

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: - JONATHAN WYATT
(BLOCK CAPITALS)

My Name is: - JONATHAN MARTIN WYATT

My Address is: - LITTLE MANOR, 1 STOKE PADDOCK RD
STOKE BISHOP, BRISTOL BS9 2DJ

My occupation is: - BARRISTER, ARBITRATOR RETD

I will say as follows: -

1. Please refer to my Questionnaire attached and dated: - 16 March 2016

2. Please refer also to my Statement attached and dated: - 28 March 2016

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

Signed


Dated..... 28 MARCH 2016

J M WYATT STATEMENT

I, JONATHAN MARTIN WYATT, make statement of truth knowing the consequences of inaccurate statements. I say as follows:-

1. I worked for 28 years as a common law barrister and thereafter 13 years in arbitration. I am a Chartered Arbitrator. I have now retired.
2. I live with my wife, Diana, at Little Manor, 1 Stoke Paddock Road, Stoke Bishop, Bristol BS9 2DJ. We have lived at this house since September 1987, nearly 29 years. This is located close to, but does not abut, Stoke Lodge Park.
3. I have since living in the area used Stoke Lodge Park for recreation. Now that I am retired I regularly walk with others around the parkland, sometimes as much as six times a week. I generally enter by Cheyne Road. There are large logs situated on the park side and a post in the middle of the entrance to assist those entering and to prohibit vehicle entry. This has been the situation for some years. There are no notices there.
4. The Park is used by many elderly people, some with disabilities, for recreation. It is a comparatively easy access. There are no steps. Those whose walking capacity is reduced or vision limited may still have good access. Although at this entrance wheelchair access would be difficult there are other entrances where it would be possible.
5. During my walks I have seen frequent use of the Park by both organised and ad hoc sporting groups. When my nephew was younger he and I would often go to Stoke Lodge Park and have a football kickabout when he visited us. I recently enquired of a group of about a dozen youngsters aged 10 to 14 who were playing football using one of the sets of goalposts how often they used the Park. Their leader told me that they used it every weekend, rain or shine.
6. I also recently spoke to the Secretary of the St Brendan's Old Boys Rugby Club who was holding a tournament in memory of Peter Pullin. He told me that they had over the past few years had some difficulty finding

sports grounds to accommodate them as many of them were being sold off or closed. He indicated that Stoke Lodge Park was a saviour to them. The tournament was mini rugby for 350 youngsters.

7. I am aware that the scouts use Stoke Lodge Park to teach their youngsters field craft. I have spoken to the President of the local scouts about these matters and he has confirmed to me their regular use. It is a safe environment close to their homes.
8. I have also seen kite flying, picnicking and cricket playing taking place.
9. When we first came here the main gates that open onto Shirehampton Road were often left open. In more recent years they have always been kept shut unless the groundsman was present using his machinery. I believe the increased security was caused by the local authority's knowledge of the habit of gypsy travellers camping on playing fields when they were passing through the area. Although they have never occupied Stoke Lodge Park I believe it is a factor that weighs in the City Council's mind where their open spaces are concerned.
10. I have never met any staff of the local authority on the Park, though I have waived cheerfully to the groundsman who has been mowing the grass.
11. There are many dog walkers who enjoy the Park. My Nepali friend and I who often walk together have never seen any dog mess left by owners. These days they all seem equipped with pooper scoopers and plastic bags. Doubtless this is in consideration of the other local inhabitants' use of the Park.
12. I have visited Stoke Lodge both for elections and to use their facilities to hold an arbitration seminar for the Chartered Institute of Arbitrators Western Counties Branch. After determining taxing problems it was very good to be able to walk out into the green parkland and breathe the fresh air.

