

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: - PROFESSOR ALAN PREECE
(BLOCK CAPITALS)

My Name is: - ALAN WILLIAM PREECE

My Address is: - 12 South Dene
Stoke Bishop, BRISTOL BS9.2BW

My occupation is: - Eminent Professor of Medical Physics

I will say as follows: -

1. Please refer to my Questionnaire attached and dated: - 02/02/2011

2. Please refer also to my Statement attached and dated: - 14/01/2012

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

Signed 

Dated 26/3/2016

12 South Dene
Stoke Bishop
Bristol
BS9 2BW
14 January 2012

Mr David Mayer,
Chairman of Save Stoke Lodge Parkland

Dear David

Re: Stoke Lodge Town Green application

In response to the few objection letters that were received I would like to add comments of my own to your response.

I have been a resident of a house on the boundary of Stoke Lodge for almost 40 years and have had free and open access to the Fields on a continuous basis for the whole of that time, using it both as a route to the shops, to the local buses and for recreation with my children and grandchildren. At no time was it ever suggested by any person that this was not an acceptable thing to do as long as I did no damage nor interfered with the shared sports use. At one time there was resident groundsman, and I frequently greeted or spoke to him without any hint that our presence was not acceptable and we frequently chatted about local matters, and it was very clear to him we were local residents enjoying the amenity.

For a long time there were NO notices at any entrance. The two that appeared (I think late '80s) clearly referred to not causing nuisance, not fouling the area with dog mess, nor flying model aircraft – clearly defining the things one should not do whilst on the playing field. Also I had never seen the notice near the house until it was pointed out during the preliminaries of the Town Green application, but I would have interpreted this as restricting access to the Stoke Lodge House and its immediate curtilage (except when attending events there, of course). I see it has now been turned to face people coming from the car park and accessing the playing area.

Over all the years I have either used the West Dene/Cheyne Road route or West Dene to the path at the south side of the house – where there is no sign and never has been. In other words it is perfectly possible to traverse the field without passing any notice and I contend there was a long period with no sign at any of the entrances. My neighbour who died very recently had similarly used the field since the '40s and long after the notices were introduced, because clearly there was no intention to stop access, but only to prevent misuse. The last sign put up clearly conflicts with councillors' statements about shared community use and did not appear until the briefing note in 2010 when there was clear intention to deprive the residents of their access and use by fencing the area. The northern access from Cheyne Road is designed to keep out motorized vehicles but to positively allow access by pedestrians, and there is no notice at this major access point.

Re: the Rockleaze Rangers and Coombe Dingle (University) objections; I do not see that their use, including the commercial use by the university in hiring out the areas, in any way conflicts with the way the field has been used over the last 50 years. As residents we have begged for the provision of dog-bins, although considering the amount of use made by dog-owners, the amount of fouling is miniscule. Most of the rubbish that I have picked up over the years has consisted of sweet papers and energy drink cans from the touch lines. The

schools make minimal use of the area, and it rarely amounts to more than one pitch for an hour per week and public use has never conflicted with this.

In summary, I wish to see Town Green status granted to protect the area against the ill-found intentions of the Council to retrieve the area for development, which I would regard as a severe infringement of our right of access to Green Spaces and a potential destruction of an extremely valuable community resource. I have used the area long before any prohibition was indicated and since this has never been enforced, or would be practicable, there is no reason to impose restrictions except to protect future development in the knowledge that residents have used the space as of right for a very long period.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Alan W. Preece', with a stylized flourish at the end.

Professor Alan W. Preece

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

My name is: Alan William Preece

Address: 12 South Dene, Stoke Bishop, Bristol, BS9 2BW

My occupation is: part-time Clinical Scientist after retiring as professor of Medical Physics

We moved here with two small children in 1972 after living in the middle of countryside in the Chew valley, seeking an urban environment with attributes of countryside and found that living close to Stoke Lodge a joy and privilege. Access is easy via West Dene, Cheyne Road or off Shirehampton Road and is our regular route to the shops and activities there.

From the beginning the Parkland was a place to wander with the children, to play ball games, fly kites, watch groups enjoying all kinds of sports such as cricket, football, long-jumps, and generally to exercise and chill out. It was also a place to play games in the woodland and building ruins and to observe wild-life in the form of squirrels, foxes, bats and a huge variety of birdlife.

At all times I felt it was a safe, observed environment for small children, and this applied when they were older and wandered over there unsupervised with their friends to play, to collect blackberries, mulberries and to seek birds' nests of the many visitors to our garden. It is also a place we have been able to exercise the dogs of neighbours when too ill to do this themselves.

