

**In the Matter of the Town and Village Green Application
At Stoke Lodge Parkland, Bristol.**

Pre-Hearing Meeting to be held on Friday 5th February 2016

Applicant's Submission dated 28th January 2016

Introduction

We understand that the purpose of the Pre-hearing meeting is to address matters of process, procedure, representation, etc and to clarify the issues to be considered at the Public Hearing following the additional clarification provided by the Inspector in his Further Directions dated 05.11.15.

Given the limited time scheduled for the Pre-hearing meeting we have scheduled below our list of unresolved issues in headline form only, without supporting argument.

Additionally we are engaged in the process of preparing our detailed submission, including new and compelling arguments to support our Application, concerning all of the below, to be presented ahead of the Public Hearing. This submission will also include our response to any additional issues from the objectors, submitted at the Pre-hearing meeting, that the Inspector considers relevant to the Public Hearing.

We request that the Inspector confirms the date for submission of arguments, and disclosure, from all parties ahead of the Public Hearing as part of the Pre-hearing process, and we suggest 4 weeks after the issue of the anticipated Inspector's Further Directions following the Pre-hearing meeting.

List of Unresolved Issues as at 5th February 2016

1. We submit that the Playing Fields within Stoke Lodge Parkland do not have a site specific "Statutory Purpose". Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that we can respond.
2. We submit that no "Statutory Incompatibility" exists currently, and will not be created by registration of the Application Land as a TVG at Stoke Lodge Parkland. Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that we can respond.
3. We submit that the section 15 criteria do not extend to consideration of proposals for future development or use of the land and that the threat of proposed future development (imagined or real) cannot be used to frustrate the TVG Application at Stoke Lodge Parkland. Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that we can respond.

4. We submit that all the above issues can be better (and more cost effectively) determined by written submissions to the Inspector. We fail to see the benefit of arguing these matters of Law at a Public Hearing. Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that the Inspector can determine the way forward.
5. We agree that the current pavilion is not fit for purpose. We have made that point, initially in our Application dated 4th March 2011 and repeatedly in our subsequent responses. That is why the site of the existing pavilion is excluded from this TVG Application (See our letter dated 10th March 2013) thus enabling its refurbishment or replacement at its current location.

If it would assist this issue we would be willing to extend the excluded land to include the land between the rear of the existing pavilion and the boundary onto Ebenezer Lane, but importantly retaining the access point at the end of West Dene. This would give the option to double the foot print of any proposed new pavilion.

We have already pointed out several other locations for a new pavilion, including on the land excluded on Shirehampton Road, or on the land excluded at the Workshop on Parry's Lane, or on the site of the now derelict barns at the rear of the Adult Learning Centre.

Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that we can respond.

6. We submit that the three signs on Stoke Lodge Parkland are not effective, nor determinative, and are not sufficient to negate "as of right" use. Should the objectors wish to refute this position we require them to set out their case in clear and cogent terms so that we can respond.
7. We are concerned that certain Governors and Teaching Staff at Cotham Academy are promoting a petition on the school website, supported by a Facebook page, that we consider factually incorrect, very biased, grossly misleading and knowingly garnering support on false pretences.

Please refer to the Appendix 1. (page 4 of 4) to this submission which is a screen print of the Cotham web page promoting this petition

We are also concerned that at least one teacher has allegedly instructed one of their pupils to sign the petition.

We will also present evidence at the Public Hearing apparently showing bullying and intimidation on Facebook.

We therefore request that the Inspector attaches no weight to this flawed petition and dismisses it as scaremongering and irrelevant.

Disclosure

In the interest of openness and honesty and to save time and expense at the Public Hearing we request that the following list of information is made available by the objectors at the time agreed for the receipt of submissions ahead of the Public Hearing – say 4 weeks after the issue of the Inspector’s Further Directions following the Pre-Hearing Meeting.

8. Any additional authorities or case law regulations relied on in the case, not included in their submission prepared for the Public Hearing.
9. Any documents or information that might assist the Applicant.
10. Why was Stoke Lodge registered at the Land Registry in 2007 and not before?
11. The Instruction from either BCC or Cotham or the University of Bristol to Bidulph Architects to prepare their Development Plan in circa 2005 [see the Application dated 4th March 2011, vol 1 of 3, evidence tab 11] and the proposed new changing rooms in 2008.
12. The Development Plan regarding “work to provide extra classrooms and Stoke Lodge” and the “Options paper for PE” and the follow up planned “in depth review” referred to by Sandra Fryer in the Draft Minutes of Cotham Governors Meeting held on 11th June 2014.
13. Cotham to confirm the gross area (m²) of open-air sports facilities at the home site including all weather pitches and grassed areas
14. Cotham to confirm the gross area (m²) of covered sports facilities at the home site listing also the range of courts and pitches marked out and or played there.
15. Cotham to confirm the number of on-site parking spaces provided at the home site. (between 80 &100).
16. We request that Witnesses give evidence under Oath.

For Appendix 1. See page 4 of 4


38 No TVG at Cotham School News x Cotham School News x

https://you.38degrees.org.uk/petitions/no-tvg-at-cotham-school-s-playing-fields


Apps For quick access, place your bookmarks here on the bookmarks bar. Import bookmarks now...

NO TVG AT COTHAM SCHOOL'S PLAYING FIELDS

Campaign created by **Cotham School**



187
of 200 signatures



TO: THE INSPECTOR MR PHILLIP PETCHY

Please reject the application for a Town or Village Green status at Stoke Lodge

Why is this important?

Stoke Lodge becoming a Town/Village Green (TVG) would prevent Cotham School, and community sports clubs who regularly use the playing fields, from continuing to provide sports in a safe and secure manner at that location.

Alternative playing fields available to schools and organised community sports users in North Bristol are limited and TVG status on Stoke Lodge Playing Fields could force the many local clubs, which includes Shirehampton Colts FC, Rockleaze Rangers FC, Bristol Ladies Union FC and Twyford House Cricket Club who regularly use the land to cease operating at this location.

Cotham School, as leaseholder to the land at Stoke Lodge, wishes to provide a safe and secure school and community sports playing field at Stoke Lodge as is the intended purpose of the land.

How it will be delivered

The petition will be presented at a public meeting on Friday 5th February 2016

SIGN

First Name *

 ?

Last Name *

Email *

Postcode *

SIGN

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Last signed by:

