

List of Appendices

Appendix A DMMO Map

Appendix B Definitive Map Extract 1954

Appendix C1-3 Definitive Map Extract 1966

Appendix D1-2 1839 Tithe Plan with Field Names, 1839 Tithe Map

Appendix E1-8 1880s OS First Edition with PRoW Network Superimposed, 1883 First Edition OS, 1883 First Edition OS with Current OS Superimposed, 1903 OS, 1918 OS 3rd Edition, 1952 Map, Extract from 1974 OS, 1974 OS

Appendix F1-5 Plans of Stoke Park, various years

Appendix G1-19 Extracts from Envirocheck Maps

Appendix H1-2 Abstract of Title of Thomas Cottrell

Appendix I1-9 Aerial Photographs

Appendix J1-13 Land Registry Documentation

Appendix K1-3 Lead Applicant Evidence and Map

Appendix L1-6 Site Photos

Appendix M1-4 Correspondence to Lead Applicant from Bristol City Council

Appendix N1-7 Application Forms from Lead Applicant

Appendix O Tabulated User Evidence Data

Appendix P1-2 Correspondence with Stoke Park Consortium

Appendix Q1-5 Landowner Evidence

Appendix R1-4 Consultation Letters between BCC and Landowners

Appendix S1-2 Land Registry, Register View BL70903

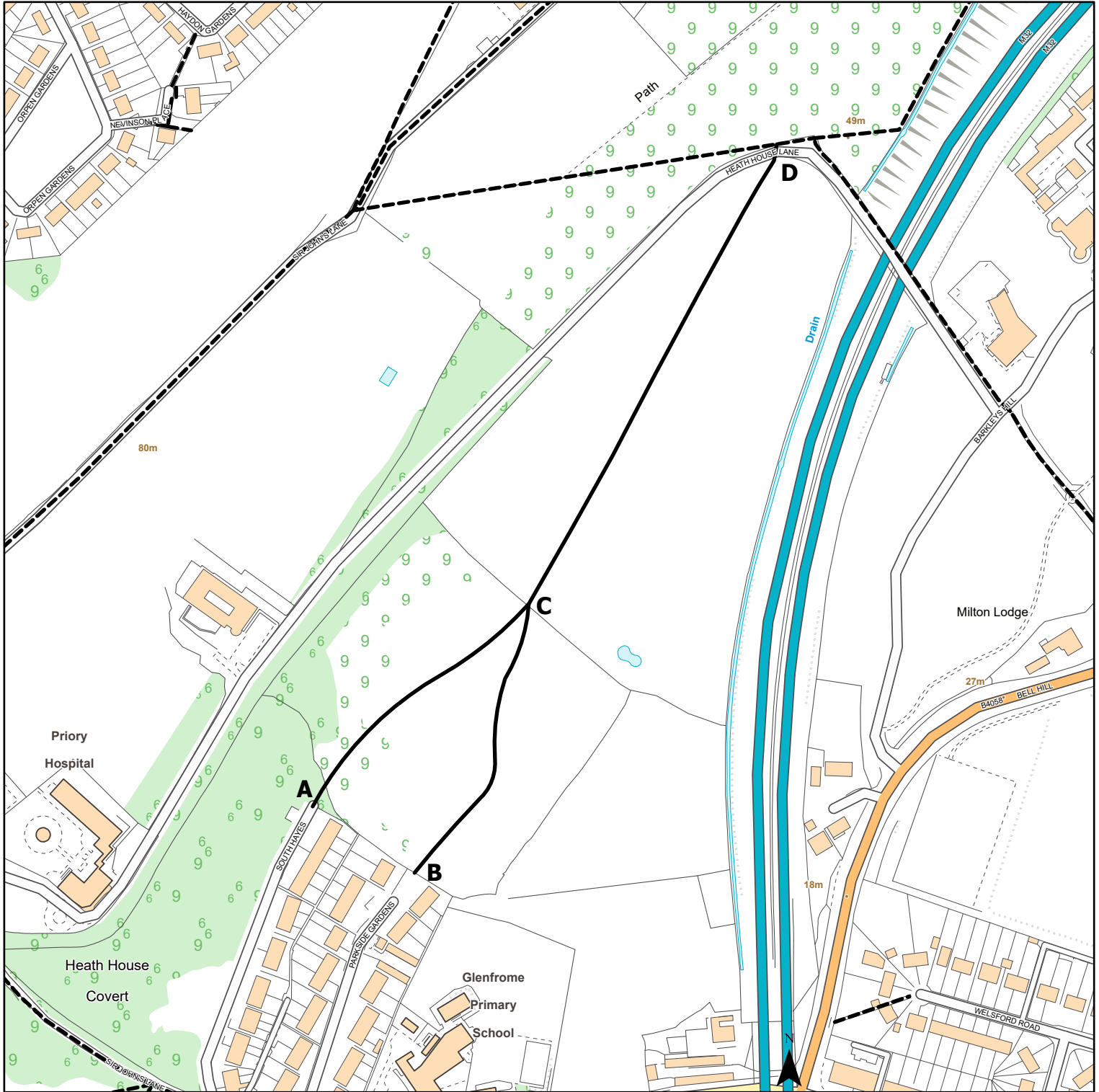
Appendix T Land Registry, Title View BL70903

Appendix U1-21 Land Registry, Register View BL1165

Appendix V1-6 Letters to Parties Inviting Informal Consultation

Appendix W1-2 Emails from BCC Landowners relating to land at Stoke Park

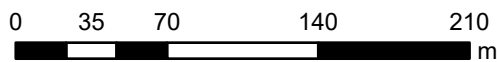
BRISTOL CITY COUNCIL
 Claimed route between South Hayes and Parkside Gardens,
 to Heath House Lane, Lockleaze



Legend

- A B C D Claimed Routes
- Public rights of way (existing)
- Footpath (PRoW)

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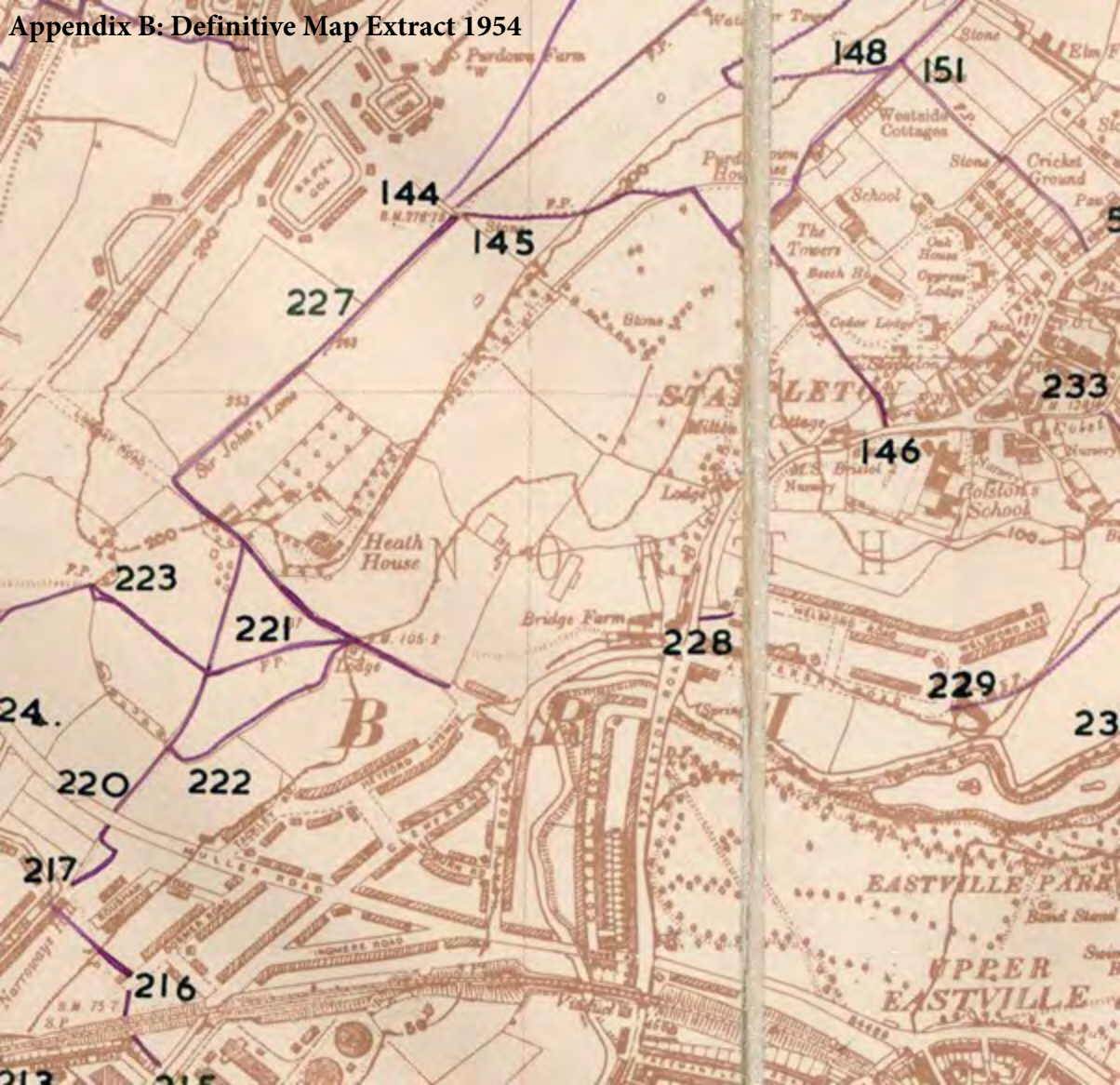
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Date: 16/01/2024

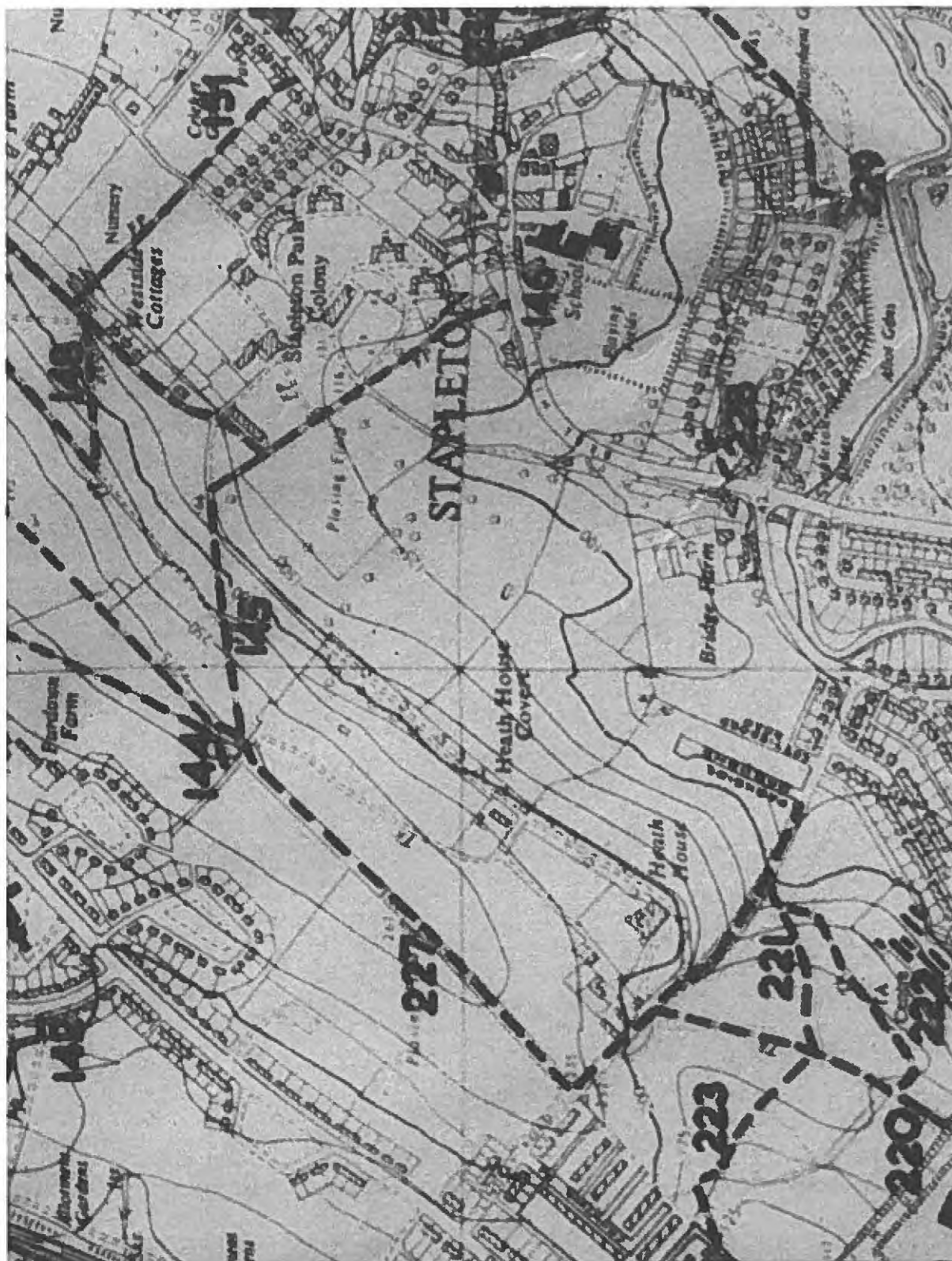
Grid ref (centroid): ST 61041 76036



Appendix B: Definitive Map Extract 1954



Extract from 1966 Edition of DEFINITIVE MAP



Showing fields NE of Sir Johns Lane (PROW 227) and paths to Stapleton Village (PROWs 145/146)



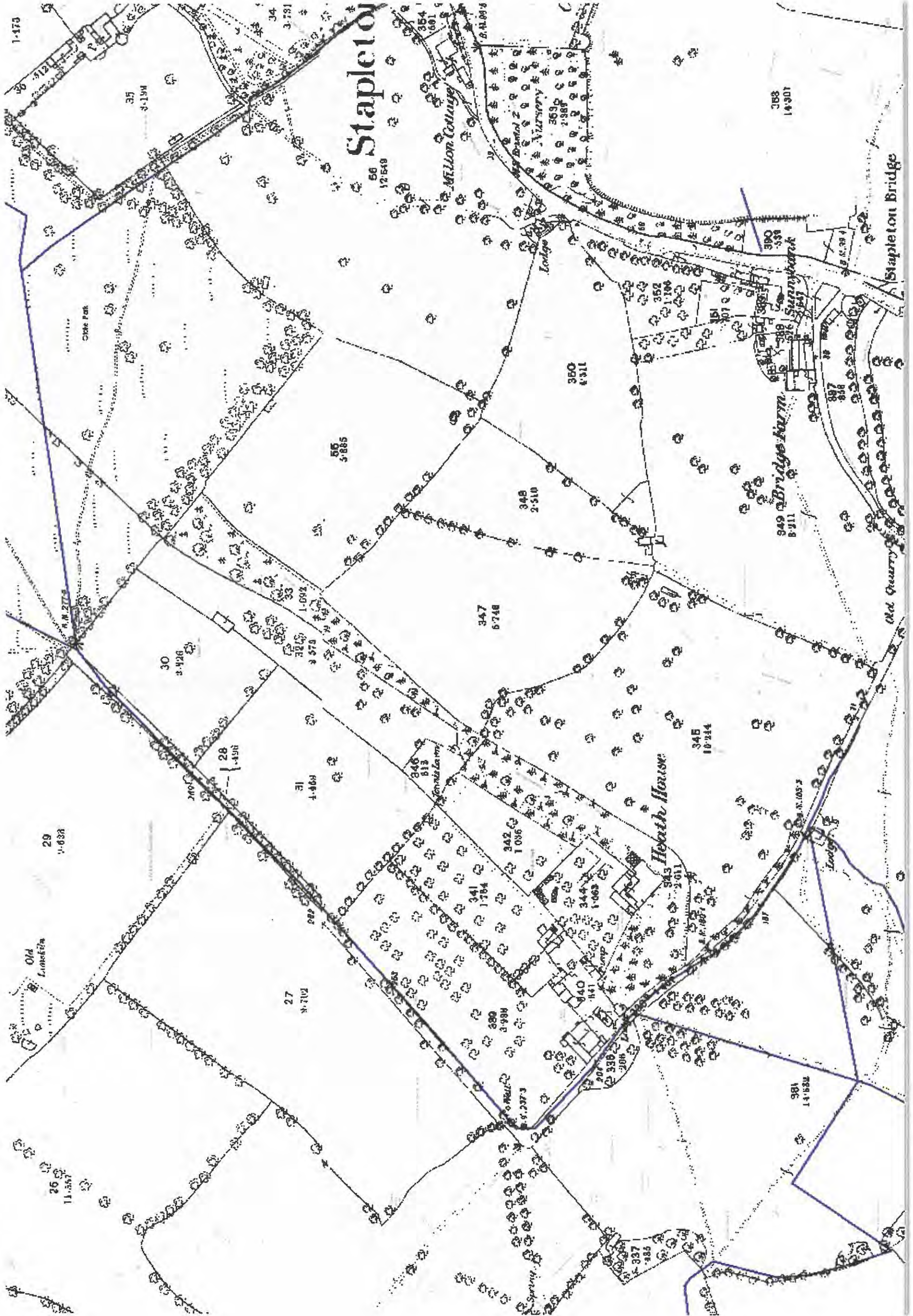
Continued from the Crumshaw map with the sanction of the

142

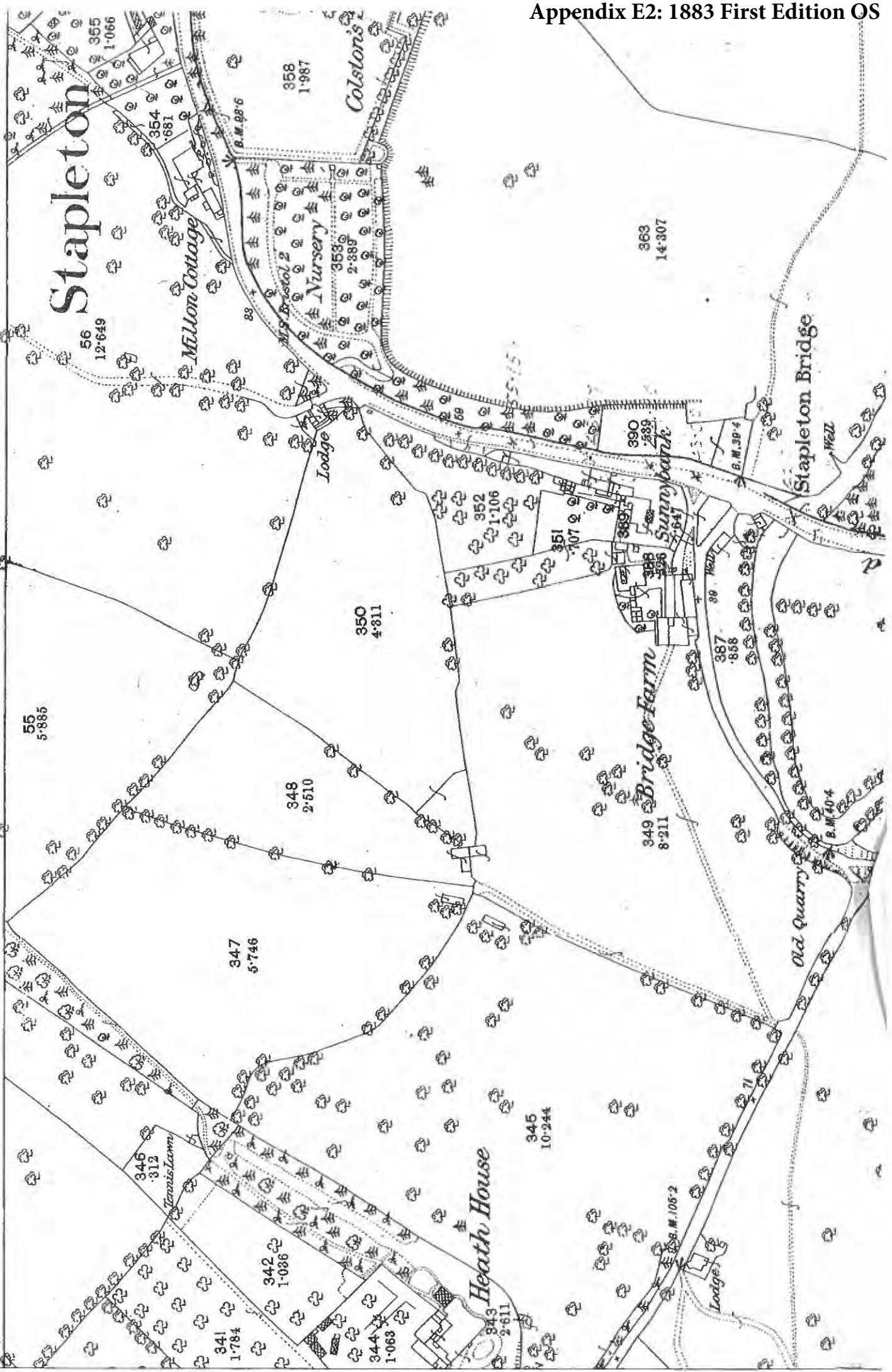
223



1839 TITHE MAP - Parish of Stapleton, Gloucestershire



1880s FIRST EDITION ORDNANCE SURVEY MAP SUPERIMPOSED ONTO CURRENT PROW NETWORK



STAPLETON P.B. 31 4-459 32 2-575 33 1-692

55 5-886

56 12-649

347 5-746

348 2-510

350 4-811

342 1-086

341 1-784

344 1-063

343 2-611

345 10-244

346 1-052

349 8-211

387 8-858

351 7-707

352 1-106

390 2-539

963 14-307

358 1-987

359 2-389

354 6-681

355 1-066

Stapleton Bridge

Bridge Farm

Heath House

Stapleton

Colston's

Millon Cottage

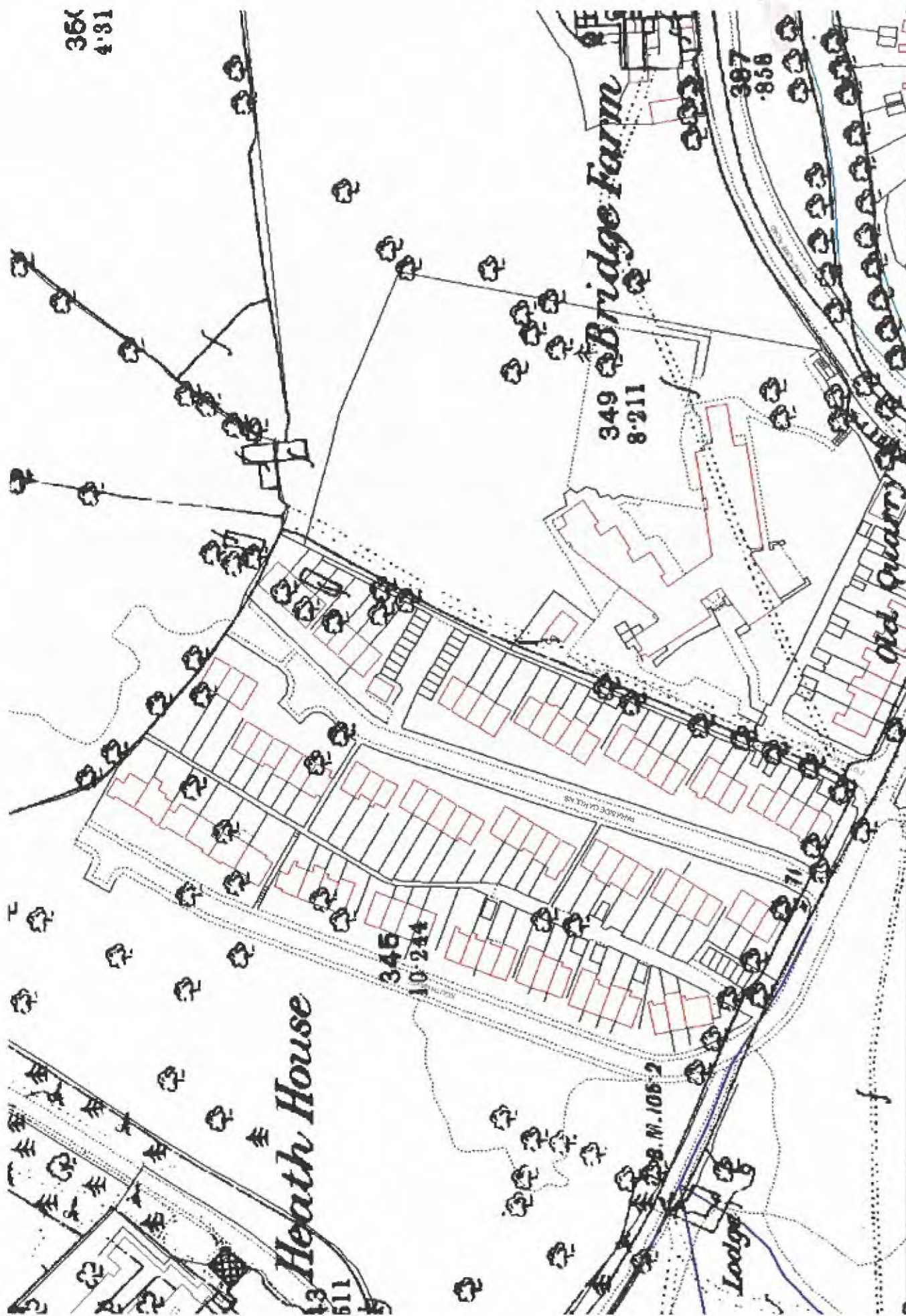
Lodge

Lodge

Old Quarry

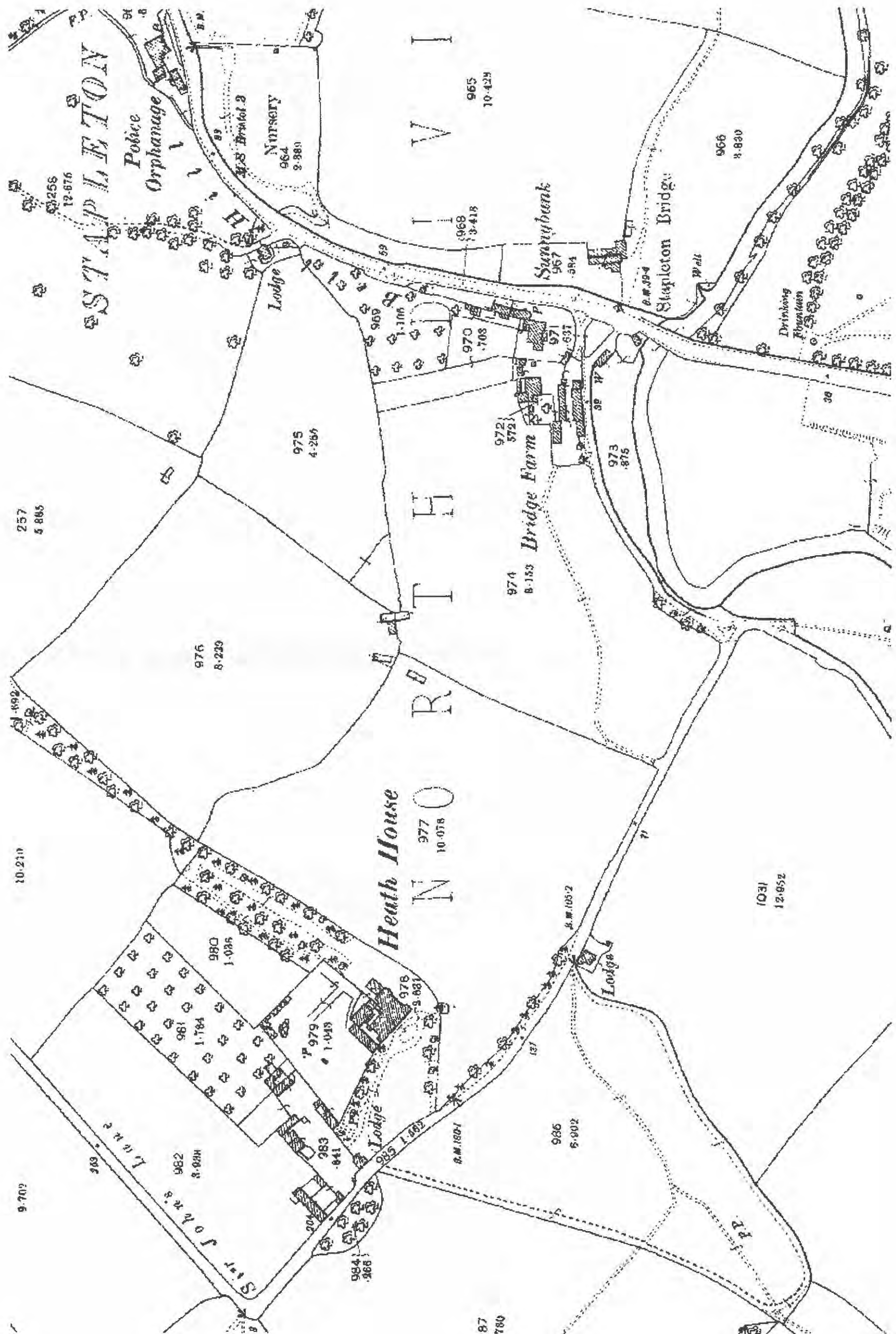
Well

Tennis Lawn

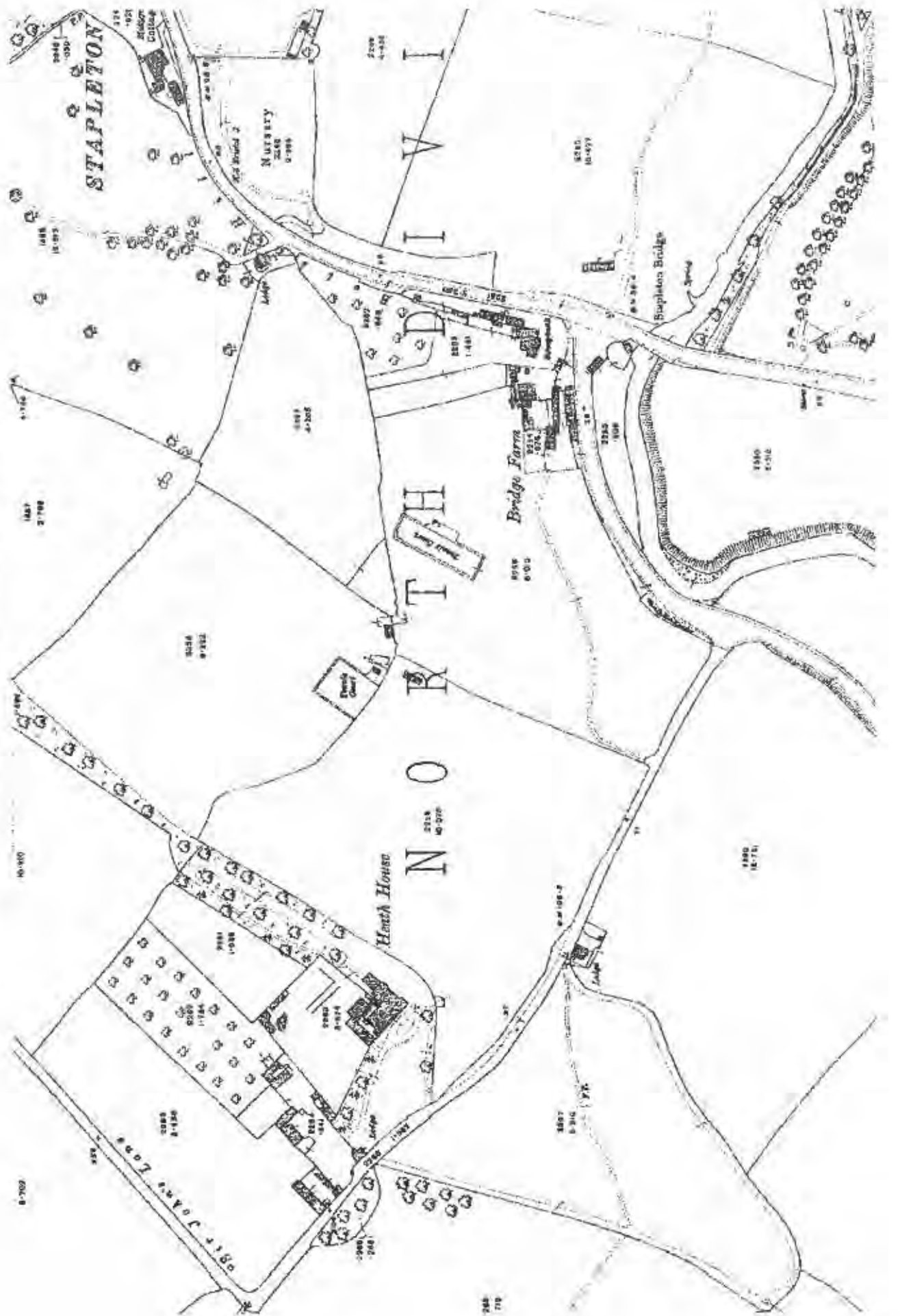


1883 FIRST EDITION ORDNANCE SURVEY PLAN SUPERIMPOSED ONTO CURRENT OS MAP

ORDNANCE SURVEY MAP - 1903 Edition



ORDNANCE SURVEY MAP - 1918 Edition





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Appendix E6: 1952 Map of Stapleton, site in south-western corner

PLA

To save paper the reference tables of Conventional Signs and other footnotes have been omitted. They are published separately.

This plan is a direct reduction of the component 1:1250 plans.

Dates of Revision	
May 1950	Aug 1950
June 1950	

Printed and Published by the Director General of the Ordnance Survey, Cheshington, Surrey, 1952.

The representation on this plan of a road, track or footpath is no evidence of the existence of a right of way.

