

My Lord Mayor

I wish to make a short statement following consultation with Rosalie Walker and relevant officers.

I should like to thank those members of the public who have submitted statements highlighting concerns about the management of Grove Wood and its future use. And the many people who have contacted the council or have registered with the e-petition.

The wholesale removal of trees from Grove Wood would be unacceptable and there is a clear need for an estate management regime which has the support of local residents and provides for a long term sustainable future for the woodland.

Decisions about tree protection orders or planning matters are for the appropriate development control committee and I understand that a report on tpo powers will be considered by the S&E Committee on 29th October.

In the meantime, Rosalie and myself would be willing to facilitate a meeting between local residents, the landowner, local members and relevant officers to explore the potential for reaching agreement on a sustainable and viable estate management arrangement.

As a green capital, we take our stewardship of the natural environment very seriously and this statement should be seen in that context.

MB

Mark Bradshaw

Labour Co-op Councillor for Bedminster and Cabinet Member for Sustainable Development

STATEMENT FROM PAUL SMITH

PS01

Statement to Council – Grove Wood

It is good to be presenting a statement to council where councillors from all four parties agree. An issue when there is near universal local support, but where the council has been cast as a villain in many peoples' minds. The problem is one of Governance. It appears that decisions have been made against the community interest due to the way the council constitution delegates decisions without proper democratic overview. We hope that highlighting some of these practises will allow the council not only to deal more effectively with the protection of Grove Wood but also with other similar issues.

Grove wood is a historic woodland within a conservation area. Previously owned by the NHS it was sold at auction in 2000. The new owners found that the site was not one which would sustain development and sold it at a further auction in December 2007. Local people were interested in buying it to protect the site but were given the impression that the council was intending to bid for the woodland which borders council green space. Pleased that the council was going to buy the site a local fund was not put together. Residents were shocked when the site was actually bought by a developer and one who had a previous record of disregarding local people and planning rules within the city.

One would expect that the council would move immediately to ensure that the area would be protected. The woodland was bought not by a conservationist or a charitable trust, but by a property developer. We would have expected the council to contact the developer and set out the responsibilities that go with owning such an important area. To our knowledge no such approach was made by the council.

However within weeks the developer was felling trees and clearing undergrowth with an earth mover. Following complaints to the council about the loss of trees in a conservation area it was decided by case officers not to enforce the replanting of the lost trees despite another officer writing to Councillor Comer that "The damage to the site is very worrying and harm has been caused to its amenity and wildlife interests". It has been our experience that council officers have decided to support the developer at every turn rather than to protect the conservation area.

In May a planning application was received by the council to fell trees in the area. The council received over 100 letters of objection. Tree felling would normally be taken under delegated powers however to quote the council's website

"The applications that normally go to committee are those which are large and/or controversial in nature and if they generate a lot of public interest."

The relevant development control committee met during the period of application but no report was prepared and it did not appear on the agenda.

The planning decision was determined by a junior officer in the leisure services department showing a complete disregard for the democratic process. The decision will result in the felling of 27 trees where the wood borders the roadside on Blackberry Hill.

The letter sent to objectors explaining the decision is almost laughable in its lack of evidence and further undermined peoples' faith in the local authority. I will quote some examples below.

"Several trees are using the boundary wall for support and several others are growing close to the wall and will soon begin to impact on its structure"

'Several' has no meaning our own inspection shows just two trees are touching the wall.

"the trees are obstructing the highway and footpath"

This could be remedied by pruning the trees (see below), not pruning trees is not a reason to cut them down, but a reason to prune them. Now three months later the trees have still not been pruned and the council has taken no action against the owner.

"It is believed from letters seen that the trees' roots are causing nuisance to the sewer"

These letters have not been made available, it is not clear who they are from or if there is any evidence that there is any damage to the sewers

"A resident opposite has written to the LA ... requesting tree works due to accidents and flooding believed to be attributed to the trees"

Who believes this and what is the evidence? It is well known that trees reduce flooding as their roots soak up water. This one letter seems to have been used to overrule the views of over 100 letters written by residents. Suggesting that the Officers were clutching at any passing straws to support the developer.

The most ridiculous statement in the letter relates to pruning

"...such pruning works would need to be repeated on a regular basis"

In other words part of the case being made by the officers is that the developer would have to prune the trees not just once but on a regular basis. Surely this is true of all owners of trees, including the council, have to continually prune trees. If we followed this advice across the city all roadside trees would be cut down.

Why should a planning decision be even partly made on the cost to the developer of managing their trees?

During the last five months local people and even local councillors have been subject to aggressive letters and emails from council officers attacking their lack of professionalism, or questioning their authority to speak up for the community. This has undermined any sense that the council is acting in the interests of the community it represents.

