

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: - MICHAEL SHINNER
(BLOCK CAPITALS)

My Name is: - *MICHAEL SHINNER*

My Address is: - *65 COOMBE LANE
STOKE BISHOP
BRISTOL BS9 2BG.*

My occupation is: - *RETired*

I will say as follows: -

1. Please refer to my Questionnaire attached and dated: - *26/1/11*
2. Please refer also to my Statement attached and dated: - *30/3/16*.

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

Signed *msh*

Dated..... *30/3/16*

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

1. Full Name: Michael Shinner
2. Current address: 65 Coombe Lane, Stoke Bishop, Bristol
3. Occupation: Retired
4. Please describe in your own words as much information and details of fact as possible, this must not include any rumour or exaggeration, and should include your knowledge of:
 - a. When you or your family started to use Stoke Lodge Parklands and/or the House?

In 1972 when we moved to 1 Cote Park. We noticed other families walking on Stoke Lodge and assumed that we would be able to do the same

- b. During this period were you ever denied access, and if so by whom?

We have never been denied access at any time during the years we have visited Stoke Lodge. On a number of occasions we have seen and spoken to the people who mark out the lines on the sports pitches and nothing has been said to us about being there.

- c. What variety of activities you and your family have been involved in on the Parkland?

Walking, dog exercising, jogging, kicking and throwing balls with our children and grandchildren, trying out outdoor toys such as kites and toy planes, scooters, bikes etc.

These activities have taken place at all times of day both on weekdays and at weekends.

My children used go independently to meet their friends on Stoke Lodge during their teens.

More recently we have walked to the new playground and picnicked whilst our grandchildren played on the equipment. So we have now introduced a third generation of our family to the Lodge as we call it.

- d. If as a group what was the name of the group

Not involved with any group

- e. How you travelled to and from the site and which access you used?

Mostly by walking. Occasionally we would stop on the way back from trips by car.

We have used the accesses from West Dene, the top of Ebenezer Lane, the house car park, near the junction of Parrys Lane, Shirehampton Road and Druid Hill and on to Cheyne Road. At no time have we needed to overcome any barriers.

- f. Do you have any evidence of your use of Stoke Lodge including photographs, letters, press cuttings, etc, that we could copy and include in our application?

No

- g. What do you value most about Stoke Lodge?

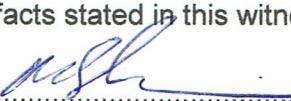
Its proximity to our house so that we can walk there, the openness and sense of space, the age and stature of the trees and the variety of trees and shrubs in the hedgerows which change their colours through the seasons. The lack of formality of the hedgerows means that it is like a small area of countryside in the increasingly urbanised area which has already lost several green spaces.

- h. Any other relevant information that demonstrates ongoing community use.

There has been a considerable increase in the number of children's sports training sessions and matches in recent years. I don't know if they are all officially authorised but it is great to see them enjoying the exercise and participation in team sports.

5. Include closing statement:

I believe that the facts stated in this witness statement are true,

Signature: 

Date: 30/3/16

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

NAME of Witness Print	MICHAEL SHIVER
1 Your address when you used the land being claimed as "Town Green" and edged in red on Map "A"?	1 CORN PARK, STOKE BISHOP BS9 2AE 65 COOMBE LANE, STOKE BISHOP BS9 2BG
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
7 Has the land, referred to in question 6, ever been known by any other name? If so what?	DON'T KNOW
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 us the Land edged in red on Map "A"?	1972 - 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