13. Diana and I have in the autumn picked blackberries on the north eastern side of the Park. They grow in abundance and many local inhabitants are to be seen enjoying the fruit when it comes into season.
14. There are many trees of elegance and beauty in the Park and we have enjoyed a conducted tour of them by the Friends of Stoke Lodge.
15. Our house is close enough to hear the substantial activities that carry on in the Park with children shouting merrily as they play football and even some youngsters having occasional parties on the open land.
16. I recently received a message from George Ferguson, the Mayor of Bristol. In it he says, "Finally, let us celebrate our year as European Green Capital, which has given a great boost to the city locally and internationally". I entirely agree with him. Stoches (now Stoke Bishop) has been a village noted in the Domesday Book of 1086. Now the village is a part of the City of Bristol. It is entirely appropriate that its local inhabitants should have their town/village green registered. Long live Bristol, the Green Capital, and Stoke Lodge Parkland, our Town/Village Green.

28 MARCH 2016

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

	NAME of Witness Print	
1	Your address when you used the land being claimed as "Town Green" and edged in red on Map "A"?	LITTLE NADOR 1 STONE PADDOCK ROAD STONE BISHOP BASTON BS9 2DJ
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?	STONE LODGE PARK
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"?	28 years
9	Between which years did you use the Land edged in red on Map "A"?	1987 to date
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	✓	Community centre		Community activities
	Local junior school	✓	Sports facility	✓	A central feature
	Local secondary school		Swimming pool		Scout hut
	Residents association		Library		other
	Neighbourhood watch	✓	Alt green space within easy walking		other
	Neighbourhood Partnership	✓	Area police		other
	Local place of worship	✓	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"?				FROM CHEYNE RD, PARRY'S LANE, EBENEZER LANE
15	How do you travel to and from the Land edged in red on Map "A"?				ON
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"?				4-5 TIMES A WEEK
18	(apart from use of any public paths on the Land) What activities do/did you take part in on the Land edged red on Map "A"?				FOOTBALL WITH YOUNGSTER BLACKBERRY PICKING
19	Does your immediate family use the Land edged in red on Map "A"?				YES
20	If so, for what?				RECREATION
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?				FOOTBALL, RUGBY, DOG WALKING TREE APPRECIATION
23	Do/did you participate in any of them?				YES, TREE APPRECIATION

24	Do any organisations use the Land edged in red on Map "A" for sports or pastimes? If so, please specify.	YES, ST BRENDAN'S OLD BOYS, ROCKLEAZE RANGERS			
25	Do any seasonal activities take place on the Land edged in red on Map "A"	YES			
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		Bonfire parties <input checked="" type="checkbox"/>
	Rounders		Football	<input checked="" type="checkbox"/>	Bicycle riding
	Drawing and painting	<input checked="" type="checkbox"/>	Rugby	<input checked="" type="checkbox"/>	Carol singing
	Dog Walking	<input checked="" type="checkbox"/>	Cricket	<input checked="" type="checkbox"/>	other CLASS ABOUT EBAY
	Team Games (Formal)	<input checked="" type="checkbox"/>	Bird watching		other POLLING STATION
	Team Games (informal)	<input checked="" type="checkbox"/>	Picnicking	<input checked="" type="checkbox"/>	other ARRATATION CLASS
	Picking blackberries	<input checked="" type="checkbox"/>	Kite flying	<input checked="" type="checkbox"/>	other UPHOLDERING CLASS
	Community celebrations	<input checked="" type="checkbox"/>	People walking	<input checked="" type="checkbox"/>	other
27	Do you know the name of the owner of the Land edged in red on Map "A"? And if so please state.	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.	LOTHAM GRAMMAR 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?	N/A			
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?	N/A			
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			

