

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: - BRYAN MCKENNA
(BLOCK CAPITALS)

My Name is: - Bryan McKenna

My Address is: - 47, Druid Hill, Stoke Bishop.
Bristol BS9 1 EH

My occupation is: - Chartered Accountant

I will say as follows: -

1. Please refer to my Questionnaire attached and dated: - 13/2/11

2. Please refer also to my Statement attached and dated: - 13/2/11 * 22/1/12

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



Signed

Dated..... 28/3/16

Bryan McKenna
47 Druid Hill
Stoke Bishop
Bristol BS9 1EH

22 January 2012

Bristol City Council
The Council House
College Green
Bristol BS1 5TR

FAO

Re : Town Green Application – Stoke Lodge Parkland/Playing Fields

Dear Sirs

As a member of Save Stoke Lodge Parkland (a key Group in the ongoing local attempts to keep Stoke Lodge as free open space), I am writing, once again, in a further effort to help ensure this parkland remains as a freely used public space.

I have lived some 200 yards from the Parry's lane end of Stoke Lodge for nearly 20 years, and along with my wife and 3 sons (now in their late teens/early 20's) have made considerable use of the open space provided for all sorts of informal recreational and sporting activities.

In our experience, the fields are extensively used by the public, especially in the daytime, and are particularly busy in the non-winter months. Both the top and bottom fields are equally popular.

Although there are a few old (Avon County Council) signs which draw attention to the Local Council ownership of the Parkland, in all our experience of making use of this green space we have never considered we required permission so to do, nor sought it – indeed permission has never been an issue, and no one has ever given us permission or objected to our being there.

There are many openings to the Fields, all around the perimeter, which has made open access the norm, for young and old. Again, knowing many users of the Fields, of all ages, and over a long period of time, none of us have ever felt that our entry to, and use of, this marvellous local open space has been discouraged by any atmosphere of the owner's discouragement, or by other than the easy physical entries already mentioned.

This is a very important open green space for our local community, which is why I, my family, and many, many others support all initiatives which will ensure it remains so.

Your sincerely

Bryan McKenna



8.10.

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

13 February 2011

From : Bryan John McKenna

47 Druid Hill
Stoke Bishop
Bristol BS9 1EH

Occupation : Chartered Accountant

I moved, with my wife and young family to the above address in June 1992 and made use of the wonderful amenity that is Stoke Lodge almost right away, it being a matter of only 200 yards from our house.

All of our family – comprising my wife, myself and 3 sons now aged 20, 19, and 16 – have been deeply committed users of this local free green space for some 19 years now, for many differing purposes over the entirety of all those years. During all of that time we were never denied access, in any way, to the parkland.

Our numerous activities as a family, and also individually, during those important years as our family developed and progressed, included the children playing, us all walking and picnicking, ad hoc football and cricket games, and most importantly running and other fitness exercises to improve our general health and well being.

The 3 boys were all, for many years, hugely enthusiastic members of Shire Colts Junior Football Club – who made extensive use of the space at Stoke Lodge for regular training, and also playing of games, for all age groups from Under 8's to Under 16's.

We always walk to the site, and gain access mostly from the small opening at the top of Druid Hill, and also over the low (3 foot) wall close to that opening. Like many other users, we also use the variety of alternative access points around the entire perimeter of the parkland.

Stoke Lodge is an intrinsically beautiful parkland, of a very reasonable size and critical mass that allows it to be used by a variety of user groups at the same time, without anyone feeling that they are impacting on the activities of others. It also has great views over the local area, given its situation close to the top of a hill. It has a feel to it, as well as a basic use, that helps it provide for the mental, as well as physical, well being of the many, many users of the parkland, from the very young to the very old.

It's importance to the local, and wider, community in it's current public use format cannot possibly be emphasised enough – to lose it, or any part of it, would be unthinkable.

Signed :

B. J. M.
13/2/11

Date :

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Bryan McKenna Photos



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"?
	47 Druih Hill Stoke Bishop Bristol BS9 1EL
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
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"
5	Please confirm that you have marked the location of your house on Map "B" with an X.
6	By what name, if any, is The Land edged in red on Map "A" known?
7	Has the land, referred to in question 6, ever been known by any other name? If so what?
8	For how many years have you known about the Land edged in red on Map "A"?
9	Between which years did you us the Land edged in red on Map "A"?
10	Do you consider yourself to be a local inhabitant in respect of the Land edged in red on Map "A"?
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?

