

# Public Forum - Public Rights of Way and Greens Committee - 22 January 2024



## **Members of the Public Rights of Way and Greens Committee**

Councillors: Tessa Fitzjohn (Chair), John Goulandris (Vice-Chair), Andrew Varney, Jude English, Richard Eddy (Substitute for Jonathan Hucker), Philippa Hulme, Christopher Jackson, Steve Pearce (Substitute for Tim Rippington) , 1 x vacancy



<b>Number</b>	<b>Name</b>	<b>Subject</b>
<b>1</b>	<b>CLlr Steve Smith</b>	<b>Ridgehill TVG Application</b>
<b>2</b>	<b>Kathy Welham</b>	<b>Stoke Lodge TVG for all following statements</b>
<b>3</b>	<b>H Powell</b>	
<b>4</b>	<b>Carolyn Jenkins</b>	
<b>5</b>	<b>Alison Foster</b>	
<b>6</b>	<b>Jules Hatcher</b>	
<b>7</b>	<b>Rowland Clark</b>	
<b>8</b>	<b>Ian Hughes</b>	
<b>9</b>	<b>Susan McKenna</b>	
<b>10</b>	<b>Peter Ring</b>	
<b>11</b>	<b>Nerys Rowsell</b>	
<b>12</b>	<b>Caroline King</b>	
<b>13</b>	<b>Ivete Hunt</b>	
<b>14</b>	<b>Reg Hunt</b>	
<b>15</b>	<b>Kevin Tozer</b>	
<b>16</b>	<b>Vickie Knighton</b>	
<b>17</b>	<b>Martin Wilson</b>	
<b>18</b>	<b>S Parsons</b>	
<b>19</b>	<b>Richard Parsons</b>	
<b>20</b>	<b>Samuel Greet</b>	
<b>21</b>	<b>B Garton</b>	
<b>22</b>	<b>Peter Sears</b>	



<b>23</b>	<b>Christine Gibson</b>	
<b>24</b>	<b>Ken Young</b>	
<b>25</b>	<b>BT Garton</b>	
<b>26</b>	<b>Peter Mather</b>	
<b>27</b>	<b>Sally Jamieson</b>	
<b>28</b>	<b>Charles Elderton</b>	
<b>29</b>	<b>Martha Taylor</b>	
<b>30</b>	<b>Janet Sears</b>	
<b>31</b>	<b>Dr Philippa Nason</b>	
<b>32</b>	<b>Nick Rolfe</b>	
<b>33</b>	<b>Susan Mayer</b>	
<b>34</b>	<b>Amber Garton</b>	
<b>35</b>	<b>Polly Garton</b>	
<b>36</b>	<b>David Mayer</b>	
<b>37</b>	<b>Gemma Friend</b>	
<b>38</b>	<b>Stephen Davies</b>	
<b>39</b>	<b>Paul Wake</b>	
<b>40</b>	<b>M Evs</b>	
<b>41</b>	<b>Sally Causton</b>	
<b>42</b>	<b>Dr Rachel Austin</b>	
<b>43</b>	<b>Rob Crews</b>	
<b>44</b>	<b>Ken Pattison</b>	
<b>45</b>	<b>Larissa Wilton</b>	
<b>46</b>	<b>Jo Bansall</b>	



<b>47</b>	<b>Dr Stephanie French</b>	
<b>48</b>	<b>Ewan Cameron</b>	
<b>49</b>	<b>John &amp; Susan Hollyman</b>	
<b>50</b>	<b>Kirsten McCarthy</b>	
<b>51</b>	<b>Jonathan Johnson</b>	
<b>52</b>	<b>Bridget Jukes</b>	
<b>53</b>	<b>Ewen MacLeod</b>	
<b>54</b>	<b>Michael Sheehan</b>	
<b>55</b>	<b>Therese Millar</b>	
<b>56</b>	<b>Geoff Causton</b>	
<b>57</b>	<b>Keren Gwinnell</b>	
<b>58</b>	<b>Lloyd Sel</b>	
<b>59</b>	<b>Emma Burgess</b>	
<b>60</b>	<b>Vivien Johnson</b>	
<b>61</b>	<b>Mary Alpass</b>	
<b>62</b>	<b>Ed Wheatcroft</b>	
<b>63</b>	<b>Julie Wright</b>	
<b>64</b>	<b>Graham Wright</b>	
<b>65</b>	<b>Rolf Hudson</b>	
<b>66</b>	<b>Mike Whitworth</b>	
<b>67</b>	<b>Shirley Brown</b>	
<b>68</b>	<b>Sue &amp; Clive Gio-Batta</b>	
<b>69</b>	<b>Sarah Mulcahy</b>	
<b>70</b>	<b>Sue Thompson</b>	



<b>71</b>	<b>J Whitworth</b>	
<b>72</b>	<b>Andrew Hiles</b>	
<b>73</b>	<b>Jessica Weeks</b>	
<b>74</b>	<b>Margaret Hiles</b>	
<b>75</b>	<b>Gillian Hannan</b>	
<b>76</b>	<b>Alistair Hannan</b>	
<b>77</b>	<b>Margaret &amp; Maurice Maple</b>	
<b>78</b>	<b>Sharon Smithen</b>	
<b>79</b>	<b>Keith Sheather</b>	
<b>80</b>	<b>J Sheather</b>	
<b>81</b>	<b>Thomas Alpass</b>	
<b>82</b>	<b>Professor Guy Nason</b>	
<b>83</b>	<b>Alan &amp; Sheila Preece</b>	
<b>84</b>	<b>Sheila Wolfenden</b>	
<b>85</b>	<b>J Evans</b>	
<b>86</b>	<b>Ms O Batley</b>	
<b>87</b>	<b>Jane Beazer</b>	
<b>88</b>	<b>Hilary Long</b>	
<b>89</b>	<b>Fish</b>	



Dear Colleagues,

Our statement relates to the Ridgehill TVG application at item 7 on your agenda, which falls within our ward. We note the officer recommendation to appoint an inspector to advise on this matter.

We believe that this would cause unnecessary expense and delay for residents. This is a straightforward application which could easily be decided on its merits by the committee. We urge you to avoid further delay and move as quickly as possible to a determination of this application.

Cllrs. Geoff Gollop, Sharon Scott and Steve Smith,  
Westbury-on-Trym and Henleaze

Steve Smith,  
Councillor for Westbury-on-Trym and Henleaze

## To the PROWG Committee:

Last June you, the democratically elected PROWG committee, based your decision to register Stoke Lodge as a Town or Village Green on the extensive evidence gathered over several years by the local community. We were and are incredibly proud of your courage and determination in processing the information and coming to the correct conclusion, in the face of the Inspector's refusal to even look at so much material that was relevant and meticulously verified.

Things have changed since then, but not the rightness of your decision, which is if anything even clearer now we've seen not only Cotham School's refusal to accept your democratic vote but rather to undermine it, apparently with the consent and support of unelected officials of BCC. We the community have been forced into ever more expensive legal action in defence of the registration of Stoke Lodge, which is the only way to fully protect this rare parkland - still intact with its historic Lodge and numerous protected trees - from Cotham School's money-driven ambition to develop it, and thus destroy it and its benefits for the local and wider Bristol community.

Since when has it been permissible for unelected officers of BCC to wage war on a community in this way, in support of an academy in another part of Bristol, and which is in any case financially independent of the Council? It is accepted that Cotham School, as well as having excellent onsite PE facilities, could still use Stoke Lodge TVG for PE just as it did before - before it became an academy and was coached into an entrepreneurial attitude towards what was never intended to be anything other than parkland shared for many decades with the community. The lease spells it out clearly: it was specially written to preserve the community's established use of the land for recreation and leisure. And it is open to all. Or it was - until BCC failed to act decisively and turned a blind eye to Cotham's erection of a fence that no one had agreed to and which broke all the rules. Cotham know it and BCC know it. We all know it. It is a growing disgrace to Bristol.

All the above is a disgrace to Bristol - except your principled stand for all of our democratic rights in what is supposed to be a democratically run council. It is shameful to have a council performing politically motivated contortions to try and justify unlawful policies and actions. To have BCC qua Landowner attacking the decision of its own PROWG committee goes against the spirit of the law. Please stand up against unelected, unidentifiable officers and an independent academy school using taxpayers' money to fund their bid to undermine your principled, good decision to register Stoke Lodge TVG.

BCC should be united in doing the job we elect and pay them for: looking after its people of all ages and kinds, and protecting the city's assets that contribute to communities' lives and wellbeing. Your decision to save Stoke Lodge for all Bristolians should be supported, applauded and maintained, instead of attacked. And thank you.