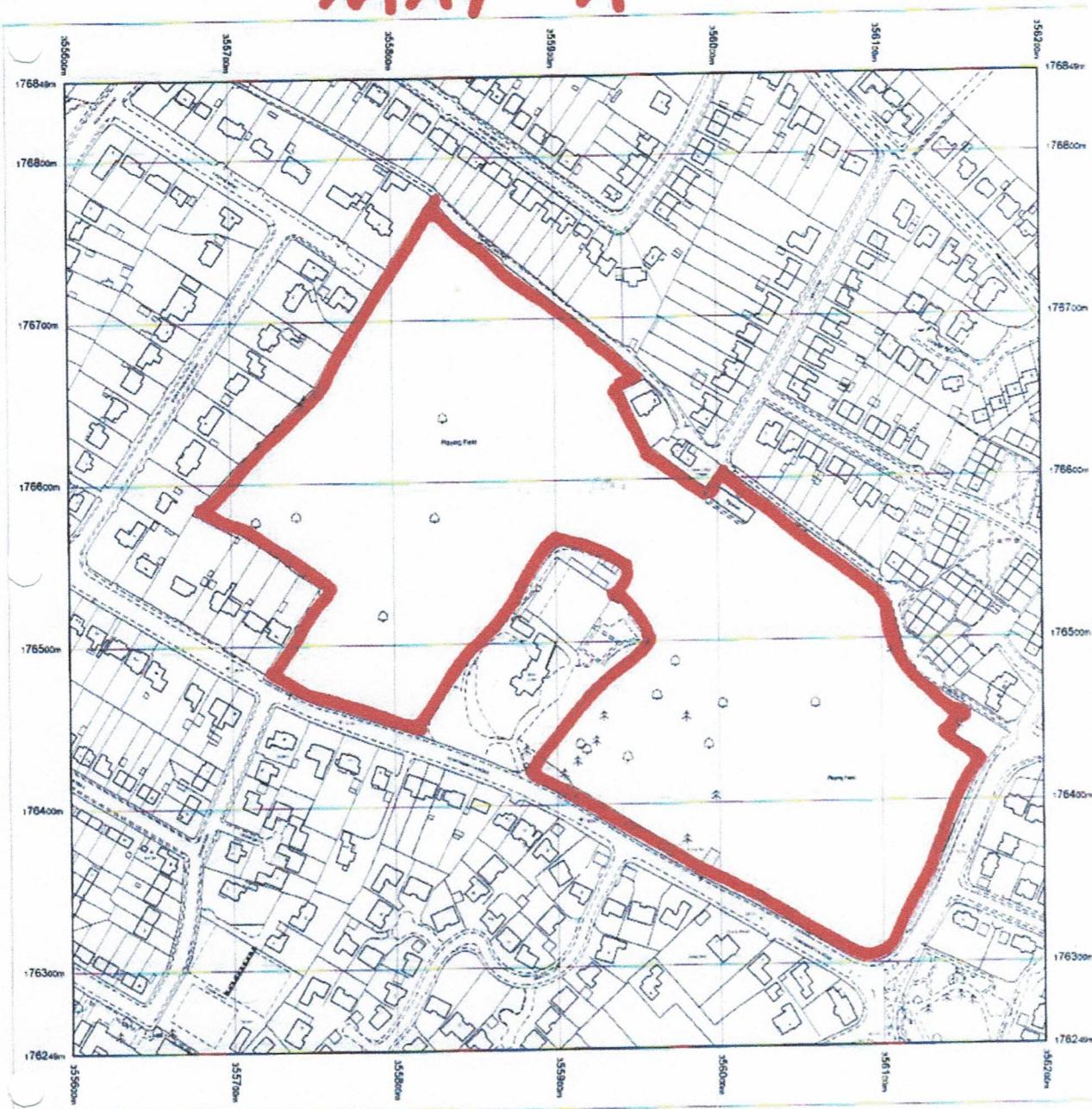
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12	What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any other additional matters not covered	
Local infants school	<input checked="" type="checkbox"/> Community centre	Community activities
Local junior school	<input checked="" type="checkbox"/> Sports facility	A central feature
Local secondary school	<input checked="" type="checkbox"/> Swimming pool	Scout hut
Residents association	<input checked="" type="checkbox"/> 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"?	END OF WEST DENE
15	How do you travel to and from the Land edged in red on Map "A"?	WALKING.
16	Why do you go on to the Land edged in red on Map "A"?	EXERCISE FOR MYSELF AND MY DOGS.
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)	2 x PER WEEK
18	What activities do/did you take part in on the Land edged red on Map "A"?	WALKING, JOGGING, PLANNING SPORT WITH MY CHILDREN, EXERCISING DOGS
19	Does your immediate family use the Land edged in red on Map "A"?	YES.
20	If so, for what?	WALKING, PLANNING SPORT, EXERCISING DOGS
21	Do you know of any community activities that take place or have taken place on the Land edged in red on Map "A"?	FOOTBALL, CRICKET, ATHLETICS
22	If so please list them and state when and for how long they have taken place?	AS ABOVE I HAVE SEEN THEM SINCE 1972.
23	Do/did you participate in any of them?	NO.

24	Do any organisations use the Land () edged in red on Map "A" for sports or pastimes? If so, please specify.	<i>CHICEST CHURCH FOOTBALL CLUBS</i>
25	Do any seasonal activities take place on the Land edged in red on Map "A"	<i>No.</i>
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"/>
	Rounders	<input checked="" type="checkbox"/>
	Drawing and painting	<input checked="" type="checkbox"/>
	Dog Walking	<input checked="" type="checkbox"/>
	Team Games (Formal)	<input checked="" type="checkbox"/>
	Team Games (informal)	<input checked="" type="checkbox"/>
	Picking blackberries	<input checked="" type="checkbox"/>
	Community celebrations	<input checked="" type="checkbox"/>
	Fêtes	<input checked="" type="checkbox"/>
	Football	<input checked="" type="checkbox"/>
	Rugby	<input checked="" type="checkbox"/>
	Cricket	<input checked="" type="checkbox"/>
	Bird watching	<input checked="" type="checkbox"/>
	Picnicking	<input checked="" type="checkbox"/>
	Kite flying	<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.	<i>BRISTOL CITY COUNCIL. <<194>></i>
28	Do you know the name of the occupier of the Land edged in red on Map "A"? And if so please state.	<i>AS ABOVE.</i>
29	Has the owner or occupier seen you on the Land edged in red on Map "A"?	<i>NOT APPLICABLE.</i>
30	What did they say? If anything?	<i>NOT APPLICABLE</i>
31	Was permission ever sought by you for activities on the Land edged in red on Map "A"?	<i>No.</i>
32	If so, from whom and when?	<i>NOT APPLICABLE.</i>
33	Did anyone ever give you permission to go onto the Land edged in red on Map "A"?	<i>NO.</i>
34	If yes, when and for what reason?	<i>NOT APPLICABLE.</i>
35	Have you ever been prevented from using the Land edged in red on Map "A"?	<i>No.</i>

36	If yes, when and for what reason?	NOT APPLICABLE.
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?	NOT APPLICABLE
42	If you have additional information please attach a separate statement (witness statement etc)	S&E STATEMENT
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.	YES NAMES GIVEN.
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.	195
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	MICHAEL SHINNER
49	Date	26/1/11.

