

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: - MALCOLM DAVIES
(BLOCK CAPITALS)

My Name is: - *Malcolm Davies*

My Address is: - *11 South Dene*
Bristol BS9 2BW

My occupation is: - *Retired*

I will say as follows: -

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

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

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

Signed *Malcolm Davies*

Dated *25/03/2016*

<<216>>

Susan Mayer

From: Malcolm Davies [malcolmdavies2@googlemail.com]
Sent: 04 January 2012 16:14
To: stoke.lodge@hotmail.co.uk
Subject: [?? Probable Spam] Stoke Lodge Parkland – Village Green status application

I have been using Stoke Lodge parklands since approximately 1949/1950 as a place of recreation to walk and play. Together with friends and family I have never felt that it was necessary to gain permission to use the area, in fact, I would maintain that we have used it "as of right".

As far as I can remember, back in the fifties and sixties there were no signs and the fact that there are signs there now is of no consequence to me as an individual and I have continued to use the land for recreational purposes.

In the early days, when living in Cedar Park, we used to enter through the main gate to the house and then turn right into the field. Now that we live in South Dene we enter through the gate at the end of West Dene.

At no time have we ever found it necessary to enter in any other way than by using the aforementioned gates. At no time has forced entry been used to gain access to the parkland.

Malcolm Davies
11 South Dene
Stoke Bishop
Bristol BS9 2BW
Tel: 0117 968 5077
email: malcolmdavies2@gmail.com

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**Witness Statement in support of
Town Green Application for Stoke Loge Parkland**

My name is Malcolm Davies and I live at:-

11 South Dene
Stoke Bishop
Bristol BS9 2BW

I am aged 67 and am currently employed in the advertising and marketing agency business as a Marketing Services Co-ordinator.

My parents moved to Cedar Park in 1949 and I have lived, on and off, in Stoke Bishop for most of my life.

I first visited Stoke Lodge house in the late forties / early fifties when I was aged five or six. My mother knew a lady who lived in the house and I was taken to play with her young daughter. We caught some newts in a little pond in the garden.

Later on I joined the Westbury Harriers, an athletics club, and we used to train on Stoke Lodge playing fields every Monday evening. (mid fifties)

In my teens, (late fifties) my friends and I would play cricket most summer evenings after school. Occasionally a groundsman would come and speak to us but he seemed quite happy for us to be there as long as we were behaving ourselves. (I think his name was Mr. Clarke, but I can't be sure)

A school friend and I attended maths evening classes in the house in 1959 to improve our chances of passing our O Level exams.

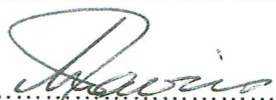
My family and I have been living in South Dene since 1981 (30 years). I've taken our five children to play on the field – playing football and cricket, flying kites, collecting conkers, building snowmen, doing long jumps, attending church fetes and watching the bats catch flies under the trees on a summers evening.

I and my family and indeed my childhood friends have always considered Stoke Lodge Parkland as part of the Stoke Bishop environment. A place where both young and old can enjoy the open air, freedom to walk and other physical activities. A short walk from home to either the Shirehampton Road entrance or the West Dene entrance gave us the chance to enjoy a delightful range of open-air leisure activities.

My family and friends have never been impeded from enjoying the Parkland and long may it continue. I hope one day, if I'm presented with grandchildren, to be able to take them to play there.

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

Signature:



Date:



Save Stoke Lodge Parkland - Application for Town Green Registration - Evidence Questionnaire	
	NAME of Witness Print MALCOLM DAVIES
1	Your address when you used the land being claimed as "Town Green" and edged in red on Map "A"? 11 SOUTH DENE STOKE BISHOP BRISTOL BS9 2BW TEL 9685077
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? 11 CEDAR PARK STOKE BISHOP BRISTOL
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" I AGREE
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"? 62 YEARS
9	Between which years did you use the Land edged in red on Map "A"? 1949 - 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	✓	Community centre	Community activities
	Local junior school	✓	Sports facility	A central feature <i>STOKES BISHOP VILLAGE HALL</i>
	Local secondary school		Swimming pool	Scout hut
	Residents association		Library	other
	Neighbourhood watch	✓	All 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"? <i>I HAVE MARKED ON A MAP WHICH USED TO BE REGULARLY USED IN 1950'S WEST DENE ENTRANCE</i>			
14	How do you gain access to the Land edged in red on Map "A"? <i>WALK</i>			
15	How do you travel to and from the Land edged in red on Map "A"? <i>LEISURE</i>			
16	Why do you go on to the Land edged in red on Map "A"? <i>MOST EVENINGS IN SUMMER LESS OFTEN IN WINTER PLAYING WITH FRIENDS AND MY CHILDREN.</i>			
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) <i>YES</i>			
18	What activities do/did you take part in on the Land edged in red on Map "A"? <i>PLAYING</i>			
19	Does your immediate family use the Land edged in red on Map "A"? <i>YES</i>			
20	If so, for what? <i>CHURCH FETES, FOOTBALL, CRICKET, ATHLETICS</i>			
21	Do you know of any community activities that take place or have taken place on the Land edged in red on Map "A"? <i>AT LEAST 62 YEARS</i>			
22	If so please list them and state when and for how long they have taken place? <i>YES</i>			
23	Do/did you participate in any of them?			