Kathy Welham

### Statement to Public Rights of Way and Greens Committee, 22 January 2024 by Helen Powell

As members of this Committee, you will be aware that Cotham School is challenging the registration of Stoke Lodge as a Village Green. That probably wasn't a surprise - but it is now being reported that the Council as Commons Registration Authority is not actively defending that registration, made following your decision in June 2023. It is even reported that the Council might, as landowner, be seeking to attack the registration.

Bristol 24/7 reported on 16 January that 'As a landowner, the council is objecting to the village green status and is seeking to switch from defendant to claimant in the case... so it will be siding with the school that the land should not be classed as a village green.' It also reports that rather than actively defending your decision, 'the council – as the Commons Registration Authority – will seek to take a neutral position and leave it for the High Court to decide whether the playing fields should be registered as a village green'.

Bristol Live reports that 'The council... will tell the judge that, as the landowner, it actually agrees with Cotham School that the land shouldn't be a village green. The council will remain on the defence list as the local authority which granted village green status in the first place, but Bristol Live understands that, in reality, the council will be firmly on Cotham School's side in the courtroom, telling the judge that it agrees the land shouldn't be a village green.'

Attempting to overturn a fully-delegated decision made by its own Committee comprising nine democratically elected councillors is not something that the Council should do lightly. I believe it would be an unprecedented step for a Council to take. You, as the members of this Committee, have fully-delegated authority under the law and under the Council's constitution to take the decision that you took. Decisions about village greens are, by law not a matter for the executive and are not supposed to be subject to political interference.

In your shoes, I would expect nothing less than a full and active defence of your decision by the Commons Registration Authority. Your decision was lawfully taken, with advice on procedure from leading Counsel. It is not appropriate for the Council to spend £100,000s of taxpayers' money attempting to undermine and reverse the registration that you decided was right to make.

It appears that the Council's constitution is being ignored. First, it is clear that any decision by an officer to challenge the registration of a village green should be referred back to this Committee. And the constitution says that the Council can only participate in legal proceedings if it is 'necessary to give effect to the decisions of the Council' or 'necessary to protect the Council's interest'. What interest would the Council be protecting by spending taxpayers' money on litigation, when the land is leased to Cotham School until 2136, and when the Council itself inserted a clause in the lease making Cotham's rights subject to ongoing community use?

Maybe we shouldn't believe all we read in the press, but if the truth is as reported then I believe the Council's approach to be unprecedented, fundamentally unconstitutional, anti-democratic and a completely unnecessary waste of taxpayer funds. It sets a terrible precedent if officers are going to start trying to overthrow fully-delegated decision-making by this committee or by planning committees.

I ask you as members of the Committee to express your views on this matter in the strongest possible terms, to ensure that the Council actively supports the entirely lawful and proper decision that you reached 7 months ago.



Statement for The Public Rights of Way and Greens Committee meeting next week:

Re: Stoke Lodge

We share your outrage at this attempt by BCC officers to overthrow the CRA properly made decision to register Stoke Lodge as a TVG. We urge Councillors to call for officers to end all efforts to undermine their decision, and for the CRA to actively defend the registration.

Thanks  
Carolyn

I am outraged to hear that BCC is trying to overturn the decision of the PROWG Committee last June to designate Stoke Lodge as a village green. How can this be democratic? I am in support of the committee and their decision and am appalled at the behaviour of our city council.

Alison Foster

To whom it may concerns

The PROWG committee agreed 6-1 that Stoke Lodge should be a registered Town and Village Green.

I am appalled that there are attempts by officers to overthrow a properly lawfully made decision!

I'm asking Councillors to call for officers to end all efforts to undermine their decision, and for the CRA to actively defend the registration.

This is utterly disgraceful and a total waste of tax payers money that this lawfully made decision is being challenged

Yours

Jules Hatcher

Dear officers

I am writing to you as a resident of Bristol who regularly uses the Town Green at Stoke lodge. The decision to grant the Town Green status was made fairly by the PROWG and should stand. Residents would now like to move forward with shared use of the Town Green so that all the people of Bristol can enjoy the space. The council's decision to challenge the PROWG and side with Cotham school is not sound, and it undermines the democratic process by which the decision was reached. I therefore believe that the council should support and not oppose the decision made by its own PROWG

Kind regards

Rowland Clark

Dear Democratic Services at Bristol City Council,

I am writing to let you know about the recent developments surrounding the registration of Stoke Lodge as a Village Green, as reported in Bristol 24/7 and Bristol Live. It is disheartening to learn that the council, as the Commons Registration Authority, appears to be adopting a neutral stance and even aligning itself with one side in this crucial matter.

Stoke Lodge has long been a cherished space for the community, and the decision to register it as a Village Green was reached through a transparent and democratic process via the Public Rights of Way and Greens Committee (PROWG). The council's decision to take a neutral position and potentially side with Cotham School in opposing this registration is deeply troubling. It raises questions about the council's commitment to the principles of democracy and the well-being of the community it serves.

In the spirit of transparency and accountability, it is crucial that the council actively defend the PROWG Committee's decision, which was made in the best interest of the residents who value Stoke Lodge as a community asset. I echo the sentiments expressed by Tessa FitzJohn, Chair of the PROWG Committee, in her recent tweet. The council's role as the local authority is to uphold and respect the decisions made by its committees, especially when those decisions reflect the wishes and needs of the local community.

I urge you to consider the implications of the council's stance and the potential erosion of public trust in the democratic process. The council must remain fully committed to upholding the decision reached through the PROWG Committee and actively defend the registration of Stoke Lodge as a Village Green.

Furthermore, I would like to draw attention to the potential legal precedent of a party suing itself if such a situation arises. This raises important questions about the appropriateness and fairness of the council's position. I hope that such legal considerations will be thoroughly examined before proceeding.

In conclusion, I would like to ask the council to reconsider its position and actively support the decision made by the PROWG Committee. Stoke Lodge holds immense value as a communal space, and the council must remain steadfast in its commitment to democracy and community wellbeing.

Thank you for your attention to this matter. I trust Bristol City Council will uphold its responsibility to its constituents and ensure a fair and democratic resolution to this issue.

Yours sincerely,

Ian Hughes

Re the Public Rights of Way & Greens Committee Meeting Monday 22nd Jan

I would like to ask Councillors to call for Officers to end all efforts to undermine the democratic decision of the PROWG and for the CRA to actively defend their decision. It's absolutely outrageous that an attempt is being made to overthrow a decision they just don't like

To boot a mockery is being made of Bristol City Council, which is here for the people but acts like a dictatorship

This is a disgusting waste of public money when Councils are bereft of funds

Susan McKenna

Dear PROWG Committee

I am writing to express my shock at the council seeking to challenge the decision made by the committee enabling Stoke Lodge to become our village green. This is unfathomable given the transparent and democratic decision made by PROWG. Anyone observing the lodge over recent weeks and months would be in no doubt that the village green is put to great use by the local community and children's sports clubs.

I would also ask that those in the council making the challenge make themselves known, together with their rationale and interests in the decision. Without this the challenge appears underhand and disingenuous - which would be at best opaque and undemocratic, and at worst could break the law.

Many thanks to the committee for your time.

Sincerely,  
Peter Ring

Dear Sirs,

I am writing to express my dismay and disgust at the the latest tactic being deployed by factions at Bristol City Council to egregiously retain control of Stoke Lodge. I refer, of course, to the attempt to overturn the democratic decision by it's own PROW Committee to register Stoke Lodge as a Town and Village Green. It is an appalling and undemocratic move which clearly indicates that elements within the Council cannot bear to see Stoke Lodge , to them a prime piece of land, protected from future development. The Council should be taking every step to uphold and defend it's PROW Committee's decision. It is quite unbeivable that certain Officers seek to do quite the opposite. At a time when the public mood is in no way minded to tolerate the merest whiff of corruption and flagrant waste of tax payers money I would hope Bristol City Council might instead wish to be seen to be upholding fairness and democracy. The whole thing stinks and has done from the very start. As a Council Tax payer I wish to receive a response as to the reasoning for this latest action as soon as is practicable. I also wish to see evidence that this latest tactic complies with the Council's own constitution. I really do fail to see how it can.

Yours faithfully,

Mrs Nerys Rowsell



Dear PROWG Committee

As a longtime resident of Stoke Bishop who grew up enjoying free use of Stoke Lodge I am exasperated by the Council's behaviour in seeking to overturn your decision to designate it a Village Green. I would therefore ask Councillors to call for officers to end all efforts to undermine the decision, and for the CRA to actively defend the registration.