MAP 'A'



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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.

Metres

0 20 40 60 80 100

Scale 1:2500

NOT TO SCALE WHEN COPIED AT A4.

Supplied by: Latitude - Southampton

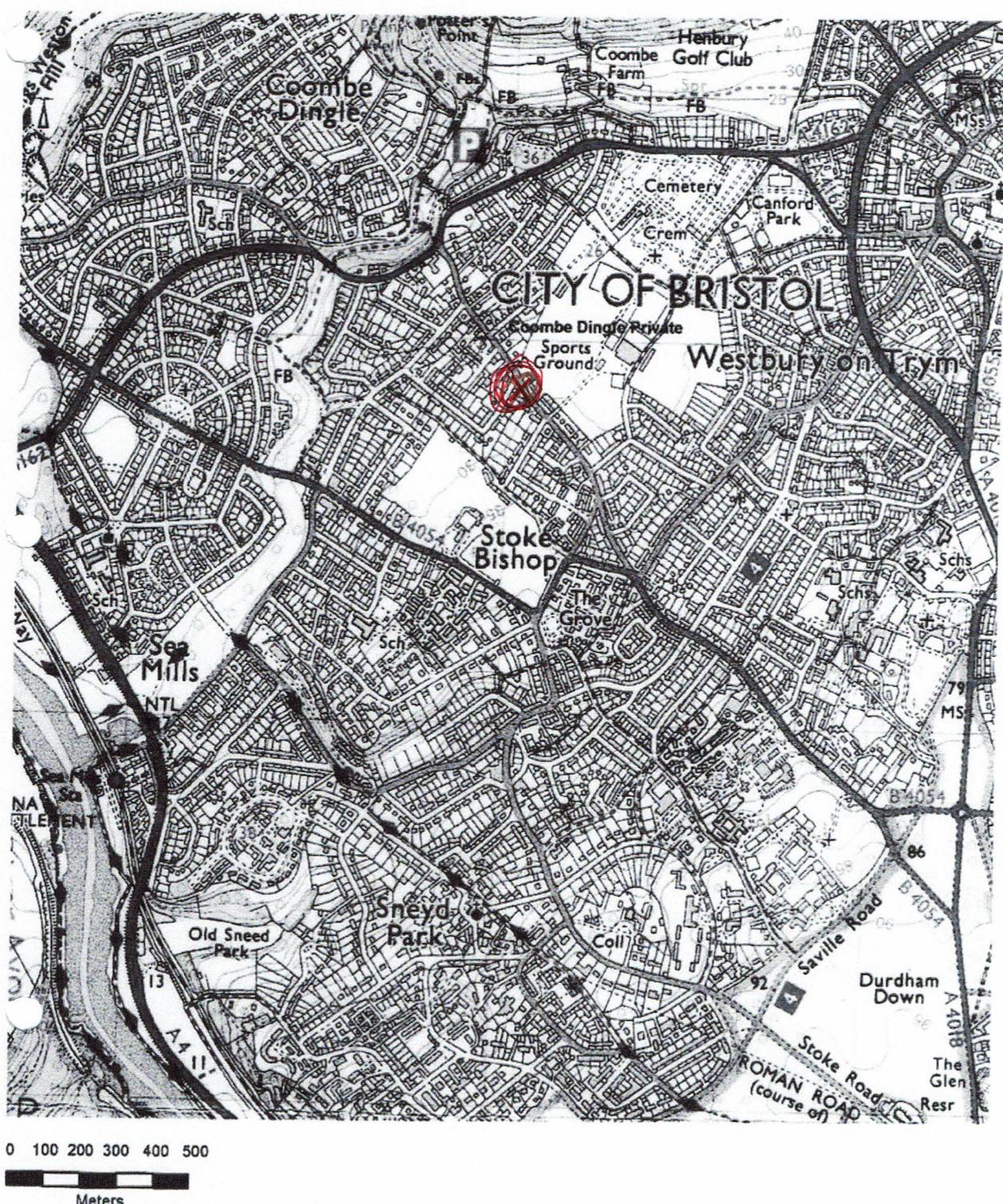
Serial number: 06349100

Centre coordinate: 355889.67 176549.37

Further information can be found on the
OS Sitemap Information leaflet or the
Ordnance Survey web site:
www.ordnancesurvey.co.uk

M. Sherriff

Map "B" of locality surrounding Stoke Lodge Parkland
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0 100 200 300 400 500

Meters