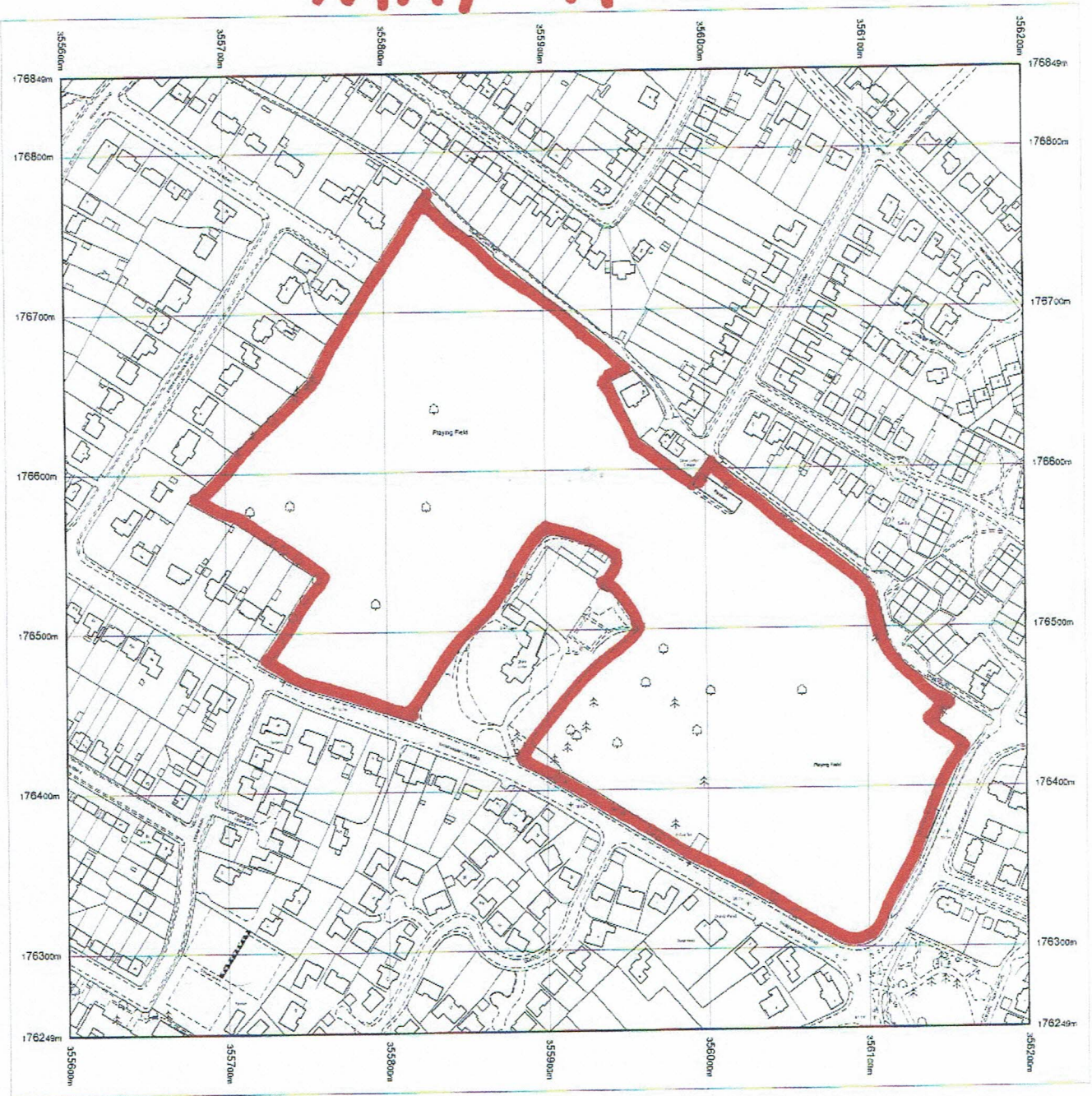
36	If yes, when and for what reason?	
37	Has any attempt been made by any means to prevent or discourage the use being made of the Land edged in red on Map "A" by local inhabitants?	NOT TO ME
38	If yes, give examples and dates	
39	Are you aware of any signs or notices restricting access to the Land edged in red on Map "A" by local inhabitants?	WE HAVE NOT SEEN THEM
40	Do you have any photographs or any other evidence of use of the Land edged in red on Map "A" by local inhabitants?	
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?	
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 28 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	<i>Diana Wyatt</i>
48	Name	DIANA WYATT JONATHAN WYATT
49	Date	16 MARCH 2016

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OS Sitemap®

MAP 'A'



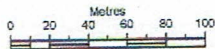
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The representation of features as lines is no evidence of a property boundary.

