

IN THE MATTER OF  
AN APPLICATION TO REGISTER LAND AT  
STOKE LODGE PARKLAND AS  
A TOWN OR VILLAGE GREEN  
UNDER SECTION 15 OF THE COMMONS ACT 2006

BETWEEN:

MR D MAYER – APPLICANT

AND

BRISTOL CITY COUNCIL & ORS – OBJECTORS

**Statement of:** - DAVID J. POWLES  
(BLOCK CAPITALS)

My Name is: - David Powles

My Address is: - 3, West Coombe  
Bristol BS9 2BA

My occupation is: - Retired - Chartered Accountant

I will say as follows: -

1. Please refer to my Questionnaire attached and dated: - 4.2.2011

2. Please refer also to my Statement attached and dated: - 2.2.2011  
23.1.2012

I believe that the facts stated in these statements are true.

Signed .....  .....

Dated..... 28.3.2016 .....

3, West Coombe  
Stoke Bishop  
Bristol BS9 2BA

23<sup>rd</sup> January 2012

To whom it may concern:

**Re: Stoke Lodge Parkland**

We are firmly of the opinion that the objections to the granting of Town Green status are without foundation.

When we moved to Bristol in 1975 my wife regularly walked across the parkland when our children attended Cedar Park School and we have continued to enjoy access.

There was then, and is now no question of secrecy, and we have always believed that we had a right of use without seeking permission from the landlord.

The attempts by Bristol City Council to deny community access to the parkland have been totally inadequate and without serious commitment. The signs are not located at sufficient access points and the limited fencing of the area has been poorly maintained. There is now, and never has been a need to use force to gain access. The lack of enforcement action, for many years, by Bristol City Council has clearly led the community to believe that access was "as of right".

We therefore consider that we have had, and should continue to have access to the parkland "as of right" and that the Town Green application should be granted.

D.J and P.R Powles

*D.J. Powles*  
*P.R. Powles*

Witness Statement in support of Town Green Application for Stoke Lodge Parkland

Name: Mr. D. J. Powles and Mrs. P. R. Powles

Address: 3, West Coombe Bristol BS9 2BA

Occupation: Pensioners

We moved to Bristol with our two children to our present address in West Coombe in May 1975. Our daughter first attended Westdene Nursery School which was then located on the corner of Shirehampton Road and Cedar Park. She then joined our son at Cedar Park Primary School for four years before she left the school in the summer of 1983.

For this period of 8 years the children walked through the parkland on the way to school and, in the summer particularly, enjoyed playing in the parkland on the way home from school. The shortest route, and certainly the most attractive to the children, to and from school was across the park between West Dene and the main entrance gate.

As they grew up the children continued to walk through and play in the parkland until they left home.

In the late 1970's and early 1980's my wife attended Adult Education Courses which were held at Stoke Lodge house.

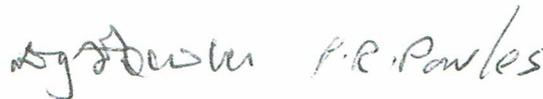
My wife and I have always been, and continue to be, regular walkers and often walk through the parkland rather than walk along increasingly busy roads.

Throughout this period of 35 years neither we nor the children have ever been denied access to the parkland on any occasion.

The area of parkland is one of the few green open spaces with access available to the public, and should be granted Town Green Status in order to protect the amenity and allow continued free access for current and future generations.

We believe that the facts stated in this witness statement are true.

