

	Further Submission by Rockleaze Rangers Football Club on 09.03.12 to the Town or Village Green Application at Stoke Lodge Parkland	Response by Save Stoke Lodge Parkland to the arguments raised in the Further Submission from Rockleaze Rangers Football Club on 09.03.12.
1	Thank you for forwarding the responses from the 'Save Stoke Lodge Parkland' group in regard to the opposition for an application for Town/Village Green status for Stoke Lodge Playing Fields.	
2	I don't have the time to read the full document set. I have to juggle my role of Secretary of Rockleaze Rangers with running a business, being a single parent to 2 teenage children, coaching young footballers and actually trying to have a life.	We consider that this Objector continues to fail to present any relevant or pertinent matters for consideration that could be used to challenge the qualifying criteria as described in the Act and as presented as part of our Town or Village Green Application and subsequent submissions. We therefore request that their further submission be disregarded.
3	Unlike others, I don't have the time, nor the inclination, to indulge in a pedantic game of argument and counter-argument on every point raised in correspondence.	Notwithstanding our response in paragraph 2 above, we will continue to present our case by argument and counter argument and evidence, even though the issues may be irrelevant to this case. Our previous response was not "a pedantic game". In our replies we have corrected Objector's inaccuracies both in facts and in presumptions of our intentions. We have provided clarity on issues raised.
4	Instead, I would like to make 2 general points	
5	(i) There are a number of inaccuracies in the responses made by the 'Save Stoke Lodge Parkland' group in response to Rockleaze's objections.	We do not accept this assertion of inaccuracies, please see details below to support our previous responses.
6	The one I would like to highlight is response no 14 in the document '6. Response to Rockleaze Rangers Football Club objection.pdf', regarding parking and access.	Please refer to "Response to objections received" document dated 30 th January 2012 section 6, paragraph 14, to review the previous objection and our previous response. For full copy see evidence item 3 enclosed.
7	We made a request for improved parking and access in order to alleviate inconvenience for local residents and for safety reasons.	Please refer to the last sentence of the previous objection listed above, " <i>Will it take a death or serious injury before this issue is addressed and an accessible on site car park is investigated?</i> " a) The request therefore is for " <i>an accessible on site car park</i> " to be investigated b) Not " <i>improved parking and access</i> "
8	This has been twisted round to state that we are requesting additional on-	The previous request was interpreted in this way because it was based on

8 cont	site parking that ‘ ... will require a reduction in playing surface and hence sporting capacity or the felling of protected trees ...’ and our point is stated to be ‘ ... really perverse.’	<p>the wording used by the Objector.</p> <p>The words “on site” are of particular relevance and importance and were key to determining our understanding of the request and our subsequent response.</p> <p>The Community is concerned with protecting the natural beauty of the Parkland and does not want the grassed areas used for car parking.</p>
9	Strong words, especially when our objection never mentioned anything of this sort.	<p>We make no apology for formulating our response based on the words used by the Objector, and defending the Parkland accordingly.</p> <p>If this new interpretation of the Objector’s words is their current position then please see paragraphs 10 and 11 below for our response.</p>
10	We were in fact referring to access to (a) the existing 2 car parks at the front and back of the Adult Education Centre which are often closed to sports users	<p>The 2 car parks associated with the Adult Learning Centre are already available to the sports users at weekends. Coombe Dingle Sports Centre (The Booking Agent) has a key to the gate and an agreement from the Adult learning Centre to make them available.</p> <p>These car parks are of course officially “Off Site” as the Adult Learning Centre is not part of the Sports Facilities, is excluded from the Town or Village Green Application and is administered separately by Libraries and not by (i) CYPS (Education) (ii) Cotham School (outside the lease) or (iii) Coombe Dingle (outside the scope of their sub contract with Cotham).</p> <p>If the sports users have a problem with access to these car parks they should take it up with Coombe Dingle Sports Centre and not raise it here as it has no relevance to the Town or Village Green Application.</p>