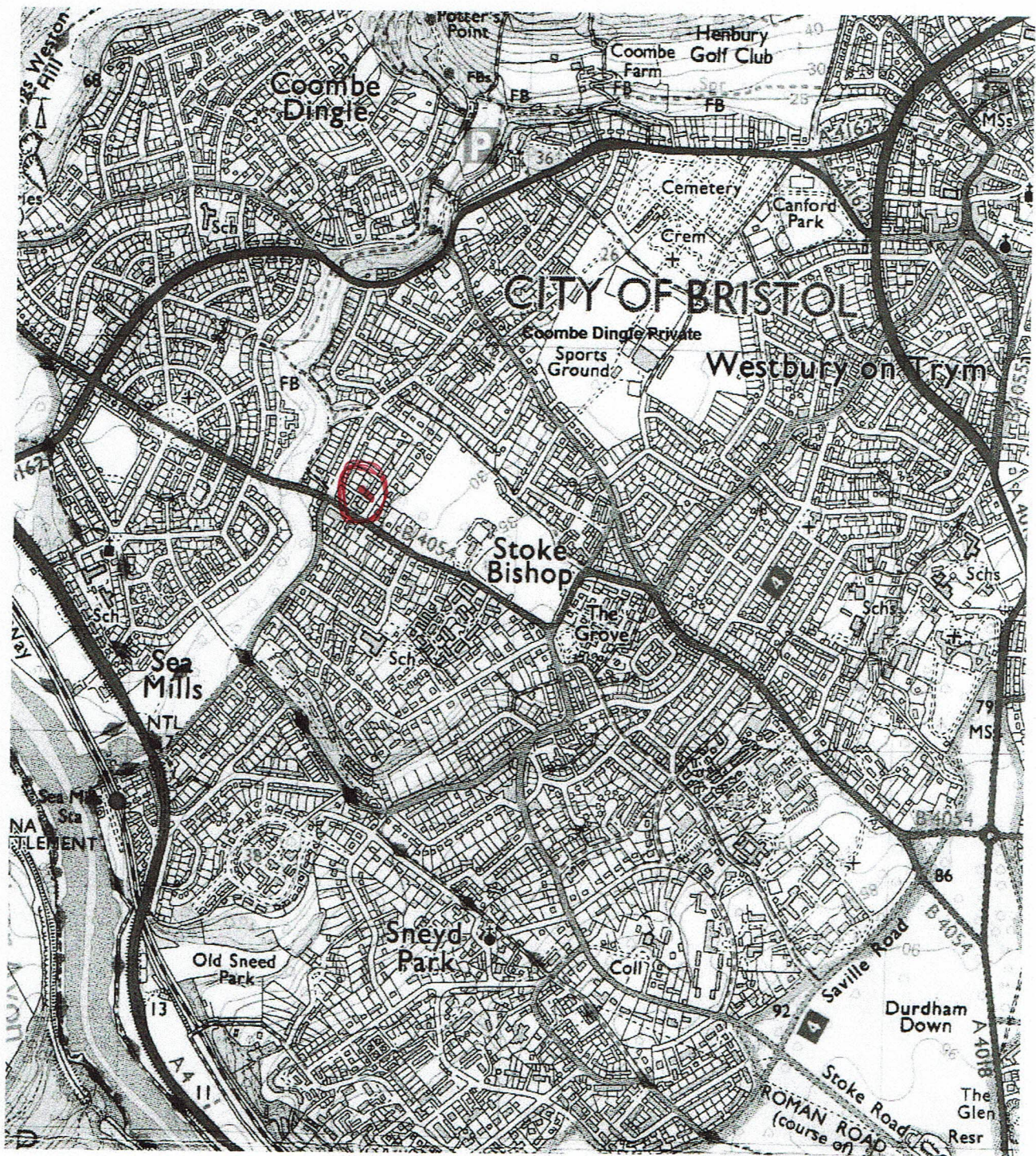


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NOT TO SCALE WHEN COPIED AT A4.

Map "B" of locality surrounding Stoke Lodge Parkland



0 100 200 300 400 500



Meters