

Westbrook Woodland TVG19/01

Section (iv) Evidence Bundle

Public Inquiry - *Other documentation*

Pre-Inquiry Report (pg. 1)

Pre-Inquiry Report Appendix A – Tree Preservation Order (pg. 27)

Pre-Inquiry Report Appendix B – Tree Survey (pg. 32)

Pre Inquiry Report Appendix C – Public Path Diversion Order (pg. 48)

Letters to Rowena Meager (pg. 55)

Rebuttal Comments (pg. 57)

Rebuttal Appendix A – Additional Evidence (pg. 64)

Rebuttal Appendix B – Constitution of Friends of the Orchard (pg. 79)

Rebuttal Appendix C – Witness list, as of August 2019 (pg. 83)

1

PRE-INQUIRY REPORT
for an
APPLICATION BY
FRIENDS OF THE ORCHARD
TO REGISTER
THE LAND AT THE WESTBROOK WOODLAND, BATH
AS A VILLAGE GREEN

Submitted 15 July 2020



Westbrook Woodland campaigners display their Westbrook Woodland artwork (December 2018)

1. Overview

The site is located along the bank of the West Brook adjacent to Osborne's Lane in Bath, as indicated in Figure 1. Whilst in private ownership, the land has until recently (2/11/2018) been publicly accessible and used freely by the local community. The use of the land changed sharply after it was sold as a 'development opportunity' in July 2018, when the new landowners soon fenced it off. Evidence in this application attests to a strong local tradition of recreational use of this land prior to it being fenced off. As the land is located at the boundary between Weston electoral ward and Charlcombe Parish (with the West Brook itself marking this division), the users of this space are drawn from both Weston electoral ward and Charlcombe Parish (see Section 2).



Figure 1. Map of the land referred to as Westbrook Woodland (indicated by black cross-hatch)

1.2 Name of the land

The land is not formally known by any one name, but as indicated by the evidence in this application, "Westbrook Woodland" is a name that has recently become popular for the site and is now used by a sizeable number of people (including approx. 35% of those who submitted evidence questionnaires). We consequently adopt the name "Westbrook Woodland" for the site in the absence of any obvious alternative.

1.3 Nature of the land

The topography of the space is significant to its highly valued recreational uses. The Woodland contains one of the last 'wild' stretches of the West Brook (which used to run through Weston but which now flows below ground beyond Symes Park). Users of the space can attest to the fact there is no other place like it in Weston: in one section popular for picnics, the bank of the West Brook levels out and children can wade in the water. Users are drawn here.



Figure 2. Westbrook Woodland topography: A uniquely accessible portion of the West Brook

Upstream in the Woodland, the brook cuts sharply deep into the bank and children enjoy daring games of jumping across (one spot known locally as the 'Leap of Faith'!).



Figure 3. Westbrook Woodland topography: an ideal location for brook-jumping

Westbrook Woodland is established deciduous woodland and is subject to a blanket Woodland Tree Preservation Order (confirmed 2019, see appendix). The woodland is prized by the community for its tranquillity, where residents can enjoy relaxing recreational pursuits such as meditation, listening to

birdsong or the sound of brook. We have documented evidence of the mature chestnut trees being enjoyed for conkering since at least the 1960s.

Although the land is within the city boundary of Bath, the site is not amenable to development due to the strength of ecological restrictions at the site: these include its new blanket Woodland Tree Preservation Order (confirmed 2019, see APPENDIX 1), a number of longstanding individual Tree Preservation Orders for 200- to 300- year old trees at the site, as well as the site's importance for bats and other wildlife. We note that the root protection zones for the old trees are likely to cover the entire area, so the ecological value is below ground as well as above. We reference the tree survey that was carried out on the land in 2018 (see APPENDIX 2 *Arboricultural Assessment and Recommendations*, Hillside Trees Ltd. Dec 2018) which indicates the significant expanse of protected trees across the site. An extract of the tree location plan from this report is shown below.



Figure 4. Tree survey of Westbrook Woodland

1.4 Application on behalf of the community

This Village Green application has been made by the constituted community organisation Friends of the Orchard (FOTO). Friends of the Orchard is a volunteer group which organises community involvement at the Orchard on Broadmoor Lane and represents the needs of the community who uses this public space. The Orchard on Broadmoor Lane borders the Westbrook Woodland. The activities of the group include volunteer work days, Apple Days, wassails, picnics, litter picks, nature walks and local history projects. The group encourages community participation and environmental responsibility, and its well-attended annual Apple Day typically draws in over 150 people living in the local area of Weston & Charlcombe Parish.

One of the stated objectives of the organisation is to “work to minimize any potentially adverse impacts on the Orchard or the Community’s enjoyment of the Orchard arising from planned change in use of land or property along its boundary.” Given that the Westbrook Woodland immediately borders the Orchard, FOTO is bound by its constitution to act on the concerns which were raised to the committee when change of public access to the Westbrook Woodland took place in November

2018. The fencing which was installed at the site after 2 November 2018 included barbed wire along the brook where the Orchard public open space adjoins the Westbrook Woodland, cutting off access which had previously been possible from the Orchard to the brook, weir and beyond.

1.5 Breadth of recreational use by the community

The community has enjoyed a broad range of recreational uses for Westbrook Woodland. The most popular activities at the site (as noted by over 60% of witnesses) are the following:

Children playing
Dog walking
Playing in the brook
Den and Fort building
Bird-watching
Jogging
Conkering
Walking

The table below shows additional recreational activities enjoyed by individuals, as documented in witness testimony for TVG19/1.