11	and (b) the existing car park at the top end of the site which is always closed.	<p>The gated access at the top of the field does not lead to an “<i>existing car park</i>”</p> <ul style="list-style-type: none"> a) It is the vehicular access for grounds maintenance vehicles b) Please refer to pitch layout plan produced by Bristol City Council which demonstrates that there is no spare space adjacent to this access point to park cars. See evidence item 4 enclosed c) There is potentially space for up to 3 cars to be parked between the locked Gate and the sign, but we consider that this could be abused by

<p>11 cont</p>		<p>extending parking on to the playing surfaces and could also restrict access for ambulances. We therefore agree with the management policy of Coombe Dingle Sports Centre in denying access for on-site car parking i.e. on the grassed areas at this location, particularly bearing in mind that football is played in the winter when the weather is at its worst</p> <p>d) We refer to the suggestions we made as part of our previous response dated 30th January 2012, Section 6, paragraph 14, bullet points 8-10, reproduced below. For full copy of previous response see evidence item 3 enclosed.</p> <p>8. <i>If Coombe Dingle Sports Centre customers require additional parking then Coombe Dingle should make arrangements to provide it at Coombe Dingle.</i></p> <p>9. <i>The issue of local traffic congestion could be significantly improved by more responsible parking by the home and away teams (or their parents)</i></p> <p>10. <i>This can be achieved by:</i></p> <p>a. <i>Better communication to teams by Coombe Dingle Sports Centre on the custom and practice to be adopted when using Stoke Lodge</i></p> <p>b. <i>Make more use of on-site parking at Coombe Dingle Sports Centre</i></p> <p>c. <i>Make better use of the on-site parking at the Adult Learning Centre</i></p> <p>d. <i>Coombe Dingle Sports Centre to employ “traffic monitors” (as they used to do) to make sure any remaining road parking is done courteously</i></p> <p>e. <i>Coombe Dingle Sports Centre to advise the Police of any parking that contravenes the highway code i.e. Coombe Dingle take responsibility for any problem that they are creating by letting out the pitches and taking a fee</i></p> <p>We apologise for this misuse of the words “<i>on-site parking</i>” in c. above which should clearly read “<i>off-site parking</i>”.</p>
<p>12</p>	<p>It takes a vivid imagination to link this objection to sports pitches being lost or men with chain saws chopping down trees, yet the ‘Save Stoke Lodge Parkland’ group have managed to make that link!</p>	<p>None of the issues contained within sections 6 to 12 of this document are relevant to the qualifying criteria of the Town or Village Application.</p>
<p>13</p>	<p>(ii) In a number of the responses made by the ‘Save Stoke Lodge Parkland’ group in response to Rockleaze’s objections, their desire to protect the ‘<i>status quo</i>’ is stated.</p>	<p>a) Clearly by definition the “<i>status quo</i>” does exist; i.e. ongoing shared use of the Parkland by the Community “<i>as of right</i>” to engage in “<i>lawful sports and pastimes</i>” as they have done so for the past 64 years, alongside the formal sports use by Cotham School and Local Sports Clubs</p> <p>b) Clearly the Applicant wants to protect the <i>status quo</i> described above</p>

13 cont		<p>c) Clearly the Objector wants to change the status quo d) Should the Application succeed the status quo will be protected e) The wish by the Objector to change the status quo at some future date is not relevant to determining whether the qualifying criteria to achieve Town or Village Green status have been met in the Application</p>
14	This is exactly why we are opposed to their application.	Not relevant see above.
15	Maintaining the status quo means outdated facilities, poor pitches, acceptance of the current level of dog mess and dangerous roads around the site for young children.	<p>Not so. It is important to review the bigger picture and restate the motivation for seeking Town or Village Green Status at this point before we address the specific objections raised here.</p> <p>a) Clearly this Objector is concerned only with sport b) Whilst we enjoy the sports use and want it to continue it is not our prime objective c) We wish to protect the ongoing free use, “<i>as of right</i>”, by the community to enjoy “<i>lawful sports and pastimes</i>” on Stoke Lodge Parkland and to protect the natural beauty of the Parkland flora, fauna and topography. For a fuller description of our justification see an extract from the Application form 44, see evidence item 5 enclosed d) The greatest threat to this objective comes from the Landowner e) Not the sports community f) Indeed the sports community faces the same threat g) The major threat that we all face is that the Landowner sells the land for development h) The current City Council administration have said that they have no such plans at present i) However, they have said that any green space currently not being considered for sale can only be guaranteed for 20 years j) The current administration have confirmed that they cannot speak on behalf of any future administration k) i.e. No user has secure tenure (at present) l) We refer you to the briefing note issued to Bristol City Council Cabinet in April 2010, also issued to the Community via the Neighbourhood Partnership for Consultation in June 2010, for a clear message of intent to exclude free access to the public so that future “<i>development</i>” could take place. See evidence item 6 enclosed m) We refer you to an extract of important clauses from the above document prepared for the Public Meetings held in July and August of</p>

