

# Save Stoke Lodge Parkland

## **Chairman's eleventh Annual Report on behalf of the Committee** **(To be presented at the 2023 AGM on Friday 8<sup>th</sup> September 2023)**

I am pleased to submit my eleventh Chairman's report on behalf of the Committee.

Ours is a voluntary Community Group ruled by its Constitution and I must firstly thank the Committee for their ongoing work and support and secondly, and importantly I must thank the Membership for their unprecedented contribution to all of the issues listed below and your continued support including responses to the calls for their help and involvement which enables us deliver such a powerful community voice.

My Report will be in seven parts and covers the period since our last AGM held on Friday 29<sup>th</sup> July 2022 (Due to the minimal amount of financial activity in the period the "Treasurer's Report and Accounts" will form part of my report at item 6: -

1. The Town or Village Green Applications (1), (2) & (3)
2. The Perimeter Fence
3. The Public Rights of Way Application
4. The Children's Play Facilities
5. Arboreal issues
6. Treasurer's Report and Accounts

### **1. The Town or Village Green Applications (1), (2) & (3)**

Our initial Town or Village Green Application dated 4<sup>th</sup> March 2011 was effectively ended on 3<sup>rd</sup> May 2018 by the Judgement from the High Court Judge, Sir Wyn Williams, which disappointingly found in favour of Cotham's Appeal which requested that BCC's Public Rights of Way & Greens Committee (PRoW&GC) reconsider their decision to grant registration of the Land at Stoke Lodge as a Town or Village Green (TVG). Unsurprisingly on 25<sup>th</sup> June 2018 BCC's PRoW&GC met to reconsider its previous decision to grant TVG Registration and inevitably given the composition of the committee the decision was overturned and Registration was denied.

However, we remain committed to delivering the "Aims and Objectives" set out in our Constitution for maintaining "unfettered access" to this important community asset.

On 14<sup>th</sup> September 2018 Emma Burgess submitted an application to register Stoke Lodge as a Town or Village Green (TVG2) and this application was confirmed as "*Duly Made*" on 10<sup>th</sup> January 2019. See website [www.welovestokelodge.co.uk](http://www.welovestokelodge.co.uk). This application was based on the 20-year period prior to 13<sup>th</sup> September 2018.

On 22<sup>nd</sup> July 2019 Kathy Welham submitted an application to register Stoke Lodge as a Town or Village Green (TVG3) and this application was confirmed as "*Duly Made*" in January

2020 See website [www.welovestokelodge.co.uk](http://www.welovestokelodge.co.uk). This Application was based on the 20-year period prior to 24<sup>th</sup> July 2018.

At our AGM held on 12<sup>th</sup> April 2019 we passed the proposition that: -

***“Whist not changing our constitution (copy attached see appendix 2). We confirm that the Committee, in addition to its other duties, should continue to provide help and support to WLSL where possible by continuing to advise the membership of any WLSL initiatives together with any request for help and/or support. All in accordance with clause 2) [paragraph 7] of our constitution.”***

Accordingly, this has been our focus of attention since April 2019.

During this period BCC have questionably done all in their power to delay and frustrate the process in support of Cotham Academy.

However, WLSL have doggedly and determinedly pushed BCC’s Commons Registration Authority to comply with their own standing orders without favour, and respond to freedom of information requests.

They have engaged Andrew Sharland KC to advise and reinforce their arguments and present their legal submissions in response to the many and varied flawed arguments and obfuscation issued by Cotham Academy.

Additionally, they have challenged certain findings within the Inspector’s latest report and importantly, ensuring that the Public Rights of Way and Greens Committee (PRoW&GC) were fully appraised of all the facts to be weighed when considering their decision on whether or not to recommend registration.

These papers comprised 23 pages of argument together with 150 pages of evidence and supporting arguments for registration of the Land at Stoke Lodge as a TVG.

These papers are still available on the BCC web site: -

<https://democracy.bristol.gov.uk/ieListDocuments.aspx?CId=170&MId=10719&Ver=4>

Pages 47 - 69 (Appendix 3) and 70 – 221 (Appendix 4).