Indeed throughout this process it appears to local people that the interests of a property developer who has bought this woodland has been the main concern of council officers. The protection of the conservation area, the woodland and the wildlife and the rights of the people who use and enjoy it, has been not been considered important...

There is concern that the probity of the decision making process is compromised. Officers that are involved in making planning decisions are not allowed to work as consultants for developers. This is to ensure that there are no conflicts of interest within the planning process and the advice given to members. These rules do not apply to arboricultural officers. They are permitted to work as consultants on planning issues (such as TPOs) in other authority areas. This means that it is possible for tree officers to work for a developer in one local authority and then make planning judgements within Bristol. It also can lead to officers to have a developer friendly attitude as they represent them in other local authority areas. While we are not claiming that any officers working on this case have a conflict of interest, council rules do not make this impossible. This has added to the break down of trust between the community and the council.

In conclusion

- 1 The council has not been proactive in protecting the conservation area
- 2 The council has continued to work to support the developer, while taking an aggressive attitude with both community representatives and local councillors
- 3 The planning process adopted deliberately bypassed the local development control committee which was not even informed of the public outcry and representations even though it met within the timescale of the decision. It appears that officers wanted to keep members out of the decision making process
- 4 The planning decision was made on hearsay and partial evidence
- 5 The council has no proper systems in place to ensure that non-planning officers working within the planning system do not have a conflict of interest

Therefore we call upon the council to:

- adopt a policy to protect woodlands,

- review its delegations to officers on planning decisions which attract significant public concern
- support the community in bringing Grove Wood into responsible ownership, either by the Council, charity or community organisation
- review its policy relating to conflicts of interest for officers involved in the planning process

Paul Smith

From: Steve Micklewright, Chairman,
 Snuff Mills Action Group¹
 To: Bristol City Council Democratic Services Team
 Re: Statement for full Council meeting regarding
 Grove Wood, Snuff Mills, Stapleton
 Date: 7 October 2008



I am the Chair of Snuff Mills Action Group which is the recognised open space users group for the Frome Valley around Stapleton.

I want to highlight to you the amount of concern and involvement there is from the people of Bristol in the campaign to save Grove Woods. 1100 people signed the online petition to the Council to compulsory purchase Grove Wood. When you add the signatories to the paper version, the total is well over 4000. Now you might be thinking that anyone and everyone can sign a petition and it means very little. But the petition is just one demonstration of people's commitment to the campaign to save Grove Wood. We have over 400 members of the Grove Wood facebook site, a clear demonstration that the internet generation loves ancient woodlands as much as anyone else. We have over 280 people on our emailing list. These are people who are deeply concerned about the woods and want to see it protected and not destroyed. But I think the strongest indication of the concern there is for Grove Wood is reflected by the number of people who objected to the proposal to fell the trees within the woods next to Blackberry Hill. 118 people made representations to the Council about this and 250 turned out to protest in the woods when the announcement was made that the trees could be felled.

If this campaign was simply a numbers game, it is clear the Grove Wood should be vested from the current landowner and placed in to safe public ownership as quickly as possible.

But the sheer quality of these woods also adds to the case that Grove Wood should be purchased for the people of Bristol. They lie at the heart of the Stapleton Conservation Area, an area whose character is defined by the greenspace that attracts people from all over the city and beyond to visit it. Grove Wood itself is designated as part of a historic landscape because it once formed a part of the historic estate around Blackberry Hill Hospital. It is designated as ancient woodland by Natural England. Government policy recognises ancient woodland as a very precious resource and calls for it to be protected and sensitively managed. The general value to wildlife is reflected in its designation as a Site of Nature Conservation Importance.

All of these designations simply confirm what people who visit Grove Wood already know; it is a very special place. Yet there is one more designation that I have not mentioned. Bristol City Council has registered Grove Wood as

¹ Snuff Mills Action Group is the recognised park users group for the Frome Valley from Oldbury Court to Wickham Glen. We are a not-for-profit association regulated by management committee and a formal constitution.

Open Space, even though it is privately owned. This last designation is surely recognition of the value of woods to the people of Bristol and beyond for recreation and enjoyment. It is proof, if proof were needed, that the land should be publicly owned and not in the hands of someone who only values these woods for the money he might one day make from developing it.

I urge the Council to find a way to secure the woods for the free public enjoyment of all Bristolians for all time.