Signatures:



Date: 2<sup>nd</sup> February 2011

Save Stoke Lodge Parkland - Application for Town Green Registration - Evidence Questionnaire

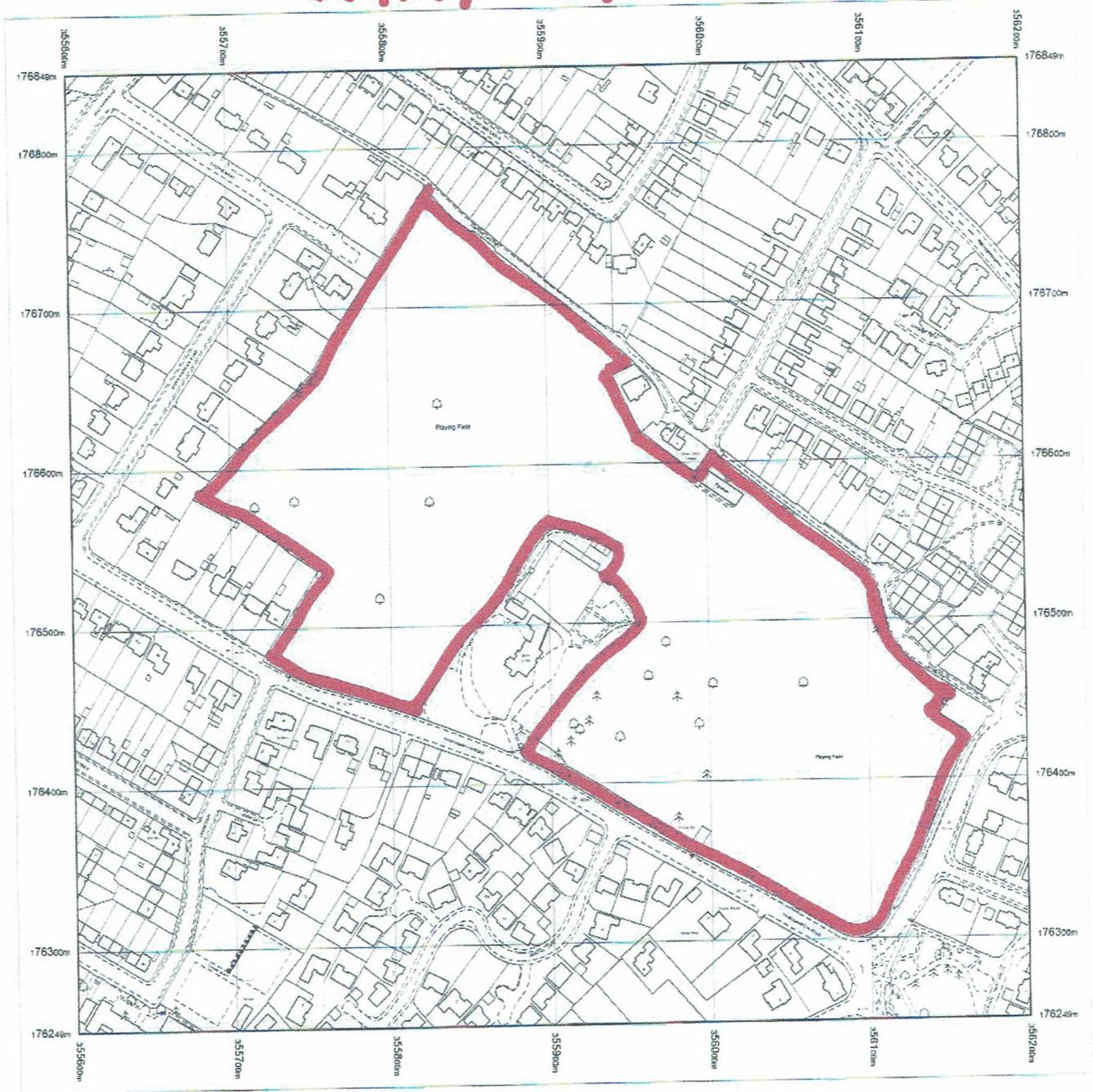
NAME of Witness Print		I. J. POWLES, FR. POWLES
1	Your address when you used the land being claimed as "Town Green" and edged in red on Map "A"?	3. WEST COOMBE BS9 2BA
2	Your address when you knew the land edged in red on Map "A" was being used by the local inhabitants? If different from 1 above?	AS ABOVE
3	Did you sign the map "A" attached to confirm your understanding of the extent of The Land being claimed? As "Town Green" edged in Red? And relates to the evidence	YES
4	Confirm your agreement that the Locality or Neighbourhood is the Political Ward of Stoke Bishop plus parts of Westbury on Trym, Sea Mills and Coombe Dingle. Map "B"	YES
5	Please confirm that you have marked the location of your house on Map "B" with an X.	YES
6	By what name, if any, is The Land edged in red on Map "A" known?	STOKE LODGE
7	Has the land, referred to in question 6, ever been known by any other name? If so what?	NO
8	For how many years have you known about the Land edged in red on Map "A"?	35 YEARS
9	Between which years did you use the Land edged in red on Map "A"?	1975 To 2011
10	Do you consider yourself to be a local inhabitant in respect of the Land edged in red on Map "A"?	YES
11	During the time you have used the Land edged in red on Map "A", has the general pattern of use remained basically the same?	YES