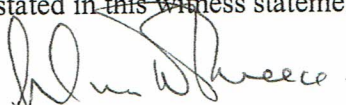
In the middle years I have been able to indulge in exercise myself – just walking, attempting to teach cricket to American visitors, ski practice, photography, and wildlife observation. Now it has come full circle and I have 5 grandchildren, ranging ages from 12 to 4, who love to join me on the Parkland to do all the same things I did with their parents. There used to be a groundsman that we talked to – never once has there been any objection to any activities I or my children have undertaken.

There is nothing more pleasant than to hear the organised and casual sports groups practicing on the weekend and to be able to support the school fetes and other events that regularly happen. Community is harmony and apart from the odd golf-ball or football crashing into my garden, such use is a wonderful thing.

I have a first degree in biology and thoroughly appreciate the quality of this environment in the middle of a suburban sprawl of houses. Surely this why it was chosen by the BBC as location for a Springwatch programme? It is a natural reservoir of wildlife and a corridor for foxes and badgers. I also treasure its relative security since I am happy to traverse it in the dark and have been happy to let the older children use it in the late evenings. I also hope, when I have more free time, to take advantage of the adult foreign language courses at Stoke Lodge House.

I believe that facts stated in this witness statement are true:

Signature:



Date: 03/02/20

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

	NAME of Witness Print	ALAN PREECE
1	Your address when you used the land being claimed as "Town Green" and edged in red on Map "A"?	12, SOUTH DENE STOKE BISHOP BS9 2BW
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?	
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 PARKLAND
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"?	39 YEARS
9	Between which years did you use the Land edged in red on Map "A"?	1972 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	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				
	Local infants school	<input checked="" type="checkbox"/>	Community centre	<input checked="" type="checkbox"/>	Community activities
	Local junior school	<input checked="" type="checkbox"/>	Sports facility	<input checked="" type="checkbox"/>	A central feature
	Local secondary school		Swimming pool	<input checked="" type="checkbox"/>	Scout hut
	Residents association		Library	<input checked="" type="checkbox"/>	other SHOPS
	Neighbourhood watch	<input checked="" type="checkbox"/>	Alt green space within easy walking	No	other BUS SERVICE
	Neighbourhood Partnership	<input checked="" type="checkbox"/>	Area police	<input checked="" type="checkbox"/>	other
	Local place of worship	<input checked="" type="checkbox"/>	Doctors surgery	<input checked="" type="checkbox"/>	other
13	To your knowledge are there any public paths crossing the Land edged in red on Map "A"?				
14	How do you gain access to the Land edged in red on Map "A"?				
15	How do you travel to and from the Land edged in red on Map "A"?				
16	Why do you go on to the Land edged in red on Map "A"?				
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)				
18	What activities do/did you take part in on the Land edged in red on Map "A"?				
19	Does your immediate family use the Land edged in red on Map "A"?				
20	If so, for what?				
21	Do you know of any community activities that take place or have taken place on the Land edged in red on Map "A"?				
22	If so please list them and state when and for how long they have taken place?				
23	Do/did you participate in any of them?				

YES

END OF WESTDENE OR VIA EBENEZER LANE

WALK

RECREATION, EXERCISE, ACCESS TO
STOKE LODGE, SHOPS & BUS ROUTESEVERAL TIMES A WEEK
PLAY WITH CHILDREN / GRANDCHILDREN,
PHOTOGRAPHY, FRUIT PICKING, WALKING


YES

GAMES, ACCESS TO TREES

'FUN DAYS', PICNICS, SPORTS TRAINING,
BOTANY TOWERS / LECTURESAS ABOVE, ON MOST YEARS AS LONG AS I
CAN REMEMBER

YES

24	Do any organisations use the Land edged in red on Map "A" for sports or pastimes? If so, please specify.	YES - SCHOOLS AND SPORTS CLUBS
25	Do any seasonal activities take place on the Land edged in red on Map "A"	YES - RUGBY CRICKET GAMES & PRACTICE SUMMER ACTIVITIES
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 <input checked="" type="checkbox"/>
	Rounders <input checked="" type="checkbox"/>	Football <input checked="" type="checkbox"/>
	Drawing and painting <input checked="" type="checkbox"/>	Rugby <input checked="" type="checkbox"/>
	Dog Walking <input checked="" type="checkbox"/>	Cricket <input checked="" type="checkbox"/>
	Team Games (Formal) <input checked="" type="checkbox"/>	Bird watching <input checked="" type="checkbox"/>
	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"/>
		Bonfire parties
		Bicycle riding <input checked="" type="checkbox"/>
		Carol singing
		other GOLF
		other PHOTOGRAPHY
		other SKIING
		other LONG JUMPS
		other
27	Do you know the name of the owner of the Land edged in red on Map "A"? And if so please state.	YES - BRISTOL 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.	YES - AS ABOVE + COTHAM SCHOOL
29	Has the owner or occupier seen you on the Land edged in red on Map "A"?	YES - GROUNDSMAN USED TO EXIST
30	What did they say? If anything?	YES - SUGGESTED NOT CYCLING ON PITCHES
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

