

## 11 April 2009

### Castle Park

The Inspector in the Public Inquiry has recommended that the Town Green application for Castle Park be rejected. The Council's 'Public Rights of Way and Greens Committee' now has to make their decision, they next meet on 27 April.

Below is the statement that the User Group will be making to that meeting:

Castle Park should be a Town Green

We have received and read the report of Vivian Chapman QC and note his Executive Summary. This states that 'the Application fails because Castle Park was in 1978 appropriated onto the statutory purposes of s.164 PHA 1875 or s. 10 OSA 1906 which precluded subsequent recreational user by local inhabitants 'as of right'.

However, it is not so simple. As paragraph 14 of the Report states, there is no evidence of any resolution expressly appropriating Castle Park for this purpose (although financial liability was subsequently transferred to the then Open Spaces & amenities Committee). Appropriation is necessary, as explained in para 173. But in this case the appropriation is implied, not actual, and this is the first time anyone has found appropriation to be 'implied' by conduct in the history of the English legal system. If this were so, a local authority could at any time use any land for any purpose it wished (last three lines, paragraph 175) contrary to all the controls which the law places upon how councils can use land. If this application is rejected at the meeting of the Public Rights of Way and Greens Committee on April 27th, we will seek a judicial review of this decision.

The Commons Act 2006 lays down that a Green has to have been used for informal recreation for over 20 years by a substantial number of inhabitants of a locality or neighbourhood within a locality, as of right. But for this finding of an 'implied' appropriation, the Inspector found that Castle Park met all the criteria for registration.

Castle Park is in the city central area, which in the Council's own policy document is described as deficient in open green space. There is strong and prolonged opposition by the people of Bristol to any diminution in the area of Castle Park, and a firm belief that a central park is essential to the health and beauty of the City. As the number of residents in high-rise flats in the centre is increasing all the time, Bristol should cease its somewhat illogical opposition, and voluntarily declare Castle Park a Town Green. The council will remain the owners of the land but the people of Bristol will have the right to 'engage in lawful sports and pastimes'. All the other activities which currently take place in Castle Park can continue and improve. Town Green status will simply preserve the Park as open space. That is the whole and sole purpose of 'Green' status'.

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### Parks Review

The new structure is in place and the updated organisation chart will be published and appear on our website in the next couple of weeks. Caroline Hollies has now gone on maternity leave. Peter has given me this update:

The interim arrangements to cover for Caroline have yet to be agreed, but until we have advertised a

vacancy internally Chris Hammond has overall charge of Central as well as North, and Pete Clark is in overall charge of South and East until Jamie Roberts takes over as APM (East) on 5th May. Claire is helping with cover generally during April.

Peter's previous email list the major appointments can be seen here: [www.bristolparksforum.org.uk/appointments190309.pdf](http://www.bristolparksforum.org.uk/appointments190309.pdf)

As part of the review Bristol Parks have produced a 'Park's Promise' that all members of staff will be asked to sign. It can be seen at [www.bristolparksforum.org.uk/ParksPromise.pdf](http://www.bristolparksforum.org.uk/ParksPromise.pdf)

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#### Stoke Park

The Cabinet meeting on 2 April agreed in principle that Bristol City Council should acquire Stoke Park. You may have seen that the 'Bristol Beef' proposals created a lot of publicity in the Evening Post, some of which are linked from our website. I was pleased to see this comment from Gary Hopkins:

'In these times people need parks more than they ever did, they can enjoy them without spending a large amount of money.'

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#### Chocolate Factory

The planning application for this site has been approved. Bristol City Council now has to decide whether to sell / lease the land which the developer claims they need to make the project viable. An article about this from the Evening Post can be seen here: <http://tinyurl.com/cfb4eh>

The BPF statement on the subject agreed at our last meeting can be seen here: [www.bristolparksforum.org.uk/BPFRailwayPathResponse.pdf](http://www.bristolparksforum.org.uk/BPFRailwayPathResponse.pdf)

Since then the consultation carried out by BCC has shown that many people are against the sale see [www.bristol.gov.uk/bristolrailwaypathpublicconsultation](http://www.bristol.gov.uk/bristolrailwaypathpublicconsultation)

We still await the Joint statement on this subject promised by Jon Rogers and Gary Hopkins in this press release: [www.bristol.gov.uk/redirect?oid=PressRelease-id-29893289](http://www.bristol.gov.uk/redirect?oid=PressRelease-id-29893289)

As with the possible disposal of part of Castle Park any sale would clearly be against the principles set out in the adopted Parks & Green Spaces Strategy that only 'low value' land would be sold. It seems strange to me therefore that the Council's website implies that the decision on the Chocolate Factory land will be made by an officer rather than by Cabinet members.

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#### Knowle West & Area Green Space Plans

This is another area where the principles set out in the P&GSS are in danger of being ignored. The Northern Slopes Initiative have raised concerns about the way that consultations on proposed developments appear to be replacing the 'stakeholder consultations' on the Area Green Space Plan. Richard Fletcher has assured them that he is happy that all the issues that would be covered by

AGSP meetings will be covered, but there are still doubts.

Sam Parry has now left the P&GSS team to work in London. This has meant that some of the meetings on specific sites planned for April have been postponed till June, but I understand that the public consultations on AGSPs for the whole of the City are still due in the Autumn.

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#### BDF Core Strategy

A reminder that the closing date for the consultation on the 'Preferred Options Review' is 24 April. See [www.bristol.gov.uk/bdf](http://www.bristol.gov.uk/bdf) for details.

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#### Events

I had a constructive meeting with Jenny Crook, Parks' Events Licensing Officer last week. We need to talk again when the CPOs are properly in post. In the meantime Jenny is producing a simpler Events Licensing application which will make it clear that certain sections do not need to be completed for smaller events.

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#### Explore Bristol's Wildlife Sites

In the absence of any replacement for Sally Oldfield there will be many less events on Bristol's Nature Reserves this year than last. However there are two guided walks next Sunday 19<sup>th</sup> April.

The first is one I am leading with Helen Adshead of the South Bristol Riverscapes Project that visits three Local Nature Reserves in the Avon Valley. Starting at 10am at Conham Car Park, this is a five and half mile walk and you should bring a picnic lunch. The walk will finish at about 4pm at Beeses Bar and Tea Gardens from where you will need 25p for the ferry to take you back to the start point. More details at [www.troopers-hill.org.uk](http://www.troopers-hill.org.uk)

If you would like a shorter walk then visit Manor Woods Valley LNR. Starting at 2.30pm. There is a "Spring Walk". Meet at the entrance of Manor Woods Valley, behind Bishopsworth Library, at the junction of St Peters Rise and Bishopsworth Road. Gentle stroll lasting about one hour.

There will also be a "A summer in the meadow" walk at Manor Woods to enjoy the wild flowers. Sunday 7 June, starting at 2.30 pm. Same meeting point.

You can of course explore the nature reserves on your own at any time – most are listed at [www.troopers-hill.org.uk/natureinthecity](http://www.troopers-hill.org.uk/natureinthecity)

Rob Acton-Campbell

BPF

[www.bristolparksforum.org.uk](http://www.bristolparksforum.org.uk)

BPF Meeting Dates: 16th May, 25th July, 31st October

## 19 April 2009

### Castle Park Town Green Inquiry

The inspector's report on Castle Park can be seen in the report to the Public Rights of Way and Greens Committee which will meet on 27 April, via this link:

[http://www.bristol.gov.uk/committee/2009/wa/wa005/0427\\_5.pdf](http://www.bristol.gov.uk/committee/2009/wa/wa005/0427_5.pdf)

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### Another Town Green Inquiry

This one is in Whitchurch, Elmtree Park Residents' Association want to protect the 15-acre site behind Asda in Oatlands Avenue from development. The site is next to Hengrove Park and is shown on the P&GSS map at [www.bristolparksforum.org.uk/maps/NP14\\_Hengrove\\_Typology\\_HR.pdf](http://www.bristolparksforum.org.uk/maps/NP14_Hengrove_Typology_HR.pdf) partly as natural green space (labelled Banfield Green Space) and partly as informal green space. The public inquiry starts on Thursday 23 April in committee room 9 at the Council House. There was an article in Saturday's Evening Post, but I can't find the electronic version.

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### Redeveloping Kingswear Rd, Torpoint Rd & the Marksbury Rd College site

There was a consultation event about this site run by the architects yesterday and the NSI ([www.northern-slopes-initiative.co.uk](http://www.northern-slopes-initiative.co.uk)) are meeting on Wednesday to consider the implications for their site. Bristol Parks have now decided (after all) to hold an AGSP meeting to cover this area and this will be on Thursday. Hopefully the NSI will be able to give us an update at the BPF meeting next month.