12	<p>What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any other additional matters not covered</p> <table border="1"> <tr> <td>Local infants school</td> <td><input checked="" type="checkbox"/></td> <td>Community centre</td> <td>Community activities</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Local junior school</td> <td><input checked="" type="checkbox"/></td> <td>Sports facility</td> <td>A central feature</td> <td></td> </tr> <tr> <td>Local secondary school</td> <td></td> <td>Swimming pool</td> <td>Scout hut</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Residents association</td> <td></td> <td>Library</td> <td>other</td> <td></td> </tr> <tr> <td>Neighbourhood watch</td> <td><input checked="" type="checkbox"/></td> <td>Alt green space within easy walking</td> <td>other</td> <td></td> </tr> <tr> <td>Neighbourhood Partnership</td> <td><input checked="" type="checkbox"/></td> <td>Area police</td> <td>other</td> <td></td> </tr> <tr> <td>Local place of worship</td> <td><input checked="" type="checkbox"/></td> <td>Doctors surgery</td> <td>other</td> <td></td> </tr> </table>	Local infants school	<input checked="" type="checkbox"/>	Community centre	Community activities	<input checked="" type="checkbox"/>	Local junior school	<input checked="" type="checkbox"/>	Sports facility	A central feature		Local secondary school		Swimming pool	Scout hut	<input checked="" type="checkbox"/>	Residents association		Library	other		Neighbourhood watch	<input checked="" type="checkbox"/>	Alt green space within easy walking	other		Neighbourhood Partnership	<input checked="" type="checkbox"/>	Area police	other		Local place of worship	<input checked="" type="checkbox"/>	Doctors surgery	other	
Local infants school	<input checked="" type="checkbox"/>	Community centre	Community activities	<input checked="" type="checkbox"/>																																
Local junior school	<input checked="" type="checkbox"/>	Sports facility	A central feature																																	
Local secondary school		Swimming pool	Scout hut	<input checked="" type="checkbox"/>																																
Residents association		Library	other																																	
Neighbourhood watch	<input checked="" type="checkbox"/>	Alt green space within easy walking	other																																	
Neighbourhood Partnership	<input checked="" type="checkbox"/>	Area police	other																																	
Local place of worship	<input checked="" type="checkbox"/>	Doctors surgery	other																																	
13	To your knowledge are there any public paths crossing the Land edged in red on Map "A"?	NO																																		
14	How do you gain access to the Land edged in red on Map "A"?	VIA WEST DENE																																		
15	How do you travel to and from the Land edged in red on Map "A"?	WALK																																		
16	Why do you go on to the Land edged in red on Map "A"?	RECREATION																																		
17	How often do/did you use the Land edged in red on Map "A" (apart from use of any public paths on the Land)	ROUTE TO SCHOOL - DAILY																																		
18	What activities do/did you take part in on the Land edged red on Map "A"?	PLAYING WITH CHILDREN FLYING KITES, FOOTBALL ETC.																																		
19	Does your immediate family use the Land edged in red on Map "A"?	YES																																		
20	If so, for what?	PLAY																																		
21	Do you know of any community activities that take place or have taken place on the Land edged in red on Map "A"?	YES																																		
22	If so please list them and state when and for how long they have taken place?	PICNIC. AUG. 2010																																		
23	Do/did you participate in any of them?	NO - ON HOLIDAY																																		

