maladministration. If this is not done, the proper routes to overturn the decision will be followed unlike this application itself!

Regards,



Rebecca Owen, Parks Development Officer, Town Hall, Bexhill-on-Sea, East Sussex, TN39 3JX

Dear Sir or madam,
REF: BEXSTMA156

2 May 2022

I'm writing to query to this disposal of council amenity land for the following reasons.

Why is it necessary for the council to sell (if that is what disposal means) the land for model car racing? Can it not be leased instead of sold?

My concern is that if sold the new buyer at some point may want to erect a building for storage purposes. Then after some time has passed it could be sold on and then the new buyer apply for planning permission to replace the storage building with a habitable home or business building.

You can see where I'm going. But perhaps the council is not planning to sell but the word 'disposal' does imply that. Perhaps the land is being given away? This notice does not make clear. Having been sent this information by the council I would like to know more.

yours,

Rebecca Owen
Parks and Development Officer
Town Hall
Bexhill-on-Sea
East Sussex
TN39 3JX

12th May, 2022

Dear Ms Owen,

Re: The Council's proposed 'Disposal of Open Space Land at St. Mary's Recreation Ground under Section 123(2A) of the Local Government Act 1972'

I was very puzzled, and worried, to read about the above proposal by the council to 'dispose' of this parcel of land on St. Mary's Recreation Ground, especially having attended the Council Meeting on 10th March when it was agreed that the 1066 Radio Controlled Racing Car Club would be allowed to rent the land for two years. This period of time would be under constant review to ascertain the impact on local residents, the views of which were largely ignored even though they were all valid reasons and numerous. I remember counting eighty nine objections.

On Rother's own website St. Mary's Recreation Ground is described as being a large quiet tree edged green space used for casual recreation. It is also one of the parks and green spaces protected with Fields in Trust in perpetuity and has been since July 2013.

Under the Local Government Act 1972 Section 123(A) it states that 'Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained'. Nowhere on the proposal did I see any reference to a 'short tenancy'. Indeed, all I read was that Rother were proposing to give the land to the 1066 Radio Controlled Racing Car Club, which begs the question if they are being given the land permanently how does that fit in with the fact that on March 10th they were only being allowed to lease the land temporarily for two years?

There is also the added consideration that if this proposal is agreed upon it would set a dangerous precedent to other clubs wanting to use St. Mary's and citing the above proposal as a reason for having their application agreed upon. Then there would be a gradual erosion of the amount of land at St Mary's for use by the general public who go there daily to enjoy this wonderful green space.

I should be very grateful if you would consider the points I have raised. I should also be most grateful if you would advise me of the outcome of this proposal.

Many thanks,
Yours sincerely,

Rebecca Owen
Parks Development Officer
Rother District Council
Town Hall
Bexhill-on-Sea
TN39 3JX

02/05/2022

Ref BEXSTMA156

Proposed Radio Controlled Area at St Mary's Recreation Ground, Bexhill on Sea

Dear Rebecca Owen,

I am writing to object to the proposed disposal of open space land ref BEXSTMA156 at St Mary's Recreation Ground.

My objections are as follows:

- The proposed use of the land will cause undue noise, disruption, and congestion to a quiet residential area. With a large number of participants and spectators' cars entering and leaving the ground via St Mary's Lane, which is a narrow country lane.
- The entrance to St Mary's Lane from Ninfield Road is hazardous and with so many cars arriving at the same time this will pose a safety issue.
- The grounds are a natural habitat for rabbits and other wildlife. The use of the land for car racing will destroy these habitats and is in contradiction to Bexhill's Green economy, as Rother District Council pledged in September 2019.
- In the summer months, when sunset isn't until after 9.00pm, the noise from the events will cause Noise Pollution for humans and animals in this quiet residential area.
- The small car parking area at the grounds isn't sufficient for this use and there is no parking available in St Mary's Lane.
- The council has a policy to increase the growth of wild lawns and flowers, to help pollination by bees, butterflies and wildlife essential for a healthy ecosystem. This area of grass could be used for this purpose instead and would be so beneficial for the ecology of Bexhill.

For the above reasons I ask that the proposal be rejected.

Yours sincerely,