

Lambeth Council set to Defy High Court and Continue to Ignore Concerned Residents Over Brockwell Park Festivals

The latest legal dispute over Lambeth Council's approach to the use of Brockwell Park for festivals will reach another climax on Thursday, when Lambeth Council decide Brockwell Live's last gasp attempt to secure permission for its festivals outside of the normal planning process.

Just last week the High Court held that Lambeth Council had behaved both irrationally and unlawfully when authorising the festivals via 'Permitted Development', allowing Brockwell Live to bypass applying for full planning permission, which would include impact assessments and scrutiny by the public and councillors.

A pattern of behaviour by Lambeth Council

Worst of all this is by no means the first time.

In 2018 Lambeth Council was forced to withdraw the event licence issued for a series of festivals including Field Day. In 2021 the Local Government Ombudsmen found Lambeth Council allowed festivals on Clapham Common to proceed unlawfully without the necessary consents, and said that Lambeth Council was setting a "*poor example*" in not holding itself "*to the same standards it holds the people it serves to*". And in 2024 Lambeth Council failed to obtain (or even apply for) any valid planning permission for the Lambeth Country Show, despite their own planning officers' report noting that the commercial events would use all remaining Permitted Development days (historically reserved for the Lambeth Country Show) and full planning permission would be required.

This is all on top of yet another High Court judgment against Lambeth Council in the last month, which ruled that Lambeth Council's failure to properly take account of community feedback over the implementation of Low Traffic Neighbourhoods was so grave that their decision was unlawful.

Protect Brockwell Park, a local residents' group, says there is a "*clear pattern of behaviour here*" and Lambeth council is showing a "*total disregard for the courts, the law and the communities it is elected to serve and represent*".

Intimidating tactics of festival promoter

If that wasn't enough, Summer Events Limited, which is running Brockwell Live, has used lawyers to send threatening and intimidatory letters to Community campaigners at their home addresses, seeking to silence them and to close down debate about last

week's court ruling that the festivals are unlawful. These so called "SLAPP" letters are notorious and are prohibited by legal regulators.¹

The new certificate

For their part Brockwell Live have tried to explain away last week's High Court decision as being confined to a technicality and very narrow point of law. Nothing could be further from the truth. Re-applying for a certificate, last minute, by simply changing the number of days on the application form to 24 days, when the facts on the ground are clearly that the festivals programme (including set up and set down) is still a minimum of 37 days - is clearly nonsense. The High Court was also clear last week that all set-up and set-down days count towards the permitted development period, contrary to Lambeth Council's past practice.

Referring to the latest amended certificate application submitted overnight, Solicitors acting for Protect Brockwell Park stated in legal correspondence that this "*latest amendment is desperate, legally flawed and factually unbelievable. [The event organisers] are taking Lambeth Council and local residents for mugs. Local residents are not mugs. The Council will have to demonstrate that they are not mugs either.*"²

Call for Accountability

Campaigners say Lambeth Council is ignoring the substance of the court ruling and the ongoing harm to the park and its users, and playing legal games to outmanoeuvre the courts and silence residents. "*That should alarm everyone who believes in fair governance and safeguarding scarce precious urban green spaces,*" said a Protect Brockwell Park spokesperson.

Protect Brockwell Park urges residents, journalists, political leaders and parties — including local MPs, Sadiq Khan and national political parties — to intervene urgently and demand accountability from Lambeth Council.

¹ A copy of this correspondence is being made available with this press release.

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