



Bristol Parks Forum

representing resident led
park groups and citywide organisations
involved in protecting and improving
Bristol's green spaces

BPF Statement to Public Rights of Way and Greens Committee Meeting 18 April 2011

Revised Procedure for Determination of Applications for Registration of New Town and Village Greens In Pursuance of The Commons Act 2006, Section 15

Bristol Parks Forum Committee objects to the above proposed procedure and asks that the PRoW&G Committee refer any decision on a change of procedure to Full Council. We make the following points:

- 1) Many of the pending Town Green applications relate to Bristol City Council owned land. We believe that it is important in considering these applications not only that the rules of natural justice are met, but that they are seen to be met. The council will need to demonstrate that it has considered the matter objectively and given due weight to the evidence and the arguments. This cannot happen if the decision is made by Councillors with advice only from Council Officers and without the Council seeking an independent view on cases where it has an interest. This will also lead to the politicisation of every Town Green decision.
- 2) This change is being justified on cost grounds. However, our members have expressed the view that it has come about because independent inspectors have not supported the Council's view in recent cases. There is an appearance that the Council is changing the procedure because it is starting to lose cases and is trying to avoid losing further cases in the future. The process needs to be fair and to be seen to be fair to all parties. The proposed procedure makes it more likely that decisions will be subject to legal challenge and will therefore actually increase the cost to the Council of dealing with these cases.
- 3) Recent informal public inquiries have run for several days, the most recent on Grove Wood was unable to complete in 4 days. We question whether Councillors will be able to allocate sufficient time given the number of applications in the pipeline. This may lead to unreasonable delays in making decisions or unreasonable demands on Councillor's time.
- 4) There has been no external consultation on these proposals and we believe that a consultation should be carried out prior to any new procedure being introduced.

Bristol Parks Forum Committee
15th April 2011
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Bristol Parks Forum

Bristol Parks Forum was established by Bristol Parks as an umbrella organisation for community park groups and organisations in the city with an interest in their local parks and green spaces.

The forum is supported by Bristol City Council but acts independently and is the only 'community voice' that is dedicated to all of Bristol's green spaces. The forum's three main roles are to:

- offer an opportunity to share ideas and experience
- act as a consultation body for the Bristol Parks service and other agencies
- influence decision-making, including the allocation of resources

Bristol Parks Forum www.bristolparksforum.org.uk