24	Do any organisations use the Land edged in red on Map "A" for sports or pastimes? If so, please specify.	SCHOOLS - FOOTBALL & CRICKET TEAMS			
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	☒	Fetes	☒	Bonfire parties
	Rounders	☒	Football	☒	Bicycle riding
	Drawing and painting	☒	Rugby	☒	Carol singing
	Dog Walking	☒	Cricket	☒	other MAKING SNOWMEN
	Team Games (Formal)	☒	Bird watching	☒	other GOLF PRACTICE
	Team Games (informal)	☒	Picnicking	☒	other
	Picking blackberries	☒	Kite flying	☒	other
	Community celebrations	☒	People walking	☒	other
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.				
29	Has the owner or occupier seen you on the Land edged in red on Map "A"?	DON'T KNOW			
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			

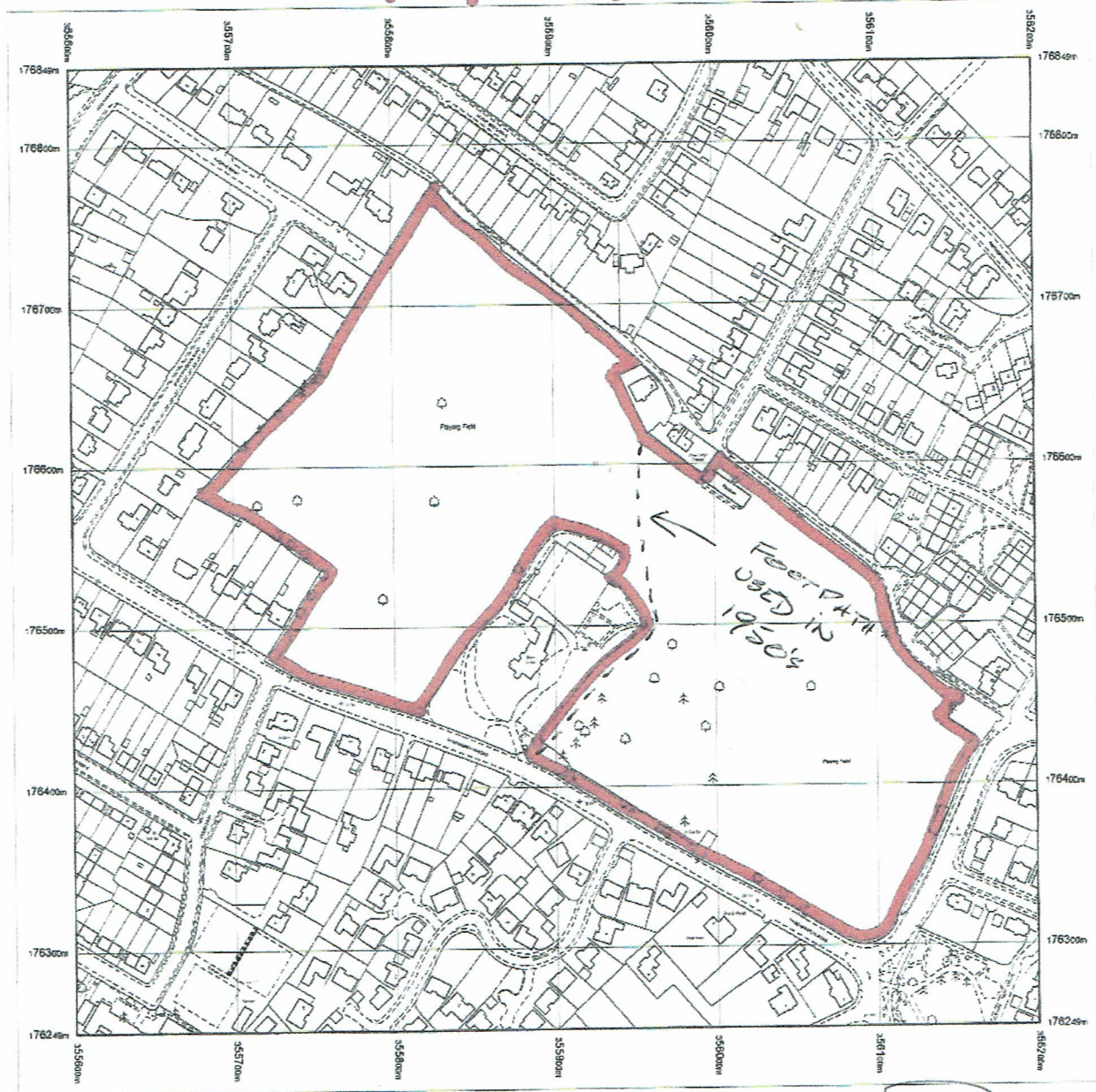
36	If yes, when and for what reason?	
37	Has any attempt been made by any means to prevent or discourage the use being made of the Land edged in red on Map "A" by local inhabitants?	No
38	If yes, give examples and dates	
39	Are you aware of any signs or notices restricting access to the Land edged in red on Map "A" by local inhabitants?	No
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)	✓
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 62 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>Malcolm Davies</i>
48	Name	MALCOLM DAVIES
49	Date	30/01/2011