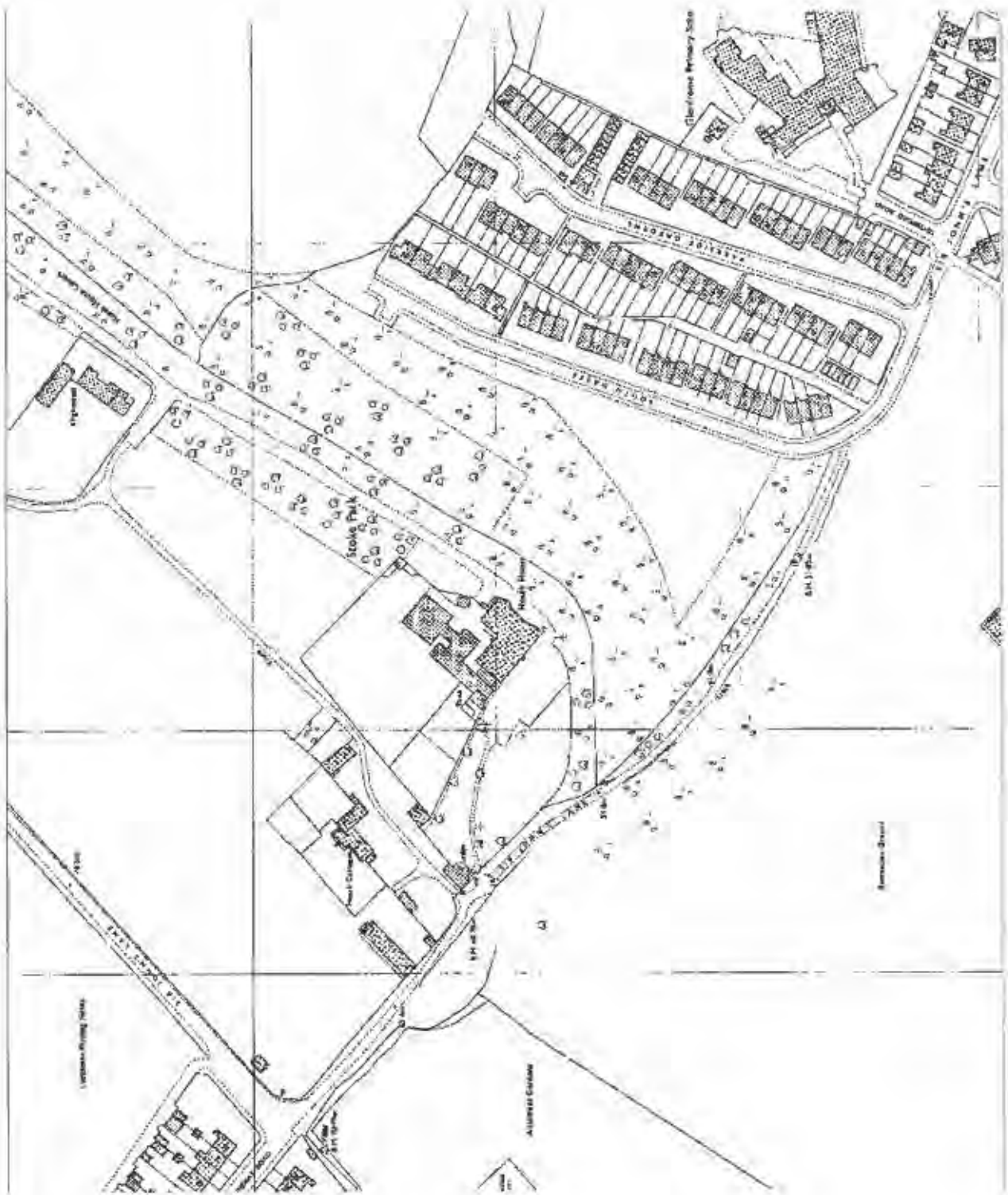
Re-levelled on Newlyn Datum 1965.

PLAN ST 6176
(31/6176)

APPENDIX



Extract from O S Plan (Eastville Ward) 1974 Edition



ORDNANCE SURVEY MAP – 1974 Edition

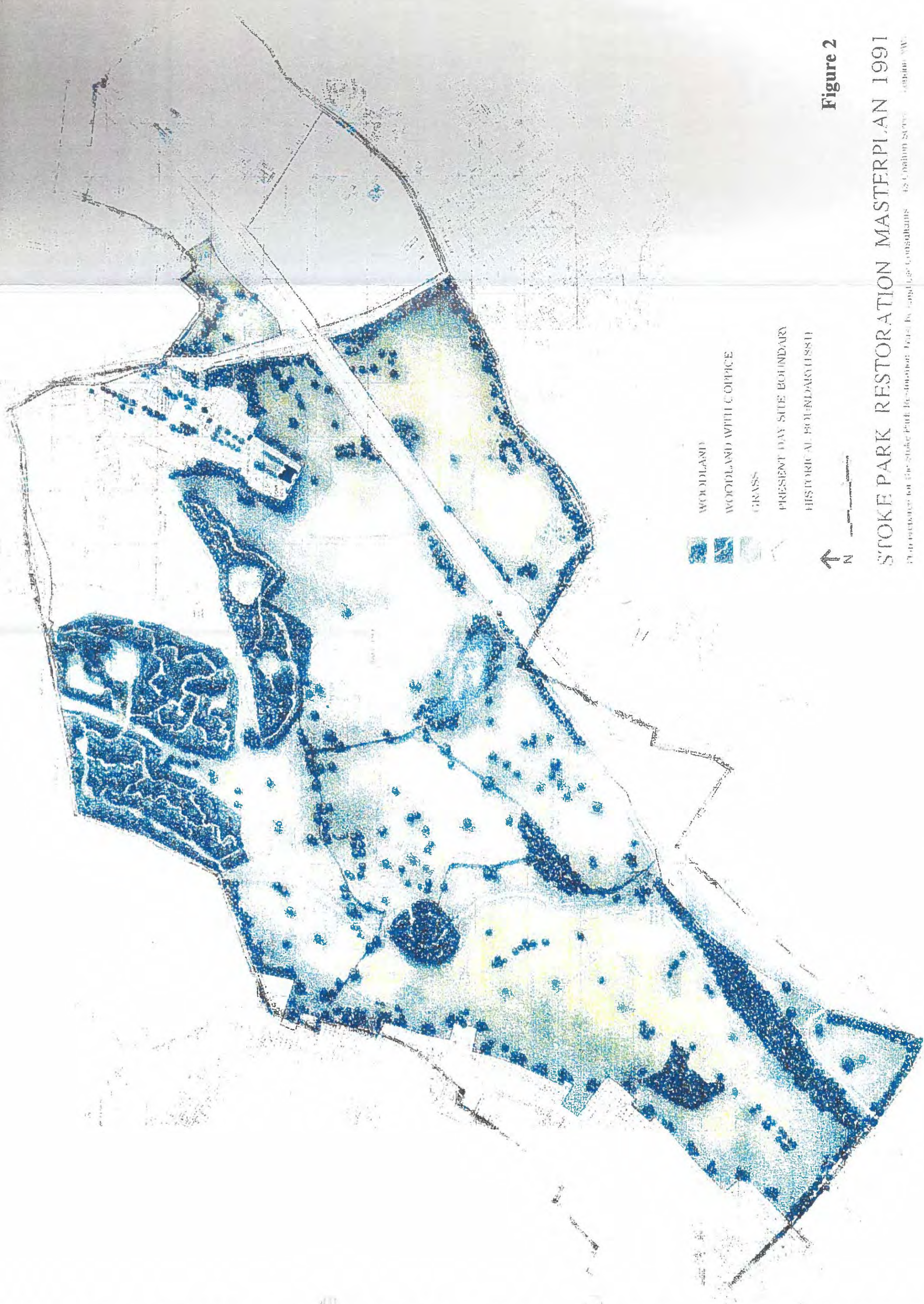
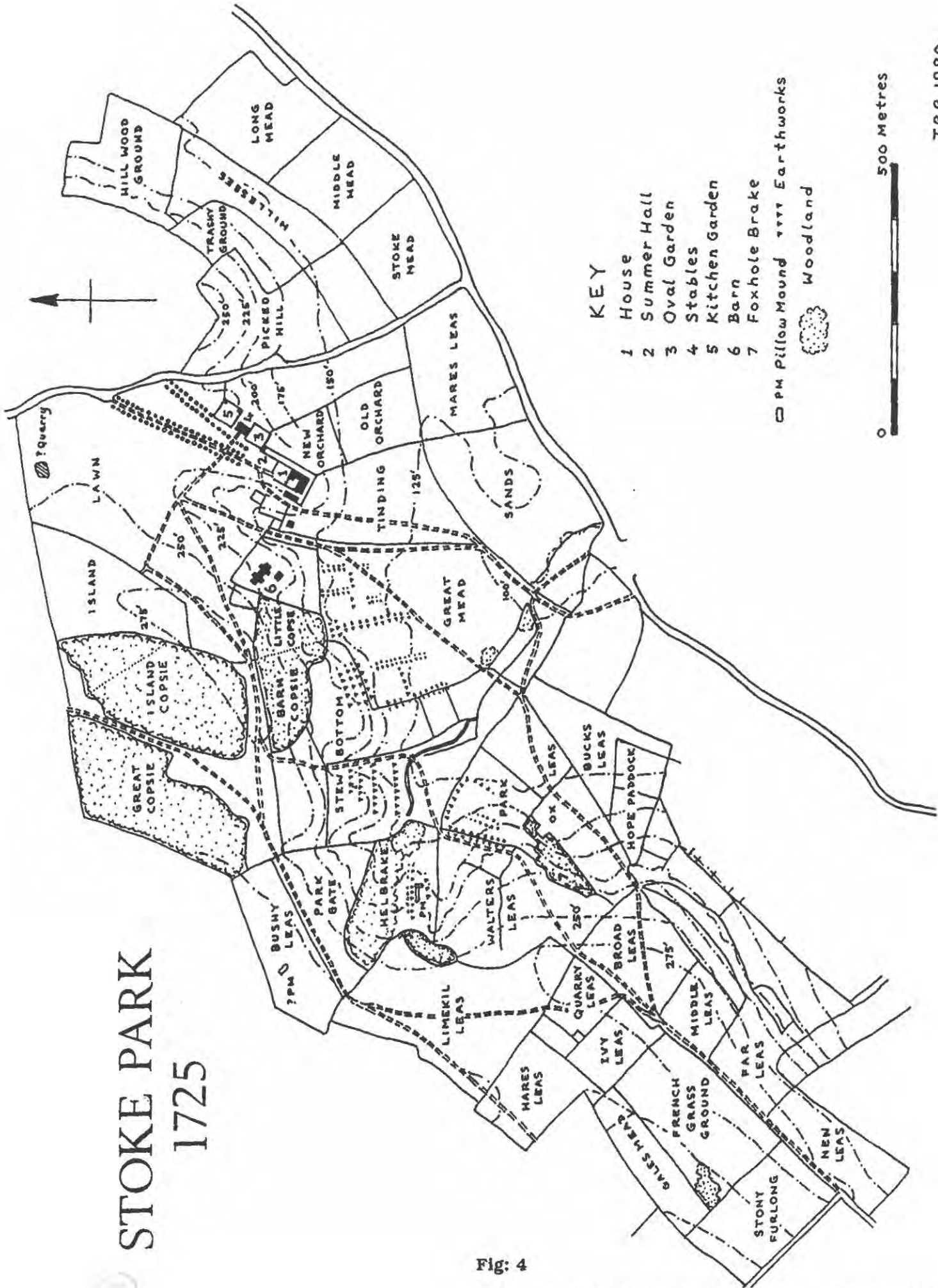


Figure 2

STOKE PARK RESTORATION MASTERPLAN 1991

Prepared for the Stoke Park Restoration Trust by Temple Consultants 42 Colindale Avenue London NW9 1NS

STOKE PARK 1725



KEY

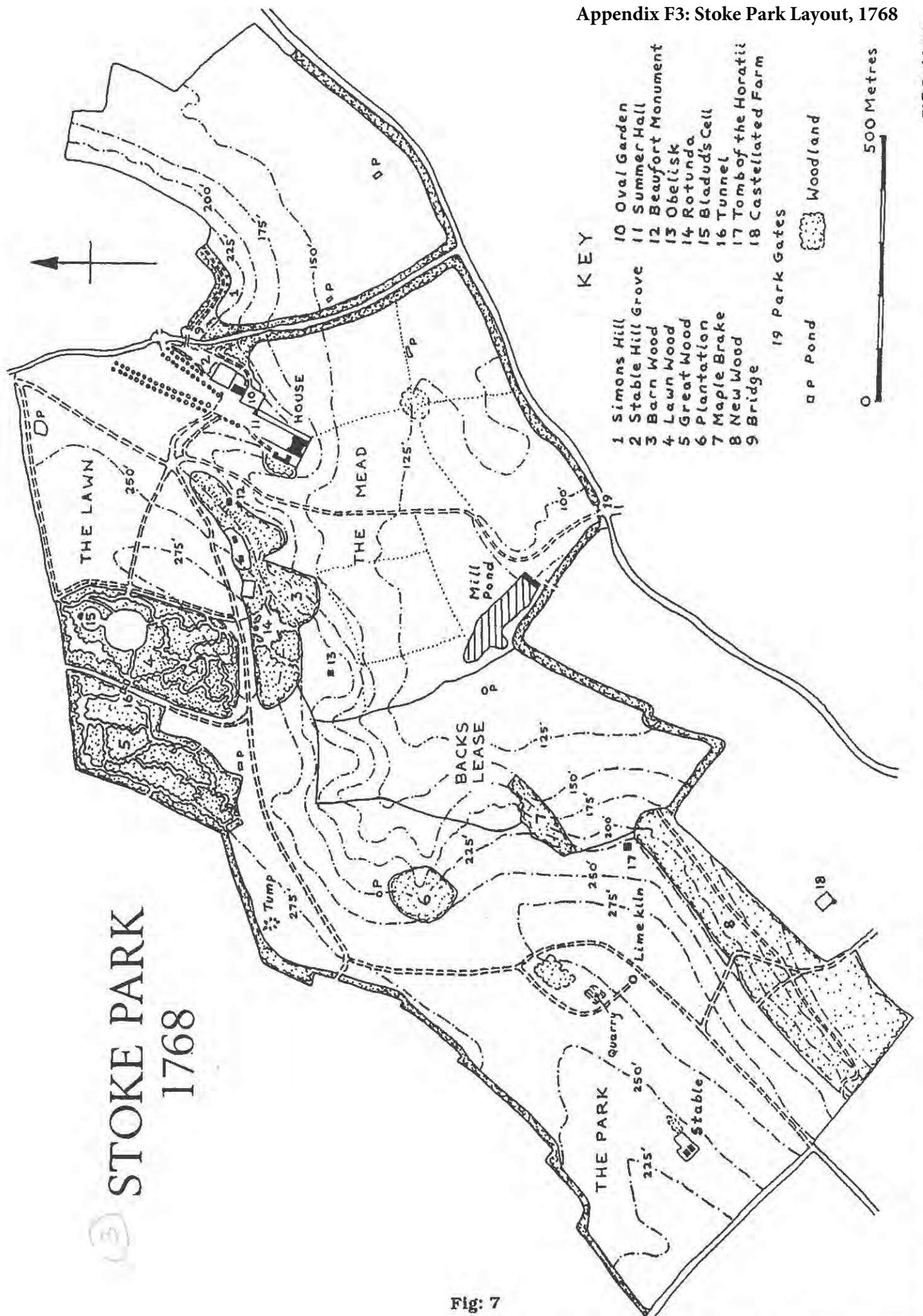
- 1 House
- 2 Summer Hall
- 3 Oval Garden
- 4 Stables
- 5 Kitchen Garden
- 6 Barn
- 7 Foxhole Brake
- P.M. Pillow Mound
- ⋯ Earthworks
- ☁ Woodland

0 500 Metres

JRR 1990

Fig: 4

Stoke Park 1725 interpretation by James Russell 1990.



STOKE PARK
1768

Fig: 7

Stoke Park 1768 interpretation by James Russell 1990.



Fig: 9

4 1st Edition Ordnance Survey Plan 1881.

Appendix F5: Stoke Park
Survey Plan, 1749

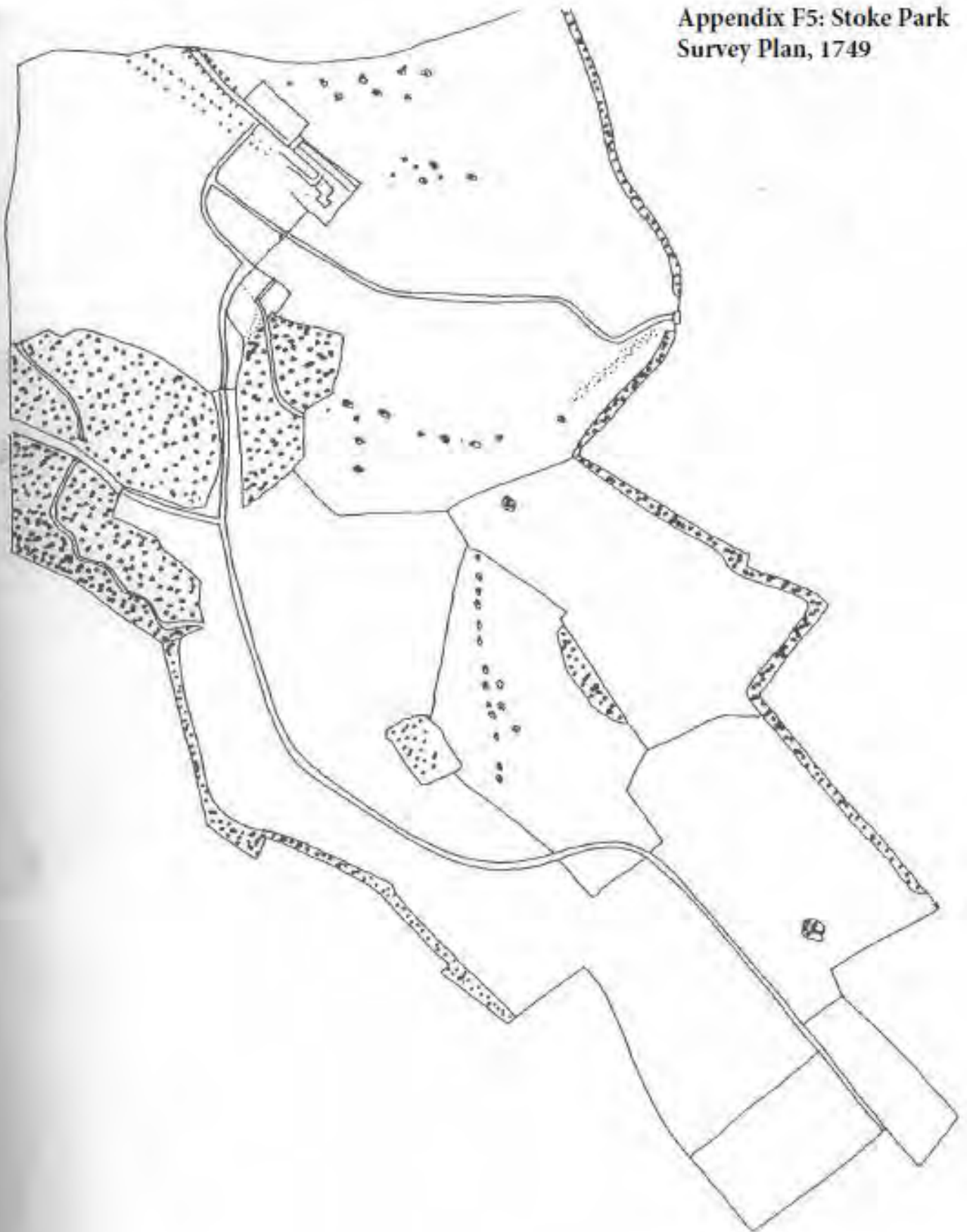


Fig: 5

Survey Plan by Cooke 1749.

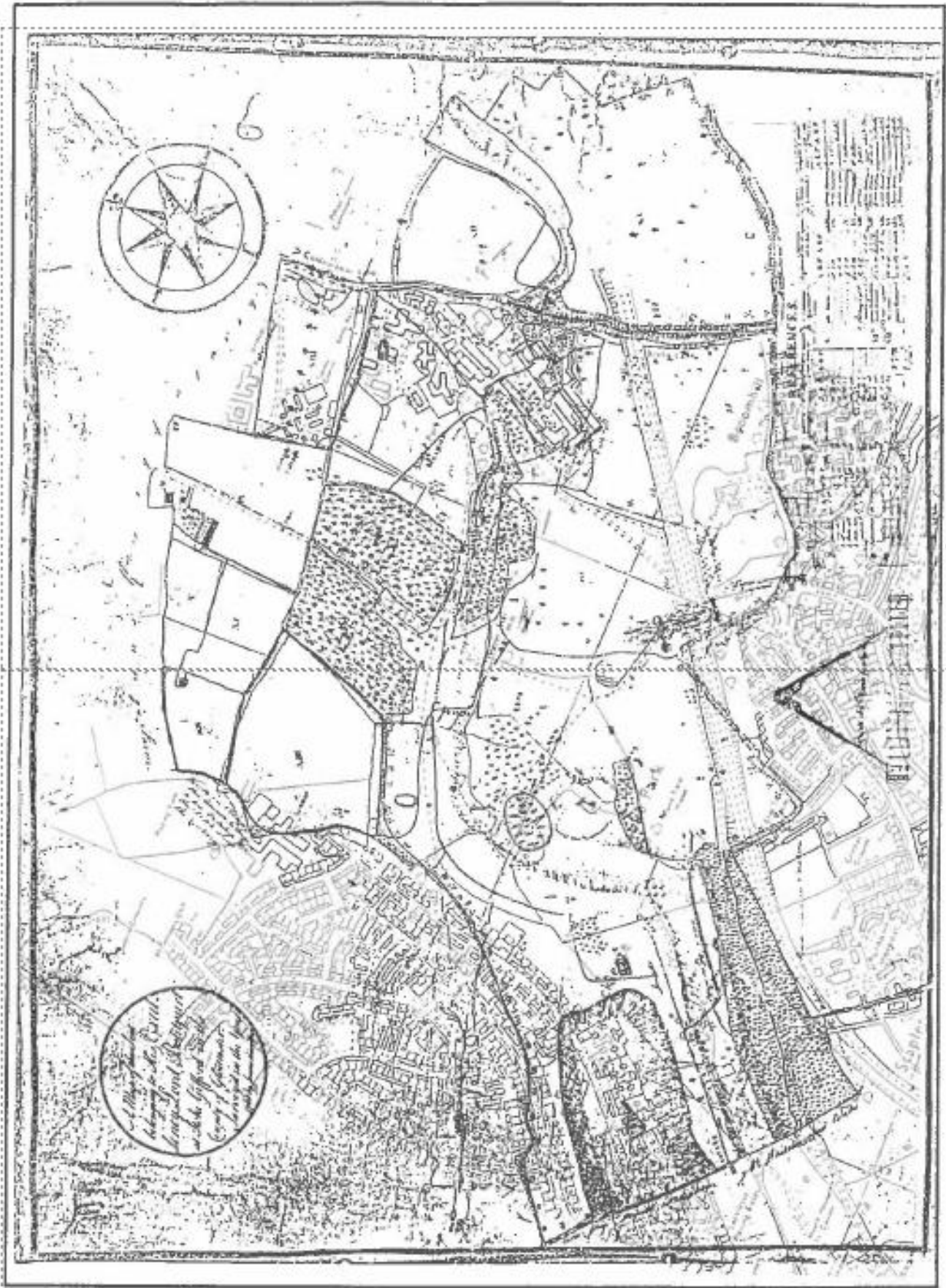


Fig: 6

Jonas Blandford's Survey of Stoke Park 1768
(Gloucester Record Office).



**Ordnance Survey Plan
Published 1951**

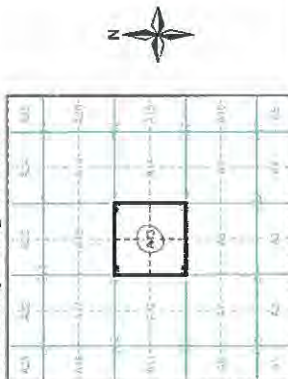
Source map scale - 1:1,250

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1896 it covered the whole of what were considered to be the cultivated parts of Great Britain. The published date given below is often some years later than the surveyed date. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in adjoining areas.

Map Name(s) and Date(s)

PT 607 ANNST 607 ANNST 67 ANNY
1951 1951
1:250 1:250 1:1,250
PT 607 ANNST 607 ANNST 67 ANNY
1951 1951
1:250 1:250 1:1,250
PT 607 ANNST 607 ANNST 67 ANNY
1951 1951
1:250 1:250 1:1,250

Historical Map - Segment A13



Order Details

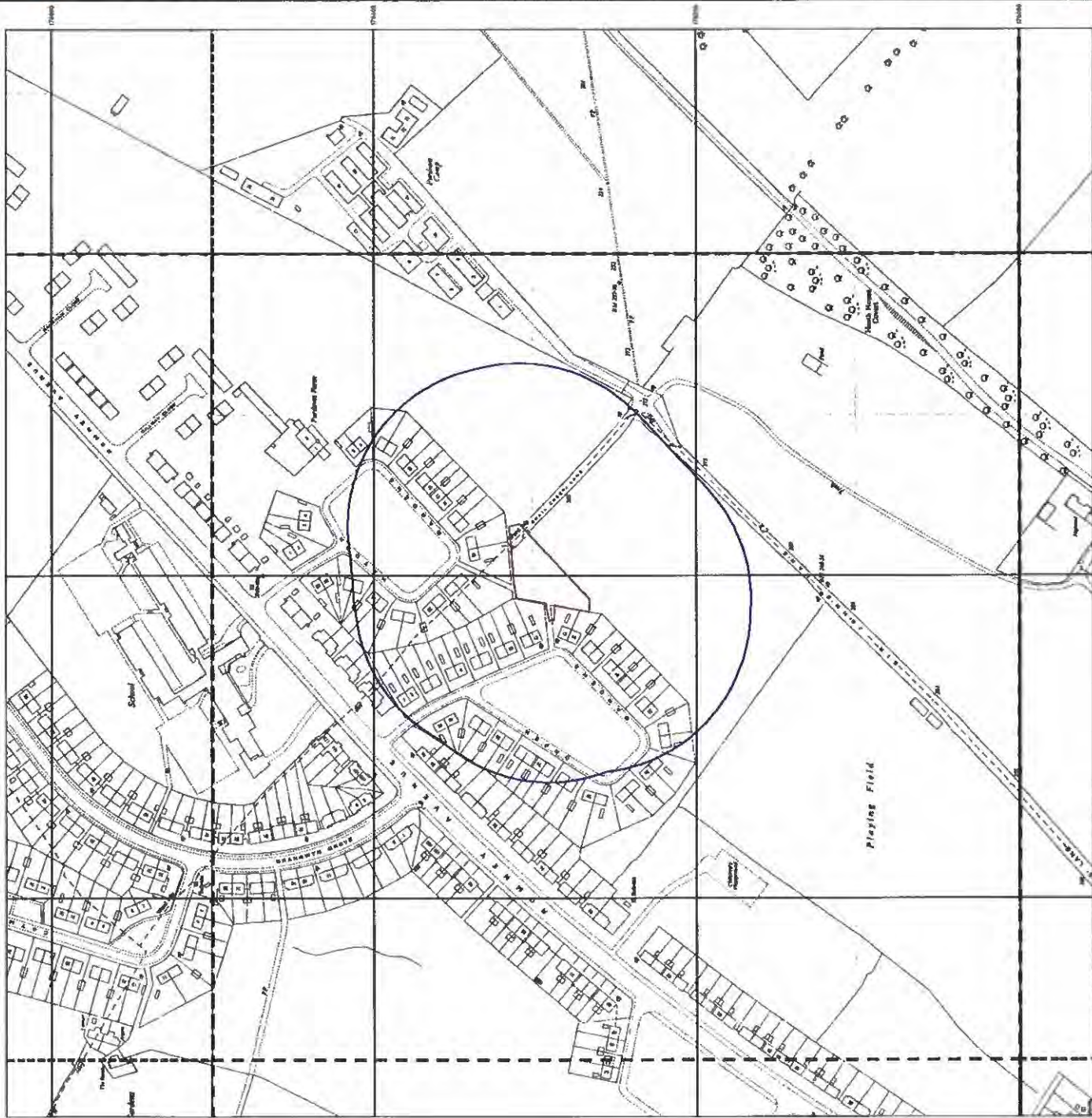
Order Number: 33516287_1_1
Customer Ref: Y1244
National Grid Reference: 360800, 176290
Slice: A
Site Area (Ha): 0.15
Search Buffer (m): 100

Site Details

Site at 360800, 176200



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**Ordnance Survey Plan
Published 1952**

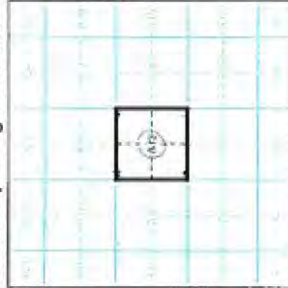
Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1886 it covered the whole of what were considered to be the cultivated parts of Great Britain. The published date given below is often some years later than the survey date. Before 1938 all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas.

Map Name(s) and Date(s)

ST 8795	ST 8796	ST 8797
12,500	12,500	12,500
ST 8795	ST 8796	ST 8797
12,500	12,500	12,500

Historical Map - Segment A13



Order Details

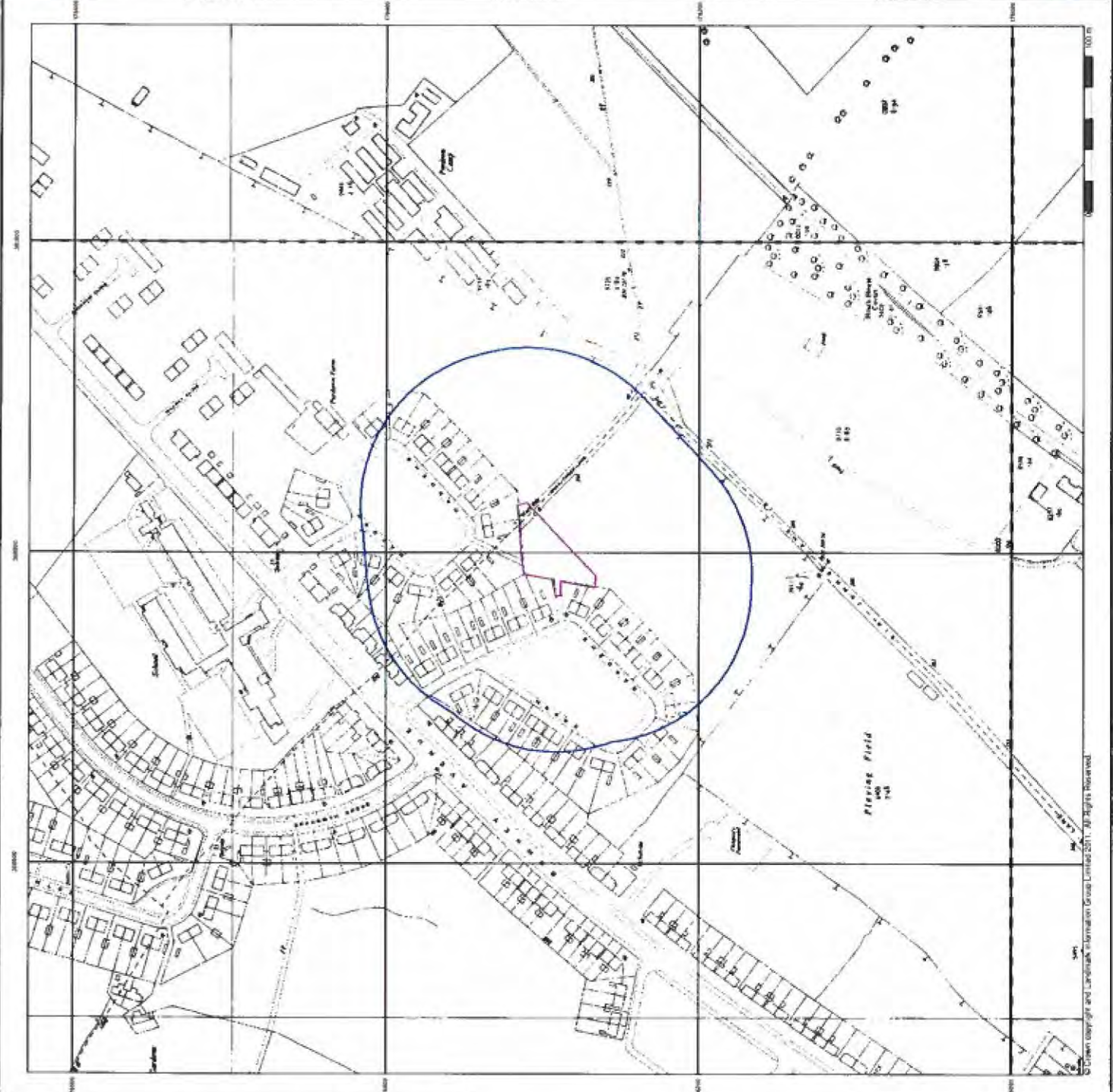
Order Number: 33516287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 S1028
 Site Area (Ha): 0.15
 Search Buffer (m): 100

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**Ordnance Survey Plan
Published 1952 - 1972**

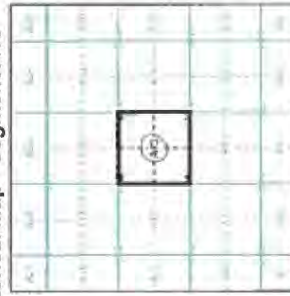
Source map scale - 1:1,250

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1940's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1886 it covered the whole of what was considered to be the cultivated parts of Great Britain. The published date given below is often some years later than the surveyed date. Before 1938, all OS maps were based in the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas.