With the help and assistance of this additional information the PRoW&GC were able to fully understand and debate all the matters relating the TVG Applications and as a result when the motion to register the land as a TVG was put to the vote there were 6 in favour, 1 against and 2 abstentions.

Consequently, on 22<sup>nd</sup> August 2023 BCC’s Commons Registration Authority formally registered the Land identified in Kathy Welham’s TVG Application dated 22<sup>nd</sup> July 2019 as a “Town or Village Green” Ref: DR 2526 VG29.

Whenever WLSL have requested help from their membership we have conveyed that message to you, our membership. I pay tribute and offer my heartfelt thanks here to you for the support you have continued to display and the contribution you have made to this vitally important local issue.

WLSL will present a report on progress separately, at AGM Agenda item 9. But we cannot understate the dedication, fortitude and wisdom required and given freely by the WLSL team led by Emma Burgess and Helen Powell over the past 5 years in dealing with spurious arguments and misinformation.

## **2. The Perimeter Fence**

On 14<sup>th</sup> January 2019 Cotham started to erect the long threatened, unauthorised and ill-conceived perimeter fence at Stoke Lodge. The fence was completed after 8 weeks of hell in the freezing cold on 14<sup>th</sup> March 2019.

However, without the help and persistence of the community holding Cotham to account and making a fuss about: - root protection zones, adherence to method statements (after they were submitted and approved), proper arboreal supervision, badger protection, setting out and avoiding the buried gas main. Then the resulting fence line and consequential damage to protected trees would have been much, much, worse.

I must also make special mention of the team manning the banner(s) on Parry's Lane and the photographic record keeper(s). I must also thank the Police for their patience and understanding.

In my view the rationale for this fence does not bear scrutiny, unless Cotham wish to develop, exploit and commercialise the site. I also question the use of "*permitted development*" as a sustainable legal basis to permit this work to be undertaken without due process and public consultation in accordance with BCC planning process.

WLSL have led the legal challenge on this matter and have also exposed important failings by BCC.

However! Now that the land has been registered as a TVG the fence has been rendered illegal because it restricts public access to the land which is not permitted. We now await confirmation from Cotham and BCC on how and when the fence will be removed.

## **3. The Public Rights of Way Application**

On 1<sup>st</sup> May 2018 Professor Alan Preece submitted an application to the Public Rights of Way committee to register 4 pathways across Stoke Lodge as "Public Rights of Way" they go from Cheyne Road to Druids Hill roundabout, from Cheyne Road to the Adult Learning Centre, from West Dene to the Adult Learning Centre and from West Dene to Cheyne Road.

This application was registered by BCC as "Duly Made" on 7<sup>th</sup> June 2018. and is being processed by them in accordance with BCC procedures. Importantly, the PRoW officers have collected their own evidence and have confirmed that the application had been added to the list of pending Applications awaiting deliberation by Officers and subsequent consideration by the PRoW Committee for adoption or rejection.

Alan has now been advised by the case officer, T Brumhead, that his application is a priority and is currently scheduled for final review leading to a decision by the PRoW&GC at their next meeting following the meeting in September 2023, this should be Jan 2024 but PRoW&GC diary for 2024 not yet confirmed.

Alan will make short presentation at the AGM item 8.

#### 4. The Children's Play Facilities

These facilities continue to be very popular and provide the opportunity for youngsters to let off steam in a safe and delightful setting.

For the benefit of newer members; in 2010 it was noted that the Lib Dem administration who were in control of BCC at that time were intending to reallocate unspent Section 106 funds within their budget.

Upon closer scrutiny it was found that this included £102,895.52 of Section 106 funding which was a planning condition of the developments at Queens Gate and Parry's Grove which contained specific conditions that these funds could and should only be spent on "Play Facilities" on Stoke Lodge. These funds had been held unspent by BCC for 14 years.