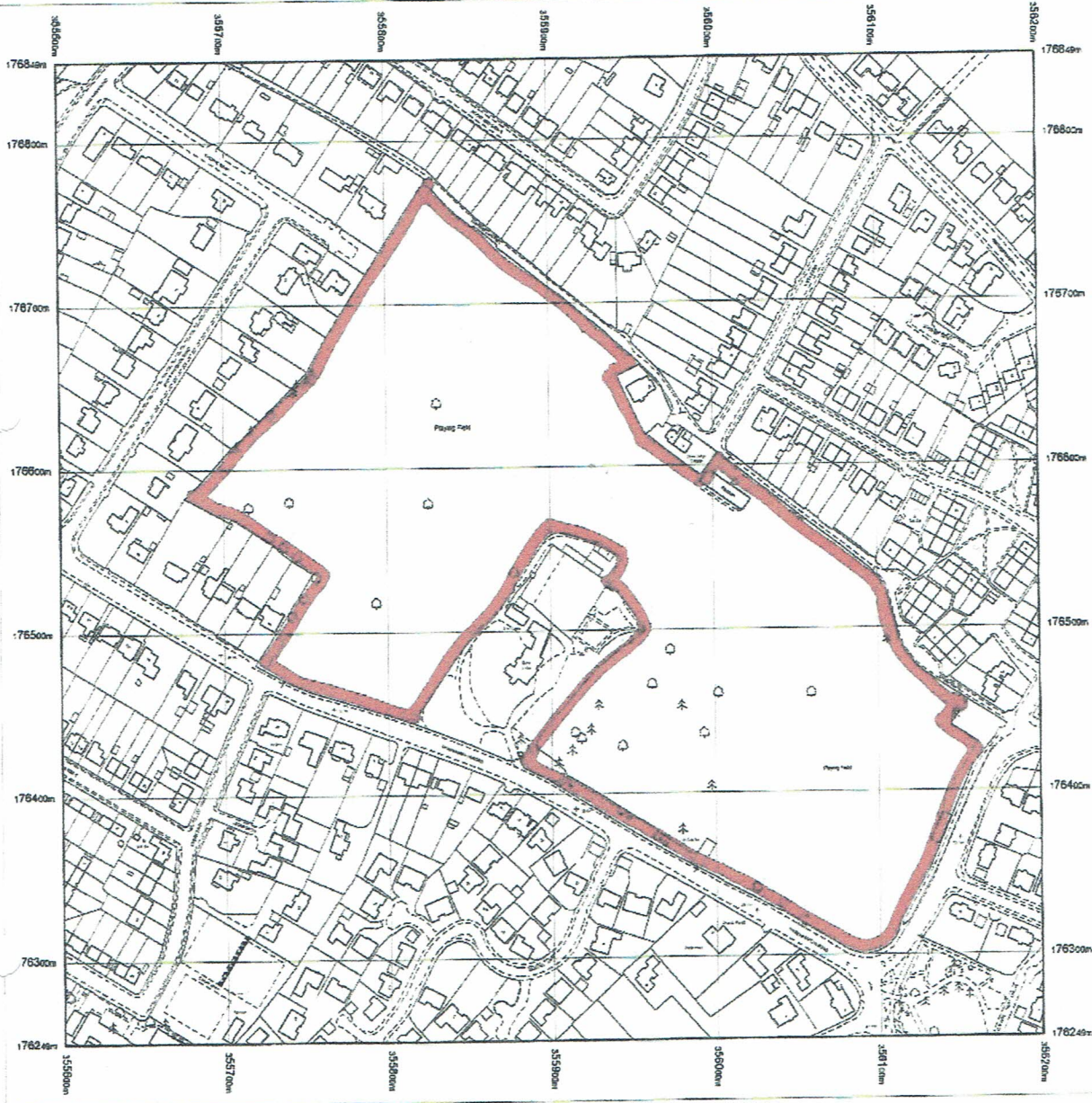
36	If yes, when and for what reason?	
37	Has any attempt been made by any means to prevent or discourage the use being made of the Land edged in red on Map "A" by local inhabitants?	NOTICE AT ONE OF ACCESS POINTS
38	If yes, give examples and dates	PROHIBITING DOG FOULING & AIRCRAFT FLYING
39	Are you aware of any signs or notices restricting access to the Land edged in red on Map "A" by local inhabitants?	YES - NOTICE @ WEST DENE ENTRANCE
40	Do you have any photographs or any other evidence of use of the Land edged in red on Map "A" by local inhabitants?	NOT TO HAND
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?	YES
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 39 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	
48	Name	ALAN WILLIAM PREECE
49	Date	02/02/2011