Map Name(s) and Date(s)

- PT 607446W/160645E/176200N
1852
1:1,250
- PT 607446W/160645E/176200N
1907
1:1,250
- PT 607446W/160645E/176200N
1952
1:1,250

Historical Map - Segment A13



Order Details

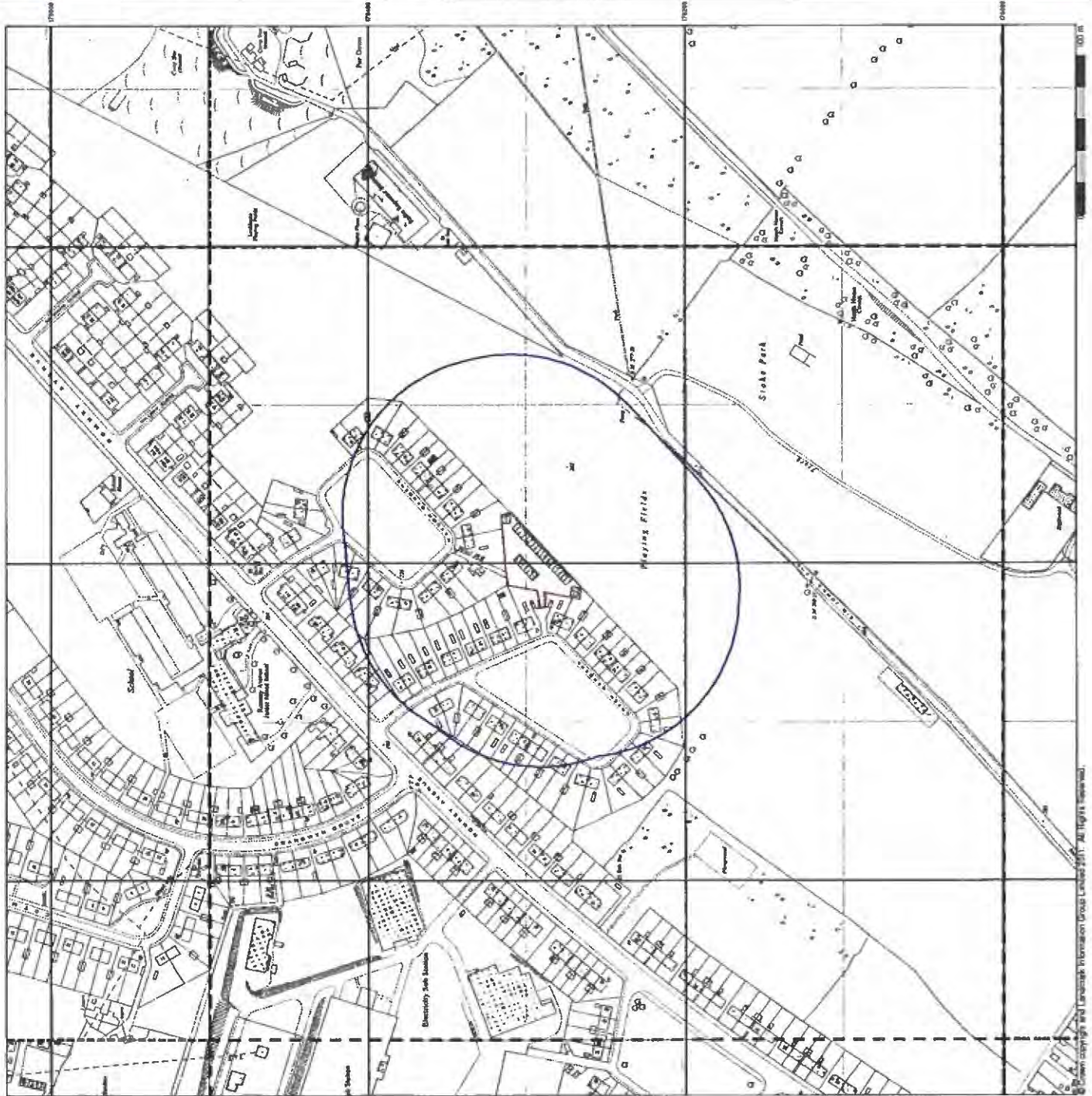
Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 100

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**Additional SIMs
Published 1985 - 1991**

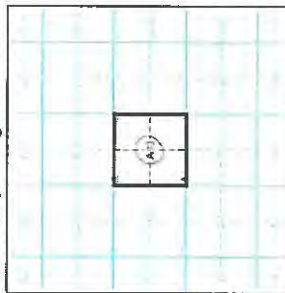
Source map scale - 1:1,250

The SIM cards (Ordnance Survey's Survey of Information in Microfilm) are further, more editions of mapping which were produced and published in between the main editions as an area was updated. They date from 1947 to 1991, and contain detailed information on buildings, roads, and other features. These maps were produced at both 1:2,500 and 1:1,250 scales.

Map Name(s) and Date(s)

576075NW	1:1,250	1985
576075NW	1:1,250	1986
576075NW	1:1,250	1987
576075NW	1:1,250	1988
576075NW	1:1,250	1989
576075NW	1:1,250	1990
576075NW	1:1,250	1991
576075NW	1:1,250	1992
576075NW	1:1,250	1993
576075NW	1:1,250	1994
576075NW	1:1,250	1995
576075NW	1:1,250	1996
576075NW	1:1,250	1997
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576075NW	1:1,250	1999
576075NW	1:1,250	2000
576075NW	1:1,250	2001
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576075NW	1:1,250	2003
576075NW	1:1,250	2004
576075NW	1:1,250	2005
576075NW	1:1,250	2006
576075NW	1:1,250	2007
576075NW	1:1,250	2008
576075NW	1:1,250	2009
576075NW	1:1,250	2010
576075NW	1:1,250	2011
576075NW	1:1,250	2012
576075NW	1:1,250	2013
576075NW	1:1,250	2014
576075NW	1:1,250	2015
576075NW	1:1,250	2016
576075NW	1:1,250	2017
576075NW	1:1,250	2018
576075NW	1:1,250	2019
576075NW	1:1,250	2020
576075NW	1:1,250	2021
576075NW	1:1,250	2022

Historical Map - Segment A13



Order Details

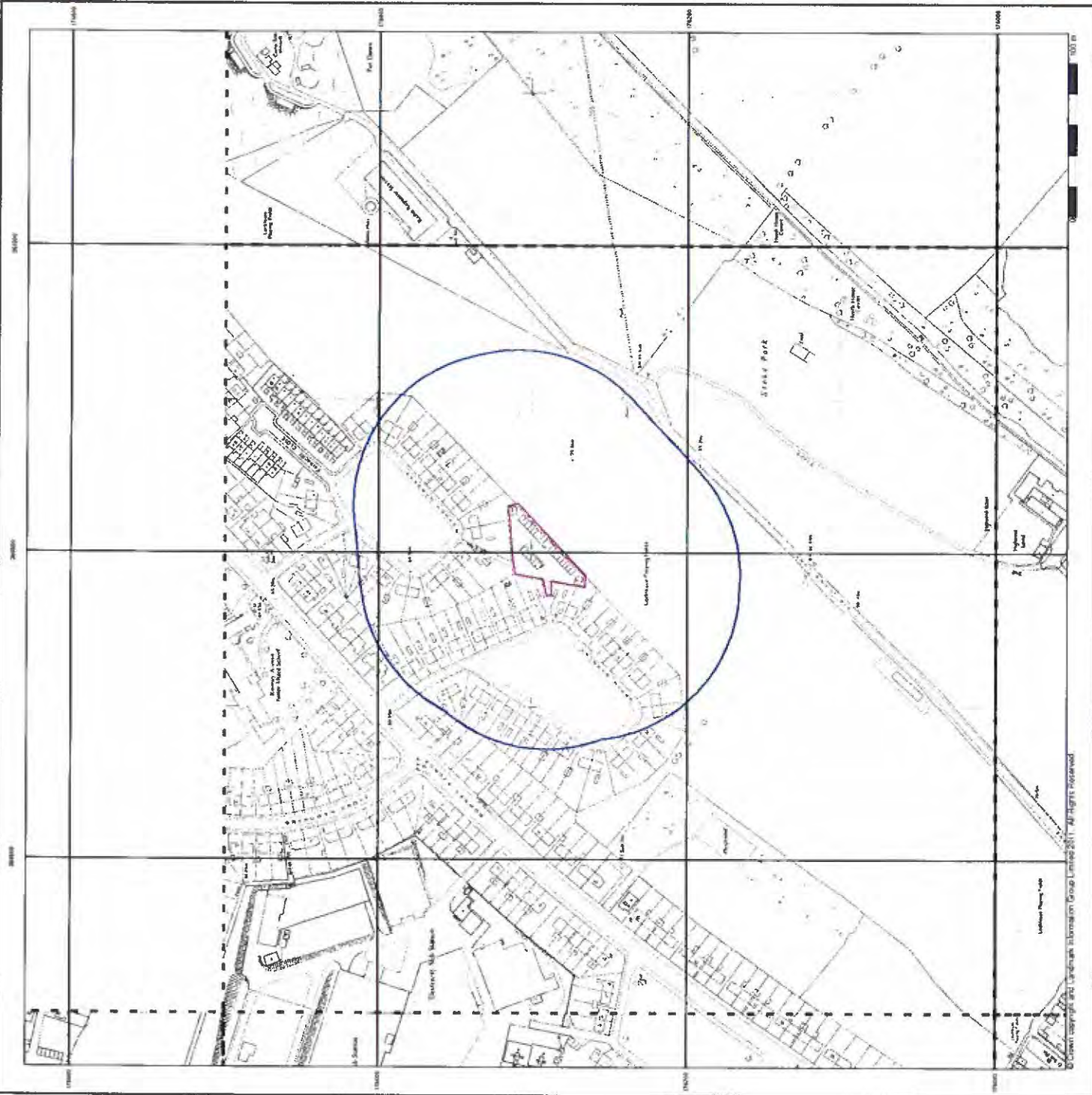
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 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 100

Site Details

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**Gloucestershire
Published 1904
Source map scale - 1:10,560**

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Map Name(s) and Date(s)

072NW	1904
1:10,560	
072SW	1904
1:10,560	

Historical Map - Slice A



Order Details

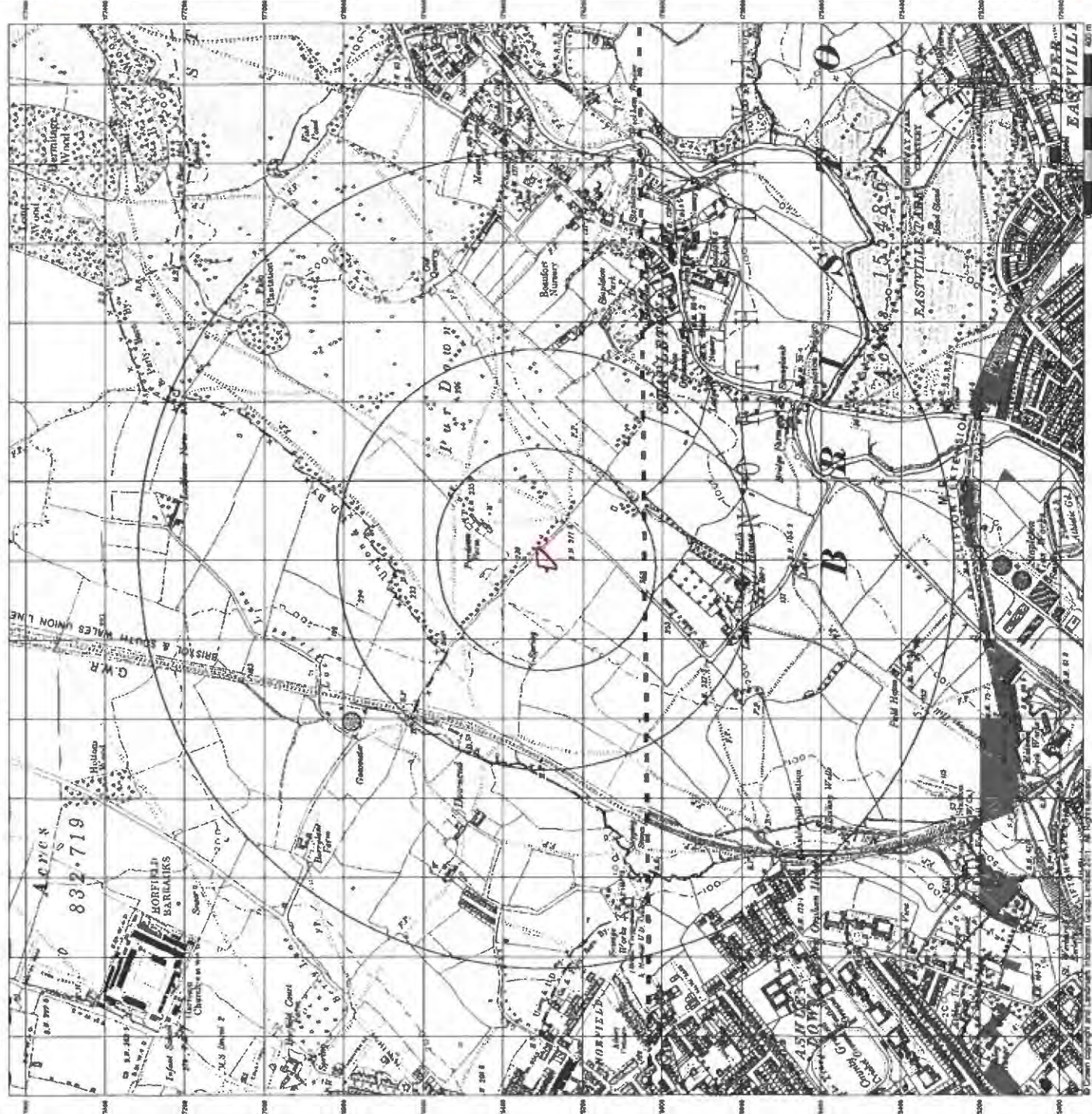
Order Number: 33616287_L1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176280
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

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**Gloucestershire
Published 1921**

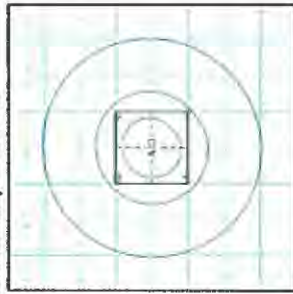
Source map scale - 1:10,560

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas, these maps were used to update the 1:10,560 maps. The published date given therefore is often some years later than the surveyed date. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas. In the late 1940's, a Provisional Edition was produced, which updated the 1:10,560 mapping from a number of sources. The maps appear unamended with all military camps and other strategic sites removed. These 1:10,000 maps were produced using the Transverse Mercator Projection. The revision process continued until recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

072NW	1921
1:10,560	
072SW	1921
1:10,560	

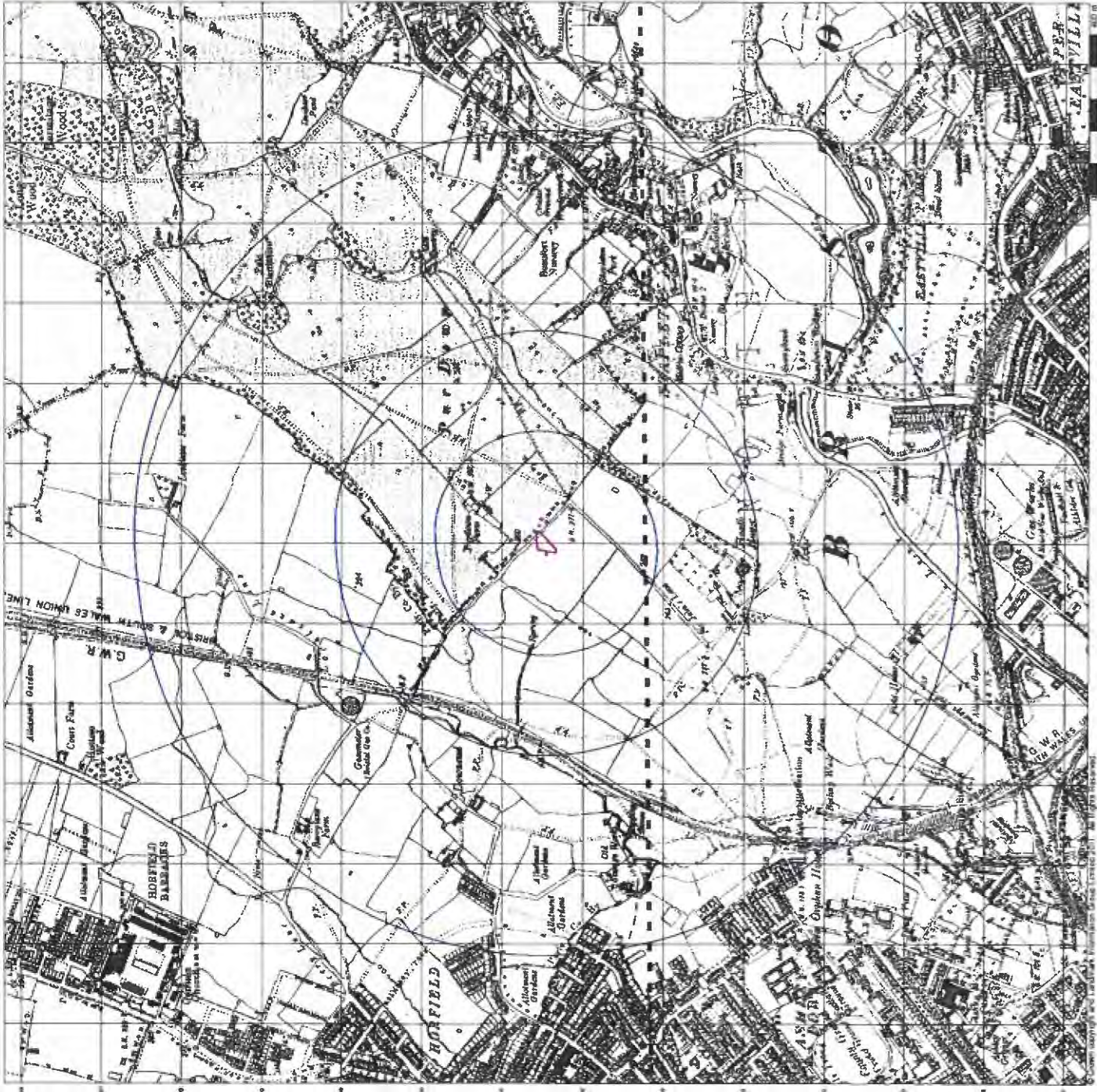
Historical Map - Slice A



Order Details
 Order Number 33616287_1_1
 Customer Ref Y1244
 National Grid Reference 360800, 176290
 Slice A
 Site Area (Ha) 0.15
 Search Buffer (m) 1000
Site Details
 Site at 360800, 176200



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**Gloucestershire
Published 1938
Source map scale - 1:10,560**

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840s i.e. 1854 the 1:2,500 scale was adopted for mapping urban areas; these maps were used to update the 1:10,560 maps. The published data given therefore is with some years after the surveyed date. Before 1938, all OS maps were based on the Central Projection. The published data given therefore is based on the Transverse Mercator Projection. The maps were produced using the Transverse Mercator Projection. The revision process continued until recently, with new editions appearing every 10 years or so for the urban areas.

Map Name(s) and Date(s)

072NW	1938	1:10,560
072SW	1938	1:10,560

Historical Map - Slice A



Order Details

Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

Site Details

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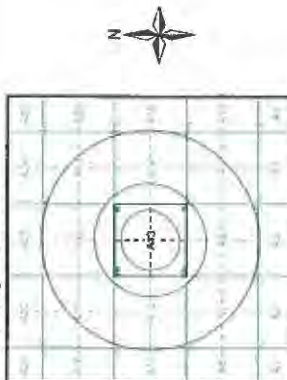
**Ordinance Survey Plan
Published 1955
Source map scale - 1:10,000**

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas, these maps were used to update the 1:10,000 maps. The published data given here is based on some years after the surveyed date. Before 1936, all OS maps were based on the Cassini Projection, with independent surveys of a single area. In the late 1940's, a Provisional Edition was produced, which updated the 1:10,000 mapping from a number of sources. The maps appear unfinished - with all military camps and other strategic sites removed. These maps were initially overprinted with the National Grid. In 1970, the first 1:10,000 maps were produced using the Transverse Mercator Projection. The revision process continued until recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

ST57NE	1955	1:10,560
ST57NW	1955	1:10,560
ST57SE	1955	1:10,560
ST57SW	1955	1:10,560

Historical Map - Slice A



Order Details

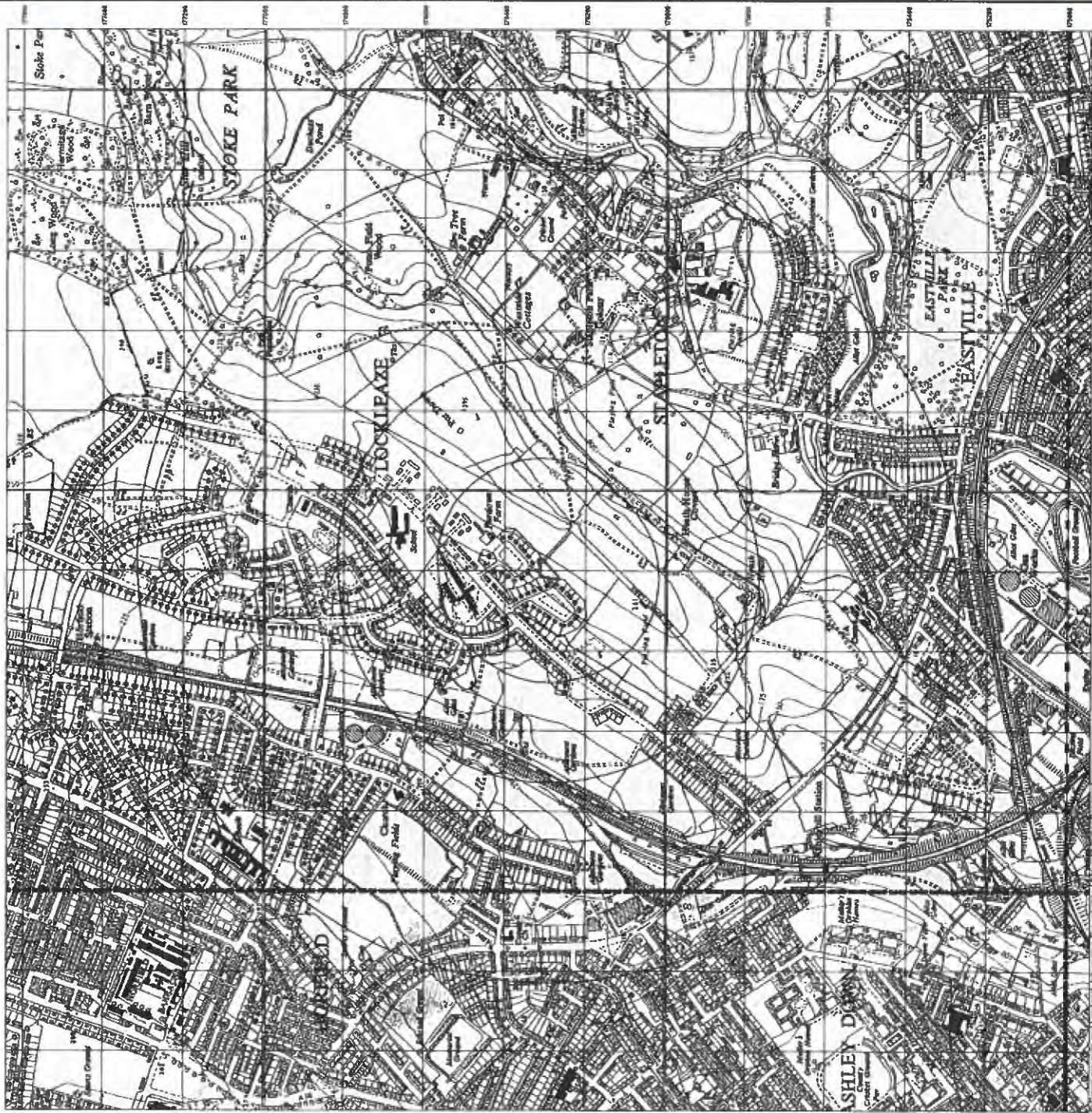
Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

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Site at 360800, 176200



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**Ordnance Survey Plan
Published 1981 - 1988**

Source map scale - 1:10,000

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840 s. In 1954 the 1:2,500 scale was adopted for mapping urban areas; these maps were used to update the 1:10,560 maps. The published date given therefore is often some years later than the surveyed date. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas. In the late 1940 s, a Provisional Edition was produced, which updated the 1:10,560 mapping from a number of sources. The maps appear unfinished - with all military camps and other strategic sites removed. These were mainly overlaid with the national data in 1970, the first of the 1:10,000 maps. The Provisional Edition was produced as a result of a revision process, continued until recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

ST67NE	1988	1:10,000
ST67NW	1988	1:10,000
ST67SW	1988	1:10,000

Historical Map - Slice A



Order Details

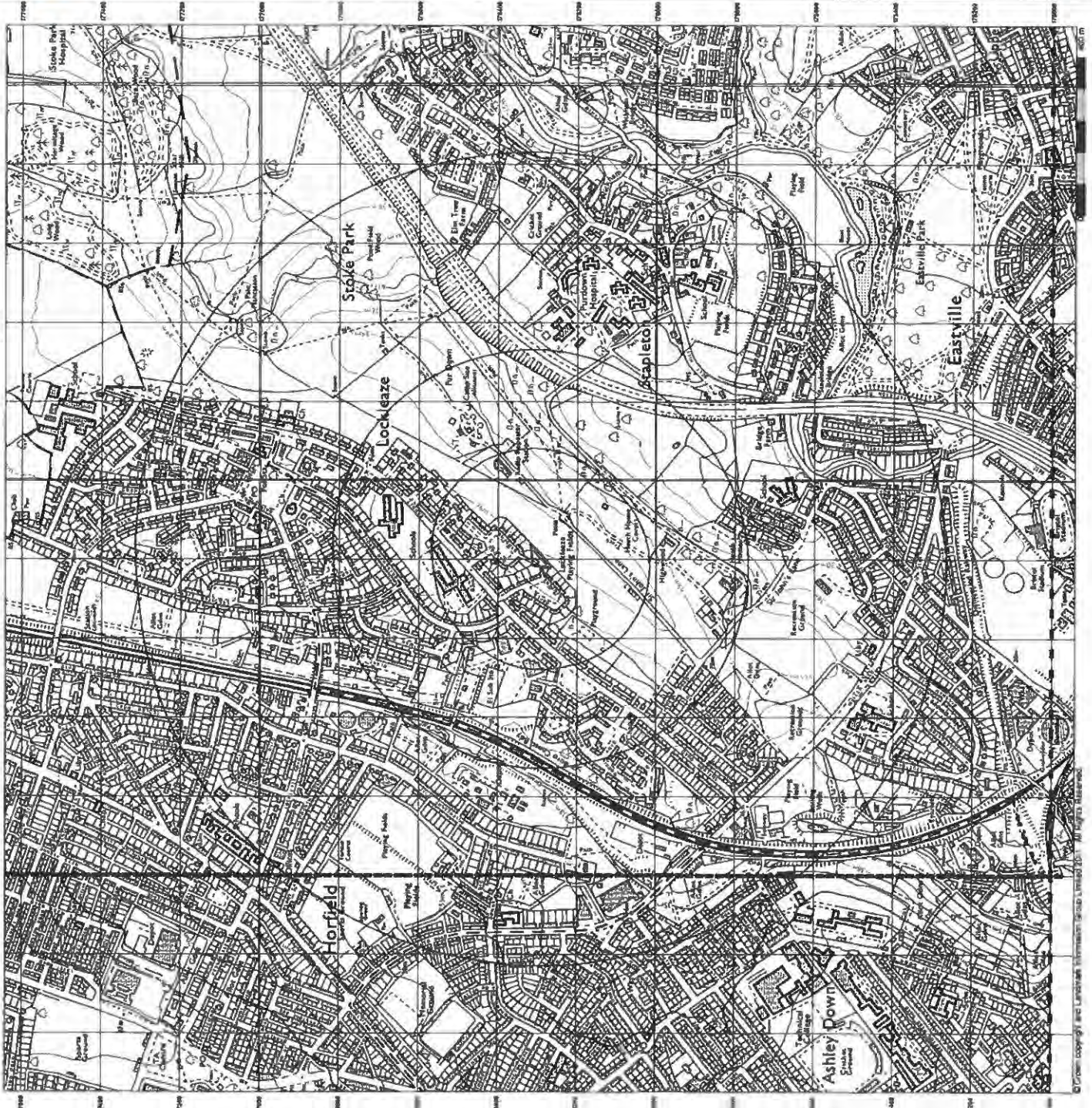
Order Number: 33616287_1_1
 Customer Ref: Y1264
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 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

Site Details

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**Ordnance Survey Plan
Published 1991 - 1992**

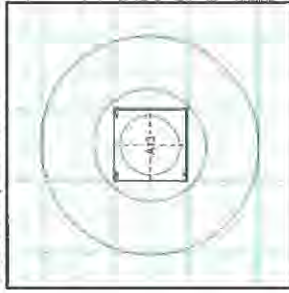
Source map scale - 1:10,000

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas, these maps were used to update the 1:10,000 maps. The published date given here is the date of the survey on which the map is based. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single country or group of counties, giving rise to significant inaccuracies in outlying areas. In the late 1930's, a Provisional Edition was produced, which updated the 1:10,000 mapping from a number of sources. The maps appear as outlined, with all military camps and Airfield Codes in 1975. The 1:10,000 maps were produced using the Transverse Mercator Projection. The revision process continued until, recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

ST 57NE	1991	1:10,000
ST 57NW	1991	1:10,000
ST 57SE	1991	1:10,000
ST 57SW	1991	1:10,000

Historical Map - Slice A



Order Details

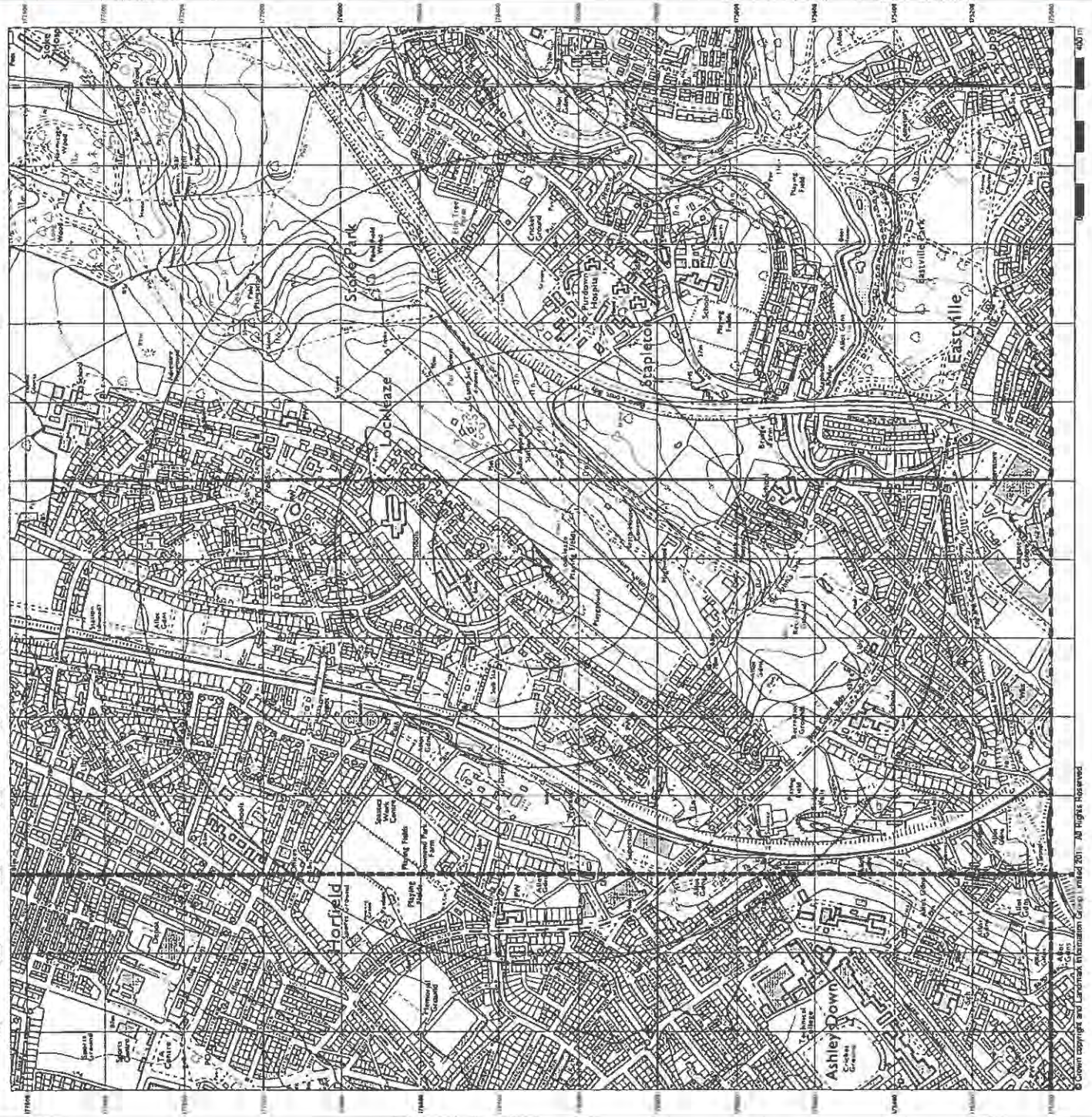
Order Number 33616287_1_1
 Custom Ref Y1244
 National Grid Reference 360800, 176290
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 Site Area (Ha) 0.15
 Search Buffer (m) 1000

Site Details

Site at 360800, 176200



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**10k Raster Mapping
Published 1999**

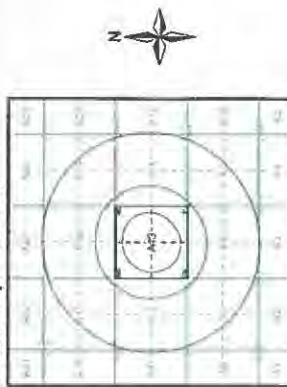
Source map scale - 1:10,000

The historical maps shown were produced from the Ordnance Survey's 1:10,000 colour raster mapping. These maps are derived from Landplan which replaced the old 1:10,000 maps originally published in 1970. The data is highly detailed showing buildings, fences and field boundaries as well as all roads, tracks and paths. Road names are also included together with the relevant road number and classification. Boundary information depiction includes county, unitary authority, district, civil parish and constituency.