24	Do any organisations use the Land edged in red on Map "A" for sports or pastimes? If so, please specify.	COTHAM & CLIFTON SCHOOL	
25	Do any seasonal activities take place on the Land edged in red on Map "A"	FOOTBALL. CRICKET	
26	Please tick all the activities that you have seen taking place on the Land edged in red on Map "A"		
	Children playing	<input checked="" type="checkbox"/>	Fetes
	Rounders	<input checked="" type="checkbox"/>	Football <input checked="" type="checkbox"/>
	Drawing and painting	<input checked="" type="checkbox"/>	Rugby
	Dog Walking	<input checked="" type="checkbox"/>	Cricket <input checked="" type="checkbox"/>
	Team Games (Formal)	<input checked="" type="checkbox"/>	Bird watching
	Team Games (informal)	<input checked="" type="checkbox"/>	Picnicking <input checked="" type="checkbox"/>
	Picking blackberries	<input checked="" type="checkbox"/>	Kite flying <input checked="" type="checkbox"/>
	Community celebrations	<input checked="" type="checkbox"/>	People walking <input checked="" type="checkbox"/>
27	Do you know the name of the owner of the Land edged in red on Map "A"? And if so please state.	CITY COUNCIL	
28	Do you know the name of the occupier of the Land edged in red on Map "A"? And if so please state.	COTHAM SCHOOL	
29	Has the owner or occupier seen you on the Land edged in red on Map "A"?	NO	
30	What did they say? If anything?		
31	Was permission ever sought by you for activities on the Land edged in red on Map "A"?	NO	
32	If so, from whom and when?		
33	Did anyone ever give you permission to go onto the Land edged in red on Map "A"?	NO	
34	If yes, when and for what reason?		
35	Have you ever been prevented from using the Land edged in red on Map "A"?	NO	

36	If yes, when and for what reason?	
37	Has any attempt been made by any means to prevent or discourage the use being made of the Land edged in red on Map "A" by local inhabitants?	No
38	If yes, give examples and dates	
39	Are you aware of any signs or notices restricting access to the Land edged in red on Map "A" by local inhabitants?	YES
40	Do you have any photographs or any other evidence of use of the Land edged in red on Map "A" by local inhabitants?	NO
41	Are you willing to allow us to copy them for use as part of our application?	
42	If you have additional information please attach a separate statement? (witness statement etc)	SEE ATTACHED
43	If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and addresses upon the reverse of this form.	
44	I have carried on the activities referred to in this questionnaire, on the Land edged in red on Map "A", for 35 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.	
45	I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.	
46	I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.	
47	Signed	P.R. Powles
48	Name	P.R. POWLES
49	Date	A.H. February 2011

MAP 'A'



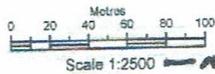
Produced 25.11.2010 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2010

Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey, the OS Symbol and OS Sitemap are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain

The representation of a road, track or path is no evidence of a right of way

The representation of features as lines is no evidence of a property boundary.



