

Save Stoke Lodge Parkland



Newsletter 25th November 2017

Dear member

Town or Village Green - Judicial Review – Update

The Judicial Review was held over two days on the 21st & 22nd November in Cardiff and it was due to your generous donations and ongoing support that we were able to take part and be represented by our own barrister for which I repeat my thanks once again.

After months of wrangling, arm wrestling and blood sweat and tears the “Court Bundle of Documents” submitted to the Judge, on behalf of all parties, comprised three lever arch files and I have a copy which is available for inspection if anyone wishes.

Additionally all three parties were required to submit “Skeleton Arguments” which are not included in the Court Bundle (typically circa 30 pages) and I have uploaded these to our website www.stokelodgetvg.co.uk in the “TVG Application” tab, item 6. Which give a good summary of all the arguments and counter arguments being relied upon by all the parties. Cotham are the Claimant, BCC are the Defendant and we are referred to as the First Interested Party.

The first day was taken up by Cotham putting their case so obviously there was little that we agreed with, the highlight was our barrister, together with the BCC barrister, jumping to their feet to object to the way in which the barrister for Cotham (Richard Grounds QC) was attempting to besmirch my character by innuendo and unsubstantiated insinuation.

Day two was better than day one with the BCC barrister and our barrister putting the counter arguments to the Judge. I am obviously biased but I felt that our guy did a thoroughly professional and comprehensive rebuttal to the points made by Cotham. Unfortunately I am not the arbiter the Judge is and it will be his opinion that matters.

Cotham had the right of reply and repeated the gist of day one in a 90 min submission.

The Judge closed the JR by reserving his judgement and confirming that he would not deliver his judgement until next year. Furthermore he advised that he is anticipating the judgement on the **Lancashire – “Moorside Fields”** case which might influence his judgement shortly. He went on to request further submissions from the Counsel from all parties on the findings in the **Lancashire – “Moorside Fields”** case, within seven days of the judgement being handed down, if it delivered before his judgement.

Hence we potentially face additional legal costs. Fortunately we have a small surplus which should cover these costs.

Many thanks
Kind Regards

David Mayer

David Mayer, Chairman, Save Stoke Lodge Parkland.

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