Map Name(s) and Date(s)

ST57NE	1999	1:10,000	ST57NW	1999	1:10,000
ST57SE	1999	1:10,000	ST57SW	1999	1:10,000

Historical Map - Slice A



Order Details

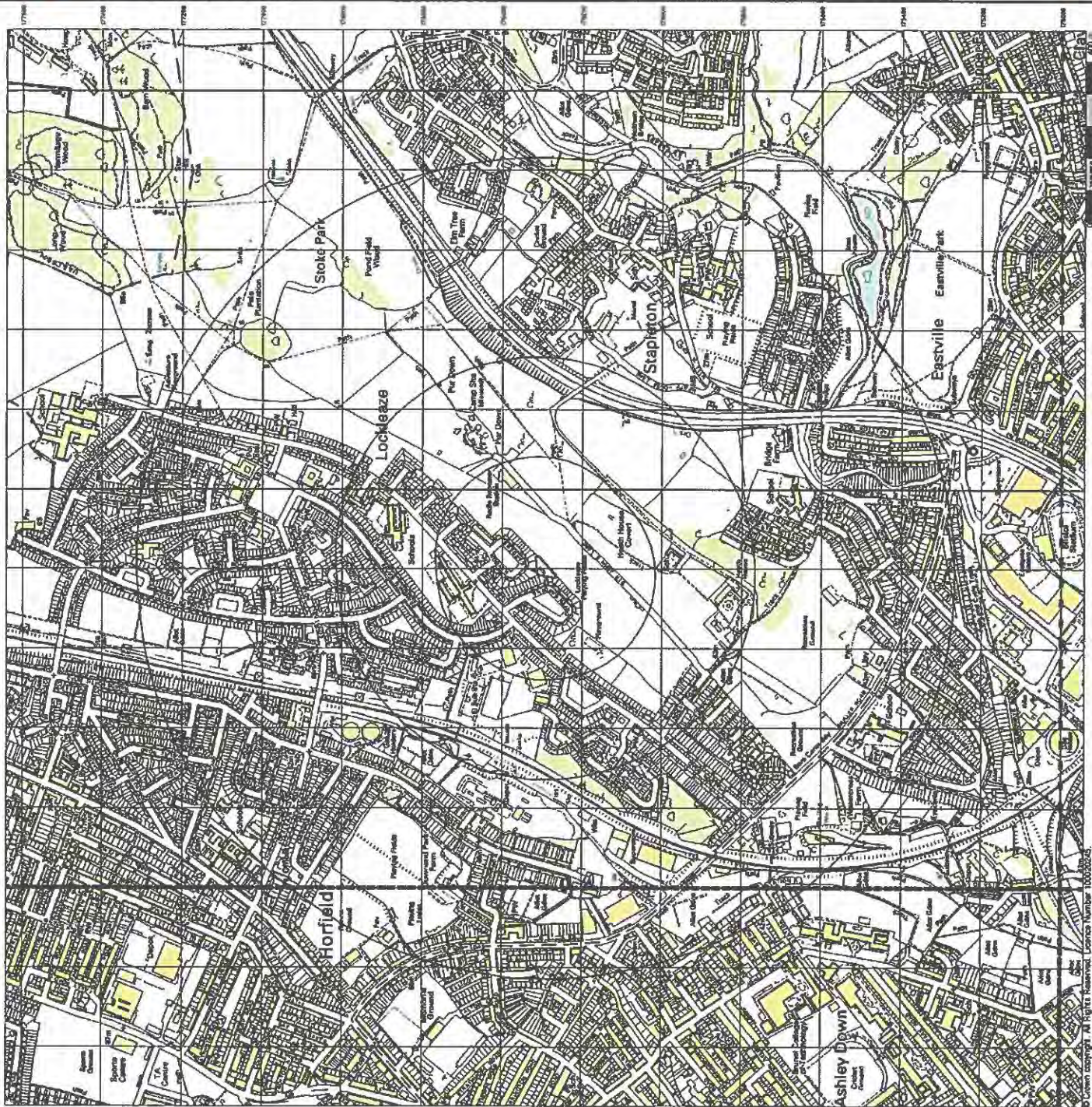
Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Site: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

Site Details

Site at: 360800, 176200



Tel: 0844 844 9850
 Fax: 0844 844 9851
 Web: www.envirocheck.co.uk

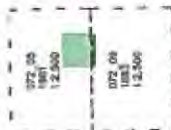




Gloucestershire
Published 1881 - 1883
Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1896 it covered the whole of what was considered to be the outlying parts of Great Britain. The published data given below is often some years later than the surveyed data. Before 1938, all OS maps were based on the Cassini Projection, with subsequent surveys of a single county or group of counties, giving rise to significant discrepancies in outlying areas.

Map Name(s) and Date(s)



Historical Map - Segment A13



Order Details

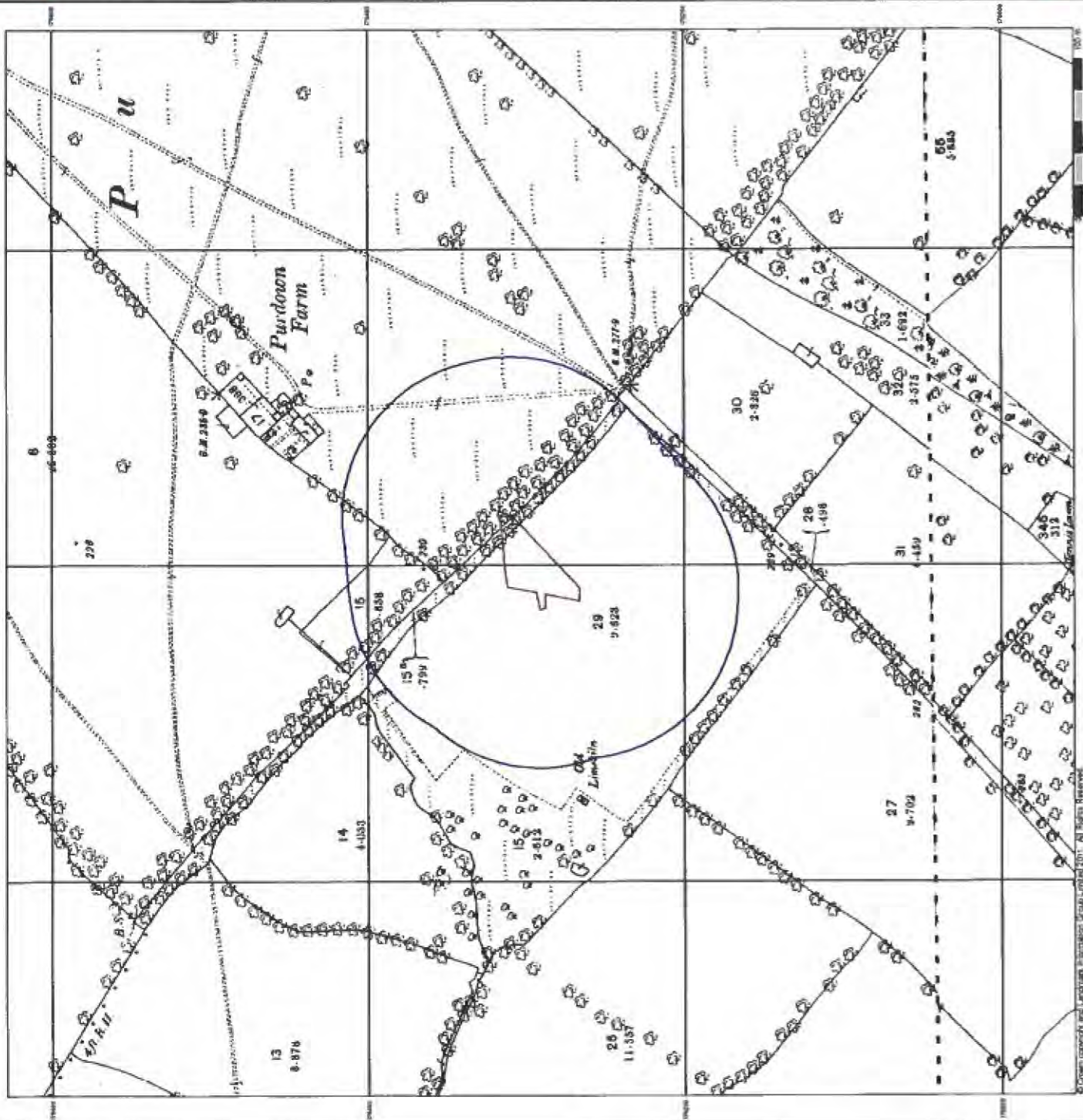
Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 100

Site Details

Site at 360800, 176200



Tel: 0844 644 9832
 Fax: 01292 311111
 Web: www.envirocheck.co.uk





**Gloucestershire
Published 1903**

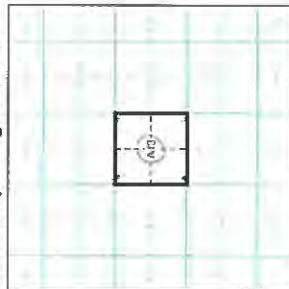
Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1896 it covered the whole of what were considered to be the cultivated parts of Great Britain. The published date given below is often some years later than the surveyed date. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas.

Map Name(s) and Date(s)

072_05	1903	1:2,500
072_09	1903	1:2,500

Historical Map - Segment A13



Order Details

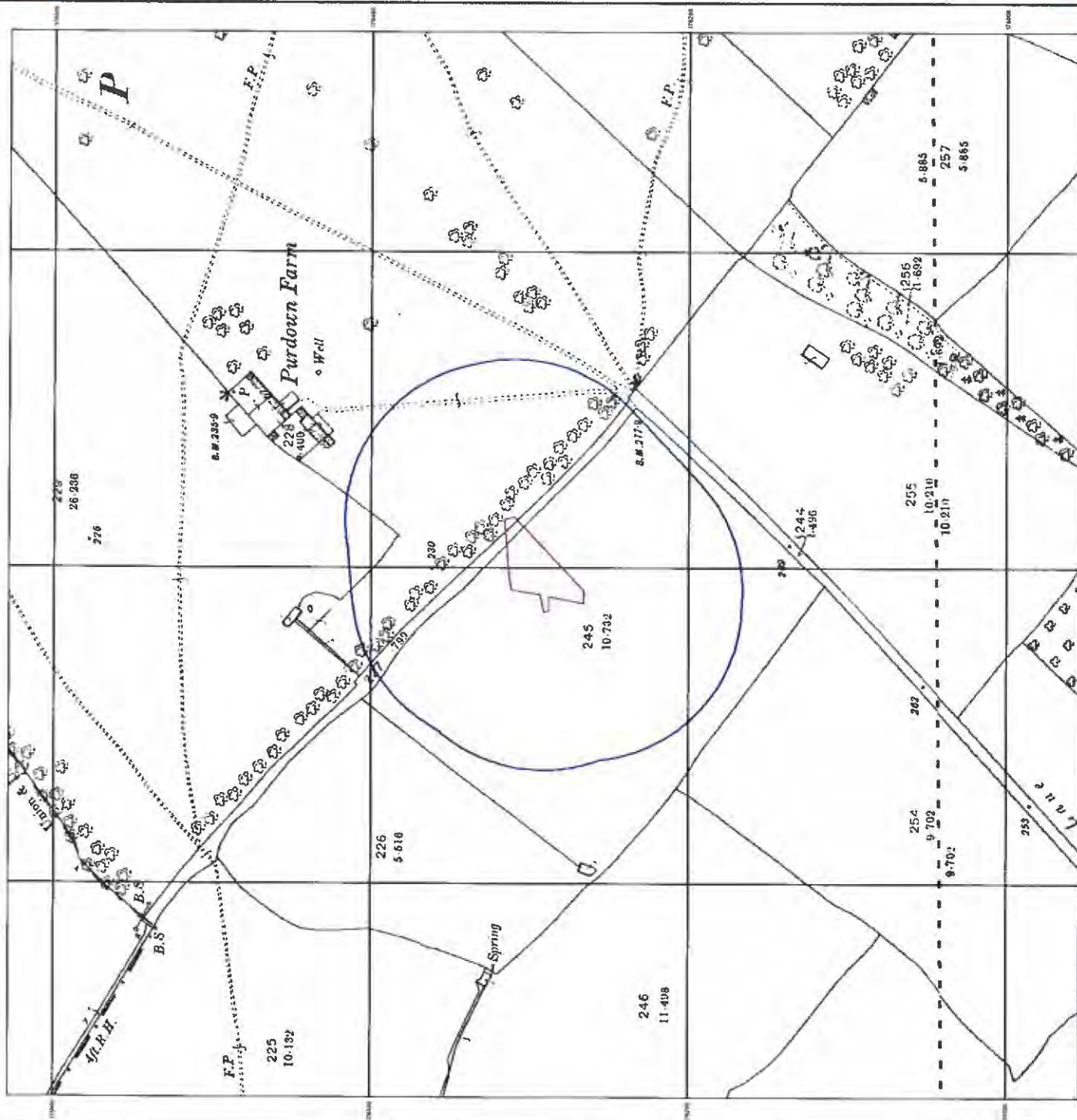
Order Number: 33616287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 100

Site Details

Site at: 360800, 176200



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 Fax: 0844 844 9951
 Web: www.envirocheck.co.uk





**10k Raster Mapping
Published 2006**

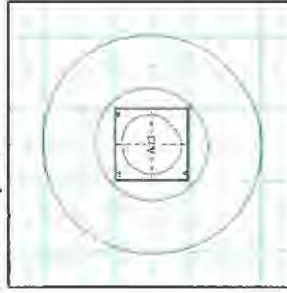
Source map scale - 1:10,000

The historical maps shown were produced from the Ordnance Survey's 1:10,000 colour raster mapping. These maps are derived from Lanplan which replaced the old 1:10,000 maps originally published in 1970. The data is highly detailed showing buildings, fences and field boundaries as well as all roads, tracks and paths. Road names are also included together with the relevant road number and classification. Boundary information (deprivation includes county, unitary authority, district, civil parish and constituency).

Map Name(s) and Date(s)

ST57NE	ST57NW
2006	2006
1:10,000	1:10,000
ST57SE	ST57SW
2006	2006
1:10,000	1:10,000

Historical Map - Slice A



Order Details

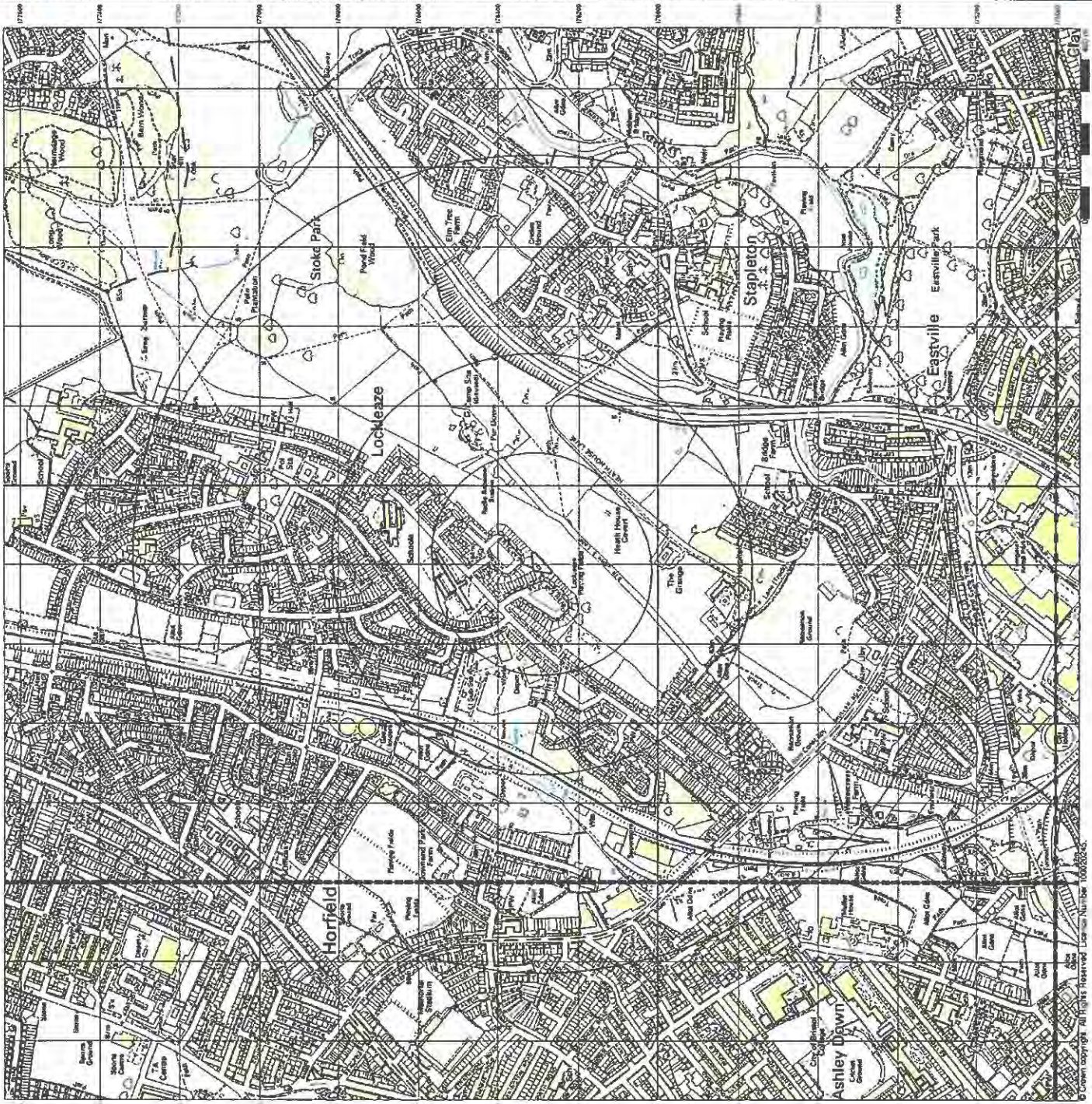
Order Number: 33516287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290
 Slice: A
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

Site Details

Site at 360800, 176200



Tel: 0644 844 9652
 Fax: 0644 844 9651
 Web: www.envirocheck.co.uk





**10k Raster Mapping
Published 2010**

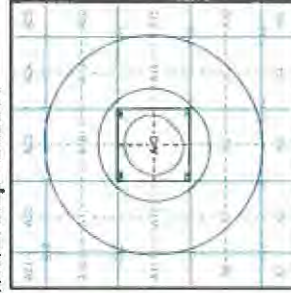
Source map scale - 1:10,000

The historical maps shown were produced from the Ordnance Survey's 1:10,000 colour raster mapping. These maps are derived from Landplan which replaced the old 1:10,000 maps originally published in 1970. The data is highly detailed showing buildings, fences and field boundaries as well as all roads, tracks and paths. Road names are also included together with the relevant road number and classification. Boundary information depicts industrial county, unitary authority, district, civil parish and constituency.

Map Name(s) and Date(s)

ST57NE	ST57NW
2010	2010
1:10,000	1:10,000
ST57SE	ST57SW
2010	2010
1:10,000	1:10,000

Historical Map - Slice A



Order Details

Order Number: 33516287_1_1
 Customer Ref: Y1244
 National Grid Reference: 360800, 176290

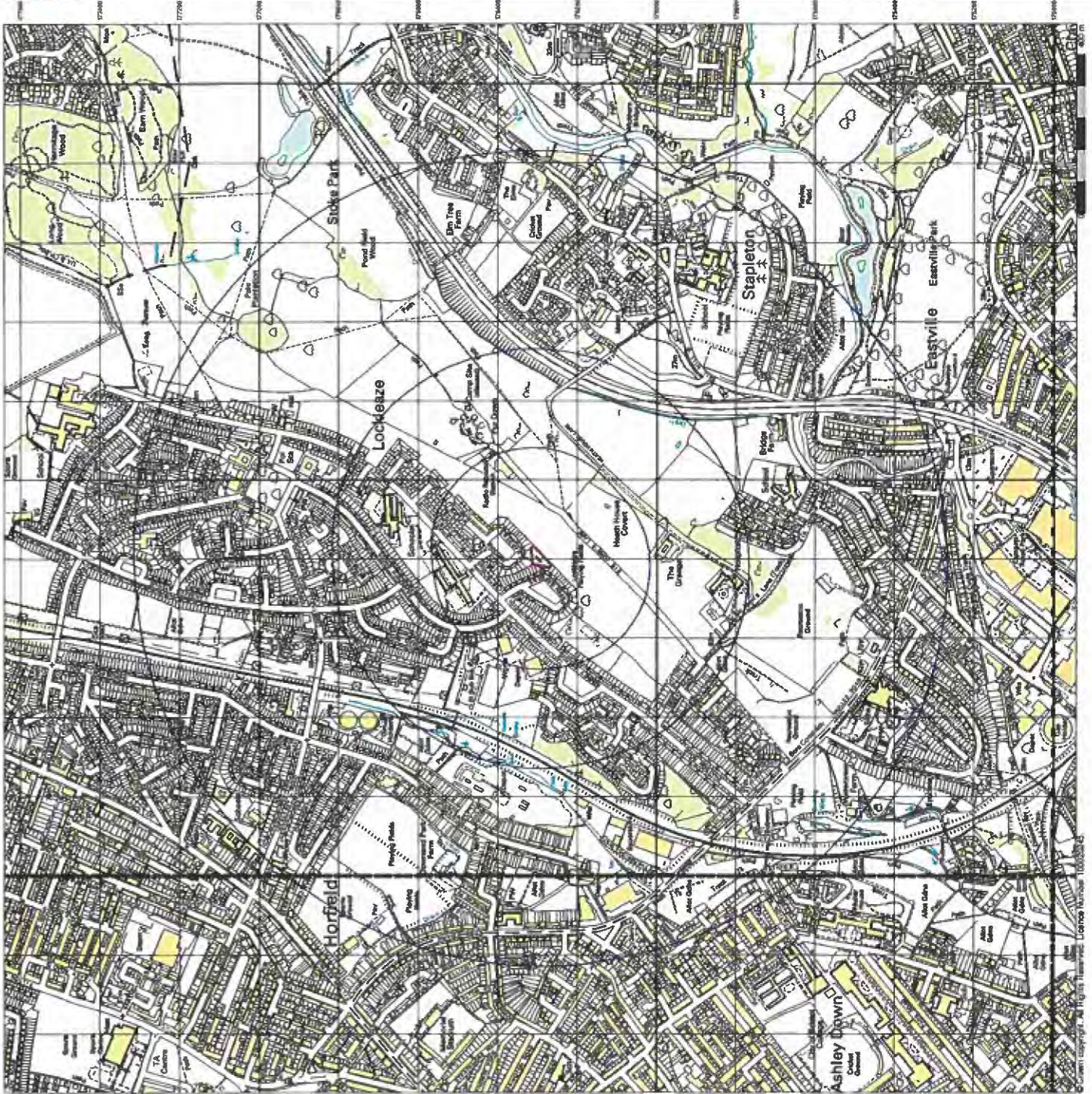
Site:
 Site Area (Ha): 0.15
 Search Buffer (m): 1000

Site Details

Site at: 360800, 176200

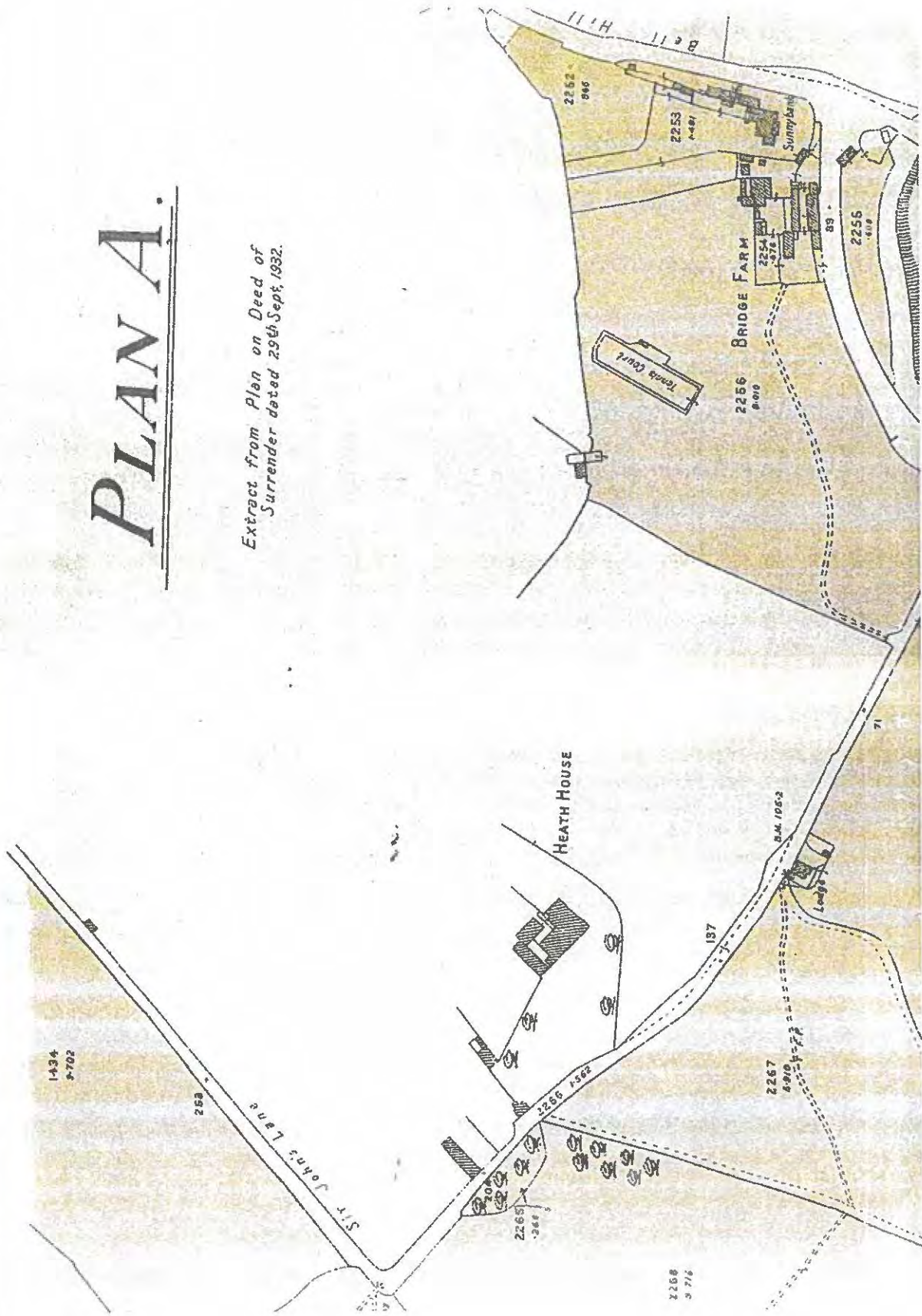


Tel: 0844 844 0022
 Fax: 0844 844 0051
 Web: www.envirocheck.co.uk

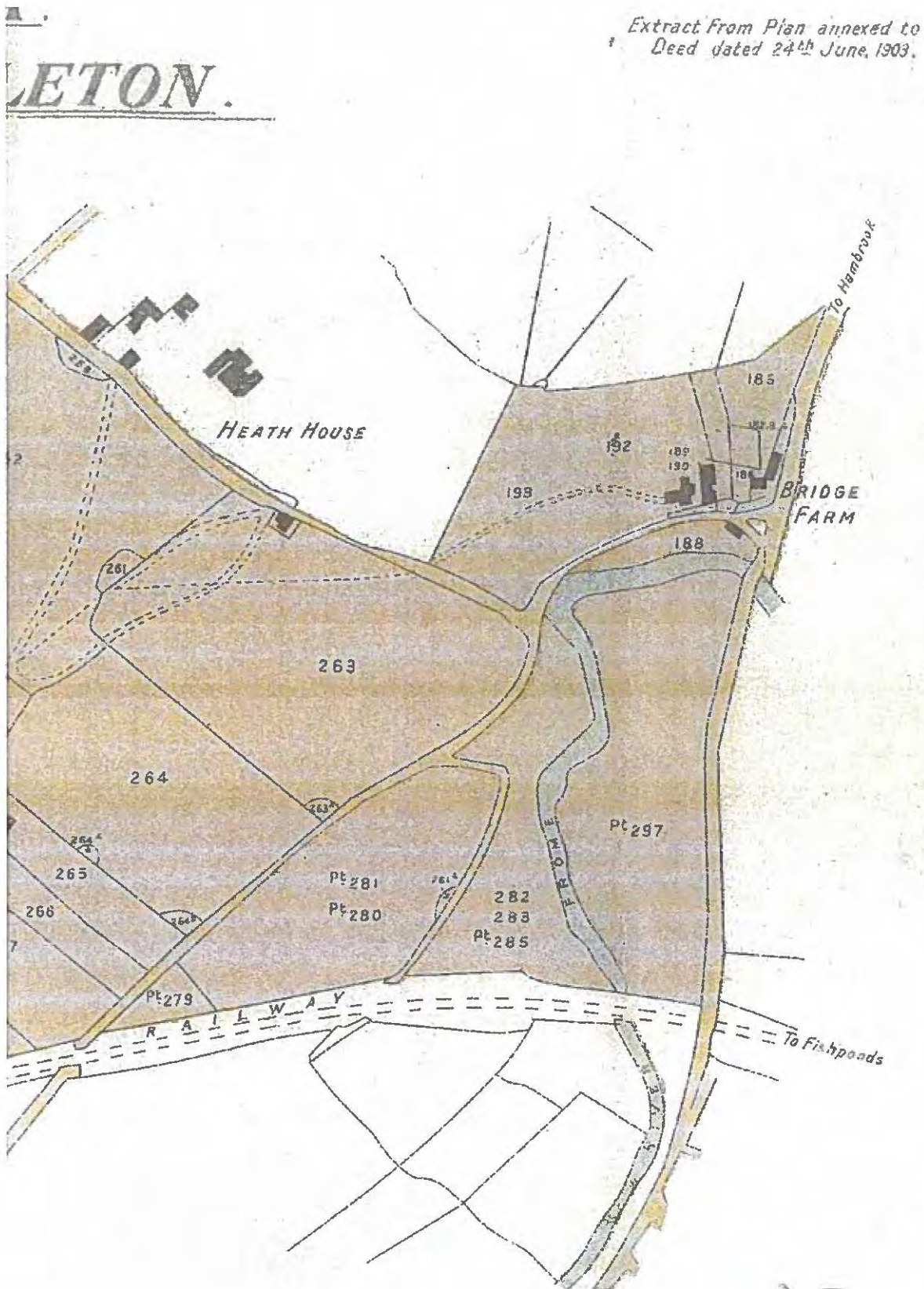


PLAN A.

*Extract from Plan on Deed of
Surrender dated 29th Sept, 1932.*



Extract from Plan - ABSTRACT OF TITLE of Thomas Cottrell - Dormer Esq.
to Land at Stapleton - 1932



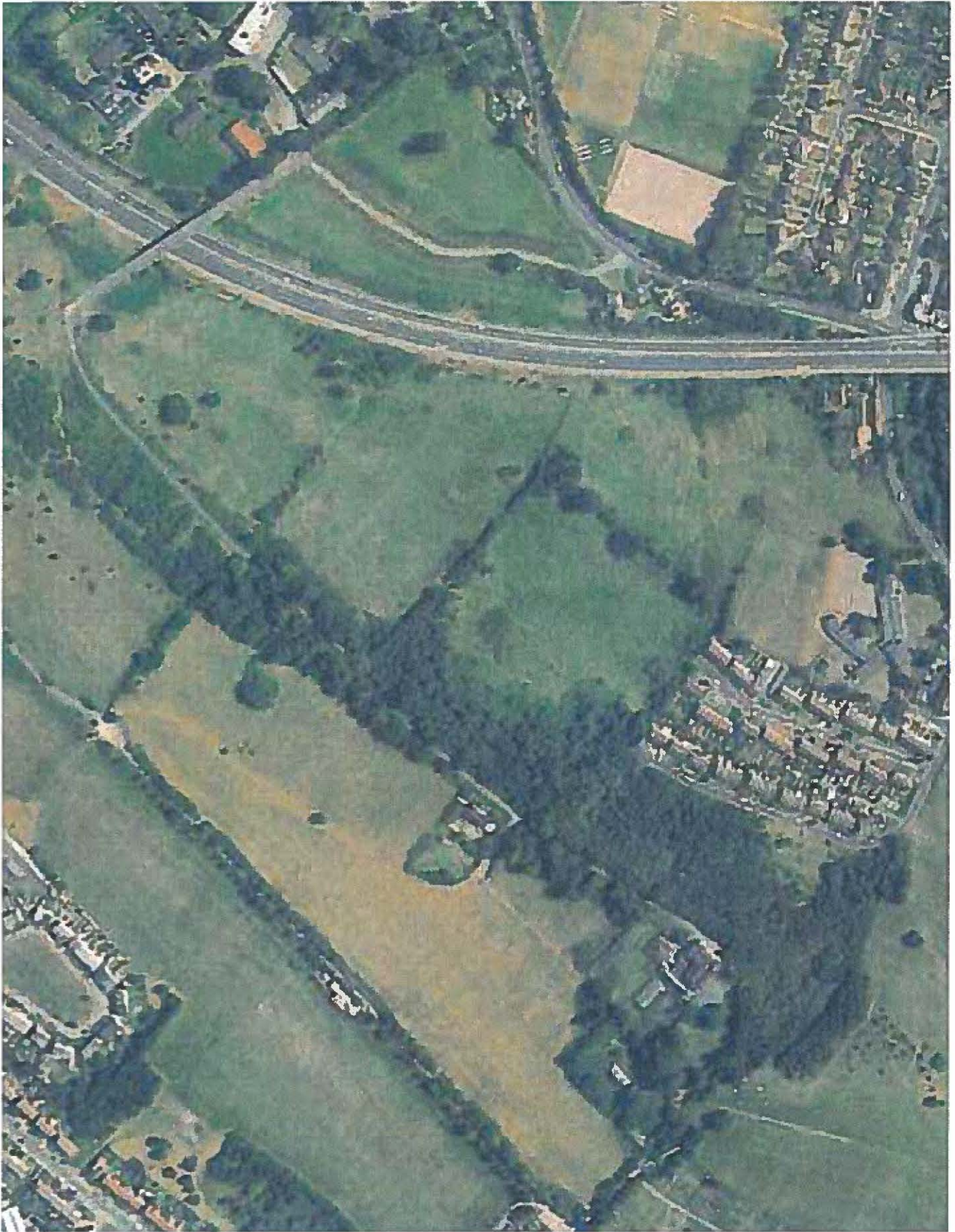
Extract from Plan - ABSTRACT OF TITLE
of Thomas Cottrell-Dormer Esq.
to Land at Stapleton - 1903



AERIAL PHOTOGRAPH - 1975



AERIAL PHOTOGRAPH - 1991



(V2 - ADAS)

AERIAL PHOTOGRAPH - 1991



AGFA GEVAERT 137 00 00

AGFA GEVAERT 137 00 00

SCALE
1:10000



200



COUNTY OF AVON
Copyright 1991



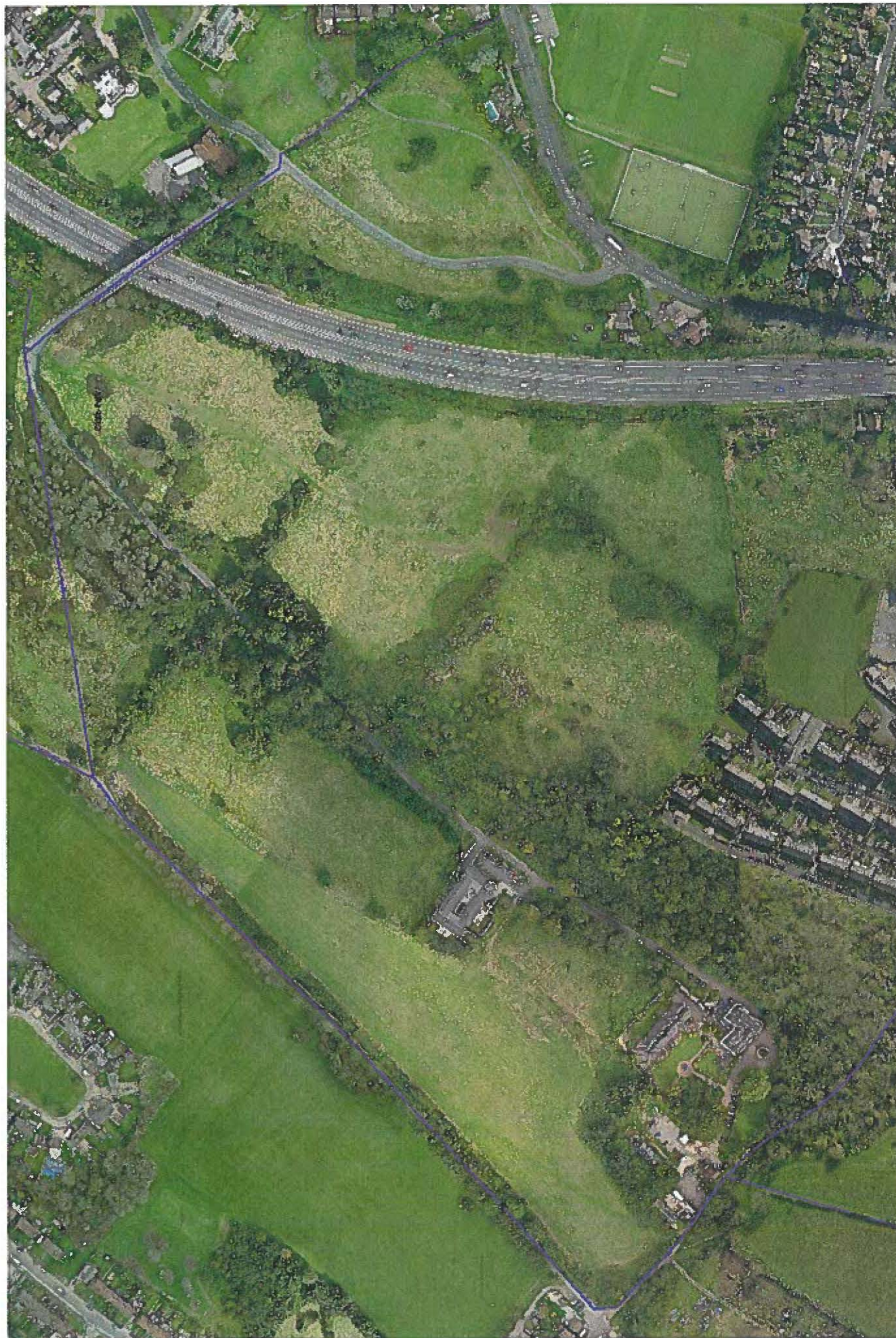
AERIAL PHOTOGRAPH - 1999



AERIAL PHOTOGRAPH - 2004



AERIAL PHOTOGRAPH - 2005



AERIAL PHOTOGRAPH - 2008



AERIAL PHOTOGRAPH - 2010

OFFICIAL COPY OF REGISTER ENTRIES

This official copy shows the entries subsisting on the register on **28 December 2006 at 14:02:05**. **This date must be quoted as the 'search from date' in any official search application based on this copy.**

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 28 December 2006.

