

Save Stoke Lodge Parkland

Newsletter 22nd May 2018

Below is an extract from a recent newsletter put out by Cotham to their parents following the result of the Judicial Review: -

“We have been unable to use our playing fields at the Stoke Lodge site since 2014 and now look forward to students playing sports on the fields again in the very near future. We also recognise that these playing fields are a valuable community resource and welcome the opportunity, as we always have, to work with local residents to produce a cohesive plan for sharing use of the space in the future.

Obviously this is the best news possible but there is some work to do in terms of making the site secure before we are able to make use of the playing fields again. Therefore, we will keep you posted on developments, including on the planning permission that we now hope will be granted for our new sports pavilion funded by the Education Funding Agency.” (emphasis added)

Below is an extract from the Cotham Minutes of the December 2018 Governors Meeting which is available on their web-site:

“The Judicial Review has taken place. We don’t expect to hear anything before February 2018. SF and JBu gave an update.

We appealed on four grounds. There is another case going through on statutory compatibility (one of the grounds) which could strengthen our case. (they lost this point)

A planning application has gone in for the pavilion.

Work is being done on the design for the fencing, which may not need planning permission.

SF believes the field will be ready to use from September.

FPGP plan to have an open meeting for all Governors in January to go through SF’s paper on how to run Stoke Lodge.” (emphasis added)

Cotham’s intention to proceed with their proposal to fence the pitches at Stoke Lodge was confirmed at a meeting held at the school on Monday 21st May attended by; -

1. Jo Butler - Head Teacher -Cotham
2. Sandra Fryer – Governor - Cotham
3. Nathan Allen – FM Manager - Cotham
4. Susan Priest – Business Manager - Cotham

5. Heather Marouf – PA to JB (taking minutes) - Cotham
6. Alan Preece – Save Stoke Lodge Parkland
7. John Goulandris – Stoke Bishop Councillor
8. David Mayer – Save Stoke Lodge Parkland

The meeting lasted for over 90 minutes but in summary: -

Cotham advised that they are proceeding to install a perimeter fence to restrict public access to the pitches. It will be located approximately 2 - 3 metres inside the line of their lease for the majority of its length but not all, notably hard up against Stoke Lodge Cottages requiring the use of Ebenezer Lane (despite access gates from the Cottages on to the field) and adjacent to the old barns on the House Boundary requiring use of the Adult Learning Centre car park to create an external perimeter walkway around the field.

Cotham claim that because the fence will be 2 metres high it will not require planning permission and is allowed under “permitted development rights” hence they intend to start work shortly with the intention of using the field for school sport in September.

Cotham confirmed that formal sports clubs will be invited back to use the field.

Cotham confirmed that when they, or the formal sports clubs, were not using the field the community would be permitted to use the whole of the field including the land leased to them. Importantly, this use would not extend to dog walkers within the land leased and fenced by them.

The process for determining how the community would gain access to the land inside the fence is yet to be determined but they did say that gates could be unlocked at that time and hence keys would not be required. They stressed that access would be subject to compliance with a strict code of conduct and some kind of access agreement yet to be defined.

Cotham invited us to consider our response to these proposals.

Following the meeting we felt the first course of action, before responding to this request, should be to take professional advice as a matter of urgency on whether Cotham can proceed to install a fence without planning permission and whether Permitted Development Rights are applicable in this location, or if restrictions on permitted development rights apply e.g.

There are a number of permitted development rights that do not apply to listed buildings and which will require express planning permission from the local planning authority. An example is the erection of a building, enclosure (ie. fencing), pool or container within the curtilage of a listed building.”

Would any member who has not responded to our request to confirm their agreement for us to hold their contact details, in accordance with the new Data Protection legislation, please do so before the 25th May to prevent us from having to strike them from our records.

Kind regards
David Mayer
Chairman – Save Stoke Lodge Parkland