With best wishes

Caroline King

Dear Sirs/Madam

Call for Councillors to take strong action in support of a democratic decision of the PROWG Committee

As a Bristol taxpayer I share the outrage of the Chair of the Council's PROWG Committee at the attempt by Bristol City Council officers to overthrow a democratic and properly made decision to register Stoke Lodge as a Village Green.

There were 6 votes to 1 for the registration and it is totally wrong for officers to try to subvert a democratically reached decision by a committee which has been delegated to make decisions in these matters.

I strongly request that Councillors call for officers to cease all efforts to undermine the decision reached by the Council through the PROWG committee and for the Commons Registration Authority to actively defend the decision to register Stoke lodge as a Village Green.

Ivete Hunt

Call for Councillors to take strong action in support of a democratic decision of the PROWG Committee

I am appalled and share the outrage of the PROWG Committee at the attempt by BCC officers to overthrow a properly made and democratic decision to register Stoke Lodge as a Village Green.

Councillors voted 6 to 1 for the registration of Stoke Lodge and it is undemocratic for unelected officers to try to overturn a democratically reached decision by a committee which has been delegated to make these decisions.

I request in the strongest possible terms that Councillors call for BCC officers to end all efforts to undermine the decision reached by the Council through the PROWG committee and for the Commons Registration Authority to actively defend the decision to register Stoke lodge as a Village Green. Anything else would be undemocratic.

Reg S Hunt

Dear PROWG Committee,

I watched the Stoke Lodge situation through the years and felt a line had been drawn, whatever the outcome following the informed decision you all made regarding making Stoke Lodge a Town and Village Green. I held the hope that the committee and school could the. Work together to find solutions which would suit both parties.

I cannot now comprehend that officers are now trying to change this decision, this for me completely undermines the committee and and their ability to make informed decisions. I would call on the CRA to actively defend the registration and block this ludicrous new claim against it which really has made me consider why there is such desperation to control this land (is there something else more sinister going on to strip the residents of the last green space we all love and enjoy, and are more than willing to share appropriately).

Kindest Regards

Kevin Tozer

Dear Sirs

Please accept this email as my disgust at the decision of the Council to attempt to overturn their previous decision for the granting of TVG!

What a complete waste of time of public money and time of all concerns. I ask you to not accept this challenge and let the status of TVG remain as is.

Thank you.

Vickie Knighton

The PROWG committee made a decision which decided that Stoke Lodge was a TVG - a decision I supported. The council (as Commons Registration Authority) should support the decision made by its' committee and defend against the court case being brought by Cotham School. Instead, it is trying to side with Cotham against its' own decision, which is truly bizarre. I object to the council's change of heart, and suspect it is only being done because they are afraid of potential financial liabilities if Cotham win their case. Cotham's case once again tries to remove their obligations (agreed under their lease of Stoke Lodge from BCC) to give the local population access to the playing fields, which the locals have had for around fifty years. BCC need to support the confirmed TVG, and not allow the private Cotham academy to ride roughshod over the TVG and the local population.

Best regards,

Martin Wilson  
Westbury-on-Trym

I am appalled at the attempt by Bristol City Council Officers to overthrow the properly made decision by the Commons Registration Authority to register Stoke Lodge as a TVG.

Can you please ask Councillors to call for Officers to end all efforts to undermine the decision of the PROWG Committee.

Can you please ask the CRA to actively defend the Registration.

Many thanks,

I am appalled at the attempt by Bristol City Council Officers to overthrow the properly made decision by the Commons Registration Authority to register Stoke Lodge as a TVG.

Can you please ask Councillors to call for Officers to end all efforts to undermine the decision of the PROWG Committee.

Can you please ask the CRA to actively defend the Registration.

Many thanks,  
Richard Parsons



Hello,

I am writing to add support to the public outrage shared by many, at the Council taking sides with Cotham School and challenging the village green registration of Stoke Lodge.

The CRA should be fully and actively defending the decision made by the Council through this committee. I and many others ask Councillors to call for officers to end all efforts to undermine your decision, and for the CRA to actively defend the registration.

Thank you,

Samuel Greet

To whom it may concern,

I am writing about the shocking decision by BCC Officers to overthrow the TVG planning decision. The CRA should be fully and actively defending the decision ( a 6-1 majority in favour of TVG status) reached by the Council through the Committee.

I wish to appeal to all Councillors to call for officers to halt efforts to alter this democratic and rightful outcome, and for the CRA to demonstrably defend the registration.

Yours faithfully

B Garton

I am writing to express my deep concern at the approach Bristol City Council (BCC) has decided to take in this long-running and unfortunate business.

In the summer of 2023 the constitutionally convened PROWG Committee decided 6-1 with two abstentions to grant TVG status to Stoke Lodge playing fields. The latest bizarre twist in this ongoing story is that BCC is now siding with and supporting Cotham School, an independent trust, against a decision made by one of its own committees. Effectively suing itself!

It seems to me that this runs counter to the democratic principles upon which I would sincerely hope our Council operates. Furthermore, this action, basically applying to switch sides in litigation to suit its own agenda, is likely to result in considerable financial cost at a time we are told the City is in a difficult financial situation.

How can this be considered in any way appropriate?

Yours faithfully

Peter Sears

Dear Sirs

I'm horrified to read that BCC is going to court to try and overturn the decision of the PROWG.

I would think this is unconstitutional and undemocratic at best, but possibly unlawful.

The same decision has been made twice by this committee. Just because some don't like the answer doesn't mean it can or should be overturned.

Procedure was carefully followed to ensure that the decision, whichever way, was safe. A KC was in attendance to ensure this.

The CRA should be ensuring that the integrity of its committee system is maintained.

Please ensure that further council tax funds are not wasted on this issue and that officers are instructed to abide by the decision of the committee.

Stoke Lodge is a town and village green.

The school and the council should accept this and move on. Cotham should now try and work together with the community.

Regards

Christine Gibson

Good evening

I write to support the democratically voted status of village green for Stoke Lodge field.

It is with some dismay that I find Bristol City Council should seek to overturn the decision made by the Public Rights of Way and Greens Committee at a democratically voted decision.

If BCC are able to challenge such a decision, it brings into dispute any such future decisions made at any level for any result voted on by any committee within the Council.

I therefore call on the PROW Committee to vigorously object against the Council's decision to overturn the result and defend the decision that the PROW Committee unanimously arrived at in a democratic vote.

Yours Sincerely  
Ken Young

To whom it may concern,

I am writing about the shocking decision by BCC Officers to overthrow the TVG planning decision. The CRA should be fully and actively defending the decision ( a 6-1 majority in favour of TVG status) reached by the Council through the Committee.

I wish to appeal to all Councillors to call for officers to halt efforts to alter this democratic and rightful outcome, and for the CRA to demonstrably defend the registration.

Yours faithfully  
BT Garton

I believe the Council should be defending the PROWG Committee's decision to register Stoke Lodge TVG.  
Anything else would be unlawful and unconstitutional.

Peter Mather.

Ref: Stoke Lodge Village Green,

Please can the CRA actively defend the registration of Stoke Lodge as a Village Green. Councillors shouldn't be undermining this decision and should be acting on behalf of the community they have been elected to represent.

It is absolutely appalling that the council are challenging a democratic decision made by the PROWG committee.

Regards

Sally Jamieson



Dear PROWG Committee Members

I write to formally put on record that I am utterly gobsmacked and outraged to hear about BCC officers attempting to overthrow the properly and democratically made decision of your Committee last year with regard to Stoke Lodge Playing Fields.

I would therefore respectfully ask that as Councillors you call for officers to end all attempts to undermine your decision and ask for the Commons Registration Authority to actively defend the original decision made by your Committee on behalf of the Council.

Yours sincerely

Charles

**Charles Elderton**

FAO PROW committee

Please please do not allow this unlawful undemocratic attempt by the council to overturn your lawful decision to register Stoke Lodge as a TVG.

It is unfathomable that the council is attempting to be allowed waste even more council (our) money funding an expensive legal battle to try and overturn your democratic decision.

If the CRA does not defend this decision it seems that the whole point of the committee is undermined, what's the point of debating and voting and making decisions if the authority meant to uphold and defend those decisions does not?

Many thanks,

Martha Taylor

Dear Sirs

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> I am writing to express my deep concern at the approach Bristol City Council (BCC) has decided to take in this long-running and unfortunate business.

>

> In the summer of 2023 the constitutionally convened PROWG Committee decided 6-1 with two abstentions to grant TVG status to Stoke Lodge playing fields. I am shocked and disappointed at BCC in challenging this democratic decision by siding with and supporting Cotham School, an independent trust, against a decision made by one of its own committees. Effectively suing itself!

>

> It seems to me that this runs counter to the democratic principles upon which I would sincerely hope our Council operates. Furthermore, this action, basically applying to switch sides in litigation to suit its own agenda, is likely to result in considerable financial cost at a time we are told the City is in a difficult financial situation.