This title is dealt with by **Land Registry Gloucester Office**.

Land Registry

Title Number : **BL70903**

Edition Date : 22 May 2006

A: Property Register

This register describes the land and estate comprised in the title.

CITY OF BRISTOL

1. (24.04.2002) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Land on the north east side of Sir Johns Lane, Stapleton.
2. (24.04.2002) The mines and minerals together with ancillary powers of working are excepted.
3. (24.04.2002) The land has the benefit of the rights reserved by a Conveyance of adjoining land dated 7 April 1970 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Lord Mayor Aldermen and Burgesses of the City of Bristol.

NOTE: Copy filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (06.07.2005) **PROPRIETOR:** BIRAKOS ENTERPRISES LIMITED (Co. Regn. No. 03700730) of Clifton Wood House, Clifton Wood, Clifton, Bristol BS4 4TW.
2. (06.07.2005) The price stated to have been paid on 1 June 2005 was £260,000.
3. (22.05.2006) **RESTRICTION:** No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written



Title Number : BL70903

B: Proprietorship Register continued

consent signed by the proprietor for the time being of the Charge dated 13 April 2006 in favour of Agm Finance Limited referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. (24.04.2002) The land is subject to the rights granted by a Deed dated 5 January 1967 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Minister of Health.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

2. (22.05.2006) **REGISTERED CHARGE** dated 13 April 2006 affecting also title BL84055.
 3. (22.05.2006) **PROPRIETOR: AGM FINANCE LIMITED** (Co. Regn. No. 05319045) of Regency House, 37-40 Alexandra Parade, Weston-super-Mare BS23 1QZ.
-

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICIAL COPY OF REGISTER ENTRIES

This official copy shows the entries subsisting on the register on **3 February 2006 at 11:34:22**. **This date must be quoted as the 'search from date' in any official search application based on this copy.**

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 3 February 2006.

This title is dealt with by **Land Registry Gloucester Office**.

Land Registry

Title Number : **BL70903**

Edition Date : 26 July 2005

A: Property Register

This register describes the land and estate comprised in the title.

CITY OF BRISTOL

1. (24.04.2002) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Land on the north east side of Sir Johns Lane, Stapleton.
2. (24.04.2002) The mines and minerals together with ancillary powers of working are excepted.
3. (24.04.2002) The land has the benefit of the rights reserved by a Conveyance of adjoining land dated 7 April 1970 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Lord Mayor Aldermen and Burgesses of the City of Bristol.

NOTE: Copy filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (06.07.2005) **PROPRIETOR: BIRAKOS ENTERPRISES LIMITED** (Co. Regn. No. 03700730) of Clifton Wood House, Clifton Wood, Clifton, Bristol BS4 4TW.
2. (06.07.2005) The price stated to have been paid on 1 June 2005 was £260,000.



C: Charges Register

This register contains any charges and other matters that affect the land.

1. (24.04.2002) The land is subject to the rights granted by a Deed dated 5 January 1967 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Minister of Health.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.



This title plan shows the general position of the boundaries: it does not show details of buildings or other structures. See **Guide 7 - Title Plans**.
This official copy shows the state of the title plan on **3 February 2006**.
Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence.
Issued on 3 February 2006.
This title is dealt with by the **Gloucester District Land Registry**.



OFFICIAL COPY OF REGISTER ENTRIES

This official copy shows the entries subsisting on the register on **28 December 2006 at 14:05:10**. This date must be quoted as the 'search from date' in any official search application based on this copy.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 28 December 2006.

This title is dealt with by **Land Registry Gloucester Office**.

Land Registry

Title Number : **AV204454**

Edition Date : 23 January 2006

A: Property Register

This register describes the land and estate comprised in the title.

CITY OF BRISTOL

1. (27.04.1964) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Heath House, Sir John's Lane, Purdown, Bristol (BS5 6TX).

2. The land has the benefit of the following rights granted by a Conveyance of the land in this title and other land dated 12 February 1964 made between (1) The Trustees of the Burden Trust (Vendors) and (2) The Minister of Health (Purchaser):-

(1) The right to use the pump house and the well thereunder on adjoining land marked "Pump House" on the plan annexed hereto

.....

(3) The right to maintain a water pipe from the pump house in the approximate course indicated by a continuous line marked W.A. on the said plan and to draw water through the same for the use of Stoke Park Hospital

.....

(5) The right to use the water tank (at the site of a former water tower) at the point marked T on the said plan and all pipes channels and watercourses connected therewith and the right to use the water pipes leading thereto and so far as the Vendors can grant the same the right to use the two inch water main marked M.W. the approximate courses of which are indicated on the said plan by continuous lines

(6) The right for the Purchaser and all persons authorised by him with or without vehicles at all times to enter on the adjoining land for the purpose of access to the said pump house and well and of inspecting maintaining repairing and renewing the said pump house and well and the machinery thereof and the said supports pipes and sewers the Purchaser making good at his expense all damage which may be caused to the surface

A: Property Register continued

of the said land and paying compensation to the occupier for any disturbance caused thereby.

NOTE 1:-The broken line marked E S, the water pipe marked W A, the broken line marked S and the water main marked M W are shown so far as they affect the land in this title.

NOTE 2:-The pump house referred to above lies to the south east of the land in this title. The water tank lies to the north of the land in this title.

3. The said Conveyance dated 12 February 1964 is expressed to include the following right:-

"The right so far as the Vendors can grant and convey the same for the Purchaser and all persons authorised by him (in common with all other persons entitled to a like right) with or without horses carts carriages motor and other animals or vehicles to pass and repass over and along the roadway known as Sir Johns Lane coloured brown on the said plan annexed hereto Together also with the right so far as the Vendors can grant and convey the same for the Purchaser (in common with all other persons entitled to a like right) to execute repairs to the said roadway coloured brown on the said plan as may be necessary from time to time for keeping the same fit for the use to which it is to be put by the Purchaser PROVIDED ALWAYS that the Purchaser shall not be deemed in any way liable for the maintenance and repair of such roadway."

NOTE:-The roadway known as Sir Johns Lane coloured brown referred to above is that part of Sir Johns Lane lying to the south-west of the land in this title.

4. This registration takes effect subject to exceptions and reservations of mines and minerals and ancillary rights contained in the undermentioned Conveyances.

DATE	PARTIES	LAND AFFECTED
24 April 1928	1. Charles Walter Cottrell-Dormer. 2. The Honourable Cecil Saumarez Irby and Bordrigge North North. 3. Great Stoke Estates Limited.	Edged Blue
23 October 1930	1. The Most Nobel Louise Emily Duchess of Beaufort, The Most Noble Henry Hugh Arthur Fitzroy Tenth Duke of Beaufort, George Leving Whately and Ellis George Whately. 2. The Most Nobel Louise Emily Duchess of Beaufort. 3. The Most Nobel Henry Hugh Arthur Fitzroy Tenth Duke of Beaufort. 4. Rosa Gladys Burden. 5. Great Stoke Estates Limited.	Tinted Pink

NOTE:-Copies of the exceptions and reservations contained in the above mentioned Conveyances dated 24 April 1928 and 23 October 1930 are set out in the Conveyance dated 12 February 1964 referred to above and a copy of the said Conveyance is filed under BL1165.

5. The land in this title and other land has the benefit of the following rights granted by a Deed of Release and Grant dated 5 January 1967 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3)

A: Property Register continued

The Minister of Health:-

"ALL THAT the right for the Minister and his successors in title the owners and occupiers for the time being of the Pink land or any part or parts thereof and his and their respective agents servants and licencees to lay connect use inspect maintain and renew (A) four inch and nine inch drains and sewers which such manholes manhole chambers and interceptors as may be necessary along the lines indicated and shown coloured brown on the plan annexed hereto for the purposes of the uninterrupted conveyance and passage of sewage water and soil from Heath House Heath House buildings and Highwood House to the main sewer in Bell Hill and (B) a line of underground telephone cables to Heath House in the position indicated and shown by a green line on the plan annexed hereto at an average depth of two feet six inches from the surface TOGETHER with the right for any of the purposes aforesaid to enter upon the Blue land and open up the same causing as little damage as possible to the surface of the Blue land so entered upon as aforesaid."

NOTE:-The lines coloured brown are shown by mauve broken lines on the filed plan and the green line is shown by a red broken line on the filed plan so far as they affect the land in this title.

6. (01.03.1991) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfers dated 30 January 1991 and 8 July 1991 referred to in the Charges Register.
7. (01.03.1991) The Transfers dated 30 January 1991 and 8 July 1991 referred to above contain provisions as to light or air and boundary structures and other matters.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (19.12.2005) **PROPRIETOR:** PRIORY FINANCE PROPERTY LIMITED LIABILITY PARTNERSHIP (LLP Regn. No. OC315659) of Priory House, Randall's Way, Leatherhead, Surrey KT22 7TP.
2. (19.12.2005) **RESTRICTION:** No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 9 November 2005 in favour of ABN AMRO Trustees Limited referred to in the Charges Register, or its conveyancer.
3. (19.12.2005) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The land is subject to the following rights granted by a Conveyance of adjoining land dated 25 September 1942 made between (1) The Trustees of the National Institutions For Persons requiring care and control (Trustees) (2) Albert Mitchell, Barre Robert Machray Forbes, Guy Bernard Champion and Charles Visger and (3) His Majesty's Principal Secretary of State For the War Department (Purchaser):-

TOGETHER ALSO with the right to lay maintain and use a line of water pipes over or under the lands of the Trustees adjoining the property hereby conveyed in the position shewn by a red line on the said plan for the purpose of obtaining a supply of water to the said property TOGETHER ALSO with the right to erect maintain and use on the land of the Trustees at the point marked "Q" on the said plan a pump and covering shed in connection with the water main so long as the Purchaser shall consider such pump to be necessary to his occupation of the property hereby conveyed paying therefor a rent of two shillings and sixpence per annum on the first day of January in each year and maintaining the pump and shed in all respects so as to do no damage or nuisance to the lands of the Trustees and their servants and indemnify in the Trustees against any claim of adjoining owners arising out of the erection maintenance or use of the said pump and covering shed TOGETHER ALSO with a right of access to the said pump and covering shed along the route shewn on the said plan by a red dotted line.

NOTE:-The water pipe referred to above does not affect the land in this title. The point marked Q referred to lies outside the title at the south eastern extremity of the water pipe. The red dotted line is approximately shown by a brown broken line on the filed plan so far as it affects.

2. (01.03.1991) Two Transfers together comprising the land in this title dated 30 January 1991 and 8 July 1991 and both made between (1) The Secretary of State for Health and (2) Priory Hospitals Group Limited contain covenants.

NOTE:-Copy in Certificate.

3. (19.12.2005) REGISTERED CHARGE contained in a Deed dated 9 November 2005 affecting also other titles.

NOTE: Charge reference NK250189.

4. (19.12.2005) PROPRIETOR: ABN AMRO TRUSTEES LIMITED (Co. Regn. No. 02379632) of 82 Bishopsgate, London EC2N 4BN.
5. (23.01.2006) The land is subject to the lease set out in the schedule of leases hereto.

Title Number : AV204454

Schedule of Notices of Leases

	<i>Registration date and Plan ref.</i>	<i>Property description</i>	<i>Date of lease and Term</i>	<i>Lessee's Title</i>
1.	23.1.2006 whole	Priory Hospital Bristol	9.11.2005 commencing 9.11.2005 expiring 9.12.2032	BL90761

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

H.M. LAND REGISTRY

TITLE NUMBER

AV204454

ORDNANCE SURVEY
PLAN REFERENCE

ST6075 NE S16176 SW
ST6076 SE S16175 NW

ADMINISTRATIVE AREA CITY OF BRISTOL

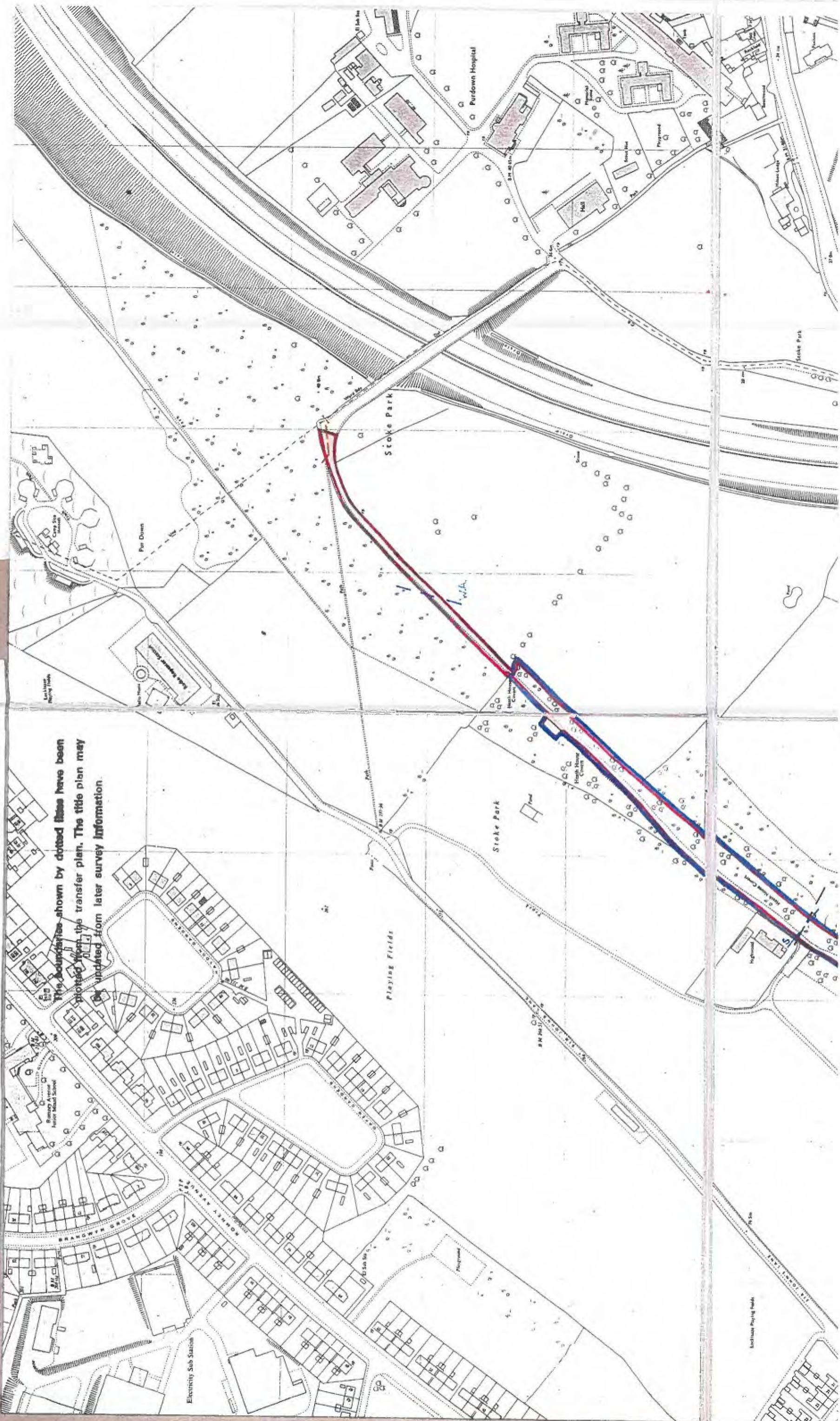
Scale
1/2500
Reduced from 1/1250

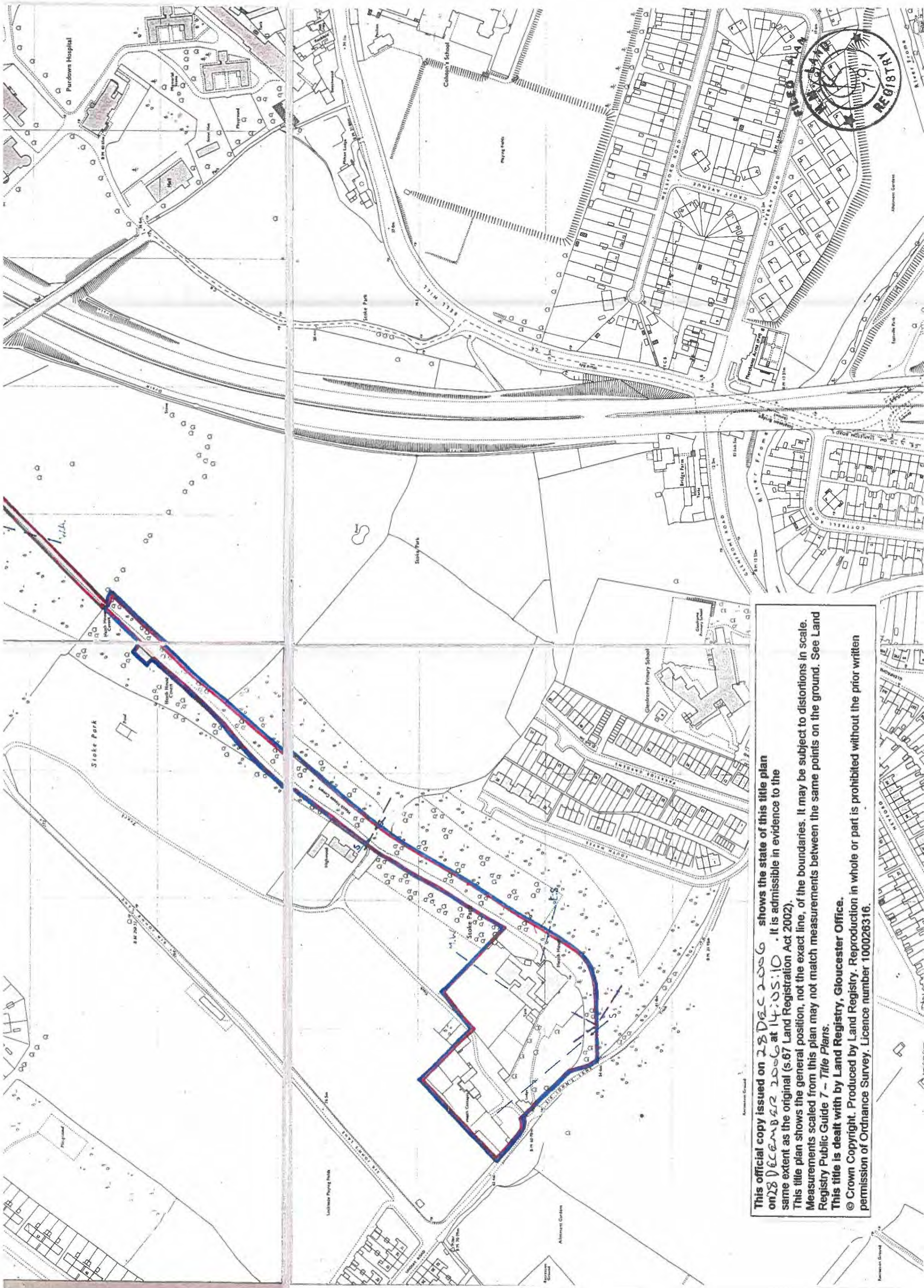
COUNTY **AVON**

DISTRICT **BRISTOL**

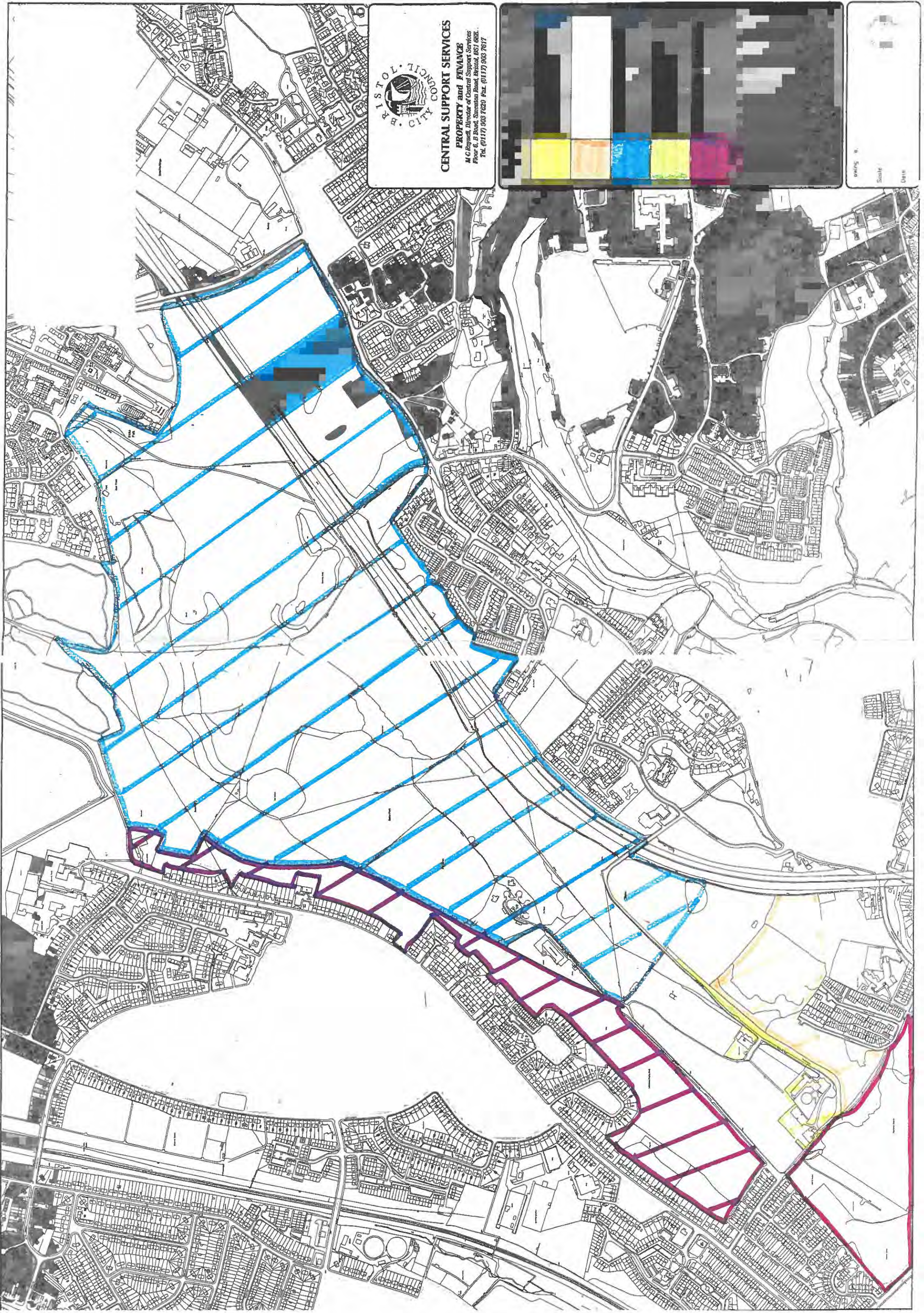
Crown Copyright

The boundaries shown by dotted lines have been plotted from the transfer plan. The title plan may be updated from later survey information.





This official copy issued on 28 Dec 2006 shows the state of this title plan on 28 December 2006 at 14:05:10. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
 This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 7 - Title Plans.
 This title is dealt with by Land Registry, Gloucester Office.
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CITY OF BRISTOL COUNCIL
CENTRAL SUPPORT SERVICES
PROPERTY AND FINANCE
M.C. Reynolds, Director of Central Support Services
Floor 6, B. Road, Strimling Road, Bristol, BS1 6SE.
Tel: (0117) 983 7620 Fax: (0117) 983 7617



Drawing No. _____
Scale _____
Date _____

Appendix K1-3: Lead
Applicant Evidence and
Claimed Routes Map

23 South Hayes

Stapleton

Bristol BS56UB

14th September 2005

Re: CP/PF claim / South Hayes

Dear Christine Parnell,

Please find enclosed map with the footpaths we have used for nearly 50 years marked. The crosses at the end of South Hayes and Parkside Gardens have always been open but are now gated and fenced by the new owner since August of this year. The cross in the middle of the two fields was open but now has a fence erected. The gate at Heath House Lane has always been a gate but we have been able to shut it or open the gate to gain access to either Heath House Lane which then leads back to Parkside Hill and the Bell Hill, or over a stile on the other side of road which I understand is an official right of way over Purdeon boundary several ways to Oak Park, Lockage and back to Sir John Lane.

I have discussed this map with family,

friends and neighbours and would have
likes to request an application pack
and as many evidence forms as you
deem appropriate for us to proceed with
our claim for public right of way.

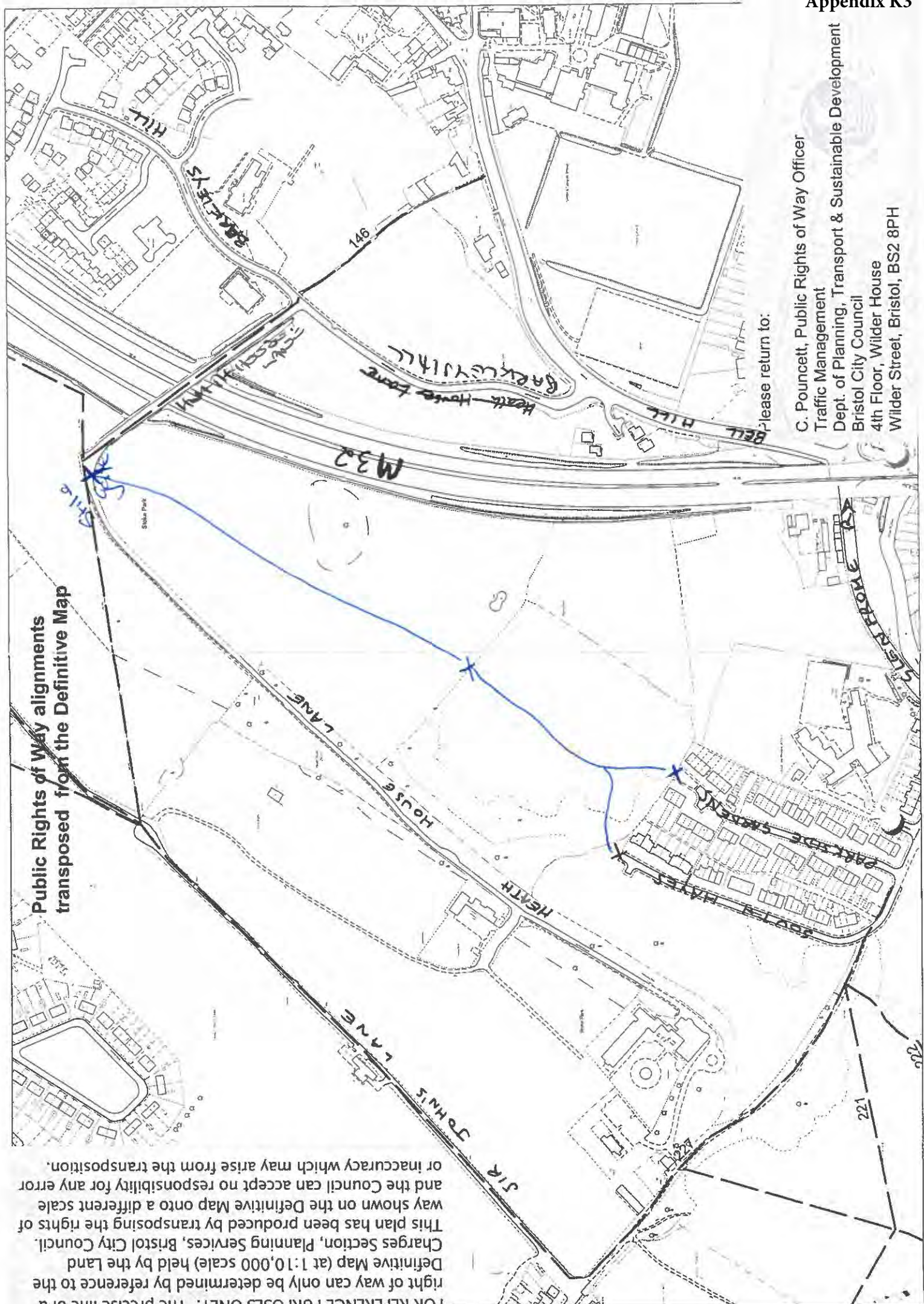
Yours sincerely



RECEIVED
20 SEP 2005
051505
TERRACE MANAGEMENT
JR

FOR REFERENCE PURPOSES ONLY. The precise line of a right of way can only be determined by reference to the Definitive Map (at 1:10,000 scale) held by the Land Charges Section, Planning Services, Bristol City Council. This plan has been produced by transposing the rights of way shown on the Definitive Map onto a different scale and the Council can accept no responsibility for any error or inaccuracy which may arise from the transposition.

Public Rights of Way alignments transposed from the Definitive Map



Please return to:

C. Pouncett, Public Rights of Way Officer
Traffic Management
Dept. of Planning, Transport & Sustainable Development
Bristol City Council
4th Floor, Wilder House
Wilder Street, Bristol, BS2 8PH

Site photos from October 2005







Site photos from February 2021







file



Reply to Christine Pouncett
Telephone 0117 903 6841
Minicom 0117 922 3854
Fax 0117 903 6830
E-mail chris_pouncett@bristol-city.gov.uk
Our ref CP/PFclaim/SouthHayes
Your ref
Date 12 September 2005

Dear Mrs Watts,

**Claim for Public Right of Way from South Hayes to Purdown
- Heath House Lane/Barkleys Hill**

I am writing in connection with your recent phone enquiry regarding the procedure for claiming a public right of way under the Wildlife and Countryside Act 1981. It appears that the land in question is in private ownership and that the footpath crossing the land is not recorded on Bristol's Definitive Map. Consequently, the Council has neither powers nor responsibility to ensure that access to the path remains unobstructed.

However to enable me to ascertain the exact route of the footpath in question, which from your enquiry runs from South Hayes to Heath House Lane/Barkleys Hill, please could you mark the footpath on the enclosed map and return to: C. Pouncett, Traffic Management, Bristol City Council, 4th Floor, Wilder House, Wilder Street, Bristol BS2 8PH.

For your information, any member of the public has the right to make an application to modify the Definitive Map to include a route as a Public Right of Way. However, it must be shown in most circumstances that there has been at least 20 years' uninterrupted use of the route by the general public as of right, prior to any incident that called the public rights into question. Access to the claimed route should either be open, or via a gate or stile and not through a forced gap in a hedge or fence; and the route should generally start and finish at a highway, i.e. connect with a public road or public footpath.

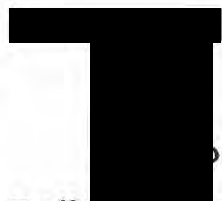
A claim involves filling in an application form, notifying relevant landowners and distributing evidence forms to all those who have used the path who wish to give evidence. Those giving evidence should not come solely from a small group of homes or businesses but from a wider locality, as it is important to show that the claimed route is used by the general public. It is necessary for one person to act as a co-ordinator to undertake this work and to provide any further relevant evidence in support of a Modification Order application. An application pack and guidelines are supplied on request.