<p>15 cont</p>		<p>2010 demonstrating the true intent of the document. See evidence item 7 enclosed</p> <p>n) Clearly the true intent of the document was to (i) warn the Cabinet of the threat to their “<i>development potential</i>” if a Town or Village Green Application at Stoke Lodge Parkland was successful, (ii) note the way in which case law had evolved in favour of Applicants, and (iii) most importantly state what they must do to prevent a successful Application i.e. prevent public access for a period of two years. See evidence item 7 enclosed</p> <p>o) The Briefing note proposes a perimeter fence to prevent free public access. See evidence item 7 enclosed clause 2.42</p> <p>p) After a period exceeding two years the Landowner would then be free to sell the land</p> <p>q) The Community would have lost its last green space</p> <p>r) The sports groups would be looking for new pitches</p> <p>s) As an example of what we mean the only reason the “Clifton and Durdham Downs” have not been developed is because they are protected for Community use and sport in statute</p> <p>t) We need a modern day version of that contract to protect Stoke Lodge</p> <p>Returning to the specific objections raised regarding the status quo:</p> <p>a) Clearly the status quo relates to bigger issues as well as sporting facilities</p> <p>b) The Applicant has repeatedly made it clear that it values the ongoing use by the formal sports users from Cotham and Local Sports Clubs. See evidence items 8 and 9 enclosed for copies of:</p> <ul style="list-style-type: none">(i). Application Covering letter see para 2 penultimate sentence(ii). Extract from Application section 5 iii) Without permission see paragraph 3 <p>See also evidence item 3 enclosed;</p> <ul style="list-style-type: none">(i). Paragraph 1, bullet point 1(ii). Paragraph 5(iii). Paragraph 6(iv). Paragraph 8(v). Paragraph 11 <p>c) The Applicant has repeatedly made it clear that they wish the current shared use of Stoke Lodge to continue. See evidence listed in b) above</p>
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15 cont		<p>d) The Applicant has repeatedly made it clear that Informal sport and pastimes will continue to defer to formal sport. See evidence items 10 and 11 enclosed, containing extracts from:</p> <ul style="list-style-type: none">(i) The response to Bristol City Council objections, paragraph 16(ii). The previous response to Coombe Dingle Sports Centre objections, paragraphs 8 & 9 <p>Both of these responses formed part of the composite response to objections from the Applicant dated 30th January 2012 which would have been passed to the Objector by the Registration Authority</p> <p>e) Should the Town or Village Green Application be approved then the “development” restrictions will be applied to all parties</p> <p>f) In other words the development restrictions being sought to protect the Parkland from development by the Landowner will have an impact on all users</p> <p>g) However, the situation is not as bleak as described by the Objector</p> <p>h) The Applicant has repeatedly made it clear that they consider the Changing Rooms not fit for purpose See Evidence item 8 enclosed and Evidence item 3 enclosed, paragraph 13</p> <p>i) The Applicant has repeatedly suggested three options regarding the Changing Rooms and have held discussions with BCC officers and Cotham school on the improvement options but money always seemed to be the major problem. See evidence item 3, paragraph 13</p> <p>j) Our understanding of Town or Village Green status would not prevent recognised maintenance improvements to the playing surfaces that did not constitute “<i>development</i>”</p> <p>k) For the avoidance of doubt we believe the following are examples that do constitute development of pitches and would not be permitted (This list is not intended to be exhaustive)</p> <ul style="list-style-type: none">i. All weather pitchesii. Floodlightingiii. Fencing to pitchesiv. Terracing <p>l) The Applicant has confirmed that it agrees that dog faeces are unpleasant. See evidence item 3, paragraph 16 in our previous response which we reproduce below</p> <ul style="list-style-type: none">1. <i>We agree that the issue of dog fouling is distasteful and all dog walkers should be encouraged to pick up and remove dog mess</i>2. <i>We agree that it is worthy goal for all that the Playing Fields are safe and</i>