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
	Local junior school	Sports facility
	Local secondary school	Swimming pool
	Residents association	Library
	Neighbourhood watch	Alt green space within easy walking
	Neighbourhood Partnership	Area police
	Local place of worship	Doctors surgery
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"?	Various users have on the perimeter
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"?	Walking, jogging, watching some horse sports
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 to 3 times a week
18	What activities do/did you take part in on the Land edged red on Map "A"?	Walking, jogging plus some team games
19	Does your immediate family use the Land edged in red on Map "A"?	Yes
20	If so, for what?	All sorts and organised sports
21	Do you know of any community activities that take place or have taken place on the Land edged in red on Map "A"?	Many similar to my own plus picnics plus dog walking
22	If so please list them and state when and for how long they have taken place?	as in 21 these activities have taken place at least since the time of starting
23	Do/did you participate in any of them?	Yes

using Stoke bridge

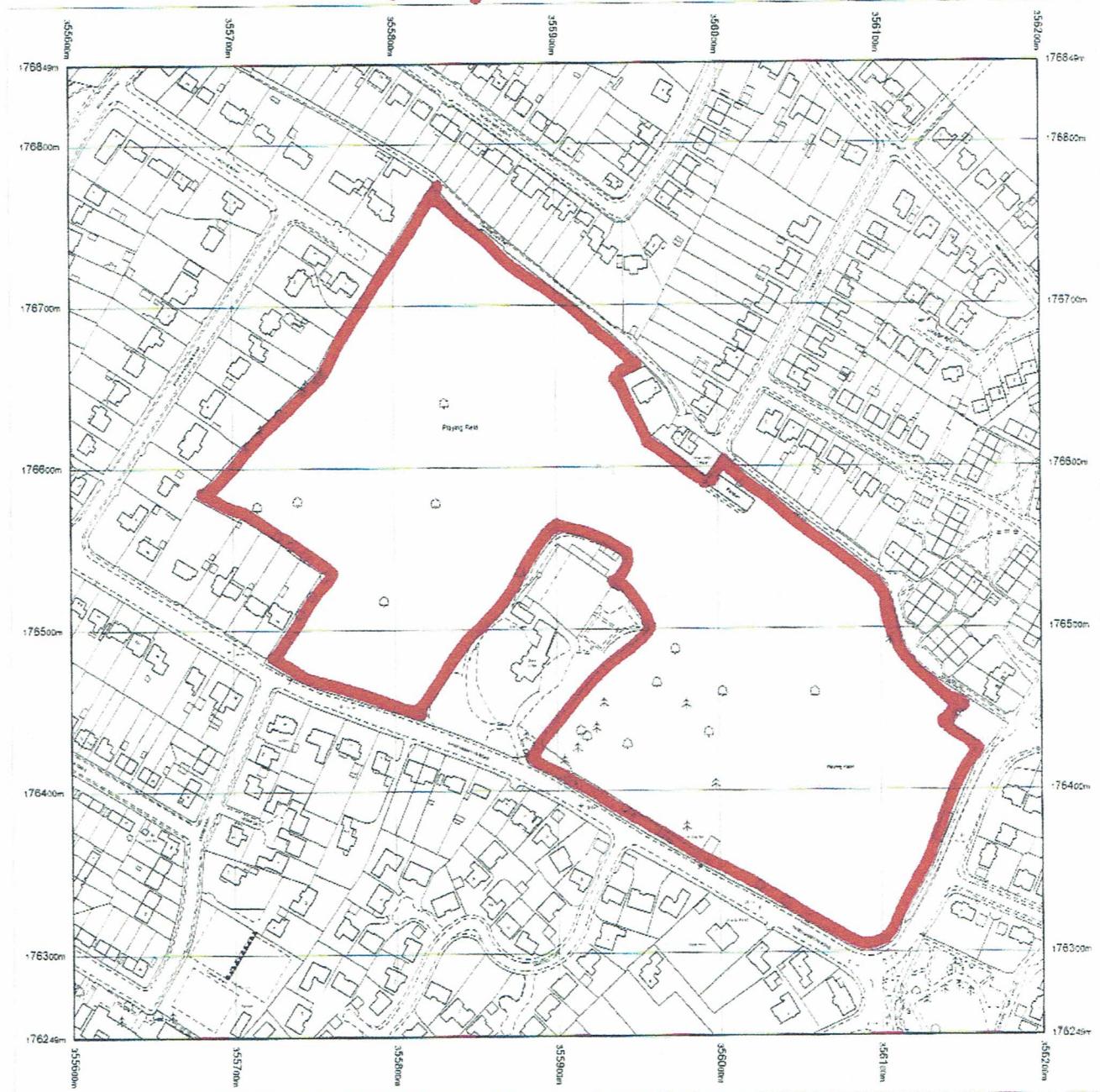
24	Do any organisations use the Land edged in red on Map "A" for sports or pastimes? If so, please specify.	local schools have local football, rugby and cricket clubs
25	Do any seasonal activities take place on the Land edged in red on Map "A"	Parades in the summer
26	Please tick all the activities that 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"/>
	Fetes	<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.	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.	The landlord is west by miners organisation of local individuals
29	Has the owner or occupier seen you on the Land edged in red on Map "A"?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Nothing
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"?	<input type="checkbox"/> 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"?	<input checked="" type="checkbox"/> 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"?	<input checked="" type="checkbox"/> 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?	<i>Not to my knowledge</i>
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?	<i>There are signs (2 or 3) dotted round the periphery - but not enforced</i>
40	Do you have any photographs or any other evidence of use of the Land edged in red on Map "A" by local inhabitants?	<i>Yes - photos and newspaper articles</i>
41	Are you willing to allow us to copy them for use as part of our application?	<i>Yes - will try to locate</i>
42	If you have additional information please attach a separate statement? (witness statement etc)	<i>Attached</i>
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 <i>X 18½</i> 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>B. D. M</i>
48	Name	<i>BRYAN JOHN HICKENNAH</i>
49	Date	<i>13/2/11</i>



OS Sitemap®

N
MAP 'A'



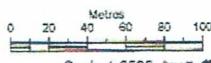
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The representation of a road, track or path is no evidence of a right of way.

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



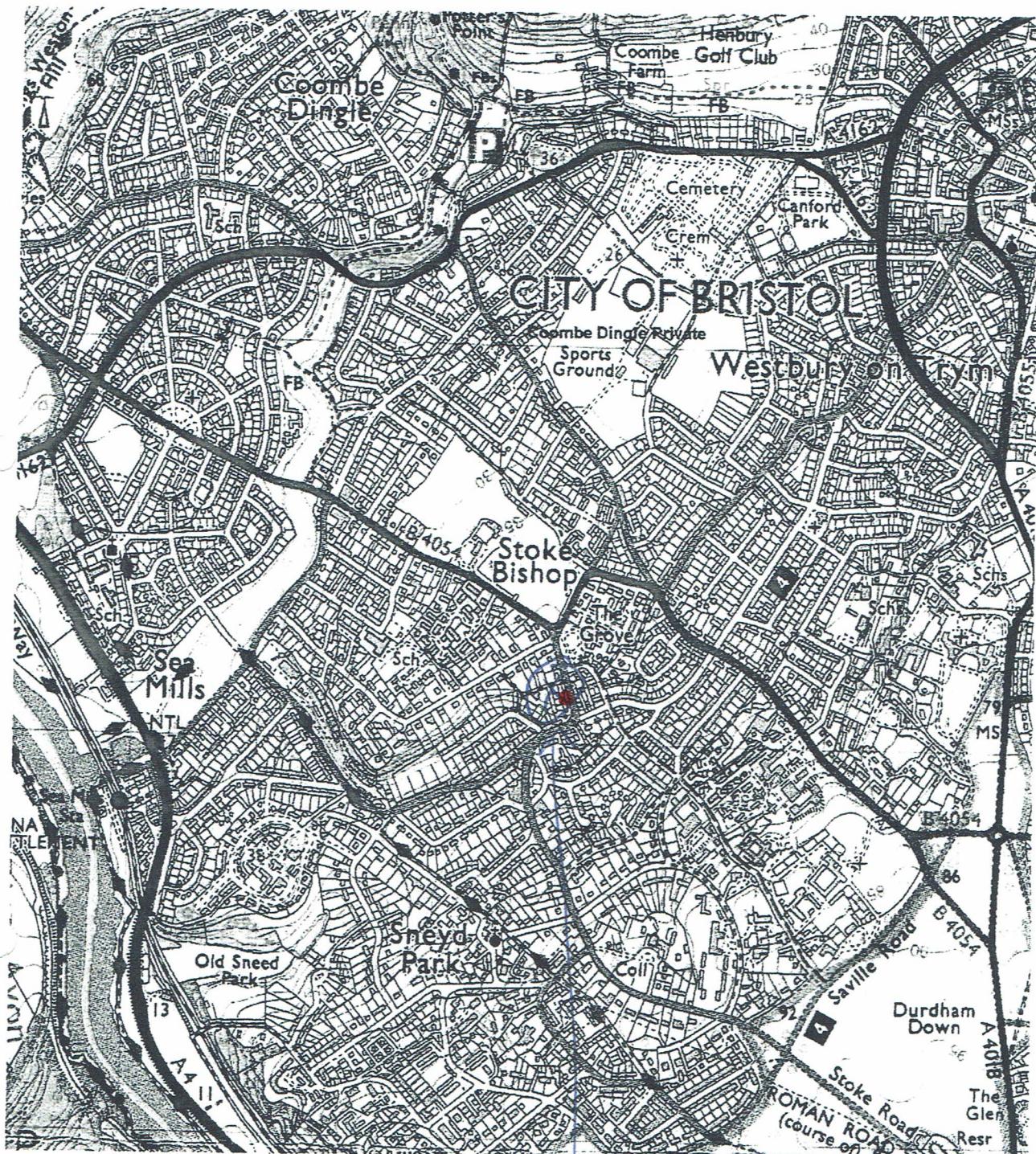
Supplied by: Latitude - Southampton
Serial number: 06349109
Centre coordinates: 355839.67 176549.37

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

B.M
13/2/11

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Map "B" of locality surrounding Stoke Lodge Parkland



47

Donald Hill

R
13/L/1