

Save Stoke Lodge Parkland

68a Coombe Lane,
Westbury on Trym,
Bristol, BS9 2AY

17th September 2012

Mr T Dunsdon
Commons Registration Authority
Bristol City Council
Council House
College Green
Bristol BS1 5RT

Dear Mr Dunsdon

Stoke Lodge Parkland, BS9 1BN, Town or Village Green Application number 24

Further to your e-mail dated 21 08.12.

We acknowledge receipt of the Inspector's Draft Directions and agree with his assessment of the situation expressed in paragraph 3, i.e. that the only relevant criterion (as set out in the Commons Act 2006) disputed by the objectors is whether or not the Community use is "as of right" or not.

Subject to confirmation from the objectors that they also agree to this view, we shall contain our future statements and submissions related to objections to matters relevant to that issue.

However, in addition to the specific issue of "as of right" raised by the objectors we are advised that we must also present our Application in detail at the Hearing to demonstrate to the Inspector that the Community has satisfied all the qualifying criteria set out in the Act.

We are not privy to the Brief issued by the Registration Authority to the Inspector and any definition of scope contained therein. We are mindful of the need to keep the Inquiry costs to a minimum.

We note the Inspectors comments in the Draft Directions:-

- a) At clause 2 line 4, *"it seems to me that the extent of the issues in dispute is limited and that many of the relevant facts are uncontroversial."*
- b) At clause 2 line 10, *"It is in nobody's interest that the Inquiry goes on for longer than it needs to do.....It will assist the case of neither the applicant nor the objector; and the longer the inquiry goes on the more it will cost the public purse."*
- c) At clause 3 line 2, *"Having read the objections, it seems to me that subject to one matter, it is accepted that the land has been used for lawful sports and pastimes, that that use has been for a period of twenty years or more and has been by the inhabitants of a neighbourhood within a locality. It is however argued that the use has not been as of right because....."*

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We therefore seek clarification of scope for the Hearing. Is it to hear evidence that will support all aspects of our Application, or is it to concentrate only on the matters relevant to the disputed criterion of “as of right”, on the basis that all other criteria are proven and accepted based on the documentation already submitted?

Please confirm also:-

- a) Is the “statement” referred to in the penultimate line of clause 3 of the Draft Directions the same statement referred to in clauses 19 & 20?
- b) Is the Inspector expecting all witnesses giving evidence at the Hearing to prepare new statements? Whilst we recognise that it will be necessary for the objector(s) to provide new statements; is he happy to accept the witness statements already submitted as part of our Application and our responses to objections, with the opportunity for us to supplement these with additional new statements if deemed helpful or necessary?

Yours truly

David Mayer
On behalf of
Save Stoke Lodge Parkland