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<p>15 cont</p>		<p><i>the risks are minimised</i></p> <p>3. <i>We agree that the Landowner and the tenant have a responsibility to minimise this issue</i></p> <p>4. <i>However, we consider that the issue of dog fouling is being exaggerated here by Rockleaze Rangers. In any case it would be usual practice for a club to:</i></p> <ul style="list-style-type: none"><i>a) inspect all pitches prior to use as part of the normal Health & Safety process</i><i>b) remove any mess or debris</i> <p>5. <i>Stoke Lodge is recognised as one of the cleanest facilities on an open space with unfettered access i.e. is not a fenced and sterile environment. It should be noted that:</i></p> <ul style="list-style-type: none"><i>a) a Health & Safety risk assessment process (inspections) is always considered necessary and is undertaken at Coombe Dingle Sports Centre even though it is an example of a sterile environment achieved by a fully fenced facility with restricted access and a strict (and enforced) policy of no dog walkers</i><i>b) not all faeces found on pitches comes from dogs. It is also deposited by cats and the various wild animals such as foxes and rats that are known to be present at Stoke Lodge, all of which can be carriers of a Toxocara parasite or other roundworm</i><i>c) the recorded cases of Toxocara canis contracted on a sports pitch in the UK are minimal. See evidence item 15 pages 6 & 8 i.e. with the majority of these cases being contracted by toddlers in the home or garden</i><i>d) whilst contact with dog faeces is undoubtedly unpleasant, the Health & Safety risk, subject to proper inspection and management, is already minimised and therefore any additional response should be proportional to this situation</i><i>e) the vast majority of dog walkers already pick up their dog waste. See statements in evidence listed in para 16 of the response to BCC objections. Also reference to the litter picking undertaken by the community including dog walkers following sporting use</i> <p>6. <i>It is not clear how much dog faeces is left behind by dogs brought by visiting spectators of which there are many every week</i></p>
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15 cont		<p>7. <i>Save Stoke Lodge Parkland (The Applicant) is attempting to raise money for the provision of the first dog bin. Please note that:</i></p> <p>a) <i>There are currently no dog waste bins (or indeed general waste bins) on Stoke Lodge Parkland despite all the years of visiting teams and their parents/spectators. Interestingly other Sports facilities with open access such as the Downs and Blaise Castle do have dog waste bins provided.</i></p> <p>b) <i>We suggest that the next step in further reducing the issue of dog mess is the provision of waste bins with use of the existing enforcement officers to monitor the use of them. See Evidence item 15 page 6 "One of the most effective ways of tackling the fouling problem is with dog wardens...."</i></p> <p>8. <i>Furthermore "dog-walking" has previously been found to be a "lawful pastime". See R v Oxfordshire County Council ex parte Sunningwell Parish Council.</i></p> <p>We can now report, that further to point 7 above, that the Applicant has succeeded in persuading the Neighbourhood Partnership to award £3000.00 from its Local Community Small Grant (Wellbeing fund) for the first rubbish/dog bin and this will be installed soon. We now urge the Landowner and the Lessee to recognise their responsibility and fund additional bins to manage out this issue.</p> <p>m) <i>Contrary to the Objector's statement the roads are not 'dangerous', only the drivers. Responsible parking and increased parking provision by Coombe Dingle at their Sports Centre is key to reducing the risk to young children. See paragraph 11 above and evidence item 3 enclosed, paragraph 14</i></p> <p>None of the issues contained within sections 13 to 15 of this document is relevant to the qualifying criteria of the Town or Village Application</p>
16	We don't want to maintain the status quo.	The Objector clearly misunderstands our motivation for protecting the status quo and the ongoing protection that Town or Village Green status would afford them.

17	We want the site to provide better pitches, facilities and access in order that it becomes a suitable and safe facility for local community sport.	We support the aim to provide better pitches and access - within the constraints discussed above. We do not accept that Stoke Lodge is not already a suitable and safe facility for local community sport as evidenced by the growth and success of Rockleaze Rangers Football Club whilst using the current facilities. See evidence item 3 enclosed, paragraph 3.
18	In summary, Rockleaze Rangers Football Club continues to oppose the application for Town/Village Green status for Stoke Lodge Playing Fields.	In summary we repeat the statement made at paragraph 2 above. We consider that this objector continues to fail to present any relevant or pertinent matters for consideration that could be used to challenge the qualifying criteria as described in the Act and as presented as part of our Town or Village Green Application and subsequent submissions. We therefore request that this further submission be disregarded.
19	Best Regards <i>I Louden</i> Ian Louden Rockleaze Rangers Secretary on behalf of Rockleaze Rangers Executive Committee	