Continued/-

- 2 -

After registration of a valid application, the Council will consider all other relevant evidence received, e.g. from landowners who may claim that a way was private and that no public right of way existed during the period of use being claimed. Following full consultation, a report is taken to the Public Rights of Way and Greens Committee, which meets quarterly and which considers all the evidence received. If the committee decides that on the balance of probabilities the claim is made out, an Order for the claimed route is then formally made and advertised and other statutory notification procedures are carried out. If no objections are received, the order is confirmed and the Definitive Map is then modified to include the route as a Public Right of Way. If, on the other hand, any objections are made to the Order which are not withdrawn, it must be referred to the Secretary of State for determination, which may lead to a public inquiry.

If you wish to make an application for a modification order, please contact me and I will arrange for an application pack to be sent to you. I enclose an example of the evidence forms which should be completed by all those who wish to give evidence. We can supply further forms on request. Unfortunately, due to insufficient staff resources, there may be a waiting period of over two years before your claim can be processed.

A large black rectangular redaction box covering the signature of the sender.

Traffic Management

Encs.

c.c. Councillors Sean Emmett & Emma Bagley (Lockleaze Ward)]
 Councillor Christopher Orlik (Chair of Public Rights of Way] for information.
 & Greens Committee)]

file

[REDACTED]

Reply to Christine Pouncett
 Telephone 0117 903 6841
 Minicom 0117 922 3854
 Fax 0117 903 6830
 E-mail chris_pouncett@bristol-city.gov.uk
 Our ref CP/claim/SHayes_Purdown
 Your ref 11
 Date 25 October 2007 [REDACTED]

[REDACTED]

Claim for public right of way from South Hayes & Parkside Gardens to Heath House Lane/Public Rights of Way Nos. 145 & 146

Thank you for your letter of 14 September 2005 requesting the forms to enable you to apply for a definitive map modification order under the Wildlife & Countryside Act 1981. I will now instruct the Council's Statutory Orders Clerk to issue you with the application pack and guidance notes to enable you to submit an application.

Enclosed with this letter are 20 public rights of way evidence forms, for you to distribute to members of the public who have walked the claimed route and wish to give evidence of their use. In most circumstances it must be shown that there has been at least 20 years' uninterrupted use of the route by the general public as of right. The returned forms should show the full 20 years' use, or evidence of use over shorter periods of time which taken together span the full period of 20 years or more. Please refer to my previous letter of 12 September 2005 and the advice it contained.

I must inform you, however, that at present there is currently a backlog of claims awaiting determination by the Council. Modification order applications are determined in chronological order, following receipt of valid applications. However, please be reassured that any delay between the application being submitted and its determination by the Council will not diminish the evidence that has been submitted. If the claim is successful and an order is confirmed, the route will be added to the Definitive Map and Statement, which is a legal record of the public's rights over the ways shown on the map.


Yours sincerely,

[REDACTED]

Traffic Management

Encs.

Reply to Christine Pouncett
 Telephone 0117 903 6841
 Minicom 0117 922 3854
 Fax 0117 903 6830
 E-mail chris_pouncett@bristol-city.gov.uk
 Our ref CP/claim/Stapleton
 Your ref
 Date 30 March 2006



Claim for public right of way from South Hayes and Parkside Gardens to Heath House Lane, Stapleton

Thank you for your letter and evidence forms in relation to the above-mentioned claim for right of way at Stapleton, and please accept our apologies for the delay in this acknowledgement. Enclosed is a list of all those who have completed evidence forms, and we confirm that we will be writing separately to each person to acknowledge receipt. Please let me know if you require any further forms.

We must point out, however, that evidence forms are usually submitted in support of a Definitive Map Modification Order application to add a public right of way to Bristol's Definitive Map and we are not able to investigate your claim until we receive your formal application. On checking with the Council's Legal Services team, it appears that they have not issued you with an application pack to date and will put one in the post today. We apologise for any inconvenience this oversight may have caused you as co-ordinator of the claim. As previously explained in our letter of 12 September 2005, a formal application entails filling in an application form and notifying relevant landowners, *in addition* to distributing evidence forms to all those who have used the path who wish to give evidence.

We enclose a guide to definitive maps and changes to public rights of way to clarify the legal process (see p.20 – 'Applying for a modification order'). Please do not hesitate to contact us if you require any further information.

Yours sincerely,


 Traffic Management

Enc.

FORM OF APPLICATION FOR MODIFICATION ORDER

Wildlife and Countryside Act 1981

BRISTOL CITY COUNCIL

DEFINITIVE MAP AND STATEMENT

To: Head of Legal Services, Bristol City Council 103/640

Of: Legal Services, PO Box 2156, The Council House, Bristol BS99 7PH

I/We

(1) [Redacted]

hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by (3)

(a) ~~deleting the footpath/bridleway/byway open to all traffic from~~to.....

(b) adding the footpath/bridleway/byway open to all traffic from SOUTH HAYES / PARKSIDE GRASS to HAYTH HOLE LAKE

(c) ~~upgrading/downgrading to a footpath/bridleway/byway open to all traffic the~~
~~footpath/bridleway/byway open to all traffic from~~to.....

(d) ~~varying/adding to the particulars relating to the footpath/bridleway/byway open to all traffic~~
~~from~~

by providing that to
..... and shown on the map annexed hereto.

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application.

(4) PUBLIC RIGHT OF WAY BRIDLEWAY RIGHTS
(ALREADY SET TO CHRISTOPHER RUNCETT)
PHOTOGRAPHS

Dated 15/6/06 2006 Signed [Redacted]

- (1) Insert name of applicant(s)
- (2) Insert address of applicant(s)
- (3) Delete as appropriate
- (4) Insert list of documents

Notice of Application for a Modification Order - Form 5

BRISTOL CITY COUNCIL APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT Wildlife and Countryside Act 1981

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

NOTES FOR GUIDANCE OVERLEAF - PLEASE READ CAREFULLY

Section A To (1): OWNER / ADDRESS
Of (2): UNKNOWN

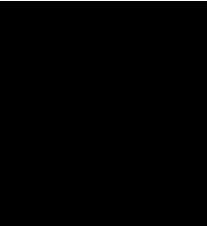
Section B Notice is hereby given that on the (3) 15TH JUNE 2006
I/We (4): NAME AND ADDRESS
Of (5): WIMBORNE

have made an application to Bristol City Council that the Definitive Map and Statement for the area be modified by:

- Section C ~~DELETING the *footpath/ *bridleway/ *byway open to all traffic: [*delete as appropriate]~~
- ADDING the *footpath/ *bridleway/ *byway open to all traffic: [*delete as appropriate]
- ~~UPGRADING/DOWNGRADING the *footpath/ *bridleway/ *byway open to all traffic: [*delete as appropriate]~~
- ~~VARYING/ADDING to the particulars relating to the *footpath/ *bridleway/ *byway open to all traffic: [*delete as appropriate]~~

Which runs from: SOUTH HATES & PARKSIDE GARDENS
To: HEATH HOUSE LAWN

And is shown on the map annexed hereto

Signed:  Dated: 24.2.07.

Guidance Notes : Form 5 Notice of Application for a Modification Order

Notes for the Applicant

When making an application under the Wildlife and Countryside Act 1981("the Act") to the Council for modification of the Definitive Map and Statement of Public Rights of Way, the Act requires that the applicant complies with the obligations set out in Paragraph 2 of Schedule 14 to the Act.

These require that it is necessary that **you**, the applicant, send notices to anyone affected by your proposed modification. This includes anyone whose land is crossed by the claimed right of way. You should make every effort to identify all the interested persons. If you do not know the names and addresses of all the people affected by the proposal, you may apply to the Public Rights of Way Team at Bristol City Council for permission to notify the landowners by the erection of a site notice at ends of the claimed path. You should contact the Case Officer in the Public Rights of Way Team for more information.

Once Notice has been served you should complete the **Certificate of Service of Notice of the Application (Form 6)** sign and date that form and return it to the address given at the top of the **Application Form (Form 4)**.

Complete the Form overleaf as follows:

- Section A: The name (1) and address (2) of the individual affected by the proposal should be entered. Separate notices must be sent to all interested persons and a list of the names and address of all those on whom notice has been served should be included on the **Certificate of Service of Notice of the Application (Form 6)**.
- Section B: The date on the **Application Form (Form 4)** of your modification application should be inserted (3), together with your name (4) and your address (5).
- Section C: You should complete this in the same way as the **Application Form (Form 4)** Paragraph (3). This section describes the modification being requested.

You should sign and date the completed form and then send/post the **original** form to the individual named in Section A.

A **photocopy** of the completed form should also be sent to the Head of Legal Services, Bristol City Council, The Council House, College Green, Bristol BS1 5TR (Ref --/--/DM)

Certificate of Service - Form 6

**BRISTOL CITY COUNCIL
APPLICATION FOR A MODIFICATION OF THE DEFINITIVE MAP AND
STATEMENT
Wildlife and Countryside Act 1981**

To: The Head of Legal Services
Bristol City Council, The Council House, College Green, Bristol BS1 5TR
(Reference ---/---/DM)

I/We (1) _____
Of (2) _____

Hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in relation to the attached application.

Signed: _____ Dated: 24 2 07

NOTES FOR GUIDANCE

This certificate should only be completed when notice of the application has been served on all owners and occupiers affected by the proposal by sending them a completed copy of the **Notice of Application (Form 5)**. A list of the names and addresses of all individuals notified should be provided below. Please indicate if you have been unable to identify all owners and occupiers affected by the proposal.

Notice of Application Sent to:

Name	Address
1. <u>POSTED ON</u>	<u>SITE AT THREE CROOKS</u>
2. <u>ON MAP</u>	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(1) Insert applicants name

(2) Insert applicants address

Application for Permission to Notify Landowners by Site Notice - Form 9

BRISTOL CITY COUNCIL APPLICATION FOR MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT Wildlife and Countryside Act 1981

NOTES FOR GUIDANCE OVERLEAF - PLEASE READ CAREFULLY

To: Public Rights of Way Team
Bristol City Council, Wilder House, Wilder Street

PATH LOCATION DETAILS:

LOCALITY:

CLAIMED STATUS OF WAY: *Footpath/ *Bridleway/ *Byway Open to All Traffic
[*delete as appropriate]

FROM: SOUTH VIEW & PARLOR SIDE GARDENS
TO: HEATH HOUSE LADE

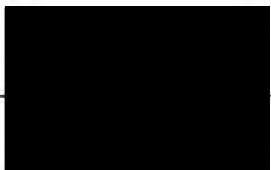
I/We (1) NATHIE AND
Of (2) ADDRESSES WITHHELD

have carried out an investigation in an attempt to discover the owners and occupiers of the land over which the alleged way runs. I have made enquires of: [delete those which are not applicable].

- Adjoining landowners
- Local inhabitants
- Register of Electors
- Land Registry
- Local Land Charges
- Other Sources [please specify]

Bristol City Council Property Database

I have been unable to discover ownership of the land, and I request the Council to direct that Notice may be served by posting Notices at either end of the way claimed.

Signed:  Dated: 20/7/06

Guidance Notes : Form 9 Application for Permission to Notify Landowner by Site Notice

It is a requirement of Paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 that an applicant for a Modification Order shall serve a Notice stating that the application has been made on every owner and occupier of any land to which the application relates.

The form of Notice, defined by Regulations, is set out in the Council's **Landowner Notice (Form 5)** which should be addressed and sent to every owner and occupier of land over which the alleged way runs.

It is the duty of the applicant to investigate the ownership and occupation of the land so that the necessary Notice may be served.

Where it proves impossible for the applicant to discover the owner and occupier, **if after reasonable enquiries have been made** and the Council is satisfied that it is not practicable to ascertain the name and address of all the owners or occupiers, the Council may direct that the Notice may be served by affixing it to some conspicuous object or objects at either end of the route concerned.

Before the Council can direct that a Notice be posted on the land, the Council must be satisfied that reasonable enquiries have been made. The applicant must, therefore, give details of the enquiries made, which may be conveniently done by completing the details overleaf.

Please see the Guidance Notes below for further information on how to locate the owner of land.

Failure to serve Notice on any owner and occupier may invalidate the application.

Complete the details overleaf as follows:

- (1) Insert name of applicant
- (2) Insert address of applicant

Useful Address:

H M Land Registry
 Gloucester District Land Registry
 Twyver House
 Bruton Way
 Gloucester
 GL1 1DQ
 TEL: 01452 511111
 FAX: 01452 510050

Local Land Charges (Common Land)
 The Council House
 College Green
 Bristol
 BS1 5TR

Land Charges
 Bristol City Council
 Brunel House

Bristol City Council Property Database
 (Records and Enquiries)
 Tel: 0117 9037602

103/640



Scale : 1:2634

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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esrluk.com>

Organisation	Bristol City Council
Department	CSS Property & Finance
Comments	BCC interests coloured pink
Date	19 May 2004
SLA Number	LA09055L

Appendix O: Tabulated User Evidence Data

Name of witness	Form #	Description of route	Believed Status	Known as public	How wide?	Used from (calendar years)	Used to (calendar years)	Total no. of years in use	Purpose of journey	no. of times used per year	On foot, horseback or other	Whole length of route/any diversions/alterations?	Stiles/Gates	Worked for landowner?	Notices?	Ever stopped	Ever told not public?	Obstructions/locked gates?	Given permission to use route?	Private right?	Known others using route/other information?	Signed declaration	Description of map/notes on drawing
	1	Parkside gardens to Heath House Lane	[blank]	Y	1-2 metres	1958	2005	47	Leisure	12	F	Whole	Yes, both	N	N	N	N	N	N	N	Y	Y	Footpath marked from end of Parkside Gardens, directly across first field, then diagonally NE through field to gate marked on junction with Heath House Lane. Limitations marked at Parkside Gardens, between both fields, and junction at Heath House Lane
	2	South Hayes and Parkside Gardens to Heath House Lane, Purdown and Duchess Pond	Footpath	Y	1 metre	1960	2005	45	Leisure	12	F	Whole	Yes, both. Gate at Heath House Lane, stile onto Purdown	N	N	N	N	N	N	N	Y	Y	Footpaths marked from ends of South Hayes and Parkside Gardens, with gates marked. Paths cross first field adjacent to estate, meeting at entrance to next field. Footpath crosses NE to Heath House Lane, with a gate marked.
	3	Lindsay Road, Sir John's Lane to South Hayes, Parkside Gardens, Stoke Park	[blank]	Y	10 feet	1950	2005	55	Pleasure	24	F	Whole	Yes, both	N	Y (only at Stoke Park)	N	N	Y (only when cattle were present in Stoke Park)	N	N	Y	Y	Footpath marked from South Hayes, crossing first field to a marked gate/stile, then crossing second field NE to Heath House Lane. Gates marked at South Hayes and Heath House Lane, stile marked between fields.
	4	End of South Hayes and Parkside Gardens, to gateon Heath House Lane by bridge over M32	Footpath	Y	2 metres	1984	2005	21	Afternoon walks during bank holidays	10	F	Whole	Yes, gates.	N	N	Y (from 2005)	Y	Y	N	N	Y	Y	Footpaths marked from ends of South Hayes and Parkside Gardens, meeting in the middle of the first field, then proceeding into second field, crossing NE to gate marked on Heath House Lane
	5	South Hayes to Heath House Lane	Footpath	Y	2 metres	1998	2005	7	[blank]	4	F	Whole	Yes, gates.	N	N	N	N	N	N	N	Y	Y	Footpath marked from end of South Hayes, gate marked, to gate marked accessing second field, crossing NE to gate on Heath House Lane
	6	Duchess to Sir John's Lane	Footpath	Y	1 metre	1961	1980	19	Leisure	20	F	Whole	Yes, stiles	N	N	N	N	N	N	N	Y	Y	Footpath marked between Parkside Gardens, crossing first field parallel to southern boundary, crossing into second field then NE to Heath House Lane
	7	Duchess Pond to Sir John's Lane	[blank]	Y	1 metre	1961	1980	19	Leisure	20	F	Whole	Yes, stiles	N	N	N	N	N	N	N	Y	Y	Footpath marked between Parkside Gardens, crossing first field parallel to southern boundary, crossing into second field then NE to Heath House Lane
	8	Romney Ave/Duchess Pond to Sir John's Lane then Shaldon Rd	Footpath	Y	1 metre	1961	2005	44	Leisure	20	F	Whole	Yes, stiles	N	N	N	N	N	N	N	Y	Y	Footpath marked between Parkside Gardens, crossing first field parallel to southern boundary, crossing into second field then NE to Heath House Lane
	9	Land adjoining Parkside Gardens, across field to Horses Field	Footpath	Y	2-6 feet	1990	2005	15	Dog walking	720	F	Whole	No	N	N	Y (from 2005)	Y	Y	N	Y	Y	Y	Left blank
	10	Parkside gardens to Heath House Lane	Bridleway and Footpath	Y	[blank]	1990	2005	15	Exercise, pleasure, getting from A -B	100	F, B, H	Whole	Yes, gates.	N	N	N	N	N	N	N	Y	Y	Footpath marked from Parkside Gardens, across field to gate into second field, then NE to gateway on Heath House Lane.
	11	South Hayes to Heath House Lane	Footpath	Y	1-2 metres	1956	2005	49	Leisure, walking	3	F	Whole	Yes, gates.	N	N	N	N	N	N	N	Y	Y	Footpath marked from end of South Hayes, gate marked, to gate marked accessing second field, crossing NE to gate on Heath House Lane
	12	South Hayes to Barkleys Hill Rd or, to S. Purdown then Lindsay Road along Sir John's Lane	Footpath	Y	1-2 metres	1955	2005	50	Walking for leisure, visiting parents, visit daughter	55	F	Whole	Yes, both	N	Y (from 2005)	N	N	N	N	N	Y	Y	Footpaths marked from ends of South Hayes and Parkside Gardens, with gates marked. Paths cross first field adjacent to estate, meeting at entrance to next field. Footpath crosses NE to Heath House Lane, with a gate marked.
	13	South Hayes to Heath House Lane and Barkleys Hill	Footpath	Y	1-2 metres	1980	2005	25	Leisure, to visit parents	Numerous	F	Whole	Yes, both	N	N	N	N	Y (from 2005)	N	N	Y	Y	Footpaths marked from ends of South Hayes and Parkside Gardens, with gates marked. Paths cross first field adjacent to estate, meeting at entrance to next field. Footpath crosses NE to Heath House Lane, with a gate marked.

From: "Kevin Moore" <kmoore@stokeparkconsortium.co.uk>
To: "Christine Pouncett" <christine.pouncett@bristol.gov.uk>
Date: 03/04/06 13:25:24
Subject: Re: Stoke Park (southern end - north of South Hayes/ParksideGardens)

Christine

The Consortium prefer any correspondence to come through me as I know the best people to contact within the various companies on any issue therefore use the following address:

Stoke Park Consortium
55 Maple Road
Horfield
Bristol BS7 8RE

Or use my email address.

Regards

Kevin

Sent: Monday, April 03, 2006 12:41 PM
Subject: Stoke Park (southern end - north of South Hayes/ParksideGardens)

**** High Priority ****

Kevin

You kindly corresponded with my manager, John Roy, regarding the erection of fences and gates across a footpath which runs over fields from South Hayes and Parkside Gardens. As you deduced, the obstructed land is not in the ownership of the Consortium. We are now in the process of writing to the registered owners to inform them about the complaints from members of the public and to invite them to contact us with a view to opening up a dialogue which may result in the resolution of the access problems to the satisfaction of all concerned.

However, it appears from the evidence forms received from the public that part of the 'claimed' route does cross land in the ownership of the Consortium and if a formal application or 'claim' is lodged with the Council, which appears likely, the Consortium will also be served with a formal notice by the applicant of their intention to apply for a modification order to add the route to Bristol Definitive Map and Statement.

Under the circumstances, it may be sensible for us to also write to the Consortium along the same lines as we are writing to the other landowner and I would be grateful if you could supply me with a contact name and address (if it is not in fact yourself that we should write to).

I look forward to hearing from you.

Christine Pouncett
Traffic Management (Walking, Cycling, Safer Routes to School & Public Rights of Way Team)
Planning, Transport & Sustainable Development
Bristol City Council

060836 JR/CT
TRAFFIC MANAGEMENT

SP5/334

Received..... 12 MAY 2005

11 May 2005

Response Due..... 22 MAY 2005

KEVIN MOORE
Project Manager and
Chartered Quantity Surveyor
 55 Maple Road
 Horfield
 Bristol BS7 8RE

Christine Pouncett
 Public Rights of Way Team
 Bristol City Council
 Brunel House
 St George's Road
 Bristol
 BS1 5UY

Dear Ms Pouncett

Stoke Park: Land Adjacent to Heath House

Thank you for your letter of 3 April. My apologies for the delayed response.

As previously discussed, the Stoke Park Consortium are not aware of any barriers having been erected on their land at the southern end of the Park, unless these are part of the ongoing attempts to prevent illegal motorcycle access. Certainly pedestrian accesses should not have been affected.

I note your comments regarding the dedication of a right of way, rather than waiting for a right of way to be proven through the legal process. The best way forward here might be a site meeting with yourself to look at the routes in question. We can, at the same time, check that there are no barriers to rights of way across the Consortium's land.

If you are happy to meet and look at these matters on site, perhaps you could contact me to arrange a mutually convenient date.

Yours sincerely


 Kevin Moore

cc: Jason Wren, George Wimpey Bristol
 Chris Byrne, George Wimpey South West
 Peter Hurst, Barratt Homes
 Paul Harris, Mitchell Harris Partnership
 Nigel Tedder, Greenbelt Group

Enter in ①③
Mtg
Diary SEPT.
from
onwards



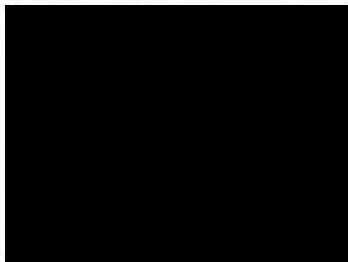
11 Great George Street Bristol BS1 5RR
Telephone: (0117) 926 2408 Facsimile: (0117) 922 5866
DX: 122802 Bristol Gt George Street

Christine Pouncett
Brunel House
St George's Road
Bristol
BS1 5UY

Your ref: CLP.pfc.Stapleton.060665

Our ref: MEB/SZ/B476/4

Email:



TRAFFIC MANAGEMENT
Received 25 MAY 2006
Response Due 15 JUN 2006

Direct Fax:

Direct Dial:

Dear Madam

060934-52

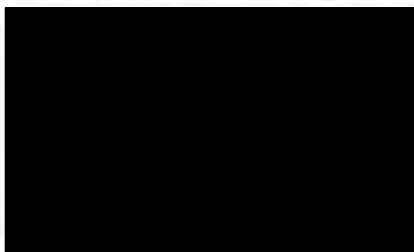
RE: LAND ADJACENT TO PARKSIDE GARDENS AND SOUTH HAYES, STAPLETON

We write further to our letter of the 4th May.

When this land was purchased by our client it was surrounded by secure fences and the only entrances were protected by locked gates. The land itself was largely overgrown such that the claimed route of the right of way was impassable. Our client does not, therefore, accept that public rights of way have been obtained.

Unfortunately though the land has been used as a dumping ground. Since our client acquired the property he has gone to great effort and not inconsiderable expense in clearing the site and surrounding it with secure fences. This has had only limited success. The locks on the gates have been broken or cut several times and notices erected by our client have been vandalised or removed.

In the circumstances this letter is to operate as formal notice to you under Section 31(5) of the Highways Act 1980 that no part of the property is dedicated as a highway and that our client has no intention of dedicating it as a highway.



Receipt.

LINDLEYS



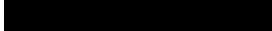
11 Great George Street Bristol BS1 5RR
Telephone: (0117) 926 2408 Facsimile: (0117) 922 5866
DX: 122802 Bristol Gt George Street

BUSINESS LAW

Christine Pouncett
Brunel House
St George's Road
Bristol
BS1 5UY

Your ref: CLP.pfc.Stapleton.060665

Our ref: MEB/SZ/B476/4

Email: @stapleton.com

Date: 

Direct Fax: 

Direct Dial: 

Dear Madam

RE: LAND ADJACENT TO PARKSIDE GARDENS AND SOUTH HAYES, STAPLETON

Thank you for your letter of the 29th November.

As requested we enclose a copy of our client's title plan showing the extent of the property concerned edged in red.





TITLE NUMBER
BL70903
CITY OF BRISTOL



SCALE: 1:2500

ORDNANCE SURVEY MAP REFERENCE: ST6675NE

ORDNANCE SURVEY MAP REFERENCE: ST6675NE
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11 Great George Street Bristol BS1 5RR
Telephone: (0117) 926 2408 Facsimile: (0117) 922 5866
DX: 122802 Bristol Gt George Street

BUSINESS LAW

Ms C Pouncett
Public Rights of Way Team
Bristol City Council
Brunel House
St George's Road
Bristol
BS1 5UY

Your ref: CLP.pfc.Stapleton.060665

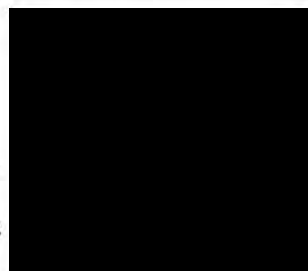
Our ref: MEB/SZ/B476/4

Email:

Date:

Direct Fax:

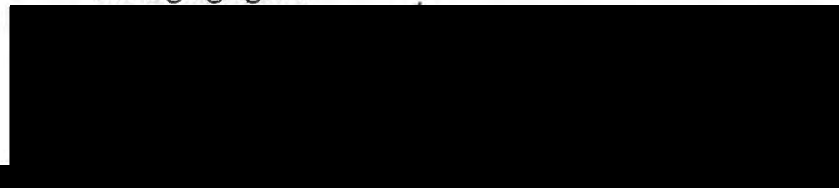
Direct Dial:



Dear Madam

RE: LAND ADJACENT TO PARKSIDE GARDENS AND SOUTH HAYES, STAPLETON

Further to our letter of the 1st December we enclose a copy letter received from our client's managing agent.



LEYS

D A V I D
JAMES
 & PARTNERS

Rural Chartered Surveyors
 Country House Agents

Hartley House, Badminton Road, Old Sodbury, South Gloucestershire BS37 6LX
 Telephone: (01454) 320144 Fax: (01454) 320155 Email: chipsod@davidjames.org.uk www.davidjames.org.uk

Mr P Birakos
 Clifton Wood House
 Clifton Wood
 Bristol
 BS4 4TW

5 December 2006
 Our ref: MB/njg/50228/2

Dear Mr Birakos

Re: Land at Stapleton

Further to your call, I write to confirm in writing that this practice has been engaged by you since mid-2005 to deal with management of the land. This has included securing the property.

I have file notes that my colleague, Edward Dixon who has now left this practice, initiated fencing and gate replacement in July 2005. I am also aware that in September 2005 we instructed Easi-Signs of Thornbury to erect two A4 signs worded, "Private No Public Right of Way" and these were erected on the access gates on 9 September 2005.

I am also aware that on numerous occasions during his employment with this practice Ed spoke to a number of local residents and informed them that there was no public right of way across the site hence the reason for the works being undertaken.

I hope this is of assistance to you.

Yours sincerely
 for David James & Partners

Matthew Blaken BSc (Hons) MRICS FAAV
 e-mail – matthew@davidjames.org.uk

Partners: Stewart Waters MRICS FAAV Richard Nancekivell MRICS FAAV

Associate Partners: Rebecca Kimber BSc Hons MRICS FAAV Matthew Blaken BSc Hons MRICS FAAV Patti Page FNAEA

Consultant: David James FRICS FAAV

Country House Agents: (01934) 864350 Rural Chartered Surveyors: Wrington (01934) 864300

AMC Finance Agents





Birakos Enterprises Ltd
Clifton Wood House
Clifton Wood
BRISTOL
BS4 4TW

Reply to Theo Brumhead
Telephone 0117 9223133
E-mail rightsofway@bristol.gov.uk
Our ref ID3/640 South Hayes
Your ref
Date 12th May 2021

Dear Sir or Madam,

Application for a Modification Order to add public footpaths from South Hayes and Parkside Gardens to Heath House Lane to Bristol City Council's Definitive Map and Statement under Section 53 of the Wildlife and Countryside Act 1981

Investigation has commenced into an application to modify Bristol's Definitive Map and we are consequently writing to you as the registered owner of the land over which the above claimed footpaths run, as you may wish to comment on the application. A plan showing the claimed route is enclosed.

The application was made on the grounds that the claimed footpaths have been dedicated to the public on the basis that they have been used by members of the public as a public right of way 'without let or hindrance' for twenty years or more. The relevant twenty year period ended in 2005 when public use was brought into question by fencing and gates preventing the public from using the claimed route.

For your information, there are several applications awaiting investigation which are held on the Register of Definitive Map modification order applications published on the Council's website - www.bristol.gov.uk/streets-travel/definitive-map-modification-orders-register-of-applications - the South Hayes and Parkside Gardens to Heath House Lane application is listed at Ref. No. ID3/640.

It is considered to be good practice by the Council to undertake informal consultation at the pre-order stage. Generally applications are investigated in date order of receipt. As this is the oldest unresolved claim, the Public Rights of Way department is preparing a report for the next Public Rights of Way and Greens Committee.

The Council must assess all available evidence in order to come to a decision on whether or not to make an Order, although it should be noted that the desirability, suitability or necessity of adding the route to the Definitive Map are not matters that can be taken into account under Section 53 of the Wildlife and Countryside Act 1981

and information on these points is not required.

However, information on the following points would be of assistance to the investigation:-

1. Evidence of the use of the route by the public during the relevant twenty-year period of use claimed, i.e. from 1985 to 2005.
2. Any actions which were taken to prevent or deter the public from using the route as a public right of way during the relevant period of use.
3. Any photographs or documentation recording or relating to the claimed public use of the route during the relevant period of use.

Any comments that you wish to make should be sent to the Public Rights of Way Officer via the email address at the top of this letter or to the address below.

Unless we receive a reply from you within 28 days from the date of this letter, it will be assumed that you have no comments to make.

Following the completion of informal consultation, officers will prepare a report to the Public Rights of Way and Greens Committee. A copy of the draft report, containing factual information on all the evidence provided in support or in opposition to the claim, will be forwarded to yourself, any other relevant landowners/ occupiers and the lead claimant for comment, prior to submission of the report to Committee.

The matter will then be decided by the Committee which meets quarterly. Please note that any written comments regarding the application will become background papers to the report and may be seen by members of the public and the applicant. The report and supporting documents will be available for public inspection via the council's website one week before the date of Committee at which the matter will be decided – see www.bristol.gov.uk/how-council-decisions-are-made/regulatory-committees

If you are not the owner of the land over which the above claimed footpaths run, please can you let me know and confirm any details you have of the owner as soon as possible, so that he/she may have the opportunity to comment.

Yours sincerely,

Theo Brumhead

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council



John Walters
 Area Parks Manager – Central and East
 Parks and Green Spaces
 Management of Place
 Cator Road Depot
 Cator Road
 Bristol
 BS13 7TX
 Sent via email to: [REDACTED]

Reply to Theo Brumhead
 Telephone 0117 9223133
 E-mail rightsofway@bristol.gov.uk
 Our ref ID3/640 South Hayes
 Your ref
 Date 12th May 2021

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For your information, there are several applications awaiting investigation which are held on the Register of Definitive Map modification order applications published on the Council's website - www.bristol.gov.uk/streets-travel/definitive-map-modification-orders-register-of-applications - the South Hayes and Parkside Gardens to Heath House Lane application is listed at Ref. No. ID3/640.

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However, information on the following points would be of assistance to the investigation:-

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If you are not the appropriate representative of the owner of the land over which the above claimed footpaths run, please can you let me know and confirm any details you have of the relevant person as soon as possible, so that he/she may have the opportunity to comment.

Yours sincerely,

Theo Brumhead

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 12 FEB 2021 AT 11:04:17. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, GLOUCESTER OFFICE.

TITLE NUMBER: BL70903

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

CITY OF BRISTOL

- 1 (24.04.2002) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land on the north east side of Sir Johns Lane, Stapleton.
- 2 (24.04.2002) The mines and minerals together with ancillary powers of working are excepted.
- 3 (24.04.2002) The land has the benefit of the rights reserved by a Conveyance of adjoining land dated 7 April 1970 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Lord Mayor Aldermen and Burgesses of the City of Bristol.

NOTE: Copy filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (06.07.2005) PROPRIETOR: BIRAKOS ENTERPRISES LIMITED (Co. Regn. No. 03700730) of Clifton Wood House, Clifton Wood, Clifton, Bristol BS4 4TW.
- 2 (06.07.2005) The price stated to have been paid on 1 June 2005 was £260,000.
- 3 (22.05.2006) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 13 April 2006 in favour of AGM Holdings Plc referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (24.04.2002) The land is subject to the rights granted by a Deed dated 5 January 1967 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Minister of Health.

The said Deed also contains restrictive covenants by the grantor.

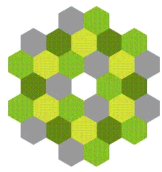
NOTE: Copy filed.

Title number BL70903

C: Charges Register continued

- 2 (22.05.2006) REGISTERED CHARGE dated 13 April 2006.
- 3 (22.05.2006) Proprietor: AGM HOLDINGS PLC (Co. Regn. No. 04397732) of Grand Pier, Marine Parade, Weston-super-Mare BS23 1AL.