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MAP 'A'



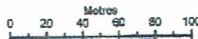
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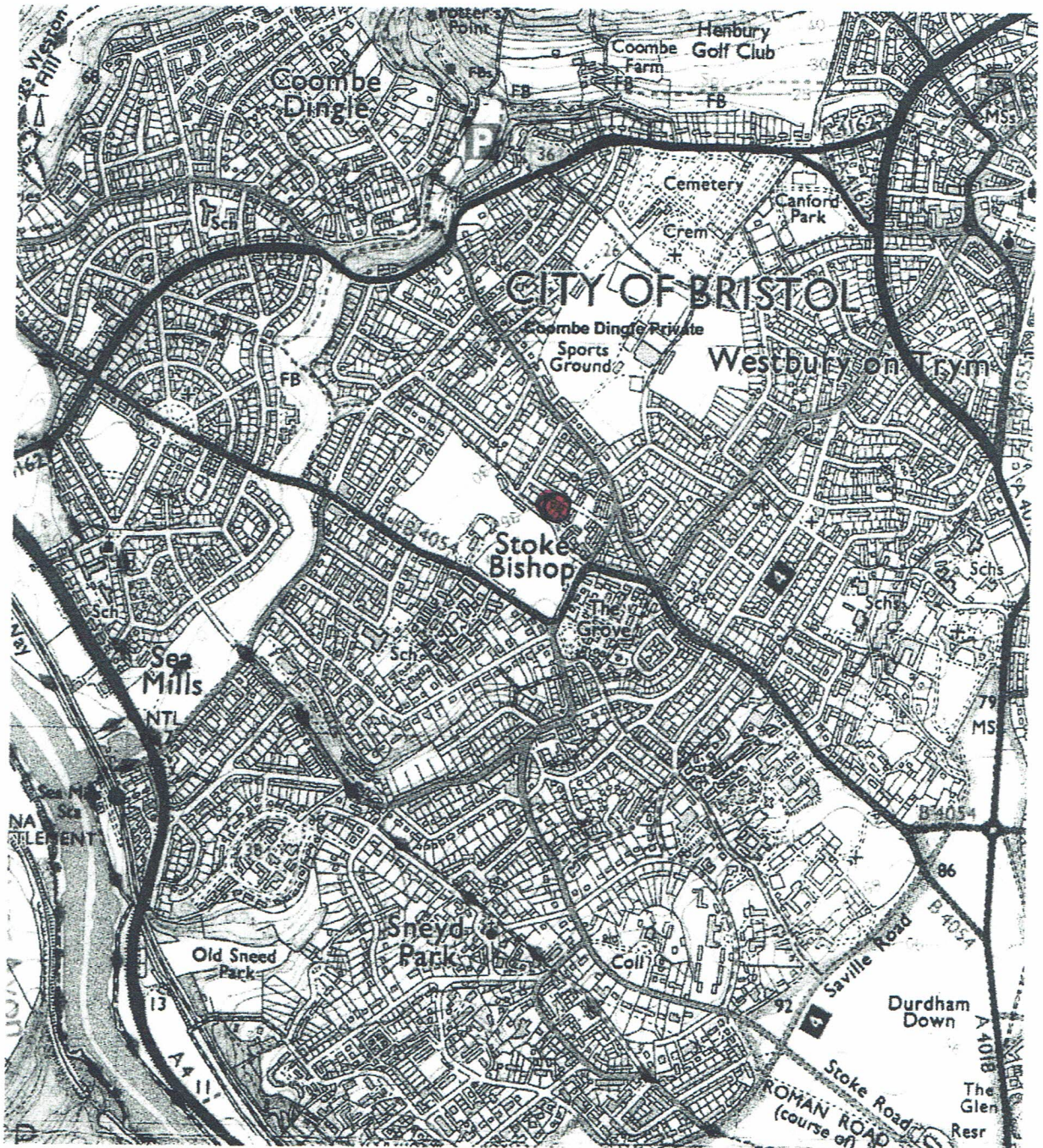
This is the area I am claiming
as TOWN GREEN.

Wendy Duce.

02/02/2011

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Map "B" of locality surrounding Stoke Lodge Parkland



0 100 200 300 400 500



Meters

Alan Whreece.