>

> How can this be considered in any way appropriate?

>

> Yours faithfully

>

> Janet Sears

FAO PROWG Committee on 22/02/22

I write to support you in your outrage at the attempt by officers to overthrow your properly made decision with regards to the TVG registered to Stoke Lodge in the middle of last year. The CRA should be fully and actively defending the decision reached by the Council through this committee. Therefore, I feel strongly that councillors need to call for officers to end all efforts to undermine their decision, and for the CRA to actively defend the registration. Best of luck.

Regards  
Dr Philippa A Nason

Stoke Lodge Village Green,

Please can the CRA actively defend the registration of Stoke Lodge as a Village Green and call for officers to end their efforts to undermine the decision reached by the PROWG Committee.

A democratic decision has been reached, it is absolutely appalling that the council are challenging this and further it is an utter waste of public money to do so.

Regards

Nick Rolfe

Dear Sirs,

Please include the following statement in Agenda Item 5 (Public Forum) at PRow meeting on Monday 22nd January 2024.

Yours Truly,

S. J. Mayer (Mrs)

**Public Statement by Susan J Mayer**

**At the Public Rights of Way and Greens Committee**

**On Monday 22<sup>nd</sup> January 2024**

**Agenda Item5. Public Forum**

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My name is Susan Mayer and I am here to express my support for the members of this Committee and its decision on 28<sup>th</sup> June 2023 to register land known as Stoke Lodge Parkland as a TVG (registration no. 29)

Why has it come to this; a democratically elected Committee made a majority decision concerning a local Green Space last June, regarding a once open parkland now Leased to a non LEA school. Sadly, this highly valued Open Space has been the victim of its prime location for more than 13 years and will quickly fall victim to development if left unprotected; however, the PRow Committee is charged to act democratically and unfettered by vested interests. The arguments were animatedly presented by both sides during the TVG debate and for a second time in recent years, a PRow Committee acknowledged the veracity of our Community's quest for TVG, on Stoke Lodge Parkland.

Cotham seek to use Rate Payer's money to fund their vexatious claims against the TVG but with no justification; so actually, this is now a fight for true democracy and it must prevail because without genuine public consensus, we are all hostages in a Dictatorship.

Dear Sir/Madam

I hear that there is an attempt by BCC Officers to overthrow the decision to grant a village green at stoke lodge. I don't understand why this could be happening but feel the CRA should be fully and actively defending the decision reached by the Council through the Committee because it was democratically arrived at. A committee cannot vote on the same thing again and again just because someone doesn't like the result.

I wish to urge all Councillors to demand that all attempts to change the decision are stopped. It is stoke lodge that I care about but it also seems to be a terrible waste of money having endless revisits of this issue.

Yours faithfully  
Amber Garton

Dear Democratic services,

I have been told BCC Officers are thinking of trying to change the decision to grant a village green at stoke lodge. I think the CRA should be very actively defending the decision reached by the Council. It is affecting my mental health thinking that I may loose access to Stoke lodge again. The whole process risks making a laughing stock of Bristol Council and I do not like to see the city I love ridiculed in Private eye.

Yours faithfully  
Polly Garton



**Public Statement by David Mayer**

**For the Public Rights of Way and Greens Committee Meeting**

**On Monday, 22<sup>nd</sup> January 2024**

**Agenda item 5. Public Forum**

My name is David Mayer and I am here to express my support for the members of Public Rights of Way and Greens Committee and its decision on 28<sup>th</sup> June 2023 to Register the land at Stoke Lodge as a Town or Village Green, Reg No VG 29.

This Committee is properly constituted and legally authorised to make the decision on whether, or not, to register the land as a TVG. Based on the Application and the evidence presented, all in accordance with the qualifying criteria contained within the 2006 Commons Act legislation.

This is not a decision for unelected, unaccountable, invisible officers, who are not authorised to override the decision of the PRoW&GC. And yet they seek to spend Bristol City Council funds, a Council that is short of money, not their own money, to change the lawful and properly considered decision of the authorised Committee, as evidenced by the CD recordings of the Committee meeting in June 2023.

The Post Office scandal has shown us how matters such as this can get out of hand.

I request this committee to do all in its power to expose the people responsible for this assault on democracy and seek to shine a light on what motivated them to undertake these actions.

David Mayer

To the PROWG COMMITTEE

We share your outrage at this attempt by officers to overthrow their properly made decision!  
The CRA should be fully and actively defending the decision reached by the Council through  
this committee.

PLEASE, Councillors, call for officers to end all efforts to undermine their decision, and for  
the CRA to actively defend the registration.

Yours sincerely  
Gemma Friend

To whom it may concern

As a council tax payer I am appalled that Bristol city council are looking to overturn the democratic decision to grant TVG status on stoke lodge

This is the wrong decision by the council and I ask that this action is stopped

Regards

Stephen Davies

Having seen a post by Tessa Fitzjohn, I felt compelled to email and share the outrage at this attempt by officers to overthrow their properly made decision! A decision that if I recall correctly, the legal process told them that they had to make as the reports were not correctly assessing all information.

The CRA should be fully and actively defending the decision reached by the Council through this committee. I ask that Councillors call for officers to end all efforts to undermine their decision, and for the CRA to actively defend the registration.

Regards  
Paul Wake

Dear Sir/Madam,

I am disgusted with the conduct of BCC and the wanton waste of my council tax on challenging its own democratic decision to register the abovementioned TVG.

Please desist immediately. The CRA should be actively supporting the decision reached by the council.

Get your act together and stop looking like a bunch of clowns.

Very best regards,

M.Evs

We people of Bristol are furious that the democratic majority decision of the Bristol Public Rights of Way committee to grant Stoke Lodge Village Green status should now be threatened. The media will be interested to know of the travesty which could occur here. It needs to be prevented and for Stoke Lodge to retain its Village Green status.

from  
Mrs Sally Causton

Dear PROWG Committee,

I was present at your meeting last year where you made the democratic decision to register the Stoke Lodge Village Green. As a local resident, I was very relieved to know that this beautiful and historic green space will be protected and available for public use in perpetuity.

Consequently, I am very distressed to hear that officers are attempting to overturn your democratically made decision. This is outrageous and so I ask you to stand up for it and actively defend the registration of Stoke Lodge Village Green.

Thank you in advance

Dr Rachel Austin

**Stoke Lodge Village Green: FAO of the PROWG Committee**

I would like to express my severe disappointment and anger that Bristol City Council is trying to overturn the decision of its own PROWG Committee.

The Committee democratically reached a 6-1 decision after carefully considering all of the facts.

I do not see the point of having a democratic process if the administration seeks to overturn its own democratically made decisions?

Many thanks

Rob Crews



Dear members of the PROWG Committee

I am amazed and distraught at the news that your decision to grant Village Green status to Stoke Lodge Playing Fields is not only being challenged by Cotham School, which, given its past history is perhaps hardly surprising, but by BCC itself, wearing as I understand it, another hat. I am sure you will have thought your decision put an end to a sorry saga of many years standing, as it should have done. but apparently not. There has never been an issue with shared use, as with The Downs, regularly used by schools and colleges as you will know, and by countless others. Indeed I can recall Stoke Lodge fields seeming to be in constant use pre fence at one point in my relatively brief period here, having moved here in 2015. I do not see that Village Green status threatens educational use, ie as playing fields, and I fail to see what council officers are thinking if they are behind this volte face. I might be able to understand it a little, if only a little, if the school was a Local Authority school with the Council having some jurisdiction but it is not, it is an Academy. ie, effectively a school independent from the Local Authority but funded by the government. As such they do not have to follow the national curriculum and they can set their own term times. Why then are BCC officers seemingly allying themselves with this school? What next, Clifton College?

I do hope that councillors having made the decision can hold sway over any aberrations apparently the responsibility of council officers? As a former Local Authority Officer for over 30 years my understanding always was that I could administer and advise, but Members made decisions.

Yours sincerely

Ken Pattison

Dear PROWG Committee

We would like to express our disbelief and outrage at the councils lack of regard for your decision to make Stoke Lodge a TVG.

The decision to make Stoke Lodge a TGV was made with great thought, legal argument and BCC should support your decision.

Why does BCC continue to support Cotham School when they have been given so much evidence to support the TVG? It seems unfathomable for a council to go against its own Committee.

Please could you ask for all officers to cease all efforts to undermine your decision to grant Stoke Lodge its TGV status.

Many Thanks

Larissa Wilton

Hello,

I live near Stoke Lodge and wanted to let you know that I also feel that it is wrong that officers are trying to overthrow your decision.