End of register

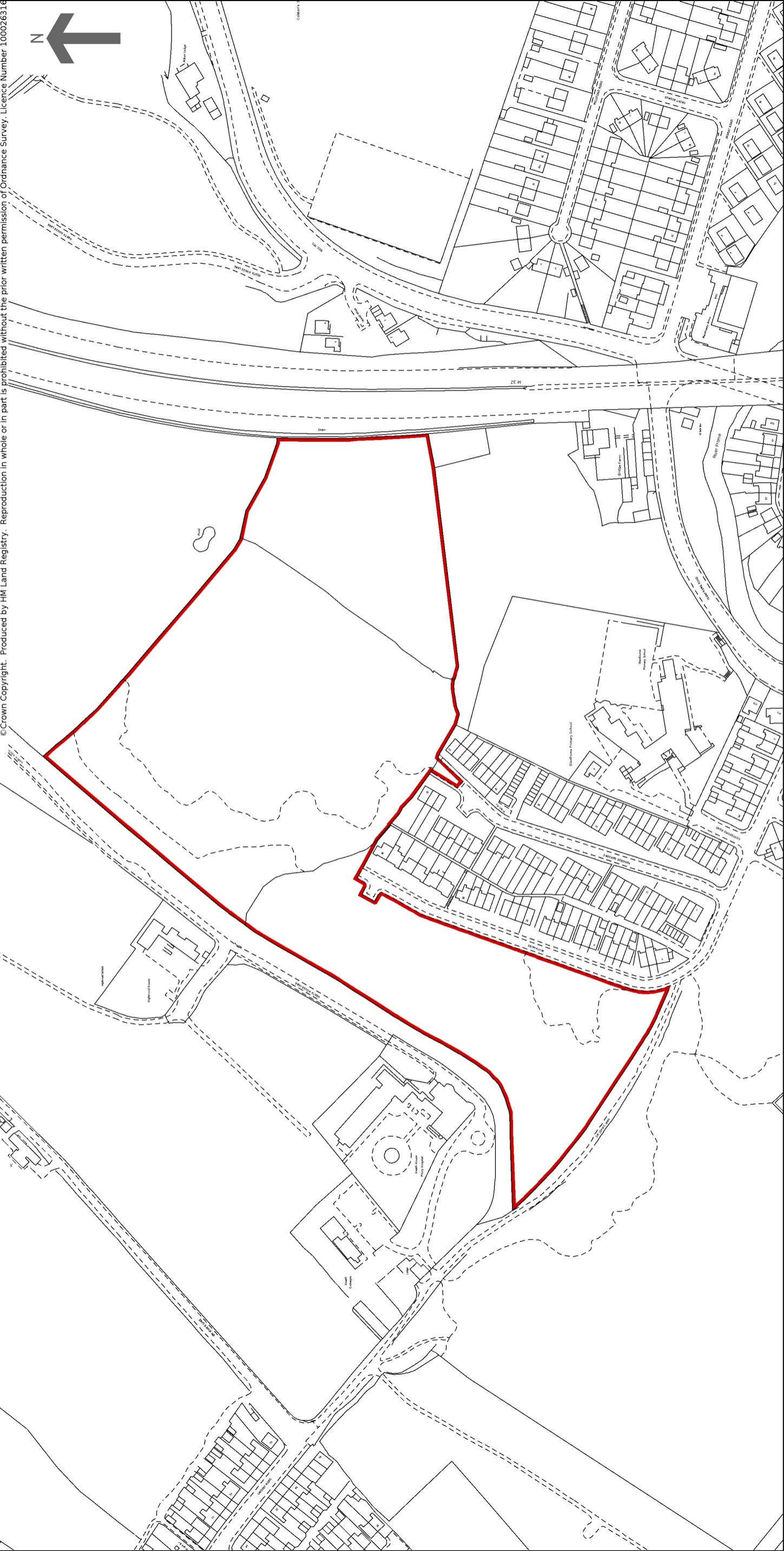


HM Land Registry
 Current title plan

Title number **BL70903**
 Ordnance Survey map reference **ST6075NE**
 Scale **1:2500 reduced from 1:1250**
 Administrative area **City of Bristol**



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 12 February 2021 at 11:00:17. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Gloucester Office.

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 12 FEB 2021 AT 11:27:52. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, GLOUCESTER OFFICE.

TITLE NUMBER: BL1165

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

SOUTH GLOUCESTERSHIRE
CITY OF BRISTOL

- 1 (27.04.1964) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land forming part of Stoke Park Estate, Coldharbour Lane, Bristol.

NOTE: The retaining wall along the boundary between points A and B shown in the plan to the Transfer dated 10 January 2012 referred to in the Charges Register is not included in the title.

- 2 The references edged and numbered 6 in blue, hatched yellow, cross hatched mauve and edged brown on the filed plan are no longer of any significance and should be ignored since the entries in the register which gave rise to these references have been cancelled.

- 3 (01.06.1998) The mines and minerals under the land tinted mauve, tinted brown, tinted blue, tinted yellow, edged yellow, edged blue, tinted pink and edged and numbered 1,2,3,4 & 5 in blue on the filed plan and the ancillary rights of working are excepted.

- 4 The land has the benefit of the following rights granted by a Conveyance of the land in this title dated 12 February 1964 made between (1) The Trustees of the Burden Trust (Vendors) and (2) The Minister of Health (Purchaser):-

(1) The right to use the pump house and the well thereunder on adjoining land marked "Pump House" on the plan annexed hereto

.....
..

(3) The right to maintain a water pipe from the pump house in the approximate course indicated by a continuous line marked W.A. on the said plan and to draw water through the same for the use of Stoke Park Hospital

.....
..

(5) The right to use the water tank (at the site of a former water tower) at the point marked T on the said plan and all pipes channels and watercourses connected therewith and the right to use the water pipes leading thereto and so far as the Vendors can grant the same the right to use the two inch water main marked M.W. the approximate courses of which are indicated on the said plan by continuous lines

(6) The right for the Purchaser and all persons authorised by him with or without vehicles at all times to enter on the adjoining land for the purpose of access to the said pump house and well and of inspecting maintaining repairing and renewing the said pump house and well and the machinery thereof and the said supports pipes and sewers the Purchaser making good at his expense all damage which may be caused to the

Title number BL1165

A: Property Register continued

surface of the said land and paying compensation to the occupier for any disturbance caused thereby.

NOTE: The pump house, the broken line marked E S, the water pipe marked W A, the broken line marked S the water tank marked T and the water main marked M W are shown on the filed plan.

- 5 The said Conveyance dated 12 February 1964 is expressed to include the following right:-

"The right so far as the Vendors can grant and convey the same for the Purchaser and all persons authorised by him (in common with all other persons entitled to a like right) with or without horses carts carriages motor and other animals or vehicles to pass and repass over and along the roadway known as Sir Johns Lane coloured brown on the said plan annexed hereto Together also with the right so far as the Vendors can grant and convey the same for the Purchaser (in common with all other persons entitled to a like right) to execute repairs to the said roadway coloured brown on the said plan as may be necessary from time to time for keeping the same fit for the use to which it is to be put by the Purchaser PROVIDED ALWAYS that the Purchaser shall not be deemed in any way liable for the maintenance and repair of such roadway."

NOTE: The roadway known as Sir Johns Lane coloured brown is hatched brown on the filed plan.

- 6 The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

- 7 The land edged and lettered C in red on the filed plan has the benefit of the following rights reserved by the Conveyance dated 28 January 1965 referred to in the Charges Register:-

"RESERVING in fee simple out of this Conveyance for the benefit of so much of the adjoining or neighbouring land of the Vendor as is shown coloured green yellow and purple on the said plan (hereinafter called "the retained land") and the estate owner or owners for the time being of the retained land and the occupiers thereof the following rights that is to say:- the free passage of electricity gas water and soil from and to the retained land through the cables wires pipes drains and channels (if any) which are now in over or under the property hereby conveyed with all easements rights and privileges proper for repairing maintaining and reinstating the same."

NOTE: The land edged and lettered C in red on the filed plan comprises the land coloured green, yellow and purple referred to.

- 8 The land in this title has the benefit of the following rights granted by a Deed of Release and Grant dated 5 January 1967 made between (1) Clifford R McGill Limited (2) Midland Bank Limited and (3) The Minister of Health:-

"ALL THAT the right for the Minister and his successors in title the owners and occupiers for the time being of the Pink land or any part or parts thereof and his and their respective agents servants and licensees to lay connect use inspect maintain and renew (A) four inch and nine inch drains and sewers which such manholes manhole chambers and interceptors as may be necessary along the lines indicated and shown coloured brown on the plan annexed hereto for the purposes of the uninterrupted conveyance and passage of sewage water and soil from Heath House Heath House buildings and Highwood House to the main sewer in Bell Hill and (B) a line of underground telephone cables to Heath House in the position indicated and shown by a green line on the plan annexed hereto at an average depth of two feet six inches from the surface TOGETHER with the right for any of the purposes aforesaid to enter upon the Blue land and open up the same causing as little damage as possible to the surface of the Blue land so entered upon as aforesaid."

NOTE 1: The lines coloured brown are shown by mauve broken lines on the filed plan and the green line is shown by a red broken line on the filed plan

Title number BL1165

A: Property Register continued

NOTE 2: Part of the sewer referred to above has been (a) diverted and (b) vested in the Lord Mayor Aldermen and Burgesses of The City of Bristol as a public sewer. The present track of the part affected is indicated by a green broken line on the filed plan.

9 The pieces of land edged and lettered A and B in red on the filed plan added to the title on 27 February 1969.

10 The land has the benefit of the following rights reserved by the Deed of Exchange dated 10 February 1969 referred to in the Charges Register:-

"THE SECOND SCHEDULE referred to

The right in fee simple to connect land drains for normal use from the Transferor's said Stoke Park Estate or any part or parts thereof to the storm water sewer mentioned in the First Schedule subject to the written consent of the Transferee first obtained but without any payment and thereafter to use the same for the passage of water."

11 The land edged and lettered C in red on the filed plan added to the title on 20 March 1969.

12 (01.03.1991) The land has the benefit of the following rights reserved by the Transfers dated 30 January 1991 and 8 July 1991 referred to in the Charges Register:-

"THERE are reserved out of the Property for the benefit of the Retained Land the rights set out in the Second Schedule

THE SECOND SCHEDULE

Exceptions and Reservations in favour of the Vendor and the Retained Land

1. Full right and liberty for the Vendor and his Successors in Title to the Retained Land and each and every part thereof to run Services through the Service Lines which now are or may at any time during the period of 80 years from the date of the Transfer (which shall be the perpetuity period applicable to the rights contained in this Schedule) in under through or over the Property with power at all times on giving to the owner or occupier for the time being of the Property reasonable notice (except in the case of emergency when no notice shall be required) to enter onto so much as shall be reasonably necessary of the Property for the purposes of repairing renewing maintaining inspecting replacing and cleansing the Service Lines and laying any other Service Lines and apparatus in order to connect into the Service Lines for the purpose of obtaining any such service as mentioned above PROVIDED THAT the rights contained in this Clause at all times SUBJECT to the persons exercising those rights making good all damage caused to the Property as soon as reasonably practicable to the reasonable satisfaction of the owner for the time being of the Property affected and causing as little inconvenience and annoyance as possible

2. Full right and liberty for the Vendor and his Successors in Title at any time during the period of eighty years from the date of the Transfer to widen and break open the Blue Road and connect any other road or track which does not pass within fifty metres of the boundary between the Property and the Retained Land into it at such point along its length as the Purchaser or its successors in title shall approve (such approval not to be unreasonably withheld) the person exercising such right making good all damage caused to the Blue Road as soon as reasonably practicable to the reasonable satisfaction of the owner for the time being of the Blue Road and causing as little damage and inconvenience as possible and ensuring uninterrupted right of access over the Blue Road to the Property

3. Full right and liberty for the Vendor and his successors in title (in common with all others entitled) for the benefit of the Retained Land and each and every part thereof and all persons authorised by him to pass and repass with and without vehicles at all times and for all purposes over the Blue Road SUBJECT TO the Vendor and his successors in title contributing when demanded a fair proportion from time to time

Title number BL1165

A: Property Register continued

according to user of the cost of such repair and maintenance of the Blue Road as is necessary to maintain the same to a reasonable standard and condition and it is hereby agreed that such fair proportion shall be mutually agreed in writing (or determined by an independent surveyor appointed by the parties in the absence of such agreement) before any works of repair and maintenance are commenced PROVIDED THAT no contribution shall be demanded by the Purchaser from the Vendor or his successors in title in respect of the Road Improvement Works AND PROVIDED ALSO THAT the Vendor and his successors in title shall not be obliged to contribute towards the cost of improvement of the Blue Road as opposed to the cost of repair and maintenance to the Blue Road so as to put it into any better state of repair than the same is at the date of the Transfer

4. The right for the Vendor and his successors in title and his or their workmen or other persons authorised by him or them to enter upon the Property for the purpose of repairing all boundary walls fences and buildings on the Retained Land that can most conveniently be repaired by entry upon the Property the Vendor doing as little damage as possible to the Property and making good any damage occasioned thereby as soon as reasonably practicable."

NOTE: The blue road referred to above is hatched blue on the filed plan.

- 13 (25.03.1993) The land has the benefit of the following rights reserved by a Transfer of the land edged and numbered AV226536 in green on the filed plan and other land dated 11 March 1993 made between (1) The Secretary of State for Health (Transferor) and (2) Frenchay Health Care National Health Service Trust (Transferee):-

"EXCEPTING AND RESERVING out of the land transferred by this Deed to the Vendor in fee simple for the benefit of the remainder of the land comprised in the above Title ("the Retained Land") the rights set out in the schedule

5. In the event of the exercise of the rights excepted and reserved in the Schedule hereto and subject TO THE receipt of a suitable indemnity as to costs and expenses the Purchaser shall at the request and cost of the Vendor or his successors in title be a party to any agreement under Section 38 of the Highways Act 1988 to secure the adoption of any road constructed by the Vendor as a road maintainable at the public expense and the Purchaser hereby further covenants with the Vendor that in the event that the visibility splay referred to in the Schedule hereto shall not be dedicated not to obstruct visibility from the Property hereby transferred over and along the said visibility splay and not to place thereon or permit to be placed thereon any receptacles trees shrubs or plants of any description whatsoever

THE SCHEDULE

Exceptions and Reservations

The right for the Vendor and his successors in title within a period of 80 years from the date hereof which shall be the perpetuity period applicable hereto to enter upon any part of the property hereby transferred and shown edged green on the attached Plan for the following purposes:

(a) the creation of any necessary visibility splay required by the local Highway Authority by the removal and replacement in a different position of any existing boundary wall or structure subject however to the Vendor or his successors in title building such wall to the satisfaction of the Purchaser and the Purchaser if so required by the Highway Authority dedicating any land affected by such visibility splay as public highway

(b) the construction or creation of a road or access through the said Property edged green on the attached Plan and after the construction thereof together with the right thereafter to use such road or access or all purposes and at all times with or without vehicles

PROVIDED THAT if in constructing the said road or access or the said

Title number BL1165

A: Property Register continued

visibility splays the Vendor or his successors in title shall need to demolish or remove the generator house shown marked "1" on the attached Plan then the Vendor or his successors in title shall at his own cost make alternative provision for the relocation of the said generator house on some other part of the Property hereby transferred."

NOTE: The property edged green on the Transfer plan is edged and numbered 11 in blue on the filed plan. The generator house marked 1 on the Transfer plan is marked "generator house" on the filed plan.

14 (21.03.1995) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Transfer of the land edged and numbered AV247767 in green on the filed plan dated 31 January 1995 made between (1) The Secretary of State for Health (Transferor) and (2) Dovessept Limited (Transferee):-

"1. In this Transfer the following expressions shall where the context so admits have the following meanings

.....
..

1.5. "The Retained Land" The remainder of the Transferor's adjoining property comprised in Title Number BL1165
.....
..

1.7 "Blue road" The road giving access to the Property and included in the Heath House Transfers and shown coloured blue on the Plan

1.8 "Green Road" The road giving access to the Blue Road and the Property and forming part of the Retained Land and shown coloured green on the Plan or any road constructed by the Transferor between the points marked "A" and "B" on the Plan in substitution therefor

1.9 "Yellow Road" The road or track abutting the Property on the South western boundary thereof shown coloured yellow on the Plan

1.10 "Services" Foul and surface water drainage water electricity gas telecommunication and other means now or from time to time used for the provision of power heat light water and communication systems

1.11 "Service Lines" Sewers drains pipes wires cables conduits and other means now or from time to time used for the transmission of services

1.12 "Perpetuity Period" The period of eighty years from the date of this Transfer which period shall be the perpetuity period applicable hereto
.....
..

3.1 There is excepted and reserved from the Property in favour of the Retained Land the following rights and easements for the Transferor and her successors in title the owners and occupiers from time to time of the Retained Land and each and every part thereof and all persons authorised by her or them at all times hereafter and for all purposes whatsoever including for the avoidance of doubt any development or re-development of the Retained Land or any part thereof

3.1.1 full right and liberty to run Services through the Service Lines which now are or may at any time during the Perpetuity Period run in under through or over the Property with power at all times on giving to the owner or occupier for the time being of the Property reasonable notice (except in case of emergency when no notice shall be required) to enter onto so much as shall be reasonably necessary of the Property

A: Property Register continued

for the purposes of repairing renewing maintaining inspecting replacing and cleansing the Service Lines and laying any other Service Lines and apparatus in order to connect into the Service Lines for the purpose of obtaining any such service as mentioned above Provided that the rights contained in this clause are at all times subject to the persons exercising those rights making good all damage caused to the Property as soon as reasonably practicable to the reasonable satisfaction of the owner for the time being of the Property being affected and causing as little inconvenience and annoyance as possible

3.1.2 the right for the Transferor and her successors in title and her workmen and other persons authorised by her to enter upon the Property for the purpose of repair of all boundary walls fences and buildings on the Retained Land that can most conveniently be repaired by entry upon the Property Subject to such persons exercising those rights making good all damage caused to the Property as soon as reasonably practicable to the reasonable satisfaction of the owner for the time being of the Property affected and causing as little inconvenience and annoyance as possible

.....
..

4. The Property is transferred together with the benefit of the following rights and easements over the Retained Land in favour of the Transferee and its successors in title the owners and occupiers from time to time of the Property and each and every part thereof and for all purposes connected with the use and occupation of the Property in accordance with the covenants contained in Clause 5 hereof

.....
..

4.2 the right for the Transferee and its successors in title in common with the Transferor and all persons having the right for the free and uninterrupted passage of Services through the Service Lines now laid or to be laid at any time during the Perpetuity Period in over under or through the Retained Land or serving or (following further connection thereto) capable of serving any part of the Property and the right for the Purchaser and its successors in title to enter upon the Retained Land upon the giving of reasonable prior notice to the Transferor (save in the case of emergency) with or without workmen and materials equipment and vehicles for the purpose of inspecting maintaining repairing renewing and constructing and altering and making connections to the Services the person exercising such right of entry making good all damage caused by any such entry as soon as reasonably practicable PROVIDED THAT if the Transferor or her successors in title shall so require the Transferee shall install at its own cost and expense meters on the existing Services or future Services so as to ascertain the cost of such services and where such Services are shared jointly with the Transferor or such other persons so entitled the Transferee shall pay to the Transferor the cost of all such Services supplied and consumed

4.3 The right (as far as the Transferor can grant the same) for the Transferee and its successors in title upon giving prior notice to the Transferor or his successors in title to connect the Property with the existing Services in over through or under the Retained Land the person exercising such right causing as little damage as possible to the Retained Land and making good as soon as possible any damage caused thereby but subject in any event to the reasonable approval of the Transferor or her successors in title to the Retained Land or any parts thereof to the route and method of any such connection

4.4 The right during the Perpetuity Period for the Transferee and its successors in title upon giving prior written notice to the Transferor or his successors in title the owners or occupiers for the time being of the Retained Land to enter upon the Retained Land and lay Service Lines on through under or over the Retained Land the location depth size and position of the same to be agreed with the Transferor and its successors in title (or in default of agreement to be specified by Bristol Water plc or the appropriate statutory water authority) together with the right to pass services through those Service Lines SUBJECT however to the person exercising this right making good all

Title number BL1165

A: Property Register continued

damage caused to the Retained Land in the exercise of this right and causing as little inconvenience or disturbance as possible to the Retained Land

4.5 The right (in common with the Transferor and her successors in title) for the Transferee and its successors in title and all persons authorised by it or them for the benefit of the Property to pass or repass with or without vehicles at all times and for all purposes connected with the use and occupation of the Property but not for any other purpose over the Yellow Road and the Green Road SUBJECT TO and conditional upon the right for the Transferor and her successors in title at the Transferor's own expense within a period of twenty-one years from the date of transfer to vary the route of the Green Road PROVIDED THAT in carrying out such variation the Transferor and her successors in title shall ensure uninterrupted right of access to the Property SUBJECT ALSO TO the Transferee and its successors in title contributing when demanded a fair proportion from time to time according to user of the cost of such repair and maintenance of the Green Road or such other land as is necessary to maintain the same to a reasonable standard and condition and it is hereby agreed that such a fair proportion shall be mutually agreed in writing (or determined by an independent surveyor appointed by the parties in the absence of agreement) before any works of repair and maintenance are commenced PROVIDED THAT no contribution shall be demanded from the Transferee or its successors in title in respect of such cost of variation of route AND PROVIDED ALSO the Transferee or its successors in title shall not be obliged to contribute to the cost of improvements as opposed to cost of repair and maintenance of the Green Road

4.6 The right for the Transferee and its successors in title and its or their workmen or other persons authorised by it to enter upon the Retained Land for the purpose of repairing all boundary walls fences and building on the Property that can most conveniently be repaired by entry upon the Retained Land the Transferee doing as little damage as possible to the Retained Land and making good any damage occasioned thereby as soon as reasonably practicable."

NOTE: The roads coloured blue green and yellow referred to above are shown by blue hatching mauve hatching and mauve edging respectively on the filed plan. Points "A" and "B" referred to are shown by points D and E respectively on the filed plan.

15 (21.03.1995) The Transfer dated 31 January 1995 referred to above contains the following covenants which are expressed to be for the benefit of the land in this title:-

"5. The Transferee covenants with the Transferor and its successors in title for the benefit of the Retained Land and each and every part thereof and so as to bind so far as may be the Property and every part thereof into whosoever hands the same may come that the Transferee and the persons deriving title under the Transferee will at all times hereafter observe and perform the covenants stipulations and conditions following:

5.1 Not to do or cause or permit or suffer to be done in or upon the Property any act or omission which shall or may be or may grow to be an annoyance nuisance damage or disturbance or noxious or offensive to the Transferor or the owners or occupiers of the Retained Land or any part thereof

5.2 Not to use the Property or any part thereof for any purpose whatsoever other than one within Classes B1 C2 C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 or such other use which the Transferee shall have been previously agreed with the Transferor or her assigns such consent not to be unreasonably refused

5.3 Not to allow or suffer vehicles of any description whatsoever to pass along the Yellow Road or the Green Road which may cause or tend to cause damage to the road surfaces thereof save that if in carrying out any development of the Property the Transferee shall cause any damage to them it shall make good at the request of the Transferor and at the cost of the Transferee any damage so caused

Title number BL1165

A: Property Register continued

5.4 To contribute from time to time and when so demanded a reasonable proportion according to user of the cost of repair and maintenance of the Yellow Road and the Green Road and also to contribute to the cost of maintaining and repairing the Blue Road as provided for in the Heath House Transfers

5.5 Not to lodge any planning application whether outline or detailed for the development or alteration or improvement of the Property or any part thereof or commence any development or works to the Property without first supplying to the Transferor (meaning for the purposes of this Clause 5.5. The Secretary of State for Health only or her successors in title to her Statutory health care functions whilst any part of the Retained Land is still in her ownership and not any other person including any successors in title to any part of the Retained Land other than The Secretary of State for Health) or his agents two full copies of all plans relating to such works

5.6 To maintain and keep in good repair and condition all boundary walls and fences surrounding the Property

5.7 Not to obstruct or permit to be obstructed the Yellow Road and the Green Road and the Blue Road or interfere or permit any interference with the right of persons and title to use the same."

NOTE: The roads coloured blue, green and yellow referred to above are shown by blue hatching, mauve hatching and mauve edging respectively on the filed plan.

16 (01.06.1998) The land has the benefit of the following rights granted by the Transfer dated 31 March 1998 referred to in the Charges Register:-

"Together with the rights set out in Part 2 of the First Schedule

THE FIRST SCHEDULE

PART 2

RIGHTS GRANTED TO THE TRANSFEREE

There is granted for the benefit of the Property and of the Dower House the following rights and easements for the Transferee and its successors in title the owners and occupiers for the time being of the Property and the Dower House and each and ever part of them and all persons authorised by them at all times and for all purposes whatsoever including for the avoidance of doubt any development or redevelopment of the Property and the Dower House or any part of them

1. In the event that the Transferee in carrying out the development of the Property or any part of it shall

1.1 damage or need to alter or interfere with any Service Lines or the route of any Service Lines to or serving the Retained Land then the Transferee shall at its own expense make good any damage so caused and where appropriate connect the relevant part of the Retained Land to any Services and/or Service Lines serving the Property (any such works to be carried out as expeditiously as possible and causing the minimum of inconvenience)

1.2 damage or need to alter or interfere with any access or the route of any access to or serving the Retained Land then the Transferee shall at its own expense make good any damage so caused and where appropriate connect the relevant part of the Retained Land to an access capable of serving the Retained Land in its current use and equally as convenient (any such works to be carried out as expeditiously as possible and causing the minimum of inconvenience"

NOTE: For definitions please see Charges Register.

17 (01.06.1998) The Transfer dated 31 March 1998 referred to above contains the following provision:-

"IT IS AGREED AND DECLARED that

Title number BL1165

A: Property Register continued

4.1 The Transferee shall not be or become entitled whether by implication prescription or otherwise to any right of light air or drainage or other easement which shall or may in any way restrict or interfere with or prejudicially affect the free user for building or other purposes by the Transferor of the Retained Land for building development or any other purpose

4.2 the sale of the Property shall not include or operate as a grant or assurance of any liberty privilege easement quasi-easement right of advantage whatsoever now held or enjoyed with or appertaining or reputed to appertain to the Property or any part of it save as expressly provided in this Transfer or recorded as being appurtenant in the registers of title number BL1165

4.3 where (except for this present provision) any estate or right granted or reserved by the Transfer would be void by reason of the same having been granted or reserved in perpetuity the same shall be limited by the Perpetuity period".

"Perpetuity Period the period of eighty years from the date of this Transfer which period shall be the perpetuity period applicable thereto"

18 (04.04.2000) The land has the benefit of the rights granted for the benefit thereof but is subject to the rights reserved by a Deed of Grant of Mutual Rights dated 20 March 2000 made between (1) Barratt Homes Limited (2) Alfred McAlpine Homes South West Limited and (3) McLean Homes South West Limited.

NOTE: Original filed under GR226685.

19 (19.03.2001) By a Deed of Rectification dated 16 March 2001 made between (1) Barratt Homes Limited (2) Alfred McAlpine Homes South West Limited and (3) McLean Homes South West Limited the extent of the land removed under title numbers GR226685 and GR227044 was amended.

20 (24.07.2001) The land has the benefit of the following rights reserved by the Transfer dated 18 July 2002 referred to in the Charges Register:-

" There is excepted and reserved out of the land transferred for the benefit of the remainder of the site the following rights for the consortium Membered (in common with all other persons entitled to the same.

1. To pass over the roads and footpaths including pavement crossings (but on foot only over the footpaths) on the land transferred with or without vehicles and at all times and for all purposes in connection with the use and enjoyment of the land transferred.

2. The free and uninterrupted passage and running of Services in through under and along the Service Media now running or later to run in through under over and along the land transferred or any part or parts of it with liberty to enter onto the land transferred for the purpose of laying maintaining renewing and repairing any such Service Media and making connections with them.

3. as follows

3.1 of support and protection for walls and buildings erected or to be erected on the adjoining part of the Site by and from the land transferred and any walls and buildings now erected or to be erected on it

3.2 to construct and maintain underlying foundations and footings under and overhanging eaves gutters chimneys and flues over the land transferred

3.3 of access at all reasonable hours during the day time over the land transferred for the purpose of erecting inspecting repairing maintaining and decorating any such walls and buildings erected or to be erected on the adjoining part of the Site on or close to the

Title number BL1165

A: Property Register continued

boundary of the land transferred and any such foundations footings eaves gutters chimneys and flues including the right to erect and maintain for those purposes scaffolding or other means of access to the relevant external parts of the adjoining part of the Site.

4. To attach to any wall (including the wall of any building or fence adjoining or forming a boundary of the land transferred) and afterwards to retain use maintain repair renew and replace suitable fixings for a fence and /or gate to form part of any adjoining property

5. The right at any time to enter on the land transferred to carry out any work required under or in relation to any planning consent landscaping scheme and agreements under Section 106 of the Town and Country Planning Act 1990 Section 38

of the Highways Act 1980 and Section 104 of the Water Industry Act 1991 in respect of or relating to or serving the site and /or other land"

NOTE: For definitions see Charges Register.

- 21 (10.10.2003) By a Deed dated 1 August 2002 made between (1) Barratt Homes Limited (2) MCA South West Limited and (3) George Wimpey South West Limited the Master Deed of Grant of Mutual Rights dated 20 March 2000 referred to above was varied as therein mentioned.

NOTE: Original filed under GR252421.

- 22 (21.10.2003) The land has the benefit of the rights reserved by the Deed dated 27 May 2003 referred to in the Charges Register.

- 23 (05.12.2003) The land has the benefit of the following rights reserved by the Transfer dated 28 November 2003 referred to in the Charges Register:-

"There is excepted and reserved out of the land transferred for the benefit of the remainder of the Site the following rights for the Consortium Members (in common with all other persons entitled to the same)

1. The free and uninterrupted passage and running of Services in through under over and along the Service Media now running or later to run in through under over and along the land transferred or any part or parts of it with liberty to enter onto the land transferred for the purpose of laying maintaining renewing and repairing any such Service Media and making connections with them

2. as follows

2.1 of support and protection for walls and buildings erected or to be erected on the adjoining part of the Site by and from the land transferred and any walls and buildings now erected or to be erected on it

2.2 to construct and maintain underlying foundations and footings under and overhanging eaves gutters chimneys and flues over the land transferred

2.3 of access at all reasonable hours during the day time over the land transferred for the purpose of erecting inspecting repairing maintaining and decorating any such walls and buildings erected or to be erected on the adjoining part of the Site on or close to the boundary of the land transferred and any such foundations footings eaves gutters chimneys and flues including the right to erect and maintain for those purposes scaffolding or other means of access to the relevant external parts of the adjoining part of the Site

3. To attach to any wall (including the wall of any building or fence adjoining or forming a boundary of the land transferred) and afterwards to retain use maintain repair renew and replace suitable fixings for a fence and/or gate to form part of any adjoining property

4. The right at any time to enter on the land transferred to carry out

Title number BL1165

A: Property Register continued

any work required under or in relation to any planning consent landscaping scheme and agreements under Section 106 of the Town and Country Planning Act 1990 Section 38 of the Highways Act 1980 and Section 104 of the Water Industry Act 1991 in respect of or relating to or serving the Site and/or other land."

- 24 (31.08.2010) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered GR347043 in green on the title plan and other land dated 15 June 2010 made between (1) BDW Trading Limited and others and (2) South Gloucestershire District Council.

NOTE: Copy filed under GR347043.

- 25 (08.03.2012) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 10 January 2012 referred to in the Charges Register.

- 26 (14.03.2013) The land has the benefit of (except as mentioned in the note below) the rights reserved by but is subject to the rights granted by the Transfer dated 16 March 2009 referred to in the Charges Register.

NOTE 1: The easements reserved over the land edged green on the transfer plan are included in the registration only so far as they are reserved over the land registered under title GR371454.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (08.03.2012) PROPRIETOR: THE CITY COUNCIL OF BRISTOL of City Hall, College Green, Bristol BS1 5TR.
- 2 (08.03.2012) The value as at 8 March 2012 was stated to be under £100,000.
- 3 (08.03.2012) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by BDW Trading Limited (Co. Regn. No. 3018173), MCA South West Limited (Co. Regn. No. 1016078) and George Wimpey South West Limited (Co. Regn. No.977340 by their respective conveyancers that the provisions of clause 19 of the Transfer dated 10 January 2012 referred to in the Charges register have been complied with.
- 4 (08.03.2012) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate is to be registered without a certificate signed by a conveyancer that the provisions of subsection 2A of Section 123 of the Local Government Act 1972 have been complied with or that they do not apply to the disposition.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights granted by a Conveyance of adjoining land dated 25 September 1942 made between (1) The Trustees of the National Institutions For Persons requiring Care and Control (Trustees) (2) Albert Mitchell and others and (3) His Majesty's Principal Secretary of State For the War Department (Purchaser):-

C: Charges Register continued

TOGETHER ALSO with the right to lay maintain and use a line of water pipes over or under the lands of the Trustees adjoining the property hereby conveyed in the position shewn by a red line on the said plan for the purpose of obtaining a supply of water to the said property TOGETHER ALSO with the right to erect maintain and use on the land of the Trustees at the point marked "Q" on the said plan a pump and covering shed in connection with the water main so long as the Purchaser shall consider such pump to be necessary to his occupation of the property hereby conveyed paying therefor a rent of two shillings and sixpence per annum on the first day of January in each year and maintaining the pump and shed in all respects so as to do no damage or nuisance to the lands of the Trustees and their servants and patients and indemnify the Trustees against any claim of adjoining owners arising out of the erection maintenance or use of the said pump and covering shed TOGETHER ALSO with a right of access to the said pump and covering shed along the route shewn on the said plan by a red dotted line.

The said Conveyance contains covenants by the Purchaser and provisions as follows:-

(i) That so long as the property hereby conveyed remains vested in the Purchaser and the said water tower remains on the said property the Purchaser will maintain the said water tower in serviceable condition and for the purpose of ascertaining the condition thereof the said water tower shall be inspected from time to time and so often as need may arise by the officers agents or servants of the Purchaser in conjunction with the Trustees Land Agent or Surveyor and other experts and the Purchaser will afford to the Trustees facilities for the transmission of water from the said water tower as at present exercised

(ii) That upon the option to repurchase hereinafter mentioned becoming exercisable and being exercised by the Trustees the Purchaser shall at his own expense put the said Water Tower into substantial condition before or as soon as reasonably practicable after the completion of the repurchase

(iii) That upon the said option to repurchase becoming exercisable but being declined or not being duly exercised by the Trustees the Purchaser will remove forthwith the said water Tower from the property hereby conveyed and re-erect the same at his own expense with all necessary services and connections to the reasonable satisfaction of the Trustees' Surveyor and Architect on the land of the Trustees adjoining the property hereby conveyed in the position indicated on the said plan by the letter W and so that there shall be no loss of head of water and will carry out such removal and re-erection in such a manner that the Trustees shall not in any way be prejudiced in the supply and use of water.

NOTE: The position of the water pipe, as the same was varied by a Deed dated 28 November 1963 is approximately shown by a yellow broken line on the filed plan. The point marked Q referred to lies outside the title at the south eastern extremity of the Water Pipe. The red dotted line is approximately shown by a brown broken line on the filed plan.