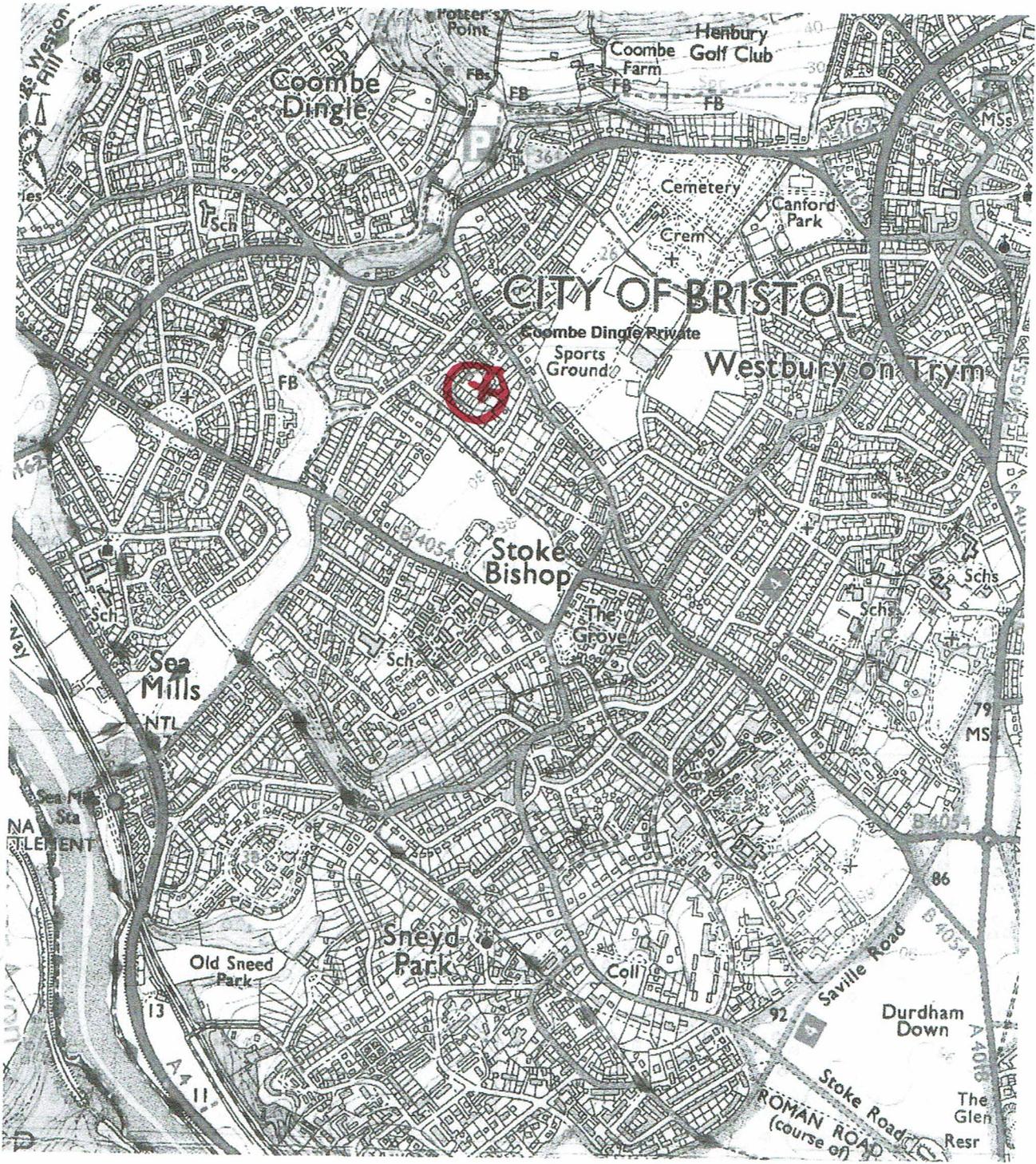
*NOT TO SCALE WHEN COPIED AT ALL*

Supplied by: Latitude - Southampton  
Serial number: 05345100  
Centre coordinates: 355699.67 176549.37

Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site:  
[www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

*P.R. Pawkes*

Map "B" of locality surrounding Stoke Lodge Parkland



0 100 200 300 400 500



Meters