Kind regards,

Jo Bansall

**Statement to the Public Rights of Way and Greens Committee of Bristol City Council,  
meeting on Monday January 22<sup>nd</sup> 2024 at 2 pm.**

Statement made by Dr Stephanie French

In the matter of the Registration of Stoke Lodge Playing Fields being registered as a Town and Village Green by the PROWG Committee under its delegated authority on June 28<sup>th</sup> 2023.

Statement: “I am frankly appalled that Bristol City Council, as the Local Planning Authority, has decided to disagree with, and challenge, the decision made by a properly constituted Committee of the Council acting in its capacity as the Commons Registration Authority, to register the land known as Stoke Lodge Playing Fields as a Town and Village Green (TVG).

I see that Bristol Council has tabled this matter on today’s Agenda as a “Current TVG Application.” It is no such thing. It was an Application, but is currently a TVG registration decision, that decision having been taken by a cross-party committee of elected Councillors on June 28<sup>th</sup> 2023 – the Public Rights of Way and Greens Committee. The decision taken was to register the land as a Town and Village Green. One has to ask – How dare any of the Officers of the Council challenge that decision? What right have they to make an attempt to change that decision just because they do not like the decision? At what level in the Council has this attempt been fostered? It is odious. It is anti-democratic. Surely it is even illegal?

The decision is not subject to Judicial Review as the land has been registered as a Town and Village Green following due process. It is my understanding that a challenge in the High Court of a decision is not the same as a Judicial Review of the process by which the decision was reached.

How can the Council, in that matter before the High Court, seek to overturn the decision made by one of its own Committees. I read on the Council’s website “Full Council has delegated to the Public Rights of Way and Greens Committee all functions relating to public rights of way and greens.” It does not go on to say “Provided the Executive and Officers of the Council like the decisions made”.

Had the decision gone the other way at that Committee Meeting on the 28<sup>th</sup> June 2023, then the land would not have been registered as a Town and Village Green, and those making the Application, albeit defeated, would have had no choice but to accept it, because that is the way things are done.

What date has the Council chosen as the one from which they would like to re-write history simply because the way things have gone do not suit them? When are the Officers proposing to start challenging the outcome of local elections, for example?

Bristol City Council should refer itself to the Local Government Ombudsman and have itself investigated.”

BCC must not be allowed to overthrow the properly made decision regarding the TVG at stoke lodge in bristol. Please can you ask all the councillors to ask our officers to stop all efforts to reverse this decision. The council registration authority should be defending their position.

Please can Mayor Rees be appraised of this situation. The Mayor should be spending money on social care and Barton House

Ewan Cameron

FAO PROWG committee

As users of the playing fields which the elected councillors on the PROWG voted to become a TVG , my wife and I share those councillors' outrage that officers of the Council are attempting to overthrow the elected councillors' properly made decision. The CRA seem unable to do their job of upholding and defending the decision reached by the Council through the committee. Councillors - call on the officers to stop their efforts to undermine your decision. Tell the officers to do their duty and let the CRA actively defend the registration.

Yours in anger

John and Susan Hollyman

## Re Stoke Lodge

I wish to formally record my concern at the decision of the council to refuse to defend a democratic decision made by one of its own committees. It is underhand and an abuse of power to use its position of landowner to declare support for Cotham School in their rejection of the PROWG committee's decision to register Stoke Lodge as a Town and Village Green. The PROWG committee followed legal and due process and as a part of the council, its decisions should be seen to be those of the council, and therefore it makes no sense for the council to take a stance contrary to that decision. This calls into question the veracity of the council and jeopardizes the sanctity of legal council processes. I am appalled at the council's behaviour. As a council tax payer I would like to call the council to account and demand that they explain how they can justify this position

Kirsten McCarthy

Please accept this email as my declaration of support for the PROWGC's decision last year to register Stoke Lodge with TVG status.

I have supported the application for the last 9 years and am shocked by the Council's recent statement that it intends to take a neutral position as Commons Registration Authority (CRA) and leave it to the High Court to decide whether the TVG status should actually be registered.

I consider the Council should be fully and actively defending the decision it has already reached through this PROWG Committee. To do otherwise is undemocratic.

I request Councillors to call for officers to end all efforts to undermine the PROWGC decision, and for the CRA to actively defend the registration.

Regards

Jonathan Johnson



For attention of PROWG Committee

I am a frequent, long time user of the Stoke Lodge Town and Village Green. I would like to express my shock and outrage at the undemocratic and unconstitutional actions of Bristol City Council, which is the Commons Registration Authority, in seeking to challenge the registration of Stoke Lodge as a TVG last June.

The decision was properly and democratically reached, carried by a 6-1 vote by the Council by its PROWG committee. The Councillors should therefore, please, call for any and all officers of the Council to cease their efforts to undermine this decision. The Commons Registration Authority should moreover be actively defending the registration.

Thank you,  
Bridget Juckes

Hello

I am a resident of BS9 and have lived in South Dene close to Stoke Lodge Field since 2013. I was also present in the public gallery when the PROWG Committee met on 28/6/2023 and voted 6-1 in favour of registering Stoke Lodge Field as a Village Green VG29.

In the interests of transparency I will disclose:

- i. I have been an active member of the local campaign group WLSL (We Love Stoke Lodge) since 2018.
- ii. I have previously met Tessa J. Fitzjohn - Chair of the PROWG - briefly when I was working at Arnolfini as senior film projectionist, and she was working with Arnolfini's Council of Management. (We haven't met or spoken for some 10 years since to the best of my recollection).

I wish to express my astonishment and shock that BCC legal officers are apparently now attempting to subvert the democratic and lawful decision made by the PROWG last June to award VG status to Stoke Lodge, and according to press reports, the CRA now appear to be saying that they wish to adopt a 'neutral' position which in reality can only favour the interests of Cotham School in this matter.

I feel that it is absolutely outrageous that BCC legal officers should be acting 'Ultra Vires' (i.e. beyond their lawful powers, and against the public interest) in seeking to undermine a decision by the BCC PROWG which has fully delegated powers under the BCC constitution to decide such matters.

I find it even more outrageous that BCC legal officers for the CRA are proposing to waste large sums of public money in supporting Cotham School which is an independently-run elective academy (and not a local authority run school) in their tendentious attempts to overturn the democratic and lawful VG registration on Stoke Lodge via a Section 14 Commons Registration Act legal action - one that is likely to be both very expensive, long-winded, and ultimately unsuccessful.

I have to ask what conceivable financial motive or public interest is being served by the CRA legal officers acting in this way ? Cotham School were given an inordinately long lease on Stoke Lodge (over 100+ years) but it was at a peppercorn rent ! - and BCC retained responsibility for the maintenance of all the boundaries and all the TPO protected trees at Stoke Lodge. In what financial universe does this make any sense ?

I strongly believe that the CRA should be actively defending the decision reached by the PROWG Committee last June, and I would like to ask Councillors to call for the CRA officers to end their efforts to undermine it.

Ewen MacLeod

Dear Sir,

I am Michael Sheehan, 41, Queens Gate, Stoke Bishop, Bristol BS9 1TZ.

I fully support the democratic decision taken at the June 2023 Bristol City Council's PROWG Committee meeting when, acting as the Commons Registration Authority, it was decided by a majority of 6-1 to register Stoke Lodge parkland as a Village Green.

I attended the meeting that day & witnessed a fair & wide reaching debate, with probing questions from each of the political parties, which ultimately reached a clear decision to award TVG status.

I am asking today that the PROWG Committee steadfastly resist any attempt to overturn that decision.

Bristol City Council should in their capacity both as Land Owner & Commons Registration Authority adhere to the Committee's decision & vigorously defend any action which seeks to weaken or overturn their decision.

I ask the Committee to ensure Officers of the Council are directed to fully support their decision & take no action whatsoever to undermine or weaken the TVG status.

michael sheehan

To whom it may concern

I have been following the long running saga of Stoke Lodge with interest. I live within a five minute walk of Stoke Lodge, and before it was fenced off, enjoyed being able to use it for a number of reasons ( taking cub scouts there, walking with friends, my children ( when they were younger)playing there by themselves etc.) It was a valuable local green space.

I am completely nonplussed at the actions of Bristol City Council and cannot understand what their ultimate agenda is.

As I understand it, the decision to grant village green status was a democratic decision. Why is BCC now trying to overturn its own decision ?

The CRA needs to fully and actively defend the decision of the PROWG committee.