- 2 The parts of the land affected thereby are subject to the following rights granted by a Deed of Exchange of the land edged and numbered BL10878 in green on the filed plan dated 10 February 1969 made between (1) The Secretary of State For Social Services and (2) The Lord Mayor Aldermen and Burgesses of The City of Bristol:-

"THE FIRST SCHEDULE referred to

The right in fee simple to construct lay down use inspect maintain and renew a storm water sewer with all necessary manholes manhole chambers and interceptors from the land coloured pink and the highway to be constructed thereon and known as the Parkway through the adjoining land to Frenchay Park Road in the position indicated by a brown line on the said plan and to the passage of water through the same Together with the right for any of the purposes aforesaid to enter upon the said adjoining land causing as little damage as possible to the surface thereof and making good any damage done."

C: Charges Register continued

NOTE: The land coloured pink referred to is the land comprised in title BL10878 and the brown line referred to is the firm brown line on the filed plan.

- 3 The land edged and lettered C in red on the filed plan is subject to the following rights reserved by a Conveyance thereof with other land dated 25 September 1942 made between (1) The National Institutions For Persons requiring Care and Control (Trustees) (2) Albert Mitchell and others and (3) His Majesty's Principal Secretary of State For the War Department (Purchaser):-

"A right of way for the Trustees their servants horses carts and cattle and motors across the property hereby conveyed along the two tracks coloured purple on the said plan."

NOTE: The tracks coloured purple referred to are hatched yellow on the filed plan.

- 4 The land edged and lettered C in red on the filed plan is subject to the following rights granted by a Conveyance of adjoining land dated 28 January 1965 made between (1) The Secretary of State For Defence (Vendor) and (2) Her Majesty's Postmaster General (Purchasers):-

"FIRST the full and free right and liberty and authority for the Purchaser and his successors in title owners for the time being of the said property and his and their tenants and licensees at all times of the day and night for all purposes and with or without horses and other animals and vehicles (of every kind whatsoever and howsoever drawn or propelled and whether laden or unladen) to pass and repass to and from Sir John's Lane (coloured brown on the said plan) from and to the said property over across through on and along the land coloured yellow and purple on the said plan (hereinafter called "the said passage")
SECONDLY the full and free right liberty authority and consent for the Purchaser and his successors in title as such owners as aforesaid and all persons authorised by him or any of them at all times (a) to construct place bring fit fix use and maintain and to alter and remove under in upon over along and across the said passage or any part or parts thereof cables wires ducts pipes tubes channels drains telegraphic lines (as defined in the Telegraph Act 1878) apparatus and appliances (hereinafter collectively referred to as "passage works") (b) to use and maintain any passage works already under in upon over along or across the said passage and used or intended to be used for any purpose connected with or relating to the said premises (c) to alter or remove any passage works already in upon over along or across the said passage and used or intended to be used solely for any purpose connected with or relating to the said property PROVIDED that the Purchaser or other person as aforesaid shall in the exercise of the rights granted by paragraphs (a) (b) and (C) hereof make good at his own expense any damage caused thereby THIRDLY the right to lay maintain and use a line of water pipes not exceeding three inches in diameter over or under the adjoining land belonging to the Vendor in the position shown by a green line between points P and Q on the said plan for the purpose of obtaining a supply of water to the said property."

NOTE: The land coloured brown referred to is hatched brown on the filed plan and the land coloured yellow and purple is edged and numbered 1, 3 and 4 in blue and edged and numbered 2 respectively on the filed plan. The green line between points P and Q referred to is shown by a firm mauve line on the filed plan.

- 5 The parts of the land affected thereby are subject to the rights to lay construct erect use maintain inspect alter enlarge renew replace remove or render unusable a 12 inch gas main in the approximate position shown by a firm yellow line on the filed plan with ancillary rights of entry granted by a Deed dated 19 August 1970 made between (1) The Secretary of State For Social Services and (2) South Western Gas Board.

The said Deed also contains restrictive covenants.

NOTE: Copy filed.

- 6 (01.03.1991) The land is subject to the following rights granted by two Transfers of the land edged and numbered AV204454 in green on the filed plan dated 30 January 1991 and 8 July 1991 both made between (1) The

Title number BL1165

C: Charges Register continued

Secretary of State For Health (Vendor) and (2) Priory Hospitals Group Limited (Purchaser):-

"THE Property is transferred together with the rights set out in the First Schedule

THE FIRST SCHEDULE

Rights granted to the Purchaser and its successors in title

1. The right for the Purchaser and its successors in title in common with the Vendor and all persons having the like right for the free and uninterrupted passage of Services through the Service Lines now laid or to be laid at any time during the period of eighty years from the date of completion in over or under the Retained Land and serving or (following further connection thereto) capable of serving any part of the Property and the right for the Purchaser and its successors in title to enter upon the Retained Land upon giving of reasonable prior notice to the Vendor (save in the case of emergency) with or without workmen materials equipment and vehicles for the purpose of inspecting maintaining repairing renewing constructing and altering and making connections to the Services the person exercising such right of entry making good all damage caused by any such entry as soon as reasonably practicable

2. The right (so far as the Vendor can grant the same) for the Purchaser and its successors in title upon the giving of prior notice to the Vendor or his successors in title to connect the Property with the existing Services supplied in over or under the Retained Land the person exercising such right causing as little damage as possible to the Retained Land and making good as soon as possible any damage caused thereby but subject in any event to the reasonable approval of the Vendor to the route and method of any such connection

3. The right (in common with the Vendor and all others entitled) for the Purchaser and its successors in title and all persons authorised by it or them for the benefit of the Property to pass and repass with or without vehicles at all times and for all purposes connected with the use and occupation of the Property but not for any other purpose over the Green Road SUBJECT TO and conditional upon the right for the Vendor at the Vendor's own expense within a period of twenty one years from the date of the Transfer to vary the route of the Green Road PROVIDED THAT in carrying out such variation the Vendor shall ensure uninterrupted right of access to the Property SUBJECT ALSO TO the Purchaser and its successors in title contributing when demanded a fair proportion from time to time according to user of the cost of such repair and maintenance of the Green Road or such other land as is necessary to maintain the same to a reasonable standard and condition and it is hereby agreed that such fair proportion shall be mutually agreed in writing (or determined by an independent surveyor appointed by the parties in the absence of agreement) before any works of repair and maintenance are commenced PROVIDED THAT no contribution shall be demanded from the Purchaser or its successors in title in respect of the cost of such variation of route and PROVIDED ALSO THAT the Purchaser or its successors in title shall not be obliged to contribute to the cost of improvement as opposed to the cost of repair and maintenance of the Green Road

4. The right for the Purchaser and its successors in title and its or their workmen or other persons authorised by it or them to enter upon the Retained Land for the purpose of repairing all boundary walls fences and buildings on the Property that can most conveniently be repaired by entry upon the Retained Land the Purchaser doing as little damage as possible to the Retained Land and making good any damage occasioned thereby as soon as reasonably practicable."

NOTE: The Retained Land referred to above is the land in this title. The green road referred to is hatched mauve on the filed plan.

7 (18.03.1991) An Agreement dated 2 January 1991 made between (1) The Secretary of State For Health and (2) Priory Hospitals Group Limited contains provision for the purchase of additional land.

C: Charges Register continued

NOTE: Copy filed.

- 8 (01.06.1998) The part of the land affected thereby is subject, for the benefit of the Burden Institute, to the following rights reserved by a Transfer of land restored to this title on 1 June 1998 dated 11 September 1991 made between (1) The Secretary of State for Health and (2) Robert Thomas Neate:-

"The following rights and easements for the Transferor and his successors in title the owners and occupiers from time to time of the Retained Land and each and every part thereof and all persons authorised by him at all times hereafter and for all purposes whatsoever including for the avoidance of doubt any development or redevelopment of the Retained Land or any part or parts thereof are hereby reserved:-

1. the full right and liberty for the Transferor and his successors in title to the Retained Land and each and every part thereof to run Services through the Service Lines which now are or may at any time during the Perpetuity Period run in under through or over the Property with power at all times on giving to the owner or occupier for the time being of the Property reasonable notice (except in case of emergency when no notice shall be required) to enter onto so much as shall be reasonably necessary of the Property for the purposes of repairing renewing maintaining inspecting replacing and cleansing the Service Lines and laying or installing new or any other Service Lines and apparatus in order to connect to the Service Lines for the purpose of obtaining such Services as mentioned above TOGETHER ALSO WITH the right to lay Service Lines and pass Services in under or through under the Property PROVIDED THAT the rights contained in this Clause are at all times subject to the persons exercising the same making good all damage caused to the Property as soon as reasonably practicable to the reasonable satisfaction of the owner for the time being of the property affected and causing as little damage and inconvenience as possible

2. the full right and liberty for the Transferor and his successors in title to pass and repass with or without vehicles at all times and for all purposes connected with the use of the Retained Land over the Blue Land

3. There shall be excluded from the same to the Transferee:

(a) any right to the passage of light or air over the Retained Land which would restrict the Transferor's use of the Retained Land for any purpose whatsoever

(b) the benefit of all covenants and stipulations imposed by the Transferor on any past sale of any other land and premises then retained by the Transferor or any part thereof

4. It is hereby declared that this Deed shall not include or operate as a Grant or Assurance of any liberty privilege easement quasi-easement right or advantage whatsoever now held or enjoyed with or appertaining or reputed to appertain to the Property or any part thereof save as expressly herein provided

"Retained Land" means the Transferor's adjoining property known as Stoke Park Hospital and The Burden Neurological Hospital being the remainder of the land comprised in Title Number BL1165 and the land and premises comprised in a Conveyance dated 1st April 1968 made between (1) The Trustees of The Burden Trust (1) and the Transferor (2)

"Services" means foul and surface water drainage water electricity gas telecommunications and other means now or from time to time used for the provision of power heat light water and communication systems

"Service Lines" means and includes sewers drains pipes wires cables and conduits and other means now or from time to time used for the transmission of Services."

By a Deed dated 29 January 1998 made between (1) The Secretary of State for Health (2) Frenchay Healthcare National Health Service Trust and (3) Barratt Homes Limited and Alfred McAlpine Homes South West Limited

C: Charges Register continued

the reserved rights contained in the Transfer dated 11 September 1991 referred to above were released except so far as (if at all) they benefit the Burden Institute being the land comprised in title AV226536.

- 9 (01.06.1998) A Transfer of the land in this title dated 31 March 1998 made between (1) The Secretary of State for Health (Transferor) and (2) Barratt Homes Limited and others (Transferees) contains the following covenants:-

"The Transferee with intent and so as to bind the Property into whosoever hands the same may come and so as to benefit and protect the Retained Land or any part or parts of it JOINTLY AND SEVERALLY COVENANT with the Transferor that the Transferee and its successors in title will at all times after the date of this Transfer duly observe and perform the restrictive and other covenants set out in the Second Schedule and the covenants conditions restrictions and stipulations contained or referred to in title number BL1165 (insofar as they relate to the Property and are capable of taking effect) and shall keep the Transferor fully indemnified from and against all future actions costs claims demands expenses and liabilities in respect of them

THE SECOND SCHEDULE

JOINT AND SEVERAL COVENANTS BY THE TRANSFEREE

1 Not to do or cause or permit or suffer to be done in or upon the Property any act or omission which shall or may grow to be an annoyance nuisance damage or disturbance or noxious or offensive to the Transferor or other owners or occupiers of the Retained land or any part of it but this clause shall not relate to any development of the Property for which planning permission shall be granted or deemed to be granted

2 Not to develop the Property in such a way as to interrupt (except on a temporary basis for a short a period as reasonably practicable) the supply of gas water and electricity to the Retained Land

3 In planning the development of the Property to take heed of Burden's Access and the requirements of the Burden Institute in respect of it

In this Transfer the following words and expressions shall unless the context otherwise requires have the following meanings

"Perpetuity Period" the period of eighty years from the date of this Transfer which shall be the perpetuity period applicable hereto

"Services" means foul and surface water drainage water electricity gas telephone and other services

"Service Lines" means sewers drains watercourses balancing ponds pipes cables wires or other channels or conductors and ancillary works and apparatus"

NOTE 1: The Access referred to is cross hatched brown and edged and numbered 17 and 18 in blue on the filed plan. "Burdens Access" referred to is edged and numbered 19 in blue on the filed plan. "Coldharbour Access" is shown by points H-J on the filed plan and the points A and B are shown by points F and G on the filed plan.

NOTE 2: The Retained Land referred to is the land in title BL58170.

- 10 (01.06.1998) The land is subject to the following rights granted by the Transfer dated 31 March 1998 referred to above:-

"EXCEPTING AND RESERVING the rights set out in Part 1 of the First Schedule

THE FIRST SCHEDULE

PART 1

RIGHTS RESERVED TO THE TRANSFEROR

C: Charges Register continued

There is excepted and reserved from the Property in favour of the Retained Land the following rights and easements for the Transferor and its successors in title the owners and occupiers from time to time of the Retained Land and each and every part of it and all persons authorised by them at all times after this Transfer and for all purposes whatsoever including for the avoidance of doubt any development or redevelopment of the Retained Land or any part of it

1. To pass and repass at all times for all purposes with or without vehicles and or animals over the Access in connection only with the current use of the Retained Land

2. The right (in common with the Transferee and all others entitled) of passage and running of Services through the Service Lines now or intended to serve the Retained Land in its current use and passing in through over or under the Property

3. The right to run Services to serve the current use of the Retained Land through the Service Lines which now are or may at any time during the Perpetuity Period be in on under through or over the Property with power at all times on giving to the owner or occupier for the time being of the Property (or the relevant part of it) reasonable notice (except in the case of emergency when no notice shall be required) to enter on to so much as shall be reasonably necessary of the Property for the purpose of repairing renewing maintaining inspecting replacing and cleaning the Service Lines and laying any further Service Lines and apparatus in order to connect into the Service Lines for the purpose of obtaining any of the Services PROVIDED THAT the rights contained in this clause shall be exercised so as to cause as little inconvenience as possible and remedying any physical damage caused and not in any event so as to lay services beneath buildings now or which it is proposed will be in the future constructed on the Property

4. The right to deal in any manner whatsoever with any other part of the Retained Land and to erect maintain rebuild or alter or suffer to be erected maintained rebuilt altered any buildings on the Retained Land

5. The right of support from the Property (and all buildings on it) for the Retained Land (and also buildings on it)"

11 (01.06.1998) The land is subject to the following rights granted by the Transfer dated 31 March 1998 referred to above:-

"The Transferee grants to Frenchay the rights set out in Part 3 of Schedule 1

THE FIRST SCHEDULE

PART 3

RIGHTS GRANTED TO FRENCHAY

There is granted for the benefit of the Burden Institute the following rights (for Frenchay and its successors in title the owners and occupiers for the time being of the Burden Institute and each and every part of it and all persons authorised by it at all times and for all purposes whatsoever including for the avoidance of doubt any redevelopment or development of the Burden Institute or any part of it):

1 to pass and repass at all times and for all purposes with or without vehicles over Burden's Access PROVIDED THAT this right shall cease once Burden's Access is adopted as a public highway

2 (if the Transferee shall temporarily close the Coldharbour Access) the right during the period of such closure to pass with and without vehicles over such part of the Property as is reasonably necessary to gain access from Burden's Access to the boundary of the Burden Institute between the points marked A and B on Plan 2

3 (if the Coldharbour Access shall be closed other than by the

C: Charges Register continued

Transferee) the right to open up such further access point or points linking the Burden Institute to Burden's Access as may be reasonably necessary in all the circumstances provided that such point or points of access shall not conflict with or constrain the development of the property

4 of passage and running of Services through the Service Lines now intended to serve the Burden Institute and passing in through over or under the Property

5 to run services through the Service Lines which now are or may at any time during the Perpetuity Period be in on under through or over the Property with power at all times on giving to the owner or occupier for the time being of the Property (or the relevant part of it) reasonable notice (except in the case of emergency when no notice shall be required) to enter on to so much as shall be reasonably necessary of the Property for the purpose of repairing renewing maintaining inspecting replacing and cleaning the Service Lines and laying any further Service Lines and apparatus in order to connect into the Service Lines for the purpose of obtaining any of the Services PROVIDED THAT the rights contained in this clause shall be exercised so as to cause as little inconvenience as possible and remedying any physical damage caused and indemnifying the Transferee against any loss or expense suffered as a result and not in any event so as to lay any service beneath buildings now or which it is proposed will be in the future constructed on the Property"

12 (24.07.2001) The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered GR226687A in green on the filed plan dated 18 July 2001 made between (1) Barratt Homes Limited, (2) Alfred McAlpine Homes South West Limited and (3) Mclean Homes South West Limited:-

" There is included for the benefit of the land transferred the right for the transferee of it (in common with all other persons entitled to the same)

1. To pass over the roads and footpaths including pavement crossings (but on foot only over the footpaths) on the Site with or without vehicles and at all times and for the purposes in connection with the use and enjoyment of the land transferred

2. To the free and uninterrupted passage and running of Services in through under over and along the Service Media now running or later to run through under upon and along the adjoining part of the Site the transferee paying a proportionate part of the expense of keeping the same in proper order repair together with the right to enter onto the adjoining part of the Site for the purpose of laying maintaining renewing and repairing any such Service Media and making connections with the same

3. As follows

3.1 of support and protection for walls and buildings erected on the land transferred by and from the adjoining part of the Site and any walls and buildings now erected or to be erected on it

3.3 of access at all reasonable hours during the day time over the adjoining part of the Site for the purpose of erecting inspecting repairing maintaining and decorating any such walls and buildings erected or to be erected or to be erected on or close to the boundary of the land transferred and any such foundations footings eaves gutters chimneys and flues including the right to erect and maintain for those purposes scaffolding or other means of access to the relevant external parts transferred

4. To attach to any wall (including the wall of any building) or fence adjoining or forming part of the Site and afterwards to retain use maintain repair renew and replace suitable fixings for a fence and/or gate to form part of the land transferred

The following provisions shall apply to the rights granted and reserved above

C: Charges Register continued

1. The siting of the rights shall be determined and the exercise of them shall commence within the Perpetuity Period

2. The party or other person or persons exercising any of the rights shall in doing so cause as little damage as reasonably possible and shall make good any damage so caused as soon as is reasonably practicable

3. nothing in this Deed shall affect or abridge the affect or operation of Section 162(1)(d) of the Law of Property Act 1925

4. None of the rights granted in Schedule 1 shall apply to or be exercised over any land transferred to or vested in any of the Service Authorities or covered by a building

For the purposes of this deed the following expressions shall have the meanings given to them below:

Expression	Meaning
13.1 "Barratt"	the party named in panel 6.1
13.2 "Consortium Members"	Barratt McAlpine and Mclean
13.3 "McAlpine"	the party named in panell 6.2
13.4 "McLean"	the party named in panel 6.3
13.5 "Perpetuity period"	80 years from 1 January 2000
13.6 "Plan"	the attached plan
13.7 "Service Authorities"	all authorities companies corporations bodies and undertakings (whether statutory or otherwise) responsible for any service media as/or services
13.8 "Service Media" watercourses	the sewers channels drains pipes mains wires cables aerials amplifiers receivers poles soakaways and any other apparatus for transmission of Services
13.9 "Services" radio	the supply of water electricity gas and television telephone and other audio visual and data signals and the disposal of foul surface water
13.10 "Site"	the remaining land in the above Title number
13.11 "Transferor"	The Consortium Members"

13 (16.10.2002) By a Deed dated 3 October 2002 made between (1) Barratt Homes Limited and others and (2) North Bristol National Health Service Trust the right of way over Burden's Access granted by clause 1 of Part 3 of the First Schedule of the Transfer dated 31 March 1998 referred to above was surrendered.

14 (16.10.2002) The parts of the land affected thereby are subject to the new rights granted by the Deed dated 3 October 2002 referred to above.

NOTE: Original filed under AV226536.

15 (01.11.2002) The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered GR254852 in green on the filed plan dated 2 October 2002 made between (1) Barratt Homes Limited and others (Transferor) and (2) Western Power Distribution (South West) plc (Transferee):-

Title number BL1165

C: Charges Register continued

"Rights granted for the benefit of the Property

The right for the Transferee and all persons expressly or by implication authorised by the Transferee:

(a) to enter and remain on the Transferor's Land to lay the Underground Cable in the Access Way and in the approximate position on the Plan and afterwards to use, inspect, maintain repair and replace it;

(b) to enter and remain on the Access Way to install apparatus on the Property and afterwards to inspect, maintain, repair and and replace it;

(c) to pass and repass at all times and for all purposes with or without vehicles and machinery over the Access Way; and

(d) to pass and repass at all times and for all purposes with or without vehicles and machinery over the estate roads and footpaths until such time as these are adopted by the Local Authority. Upon adoption this right (clause 13.2[d]) shall be extinguished.

The said Transfer also contains the following restrictive covenants by the Transferor

Covenants by the Transferor

(a) The Transferor must not:

(i) do anything likely to interfere with or damage the Underground Cable or which may interfere with or restrict access to it;

(ii) materially alter the level of the ground over the Underground Cable from that which exists at the date of this Transfer;

(iii) erect anything over the Underground Cable without first obtaining the Transferee's written consent. The Transferee may not unreasonably withhold or delay its consent.

(b) The Transferor must pay any road charges charged or to be charged on the Property.

Definitions:-

In this Transfer unless the context otherwise requires, the following words have the following meanings:

"Access Way" that part of the Transferor's Land providing access to and egress from the Property which is coloured pink on the plan;

"Electric Line" has the same meaning as in Section 64, Electricity Act 1989;

"Plan" the plan attached to this Transfer;

"Rights" the rights granted to the Transferee by this Transfer;

"Transferor's Land" the land comprised in the above title excluding the Property;

"Underground Cable" any Electric Line which is laid underground."

NOTE: No copy of the Transfer referred to is held by Land Registry.

16 (21.10.2003) The land is subject to the rights granted by a Deed of Grant dated 27 May 2003 made between (1) Barratt Homes Limited (2) M C A South West Limited and (3) George Wimpey South West Limited.

The said Deed also contains restrictive covenants.

NOTE: Copy filed under GR227044.

Title number BL1165

C: Charges Register continued

17 (05.12.2003) The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered GR267313 in green on the filed plan dated 28 November 2003 made between (1) Barratt Homes Limited, MCA South West Limited and George Wimpey South West Limited (Transferor) and (2) Barratt Homes Limited (Transferee):-

" There is included for the benefit of the land transferred the right for the transferee of it (in common with all other persons entitled to the same)

1. To pass over the roads and footpaths including pavement crossings (but on foot only over the footpaths) on the Site with or without vehicles and at all times and for the purposes in connection with the use and enjoyment of the land transferred

2. To the free and uninterrupted passage and running of Services in through under over and along the Service Media now running or later to run through under upon and along the adjoining part of the Site the transferee paying a proportionate part of the expense of keeping the same in proper order repair together with the right to enter onto the adjoining part of the Site for the purpose of laying maintaining renewing and repairing any such Service Media and making connections with the same

3. As follows

3.1 of support and protection for walls and buildings erected on the land transferred by and from the adjoining part of the Site and any walls and buildings now erected or to be erected on it

3.2 to construct and maintain underlying foundations and footings under and overhanging eaves gutters chimneys and flues over the adjoining part of the Site

3.3 of access at all reasonable hours during the day time over the adjoining part of the Site for the purpose of erecting inspecting repairing maintaining and decorating any such walls and buildings erected or to be erected on or close to the boundary of the land transferred and any such foundations footings eaves gutters chimneys and flues including the right to erect and maintain for those purposes scaffolding or other means of access to the relevant external parts of the land transferred

4. To attach to any wall (including the wall of any building) or fence adjoining or forming a boundary of any property forming part of the Site and afterwards to retain use maintain repair renew and replace suitable fixings for a fence and/or gate to form part of the land transferred."

18 (08.03.2012) A Transfer of the land in this title dated 10 January 2012 made between (1) BDW Trading Limited, MCA South West Limited and George Wimpey South West Limited and (2) The City Council Of Bristol contains restrictive covenants.

NOTE 1:- No further particulars of the Agreement dated 30 September 1999 referred to were supplied.

NOTE 2:-The "Retained Land" referred to is the land in title BL128126 and the transferred land is now in title BL1165.

NOTE 3:- Copy filed.

19 (14.03.2013) A Transfer of other land dated 16 March 2009 made between (1) BDW Trading Limited, MCA South West Limited and George Wimpey South West Limited and (2) Dower House (Stoke Park) Management Company Limited contains restrictive covenants by the Transferor.

NOTE:-Copy filed under GR371454.

End of register



Reply to Theo Brumhead
Telephone 0117 9223133
E-mail rightsofway@bristol.gov.uk
Our ref ID3/640 South Hayes
Your ref
Date 5th March 2024



Application for a Modification Order to add public footpaths from South Hayes and Parkside Gardens to Heath House Lane to Bristol City Council's Definitive Map and Statement under Section 53 of the Wildlife and Countryside Act 1981

I am writing to clarify the present position with regards to your application for a Modification Order under the Wildlife & Countryside Act 1981 to add the above claimed route to Bristol's Definitive Map, recorded as a valid application on 15th March 2007.

For your information, validated applications for modification orders are determined by the Council in date order of receipt, subject to the proviso that any claims affected by development or obstruction may be required to take priority. I can confirm that your claim has now come to the top of the list of claims and the majority of investigation into the application has been completed.

Officers have prepared a report to the Public Rights of Way and Greens Committee. A copy of the draft report, containing factual information on all the evidence provided has been included with this letter, with copies provided to the lead applicant and current landowners of the affected land, prior to submission of the report to Committee.

Although there is no legal obligation on the Council to notify any other parties prior to making a decision on the claim, it is seen as good practice to consult witnesses in support and all affected landowners/occupiers or other interested parties, prior to a report being taken to the Public Rights of Way and Greens Committee.

I am therefore contacting you to confirm if there is any further evidence that you wish to add in support of the application. A copy of the evidence you previously submitted is enclosed.

The Council must assess all available evidence in order to come to a decision on whether or not to make an Order, although it should be noted that the desirability,

suitability or necessity of adding the route to the Definitive Map are not matters that can be taken into account under Section 53 of the Wildlife and Countryside Act 1981 and information on these points is not required.

Any additional information on the following points would be of assistance to the investigation:-

1. Your evidence of the use of the route by the public during the relevant twenty-year period of use claimed, i.e. from 1985 to 2005.
2. Any actions which were taken to prevent or deter the public from using the route as a public right of way during the relevant period of use.
3. Any photographs or documentation recording or relating to the claimed public use of the route during the relevant period of use.
4. Where you walked to or from prior or after using the claimed route as outlined in the map you submitted with your evidence.

Any additional information that you wish to provide should be sent to me via the email address at the top of this letter or to the postal address below. Please provide any information before 29th March 2024, in order that it can be included in the report ahead of the next Public Rights of Way and Greens Committee meeting on the 15th of April 2024.

I look forward to hearing from you.

Yours sincerely

Theo Brumhead

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council



Caroline Ennion
Parks Operational Coordinator,
North Sea Mills depot,
41 Sea Mills Lane,
BS9 1DP

Reply to Theo Brumhead
Telephone 0117 9223133
E-mail rightsofway@bristol.gov.uk
Our ref ID3/640 South Hayes
Your ref
Date 5th March 2024

Sent via email to:



Dear Sir or Madam,

Application for a Modification Order to add public footpaths from South Hayes and Parkside Gardens to Heath House Lane to Bristol City Council's Definitive Map and Statement under Section 53 of the Wildlife and Countryside Act 1981

I am writing to clarify the present position with regards to the above application for a Modification Order under the Wildlife & Countryside Act 1981 to add the above claimed route to Bristol's Definitive Map, recorded as a valid application on 15th March 2007.

For your information, validated applications for modification orders are determined by the Council in date order of receipt, subject to the proviso that any claims affected by development or obstruction may be required to take priority. I can confirm that your claim has now come to the top of the list of claims and the majority of investigation into the application has been completed.

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Although there is no legal obligation on the Council to notify any other parties prior to making a decision on the claim, it is seen as good practice to consult witnesses in support and all affected landowners/occupiers or other interested parties, prior to a report being taken to the Public Rights of Way and Greens Committee.

I am therefore contacting you to confirm if there is any further evidence that you wish to add in support of the application. A copy of the evidence you previously submitted is enclosed.

The Council must assess all available evidence in order to come to a decision on whether or not to make an Order, although it should be noted that the desirability,

suitability or necessity of adding the route to the Definitive Map are not matters that can be taken into account under Section 53 of the Wildlife and Countryside Act 1981 and information on these points is not required.

Any additional information on the following points would be of assistance to the investigation:-

1. Your evidence of the use of the route by the public during the relevant twenty-year period of use claimed, i.e. from 1985 to 2005.
2. Any actions which were taken to prevent or deter the public from using the route as a public right of way during the relevant period of use.
3. Any photographs or documentation recording or relating to the claimed public use of the route during the relevant period of use.
4. Where you walked to or from prior or after using the claimed route as outlined in the map you submitted with your evidence.

Any additional information that you wish to provide should be sent to me via the email address at the top of this letter or to the postal address below. Please provide any information before 29th March 2024, in order that it can be included in the report ahead of the next Public Rights of Way and Greens Committee meeting on the 15th of April 2024.

Yours sincerely,

Theo Brumhead

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council



Birakos Enterprises Ltd
Clifton Wood House
Clifton Wood
BRISTOL
BS4 4TW

Reply to Theo Brumhead
Telephone 0117 9223133
E-mail rightsofway@bristol.gov.uk
Our ref ID3/640 South Hayes
Your ref
Date 28th March 2024

Dear Sir or Madam,

Application for a Modification Order to add public footpaths from South Hayes and Parkside Gardens to Heath House Lane to Bristol City Council's Definitive Map and Statement under Section 53 of the Wildlife and Countryside Act 1981

I am writing to clarify the present position with regards to the above application for a Modification Order under the Wildlife & Countryside Act 1981 to add the above claimed route to Bristol's Definitive Map, recorded as a valid application on 15th March 2007.

For your information, validated applications for modification orders are determined by the Council in date order of receipt, subject to the proviso that any claims affected by development or obstruction may be required to take priority. I can confirm that your claim has now come to the top of the list of claims and the majority of investigation into the application has been completed.

Officers have prepared a report to the Public Rights of Way and Greens Committee. A copy of the draft report, containing factual information on all the evidence provided has been included with this letter, with copies provided to the lead applicant and current landowners of the affected land, prior to submission of the report to Committee.

Although there is no legal obligation on the Council to notify any other parties prior to making a decision on the claim, it is seen as good practice to consult witnesses in support and all affected landowners/occupiers or other interested parties, prior to a report being taken to the Public Rights of Way and Greens Committee.

I am therefore contacting you to confirm if there is any further evidence that you wish to add in support of the application. A copy of the evidence you previously submitted is enclosed.

The Council must assess all available evidence in order to come to a decision on whether or not to make an Order, although it should be noted that the desirability,

suitability or necessity of adding the route to the Definitive Map are not matters that can be taken into account under Section 53 of the Wildlife and Countryside Act 1981 and information on these points is not required.

Any additional information on the following points would be of assistance to the investigation:-

1. Your evidence of the use of the route by the public during the relevant twenty-year period of use claimed, i.e. from 1985 to 2005.
2. Any actions which were taken to prevent or deter the public from using the route as a public right of way during the relevant period of use.
3. Any photographs or documentation recording or relating to the claimed public use of the route during the relevant period of use.
4. Where you walked to or from prior or after using the claimed route as outlined in the map you submitted with your evidence.

Any additional information that you wish to provide should be sent to me via the email address at the top of this letter or to the postal address below. Please provide any information before 10th April 2024, in order that it can be included in the report ahead of the next Public Rights of Way and Greens Committee meeting on the 15th of April 2024.

Yours sincerely,

Theo Brumhead

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council

**Appendix W1-2: Emails from
BCC Landowners relating to
land at Stoke Park**

From: [Caroline Ennion](#)
To: [Theo Brumhead](#)
Subject: RE: Stoke Park DMMO
Date: 19 March 2024 13:24:14

Theo,

Thank you. The Central team have confirmed that nothing was put in place to prevent or advise people walking from Heath House Lane across our land (called Priory Field) to South Hayes, that it was private land and this was a permissive route not a public right of way.

Grazing licence for Priory Field – this runs from 2020 to date, so does not relate to the period in question.

Thank you

Caroline

I work Monday to Wednesday & Friday 7am – 4:45pm

Caroline Ennion (*pronouns she/her*)

Parks Operational Coordinator North

From: Theo Brumhead [REDACTED]
Sent: Tuesday, March 19, 2024 12:00 PM
To: Caroline Ennion [REDACTED]
Subject: RE: Stoke Park DMMO

Thanks Caroline,

I will put your email on the file and it will be included in the appendices (suitably redacted of course). Just to be clear, it is only evidence from before mid 2005 that is relevant to the DMMO application and report. So if you have information on this period, or on when the land entered BCC ownership it would be very much appreciated,

Many thanks,

Theo

Theo Brumhead
Public Rights of Way Officer
Highway Network Management
Bristol City Council – Growth & Regeneration

rightsofway@bristol.gov.uk

From: [Caroline Ennion](#) [REDACTED]

Sent: Wednesday, March 13, 2024 4:54 PM

To: Theo Brumhead [REDACTED]

Subject: RE: Stoke Park DMMO

Theo,

The letter asking Parks to respond to this application as landowners (Appendix R4) was sent to the wrong postal address and the wrong person on 21st May 2021. It was sent to me on 5th March 2024 and consequently we haven't had much of a chance to respond. However, I've put together the following.

Appendix G seems to relate to a completely different bit of Stoke Park, actually Lockleaze Open Space, and I couldn't find any reference to it in the Committee Report.

Appendix J5 looks like a map folded into thirds, so its not clear what it shows.

There is mention of people having to climb over the gate to get from BCC land onto Heath House Lane. This land is leased out for grazing so the gates would have to be shut if not locked to prevent livestock escaping or being stolen and to keep people out. I'm in the process of getting hold of the lease to look at whether the terms and conditions within the lease could provide evidence of this not being a publicly accessible route.

The desire lines observed in photographs taken of the application route could be caused by the animals and their owners moving around and between the fields. Certainly, photographs L3 show clear tyre tracks running through the Council-owned land.

There is no other evidence in our files that members of the public were not able to use this route across our land between 1985 and 2005 but I'm waiting for the Central team, who used to manage this site to get back to me.

If I had any choice I would not support the designation of this route as a PRoW because it could restrict what we do with the land in future. For example, we are re-considering plans to build a barn at this location to support the conservation grazing at Stoke Park, see attached.

Thanks

Caroline

I work Monday to Wednesday & Friday 7am – 4:45pm

Caroline Ennion (*pronouns she/her*)

Parks Operational Coordinator North

From: Theo Brumhead [REDACTED]

Sent: Tuesday, March 5, 2024 2:51 PM

To: Caroline Ennion <[REDACTED]>