We brought this to the attention of the Council, who having checked confirmed that this condition was indeed in place and did restrict where and how the money could be spent. We then lobbied the Neighbourhood Partnership (NP3) for Stoke Bishop, Westbury on Trym and Henleaze, who at that time had discretionary powers on how local funds were spent. The money was allocated and this funded the Play Park equipment on Stoke Lodge which opened in August 2014.

At the same time the planning consent for the Hiatt Baker Halls Development contained a condition that Section 106 funds amounting to £117,040.67 should be paid to BCC. We lobbied the NP3 for a share of that money amounting to £36,335.90 to pay for the new gateway and pathway through the Adult Learning Centre car park, providing access to the Play Facilities. Additionally, NP3 also provided funding for the pedestrian crossing on Shirehampton Road, adjacent to entrance to Stoke Lodge costing £20,000.00.

Importantly, the cost of the play equipment included 15 years repair and maintenance. The play facilities were opened in August 2014; hence the repair and maintenance premium will expire in August 2029 i.e., in six years' time. We need a contingency plan. Any ideas?

Over the past 9 years the administration and liaison with BCC has been carried out initially by Bruce Quilter and Martin Bennett and latterly by Bruce alone.

Bruce advises that BCC continues to conduct annual safety audits on the equipment, which is good. However, given the budget deficit in BCC, when a safety officer reports a piece of equipment as being unsafe, then, sometimes it is repaired/replaced e.g., the trampoline and sometimes it is removed and not replaced e.g., one of the climbing poles. So please be alert and report any concerns to Bruce Quilter [brucequilter@gmail.com](mailto:brucequilter@gmail.com) so that we can maintain this hard-won facility.

Bruce's daughter is now a teenager and as a result has other priorities. Consequently, Bruce is now looking to hand over the reins to parents with younger children who can help with the liaison with BCC so that the facility can be preserved for the benefit of future generations of children within the community.

My thanks as always to Bruce and the BS9 helpers.

## 5. Arboreal issues

My grateful thanks to Stephanie French, our Neighbourhood Tree Champion for her selfless and dedicated application to all things Arboreal on Stoke Lodge and the wider community.

Stephanie will make a short presentation at the AGM - Agenda item 7, based on this skeleton: -

### Save Stoke Lodge Parkland Tree Report: September 2023

Some good news, some bad news, some worrying thoughts

- **Good:** Three “New” New Trees – not “New but Replacement” trees - have been planted in the Parkland.  
(I’ll say what they are and where they are at the meeting)
- **Bad:** Of the six new plantings on Stoke Lodge in the last season three have died. One of the new ones, one of the two sponsored replacement Hawthorns, and the sponsored replacement Judas Tree. They should be replaced next season (from Nov 1<sup>st</sup> onwards).

We are to lose one of the Pine Trees from the western perimeter. It has died. It will be replaced however. (I’ll say what by at the meeting)

- **Worrisome:** Removing the fence posts – all that digging. All that concrete down holes where it should never have gone in the first place. How is it to be managed safely?

and lastly

- **TPOs**

No recommendation from me that we ask for TPOs on the new plantings. They are small, not established, and no longer under threat of development – which is why we got all the other TPOs.

But the new Oak has a TPO and the young Cedar at the western edge has a TPO because they replace trees which had TPOs.

The looking out for and genuine caring about the trees on the Parkland provoked a long hard struggle. Thanks for all the effort and hard work, reporting and sponsorship, put in by everyone.

We need to keep up the effort. It may not all be over yet.

## **6. Treasurer's Report**

### Financial Review - Year to 31<sup>st</sup> December 2022

Copies of our Annual Financial Statements for 2022 are attached as Appendix 1. Additionally, a few printed copies will be made available for those attending the AGM.

To summarise: For the 12-month period to the end of December 2022 the activities of the Group were carried out without any financial expense to or income for the Group. Funds in our bank account, therefore, remained at £105.49 for the entire year.

### Financial reserves / cash position at the end December 2022, and going forward

The £105.49 cash reserves at the end of 2022 were considered reasonable for our current ongoing activities, into 2023.

**David Mayer**  
**Chairman**  
**Save Stoke Lodge Parkland**

**30<sup>th</sup> August 2023**