Yours Sincerely

Therese Millar

**For the Public Rights of Way and Greens committee meeting on Monday 22 January 2024**

**Ref: Stoke Lodge Village Green**

Sir/Madam,

I am shocked to hear some Bristol City Council officers are trying to overturn the decision taken by its elected Councillors of the Public Rights of Way and Greens Committee to grant Stoke Lodge Village Green status. The committee voted 6 to 1 to grant Stoke Lodge Village Green status last year and this democratic decision must be upheld by Bristol City Council. As nearby neighbours, I and my family have used Stoke Lodge for recreation regularly since 1978, and it's time the illegal fence Cotham School erected five years ago is removed from our Village Green so your citizens can enjoy this beautiful green space unhindered.

Yours sincerely,

Geoff Causton

I wish to support for the decision made by the PROWG Committee to register Stoke Lodge as a Town and Village Green. As a Bristolian I endorse the Committee's decision and am horrified that Officials are seeking to overturn it. The CRA should back the decision. Not to do so is an affront to democracy and a stain on the reputation of Bristol City Council.

Keren Gwinnell

FAO PROWG committee

Bristol City Council how dare you challenge a democratic decision to award TVG status to Stoke Lodge. For a public body to behave in such a morally corrupt manner means none of you should hold any public or other office of authority. You are an utter disgrace.

SEL

Dear Sirs,

Please include the following statement in Agenda Item 5 (Public Forum) at PRow meeting on Monday 22nd January 2024. If there is time I would like to speak to this statement.

Thank you - Emma Burgess,

Committee members are already acutely aware of the latest twist in the long running saga of Stoke Lodge. Following your decision to grant TVG status and registration last summer, we are sorry to be yet again back in front of your committee due to the unprecedented, unlawful and undemocratic actions by council officers.

BCC as landowner is claiming that it has always and consistently objected to TVG registration at Stoke Lodge and therefore it is reasonable to do so now. This is both untrue and irrelevant; BCC as Landowner defended TVG registration in High Court for over two years at huge cost to the public purse, they now seek to spend further vital funds litigating against TVG registration, a decision that is fully delegated to your committee and they have no right to challenge.

Just because the officers believe they have objected for a long period does not justify that that decision is correct, right or just today- nor is it a basis for continuing to do so.

*Argumentum ad antiquitatem* doesn't stack up as an excuse or reason when it comes to suing yourself in 2024 using council tax paid for by the people you are suing!

BCC as CRA advise they will remain neutral – please help us to understand who made that decision, on whose authority and on what basis that decision was made. It was a recent decision; this should not be difficult or untimely to provide full disclosure to your committee and residents. The unfair, discretionary and biased manner in which my and Kathy Welham's TVG applications were managed provides zero confidence in any 'Chinese walls' that officers claim may exist between council officers and between management in legal services. Please help us by providing the CRA with the oversight and support they require to defend TVG registration.

Our community has spent considerable sums of time and money fighting an unfair and biased battle to retain access to our last remaining green space. It beggars' belief that with no oversight, justification or transparency, officers are now looking to spend money on two barristers to argue against one another, a democratic decision that your committee made and the residents of Bristol who pay their salaries and will also be paying for both barristers !



Like Tessa Fitzjohn, I am shocked that the Council are challenging the democratic decision taken by the committee to register Stoke Lodge as a TVG.

The CRA should be actively defending the decision made by this committee, and I would request that all Councillors strongly defend their decision made through the recognised democratic process in June 2023.

Thank you.

Vivien Johnson

Dear Sir/Madam

I protest most vehemently against the decision of BCC and Cotham school to request YET ANOTHER judicial review after the PROWG committee voted overwhelmingly, 6-1, to determine that Stoke Lodge playing fields should be a TVG.

This is a wilful waste of public funds after 2 judicial reviews and many files of evidence that were submitted for careful democratic consideration before the committee made their decision and voted last summer.

As a local resident I strongly condemn this action by BCC and Cotham School.

Mary Alpass

Dear Sir/Madam,

I was saddened and concerned to hear that Bristol City Council is attempting to fight against its own decision to register Stoke Lodge Playing field as a Town & Village Green.

You are fundamentally a democratically elected legislature. To my knowledge, the decision to register the land was made entirely legitimately, and with all proper process observed. It is therefore, in my opinion, your moral and democratic obligation to uphold and defend the decision, regardless of whether you agree with it or not.

I am therefore alarmed that council officers are effectively trying to overturn this decision through the courts. This is not the act of a body which believes in democracy, but one which seeks to take power away from its electorate, and act only in its own interests.

I therefore urge all councillors, and council officers to back this decision, regardless of whether you agree with it or not.

Yours sincerely,

Ed Wheatcroft

For the attention of the PROWG Meeting 22nd January 2024 re Stoke Lodge Playing Fields

I watched the recording of the meeting held in June 2023 where it was decided on a vote of 6 to 1 in favour of granting TVG status to Stoke Lodge Playing Fields. It was a meeting where all the facts were presented to the Councillors who sat on the Committee who, in turn, debated it at length and voted on it. It was a democratic decision taken by elected councillors.

How can it be possible now for Bristol City Council to challenge this decision? I am totally appalled that Bristol taxpayers monies are being spent/wasted on this challenge.

Julie Wright

Statement for PROW Committee Meeting 22nd January 2024

Having witnessed in person the debate and passing by the elected PROW committee to register Stoke Lodge playing fields as a Village Green, I now hear that BCC employees (who are they?) are seeking to challenge the decision that you, our elected representatives, have made. Surely BCC employees are in post to carry out the wishes of our elected representatives, if not, what do we elect councillors for?

Please do your utmost to ensure BCC employees comply and support your resolution, as voted for in June.

Graham Wright

Dear Sirs

I find it appalling that the council are challenging the decision of the elected members of the PROW committee to overturn the decision to award Town and Village Green status. This was awarded with an overwhelming majority of 6:1.

How can this challenge be democratic? I hope all the PROW council members who voted to award the TVG status and our local Stoke Bishop Councillors will continue to fight to ensure that democracy prevails.

This is such a waste of huge amount of taxpayers money, in a time of austerity and when the council struggling to even fund basic services, and I urge the Councillors to call for officers to end all efforts to undermine their decision, and for the Commons Registration Authority to actively defend the TVG registration.

I really hope that common sense will be seen and this can be fully resolved now.

Best Regards

Rolf Hudson

## STOKE LODGE TOWN & VILLAGE GREEN

I am outraged that certain departments, councillors, and no doubt the legal team of Bristol City Council seek to overturn the decision of its own Public Rights of Way and Greens Committee to approve and register Stoke Lodge Town and Village Green.

The Commons Registration Authority should be fully and actively defending the 6 to 1 decision reached by the Council through this democratically elected/appointed committee.

Mike Whitworth

Dear Tessa Fitzjohn and Members of the PROWG Committee meeting on 22 January 2024,

As a member of the community neighbouring Stoke Lodge playing fields and parkland, I am very grateful for Tessa Fitzjohn's public statement that, as Chair of PROWG, she is "shocked at the council challenging a democratic decision made by the committee who voted 6-1 for Stoke Lodge to become a TVG last June".

I trust that the PROWG Committee will strongly protest about the Council's efforts to undermine its decisive vote in favour of registration, and will do everything in its power to ensure that the CRA properly defends the democratically-reached decision in favour of registration, rather than asserting that it is "neutral" which in effect favours Cotham School, despite it being an academy, independent of the local education authority.

I am absolutely appalled by this latest example of the hostility that has characterised the attitudes and actions of Bristol City Council regarding Stoke Lodge over many years of civil and legal proceedings.

Sadly, however, I can't say I'm surprised, given the history of secrecy and manipulation of facts and procedures by the Council that aided and abetted Cotham School's efforts to exert complete control over most of the site, despite the clause in the lease specifying that it was "subject to all existing rights and use of the property, including use by the community".

Bristol City Council not only refused to enforce this clause, but also enabled Cotham School to avoid the public scrutiny of a planning application to erect a fence around 22 acres of the site by suddenly declaring that the land - consistently described in documents for decades as "curtilage" of Stoke Lodge house - no longer benefited from the 1994 Grade II listing that would have been an obstacle to erecting any structures. And then Mayor Rees declared in a meeting of Full Council that "a fence is not a structure", but has persistently refused to reveal the alleged legal advice on which this bizarre claim was based - even when asked to allow our then ward councillor to view it in confidence. Peter Abrahams strongly objected, but to no avail. Another instance of how very undemocratic our council has become under the Mayoral system.

On the long and winding road towards TVG registration, the PROWG has twice voted in favour of registration, and Bristol City Council actually spent tens of thousands of pounds in 2017-18 *defending* the 2016 registration. Yet the Council now proposes to support Cotham School's action against the TVG. That is not "in the public interest" but to the detriment of the hundreds of neighbouring residents who want Stoke Lodge to be open and accessible to everyone, including schools, clubs and the community.