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### Grove Woods

The Snuff Mills Action Group are now aiming to get the upper path through the woods declared a public right of way, details in this report: <http://tinyurl.com/d69tjy>

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### Avon Gorge Proposals

You may have seen the reports in the Evening Post (see <http://tinyurl.com/da5crz> ) about proposals to use goats to help manage part of the Avon Gorge. You can see the consultation and the full proposals here: [www.bristol.gov.uk/gorgeproposals](http://www.bristol.gov.uk/gorgeproposals)

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### Bristol Child-Safe Partnership

This may be of interest if your group is running events for children. The seminars and associated packs are free for community groups.

Clubright is a national child protection initiative, now adapted for local delivery in Bristol by the Bristol Child-Safe Partnership. Child-Safe is a registered international charity involved in travel, sport, community groups and specific school programmes. Our aims are to provide practical advice, promote the safety, welfare and pastoral care of children and young people involved in such activities. This initiative is about empowering young people, improving care and reducing opportunities of abuse in its widest sense.

Dates of the next Clubright seminars are:

Wednesday 13th May

Monday 6th July

Wednesday 30th September

Tuesday 3rd November

Wednesday 24th February 2010

For more details email [child.safe@bristol.gov.uk](mailto:child.safe@bristol.gov.uk) or [www.child-safe.org.uk](http://www.child-safe.org.uk)

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200 Years of the New Cut

Monday 4 May, 12.30 to 5pm by the ss Great Britain.

The Friends of the Avon New Cut invite you to a Fun Day to mark the 200th anniversary of the completion of the Avon New Cut and the opening of Bristol's Floating Harbour.

Inspired by the 1809 opening ceremony and party enjoyed by the Irish builders and Bristol citizens, Brunel's ss Great Britain is running a hog roast, the Bristol Beer Factory has produced a special "Cut Blaster" beer, and the Friends of the Avon New Cut have organised entertainment for the whole family including:

- Tales of the Cut with an Irish actor and "Show of Strength" theatre group
- Irish dancers and Morris dancers
- A jazz band
- Sea shanty singers
- A treasure hunt plus other fun and games for children
- Fascinating facts and images of the New Cut and Floating Harbour.

Drop in any time. Free event!

Monday 4 May, 7pm to 11pm on the Grain Barge, Hotwells Road.

In the evening - a celebratory party with Irish band "Sergeant Early's Dream". Tickets £4 each from the Southville Centre and the Grain Barge.

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Next Parks Forum Meeting Saturday 16<sup>th</sup> May

I will send the agenda and full details for the meeting during the week before. If you have any items you would like to be discussed at the meeting please email [info@bristolparksforum.org.uk](mailto:info@bristolparksforum.org.uk)

Rob Acton-Campbell

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## **24 April 2009**

Castle Park Town Green Lobby

The Public Rights of Way and Greens Committee that is making the decision on whether to make Castle Park a town green is meeting next Monday 27th April. The Castle Park group are looking for your support to lobby councillors outside the council house at 9:30am that morning. Your support would be most welcome.

The BPF committee met yesterday evening and agreed to make a statement to the meeting. The statement can be seen here: <http://www.bristolparksforum.org.uk/CastlePark270409.pdf>

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Save Ashton Vale Fields Lobby

The Ashton Vale Heritage Group are presenting their petition to Save Ashton Vale Fields and submitting statement re developments and greenbelt to Full Council on Tuesday 28th April. The meeting starts at 6pm at the Council House. If anyone is available to go along and support them it would be much appreciated.

The group are holding their next fund-raising event as explained below - they would be pleased to see you:

Come and join us on Friday 8 May for 'A Night at the Dogs' at Bristol Indoor Bowls Club, South Liberty Lane, Ashton Vale, first race at 8pm.

Tickets are £5 each including a light supper. The night includes dog racing on big screen and a light supper is included in the price. There is also a bar at the Bowls Club.

To book your tickets, please contact us on 07972 558 117 or email us at [mail@ashtonvaleheritage.co.uk](mailto:mail@ashtonvaleheritage.co.uk).

It should be a great night!

Please forward on to anyone you think may be interested in coming along.

Thank you

Ashton Vale Heritage Group

[www.ashtonvaleheritage.co.uk](http://www.ashtonvaleheritage.co.uk)

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Next Parks Forum Meeting Saturday 16<sup>th</sup> May

The main items on the agenda will be the Parks reorganisation; the programme for completing the Area Green Space Plans (including what is happening in Knowle West) and an update on the various Town Green applications.

Please email [info@bristolparksforum.org.uk](mailto:info@bristolparksforum.org.uk) if you have anything you would like added to the agenda - especially any good news!

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