Steve Micklewright
Chair
Snuff Mills Action Group
7 October 2008

Petition to Bristol City Council for the Council Meeting on 14th October 2008.
Re Grove Wood Stapleton Bristol
This statement is written by Mrs Christine Williams
Vine Cottage 156 Manor Road BS16 2EN

This is a very attractive wood and designated "ancient woodland", being part of the former royal forest of Kingswood. It is host to a wide variety of plant and animal life, and is particularly appealing in the springtime, when bluebells and anemones are in bloom. When it was auctioned in 2000 and again in 2007, I contacted officers in the City Council to request that Bristol purchase Grove Wood, to ensure its future was protected and it could continue to provide an amenity for residents. It is adjacent to other council-owned parks - Oldbury Court and Eastville Park and is situated opposite Snuff Mills.

I am making this statement to confirm that I have personally been using the wood for the past thirty years, for a variety of purposes. My parents and in-laws have used the wood for far longer than that – since they moved to Stapleton before the Second World War.

I was born and grew up in Stapleton but moved away for a few years following my marriage, as my husband was serving in the RAF. However I returned to the area and moved to my present address in January 1978. Grove Wood is situated a short distance behind my house and provided a convenient access route to visit my mother who then lived in a house at the top of Brook Lane in Stapleton.

When we first lived here, we had an open fire in the sitting room and during the autumn and winter regularly collected logs and kindling from the wood, which helped reduce our heating costs.

I have had three dogs since 1978 and walked them through the woods every day. I no longer have my own dog but regularly care for friends' dogs and still walk them through the wood.

My children enjoyed making dens, collecting flowers and accompanying me on family walks through Grove Wood. Two years ago my middle grandson, who lives near Derby, had to write about a river for a school project. He chose the River Frome and took many photographs of the area to illustrate his work and was highly commended for his achievement by his teacher. Other children chose rivers like the Nile and the Amazon, but his effort showed he had undertaken original research, rather than simply download information from the internet. Now my grandchildren enjoy the walks and wildlife when they visit me, making the fourth generation of my family to use Grove Wood.

I very much appreciate the peace and tranquility that can be found here, and am concerned that the current landowner has at times restricted people's freedom to enjoy the wood. I urge the Council to purchase Grove Wood, to ensure it can continue to be enjoyed by all current and future Bristolians.

Grove Woods:

Bristol is very fortunate because it's perceived to be a very green city. We've plenty of parks where grass stretches as far as the eye can see. But as lovely as these splashes of green are to the human eye, for wildlife many of them are useless. A carefully mown park is little better than astro-turf where nature is concerned.

So, where does this leave wildlife in the city? To be honest – it renders it really rather homeless. But, there are some places where nature has hung on. There are still *some* jewels in Bristol's wildlife crown and Grove Woods is one of the very best of them.

Let's look at a brief species list which one could observe in Grove Woods with a little suitable knowledge and patience. Otter, Kingfisher, Roe Deer, Small Leaved Lime, Blue Bell, Tawny Owl, Daubentons Bat, white legged damsel fly, brown trout, fox, badger.....it would be very easy to go on.

The biodiversity contained within this tiny slither of wooded river valley really is astonishing. It's an urban wildlife habitat that would be hard to surpass anywhere in Britain, let alone Bristol.

What is more, Grove Woods is part of contiguous green space, tied together by the river Frome, which flows right into the city centre from the countryside. Just as the M32 allows commuters to flow in and out of the city, so Grove Woods is part of a green motorway allowing

wildlife to freely move about and populate the urban landscape where it is able. If you were to disrupt the M32, we would lose many of our commuters vital to the city. If you disrupt the green corridor by allowing Grove Woods to be degraded or worse destroyed, we could lose some of our precious urban wildlife too. Some anecdotal evidence to this was noted this year.

otters are protected under European Legislation. After 50 years absence they were known to have returned to the Bristol River Frome in 2007, detected as far into the city as the new Cabot Circus. Activity was noted to be particularly heavy around the banks of Grove Woods opposite River View and it was suspected a holt was located in there. However, Grove Woods was disrupted in early 2008 and large areas of undergrowth and wooded banks destroyed by the new and current owner Mr. Jafari. After this event, evidence of otter activity along this stretch of Grove Woods all but disappeared. Could a holt have been destroyed by the activities of Mr Jafari? It is possible. Whilst otters do naturally move about – the disappearance of the otters seems to coincide very closely with the disruption to their habitat by Mr Jafari. Without the stop gap that a holt at Grove Woods offers will otters be less inclined to venture further into the city? Again, it is possible.

After finally getting these animals back to their old haunts – are we ready to lose them again so quickly?

It's easy to get fired up about such emotive species as otters. But the otters are simply the show piece that relies on back drop of a functioning ecosystem of soil, water, plants, insects, birds, fish and mammals. At the moment Grove Woods is a functioning ecosystem, it

needs to stay that way. To steal a well known charities catch phrase - it needs protecting for wildlife, for people and for ever. The safest and most feasible way that can happen is for Bristol City Council to add to its portfolio of green spaces and buy Grove Woods.