For decades, the public had unfettered access to Stoke Lodge 24/7, 365 days a year, for all sorts of recreation and as safe short cuts between local homes, schools and shops. By contrast, Cotham School used only a small area of the site for a few hours on termtime weekdays, but persistently - and inconsistently - locked the gates in what



appeared to be a deliberate attempt to deter people from going there. I fail to see any open and justifiable reason why Bristol City Council supports Cotham School having such unnecessary control over Stoke Lodge. Something stinks. Perhaps its rotting democracy?

Three of the five grounds for Cotham School's appeal against the 2016 registration were rejected, but the Court accepted that there were two procedural errors: the committee members had not fully analysed the evidence regarding the signs, and had not provided full and clear reasons for their decision. That's why the PROWG rejected registration in 2018.

The presence of Douglas Edwards KC at the 2023 PROWG meeting was intended to ensure that such objections would not be made again. Mr Edwards and Head of Legal Services Nancy Rollason stressed that the Inspector's report recommended rejecting the registration, but made no reference to the final note in which Mr Petchey admitted to making errors, and conceded that it was up to the PROWG committee to make its own decision.

Unlike the Inspector, who never saw much of the new evidence produced by We Love Stoke Lodge since the 2016 public inquiry (because it was never passed on to him by the Council), the PROWG Committee had access to all the relevant information. The members heard and discussed the arguments and made their own decision, each giving full and clear reasons for voting as they did: six in favour, one against, and two abstentions.

Since Stoke Lodge Village Green was registered in August 2023, the heart of our community has been restored. I walk there every day, benefiting not only from the healthy outdoor exercise and beautiful natural environment but also from the invaluable social contact of friendly conversations with other users.

In the interests of transparency, I am married to Ewen MacLeod, who has also submitted comments. We have lived at 25 South Dene since 2013, and been regular visitors to Stoke Lodge since 1997, when his mother moved to Ebenezer Lane. I was in the public gallery at the 2016 Public Inquiry, which I heard about via the Campaign for the Protection of Rural England (not any local publicity), and have attended many meetings and contributed many statements in support of Stoke Lodge remaining open and accessible to everyone. I am a supporter of We Love Stoke Lodge, which represents the interests of our community but does not have "members".

Yours very sincerely,

Shirley Brown

Statement for the PROWG Committee Monday meeting

We are writing to let you know how outraged we are at the attempt by unelected officers at Bristol City Council to overthrow your decision that Stoke Lodge should be a TVG. Your decision made by democratically elected councillors was a cross party decision of 6-1 for a TVG.

The Council as CRA should of course be defending and supporting the decision reached by you as a Committee.

Surely as Councillors you should be demanding that Officers end all efforts to undermine your decision.

We obviously support you and efforts to end this outrageous desperate last stand by the Council.

Sue & Clive Gio-Batta

To whom it may concern

I fully share your outrage of the attempt by officers to overthrow your properly made decision giving Stoke Lodge Village Green status.

The CRA should be fully and actively defending the decision reached by the Council through this committee.

I ask for the CRA to actively defend the registration and ask the councillors to call the officers to end all efforts to undermine their decision.

Kind regards

Sarah

Dear Sirs

It is with regret that I see the council are challenging the decision of the elected members of the PROW committee to overturn the decision to award Town and Village Green status. This was awarded with an overwhelming majority of 6:1.

How can this challenge be democratic? I hope all the PROW council members who voted to award the TVG status and our local Stoke Bishop Councillors will continue to fight to ensure that democracy prevails.

Stoke Lodge is now busier than ever with children playing, adults meeting for walks and general exercise and wellbeing.

This is such a waste of huge amount of taxpayers money, in a time of austerity and when the council struggling to even fund basic services, and I urge the Councillors to call for officers to end all efforts to undermine their decision, and for the Commons Registration Authority to actively defend the TVG registration.

To try and save this we are not only paying our taxes to the council but are funding solicitors fees as well.

Please see sense and put a stop to this waste of money and time.

Best Regards

Sue Thompson

Stoke Lodge TVG

The Stoke Lodge Town and Village Green was approved by the PROWG Committee.

The Commons Registration Authority should be fully and actively defending the decision reached by the Council through its own committee, not attacking it.

What's the Council hiding from us all?

Jax

Re: Stoke Lodge Playing Fields, Shrehampton Road

I am deeply concerned by reports in local press that Bristol City Council's Public Rights Of Way and Greens Committee will not be supported by its own City Council.

There is an impending legal challenge to registration of Stoke Lodge as a Village Green (VG29 on the Commons Register) by Cotham School.

It appears that, rather than actively defending its PROWG Committee's decision in 2023 to register Stoke Lodge, the Council – as the Commons Registration Authority – will instead seek to take a neutral position and leave it for the High Court to decide whether the open space and playing fields should be registered as a village green.

How is it that a properly constituted and conducted, carefully advised and prepared, fully recorded and democratically concluded PROWG Committee meeting - with a clear majority in favour of TVG registration - should be left unsupported by its own local authority?

Un-named 'officers' of Bristol City Council are reported to be responsible for this attempt to undermine, even to make a mockery of a cherished democratic process. I am entirely in agreement with Tessa FitzJohn, chair of the PROWG Committee, in describing this as an outrage.

Bristol City Council as the Commons Registration Authority, and its officers, should be fully and actively defending the democratic decision reached entirely properly by the Council through the PROWG committee.

Andrew Hiles

Dear Democratic Services,

I live close to Stoke Lodge Village Green, in South Dene, with my partner and 6-year-old son, and I share Tessa Fitzjohn's shock concerning Bristol City Council "challenging a democratic decision made by the committee who voted 6-1 for Stoke Lodge to become a TVG last June".

This week, Bristol 24/7 reported that rather than actively defending the PROWG Committee's decision to register Stoke Lodge as a Village Green, "the council – as the Commons Registration Authority – will seek to take a neutral position and leave it for the High Court to decide whether the playing fields should be registered as a village green".

The Commons Registration Authority registered Stoke Lodge as a Village Green in August 2023 after a decisive vote by the wholly-delegated PROWG Committee of democratically elected councillors. Surely the CRA has a duty "in the public interest" to uphold the Committee's decision, not to assert neutrality - which in effect supports Cotham School's attempt to reverse the registration?

Bristol Live reported that 'The council... will tell the judge that, as the landowner, it actually agrees with Cotham School that the land shouldn't be a village green. The council will remain on the defence list as the local authority which granted village green status in the first place, but Bristol Live understands that, in reality, the council will be firmly on Cotham School's side in the courtroom, telling the judge that it agrees the land shouldn't be a village green.'

In this context, who exactly is "the council"? Certainly not the democratically-elected Committee of councillors who examined the evidence, listened to the arguments from both sides, then made up their minds to vote 6 to 1 in favour of registration on June 28 2023.

Please do whatever you can to ensure that the CRA actively and properly defends your decision, and that "the council" - whoever that is - stops spending time and money on undermining local democracy in this way.

Yours sincerely,

Jessica Phoenix Weeks

Re: Stoke Lodge Playing Fields, Shrehampton Road

I am deeply concerned by reports in local press that Bristol City Council's Public Rights Of Way and Greens Committee will not be supported by its own City Council.

There is an impending legal challenge to registration of Stoke Lodge as a Village Green (VG29 on the Commons Register) by Cotham School.

It appears that, rather than actively defending its PROWG Committee's decision in 2023 to register Stoke Lodge, the Council – as the Commons Registration Authority – will instead seek to take a neutral position and leave it for the High Court to decide whether the open space and playing fields should be registered as a village green.

Un-named 'officers' of Bristol City Council are reported to be responsible for this attempt to undermine, even to make a mockery of a cherished democratic process. I am entirely in agreement with Tessa FitzJohn, chair of the PROWG Committee, in describing this as an outrage.

How is it that a properly constituted and conducted, carefully advised and prepared, fully recorded and democratically concluded PROWG Committee meeting - with a clear majority in favour of TVG registration - should be left unsupported by its own local authority?

Bristol City Council as the Commons Registration Authority, and its officers, should be fully and actively defending the democratic decision reached entirely properly by the Council through the PROWG committee.

Margaret Hiles



Dear Sirs

The democratically elected council decreed that Stoke Lodge should be a TVG. There is a disgraceful attempt to stop this by non elected officers. Please could the councillors do all they can to defend this democratic decision and could the CRA actively defend the registration.

Otherwise we cannot say we live in a democracy.

Gillian Hannan

Dear Sir

I am shocked at the attempt by non elected officers of the council to overturn the decision of elected councillors in their PROW committee regarding the registration of Stoke Lodge as a TVG.