<<222>>



OS Sitemap®

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.



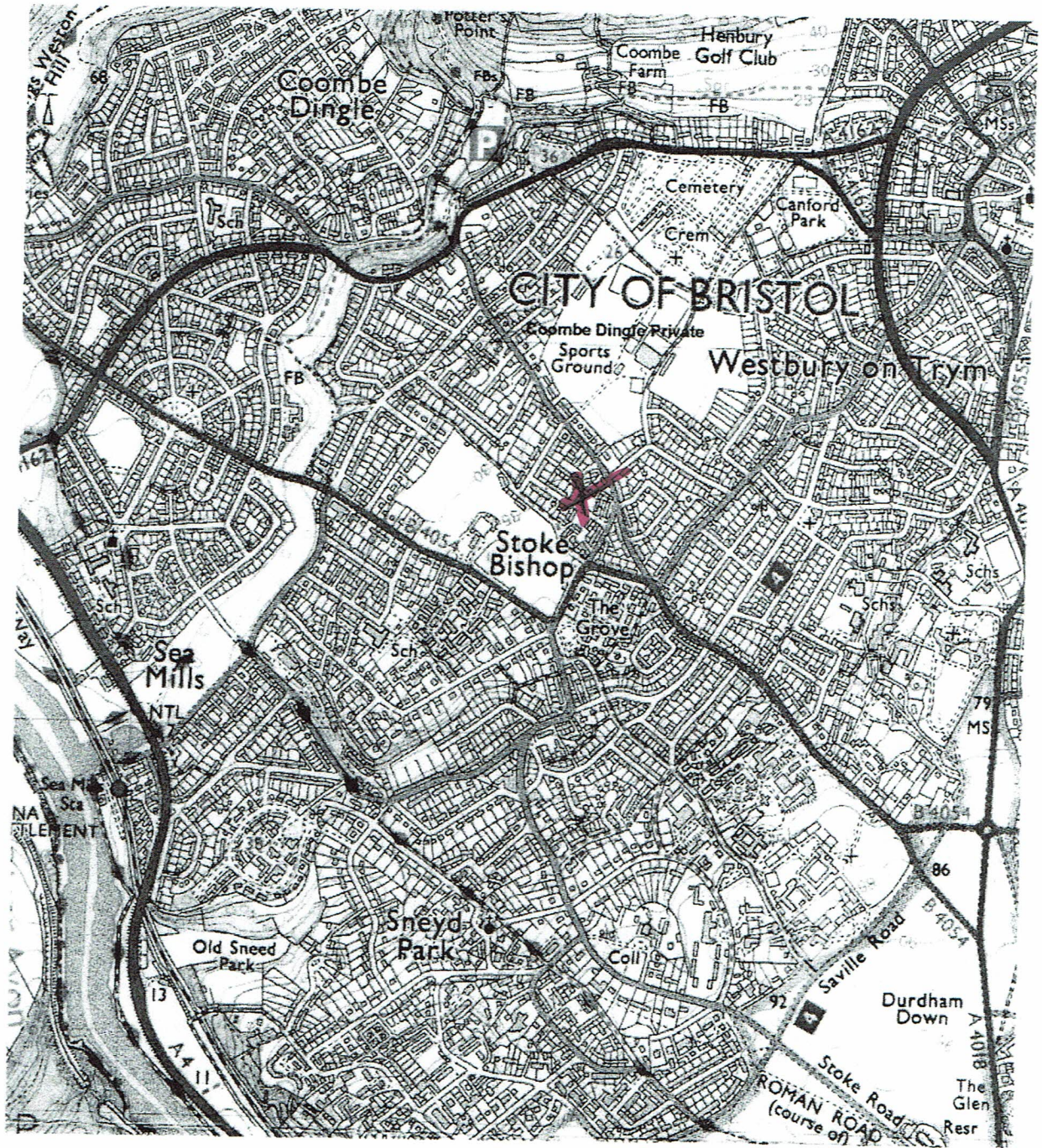
Supplied by: Latitude - Southampton
Serial number: 05345180
Centre coordinates: 355899.67 176549.37

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

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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



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