This is a travesty against democracy and all efforts by councillors must be made to protect our democracy and the registration of Stoke lodge at a TVG.

Please could councillors do all they can to defend this registration and the CRA do all they can to actively defend it

Alistair Hannan

We are writing to express our disgust that officers should be trying to overthrow the PROWG Committee's decision that the playing fields at Stoke Lodge should be registered as a Village Green. We very much support the move to make the playing fields a Village Green.

Margaret & Maurice Maple

Dear Sirs

I watched the PROW committee take a democratic vote that Stoke Lodge should be a town village green. I am therefore quite shocked to hear that Bristol Council as landowner will seek to overturn the decision through the court process.

Now here's the thing: The people wanting to reverse the decision at BCC are not elected. You are the employees of those people elected and your job is to effect their decisions. However by taking your stance and seeking to overturn the elected committees decision you have made it increasingly clear that Bristol is not a democratic city. Quite the reverse. Bristol is clearly run by men and women in grey suits who give the outward impression of democracy whilst running the city as they wish. In other words it's some form of oligarchy/ non democratic public service dictatorship.

Please explain to me how any of these actions are not ultra vires. On whose authority are you acting if not the democratic will of the people exercised through the democratic vote of the PROW Committee which included votes from counsellors of all parties.

I don't believe that you have any legal basis or status to act as claimant and oppose the PROW.

What gives you the legal authority to spend money on legal action to oppose the PROs that was voted for by your own PROW Committee? Or in other words, isn't it true that the counsellors can have a vote as long as it does not go against the wishes of the invisible men/ women in the grey suits who clearly run the city and what a great job you are doing of that!

Sharon Smithen

I wish to protest most strongly about any proposal to overturn the democratic decision by Councillors last June on the PROWG granting Stoke Lodge TVG status duly registered in August. My wife and I are now enjoying the freedom to roam this open space without hindrance of a fence and admire the views, the trees and space of this historic landscape.

Keith Sheather

I strongly object to any attempt to rescind the approval given last June at the PROW Committee and subsequent registering of the land as a Village Green.

I have lived in Stoke Bishop for 50 years and my family has walked and played and enjoyed the green space of the Stoke Lodge parkland throughout that time. It is the fencing off of the area and consequent public deprivation to which we object and now the suggestion that a democratic vote and registration can be overturned.

Dear Sir or Madam,

I protest against the decision of BCC and Cotham school to demand YET ANOTHER judicial review after the PROWG committee voted overwhelmingly, 6-1, to determine that Stoke Lodge playing fields should be a TVG.

This is a willful waste of public funds after 2 judicial reviews, in which many files of evidence were submitted and considered with due process and legal consideration before the committee made their decision and voted last summer.

As a local resident I strongly condemn this action by BCC in conjunction with Cotham School.

Your faithfully  
Thomas H C Alpass

Dear Democratic Services, (cc Cllr Steve Smith, Sharon Scott, Geoff Gollop and my local MP Darren Jones),

This message is intended for the PROWG Committee, which I understand is due to meet Monday next week.

Please can you confirm that this message has been recorded by the Council and properly passed on to the PROWG Committee.

Dear PROWG Committee,

I would like to strongly agree with the recent comments made by Councillor Tessa Fitzjohn (currently Chair of PROWG) and would like to express my sheer shock, disgust and outrage at how the Council (or one small part of it at least) is disgracefully not completely backing an entirely democratic decision made by the PROWG Committee with a majority of 6-1.

As far as I am aware the Council is a single legal entity and if different parts of the Council diverge, disagree and disobey each other in the face of properly taken democratic and decisions, then this is going to be a recipe for chaos. What if one part of the Council decides to ignore budgetary controls issue by another part?

I am afraid that this is also really not a (yet another) good look for the Council (and, by this, I do not mean Councillors). Blocking a democratic decision seems unconstitutional. It also reinforces the view, that many hold, that Bristol City Council does not care much for the citizens that live within its bounds and is only going to encourage views that Bristol City Council needs to be broken up. Personally, I think we are stronger and better together, but what option will citizens have if non-Councillor officials unilaterally decide to go against full, proper and democratic decisions?

As far as know, the recent 6-1 PROWG decision was taken after a vast amount of evidence, analysis, study and thought was put in to the decision from **both sides** over many years. The decision was taken democratically, democracy being at the core of our society. The Council must fully stand by its PROWG. Not partially, not half-heartedly, but fully.

Sincerely,  
Professor Guy Nason



**Statement to:**

**Public Rights of Way and Greens Committee to be held on 22<sup>nd</sup> January 2024**

**From: Local residents Alan and Sheila Preece**

We wish to support the clear, democratic decision of the PROW committee on 28<sup>th</sup> June 2023 with its large majority in favour of registration of Stoke Lodge as a Town or Village Green. It was an extremely well argued case and was in fact following the first decision of the inspector as well as his latest decision that there might be local circumstances that would support such registration, which was for the local committee to evaluate, which we think it did fairly and objectively. In this we wish to support the statement by Ms Tessa Fitzjohn, chair of the PROW, that she is shocked at the challenge to a democratic decision.

The interim contrary decisions were based on inadequate or withheld information so this last decision we believe strongly was the only correct one, and it is atrocious that unelected officers should take it on themselves to attempt to reverse the elected committee's support for the protection of Stoke Lodge as an amenity green space.

Very Sincerely

Alan and Sheila Preece

12 South Dene

BS9 2BW

[a.w.preece@btinternet.com](mailto:a.w.preece@btinternet.com)

Dear Committee

I am appalled that Bristol City Council is seeking to overturn the Committee's decision to designate Stoke Lodge playing fields a TVG. Your decision was the result of a democratic process and by challenging this, Council officers are making a mockery of the democratic voting system and the important role of elected members and committees.

I am concerned not only for the future of the TVG but also that, if Council officers are successful in this pursuit, it will create a dangerous precedent and any further democratic decisions by committees will be open to challenge by the Council.

Please do all you can to stop Council officers from overturning your democratic decision in the courts.

Regards

Sheila Wolfenden

Dear Sir/Madam,

I am appalled by the conduct of BCC and the sheer waste of public funds (OUR money) on challenging its own democratic decision to register the abovementioned TVG.

Please cease all action now and the relentless challenging of the TVG.

We are supposed to be living in a fair & just society - please abide by democracy and respect the law, rules and decisions made.

Best regards,

J.

Dear Sir/Madam,

There are press reports that the Council is considering joining Cotham School in litigation to challenge the decision taken by PROW in June 2023 to register Stoke Lodge Playing Field as a village green.

This would appear to me to be an affront to democracy. The Commons Registration Authority is the servant of PROW. It has registered the village green and is duty bound to defend its position. It cannot adopt a neutral position and did not do so in 2016 when it robustly defended the TVG decision made by PROW.

I understand that the Council in its capacity as landowner might wish to consider litigation, but its interest here is only that of a freeholder with the encumbrance of a 125 year lease at nil rent and with a liability attached to maintain the boundaries and trees. It would seem perverse for public money to be spent on an asset which has no value to the Council.

Yours faithfully

Ms O W Batley

I watched on zoom as the decision was taken democratically to make Stoke Lodge a TVG. I have been shocked at this latest move to question this. There was much discussion on that day in June and it passed 6-1. I feel embarrassed by not just the behaviour of Cotham school but also the role of our council.

In the UK we have many people struggling and Bristol is no exception. The money which would be required to overturn the right decision should be spent correctly and none should be acquired from an education budget.

There is nothing but willingness by the local community, to let students enjoy the playing areas, which they can safely use and enjoy. This wonderful open space needs protection and it deserved its status as a TVG and that must still stand.

Thank you.

Jane Beazer

To all Councillors on Bristol City Council

Please will you step in to make sure that Bristol is not once again known world wide for reactionary and undemocratic conduct. This action smacks of the same behind-the-scenes activity that has made our country the biggest hypocrite that can be identified in government matters-that is with the Post office scandal.

What is the matter with everyone today? No wonder our young people do not think it worth voting for any local Councillors or MP's. They see no point when democracy is laughed at by its leaders.

Pleas save Bristol's honour by making sure that the decision by the PROWG is observed to the latter. Hilary long (The Westbury on Trym Society and a former parliamentary candidate for Social Democracy!)

## Stoke Lodge Town & Village Green

It's disgusting that Bristol City Council is now trying to overturn the decision of its elected Public Rights of Way and Greens Committee to approve and register Stoke Lodge Town and Village Green.

How many more underhand dealings will there be by certain factions within the Council to keep control of this land, and deny the people of Bristol their right to use this wonderful open space ?

The Commons Registration Authority should be fully and actively defending the decision reached by the Council through this committee.

Yours sincerely

*Fish*