Picnics	Pooh Sticks	Clay-pot making	Circuit training
Meditation	Learning flora and fauna	Outdoor challenges	Creepy crawlies
Community events	Peace and quiet	Hide and seek	Relaxing
Birthday parties	Collecting	Water experiments	Watching grand-children play
Bicycling	Wreath making	Dam building	Exercise
Paddling	Rock hunting	Brook jumping	De-stressing
Investigating	Archaeology	Bat-tracking	Hammock building
Exploring	Camping	Animal tracking	Blackberrying
Nature watching	Stream watching	Welly walks	Kicking leaves
Litter picking	Being awed by large trees	Visit mini nature reserve	Rope swings

1.6 Access to the site

There is no public right of way in the Westbrook Woodland, and no single path or route of access. A range of informal access points to the Westbrook Woodland are shown in the following image.



Figure 5. Multiple informal access points in the Westbrook Woodland

Along Osborne's Lane, there are several gaps in the hedge – some which lead to well-worn paths which draw users towards the brook. A popular access point is the crossing point over the brook using stepping stones at the weir (the weir is noted on centuries-old maps of the area): this point allows a direct route from the Orchard on Broadmoor Lane to the Woodland. These stepping stones are shown in the background in the following image.



Figure 6. The Weir at the Westbrook Woodland: a crossing point from the Orchard

Some changes in the walking routes have occurred over the years. For example, it used to be possible to walk along behind the weir on the narrow strip of land between the West Brook and the fence for Weston All Saints Primary, but a portion of this land gradually eroded through heavy use and washed away approximately 2014. No matter - people simply crossed at the weir, or chose a different route.



Figure 7. Former well-used walking path behind the school fence has gradually eroded

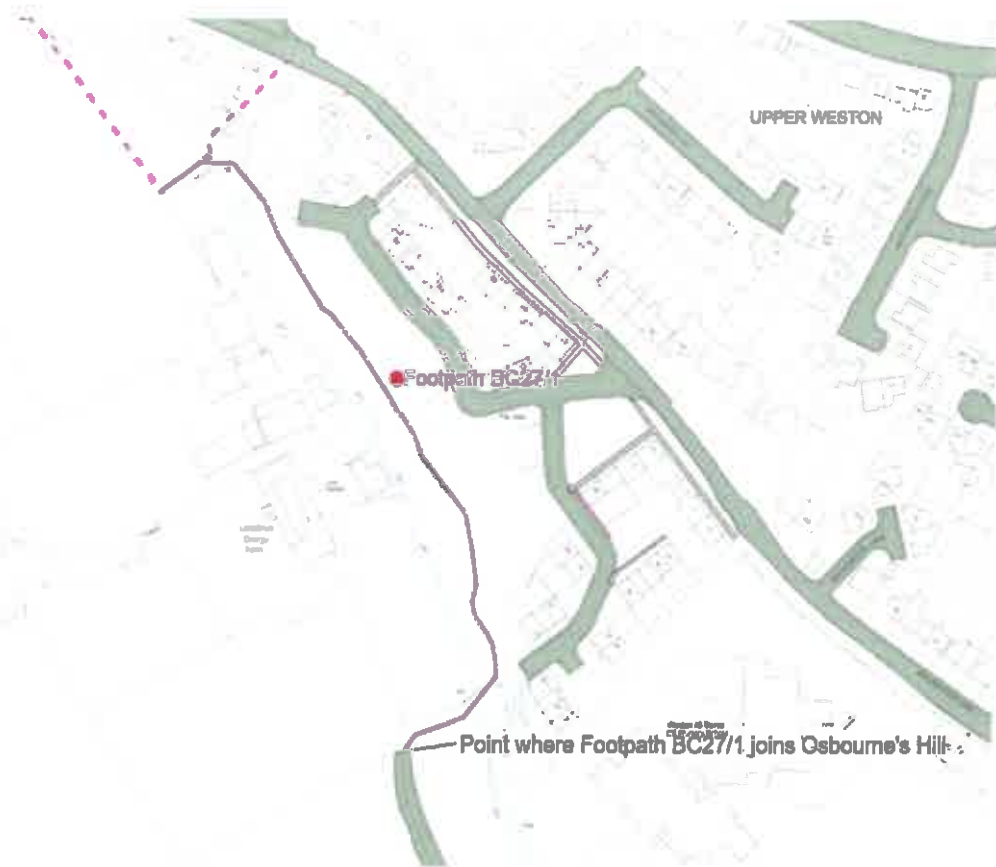
Public access to the Westbrook Woodland was cut off by its new owner in 2018 when fencing was erected on 2 November, followed shortly by barbed wire installed along the brook.

We acknowledge that there is no formal, legally-defined public access point to the site – this is the basis for the present application to register public access rights. We assert that the site was freely accessed until November 2018 through a number of points, including the weir (at the boundary with the Orchard public open space) and through gaps in the hedge along Osborne’s Lane (a public road). The witness evidence within this application attests to the ease of access to the site. Public access to the site ended in November 2018, following change of ownership in July 2018.

We note that the objector’s photographic evidence of fencing along Osborne’s Lane reflects the work of the current owner, done after 2 November 2018, when public access was cut off. We acknowledge that the site is currently secure, and note that the fencing, barbed wire and other reinforcements along the brook and along Osborne’s Lane are recent additions (after 2 November 2018) and do not relate to the period of time under consideration in this application. The basis for this application is the twenty year period preceding November 2018.

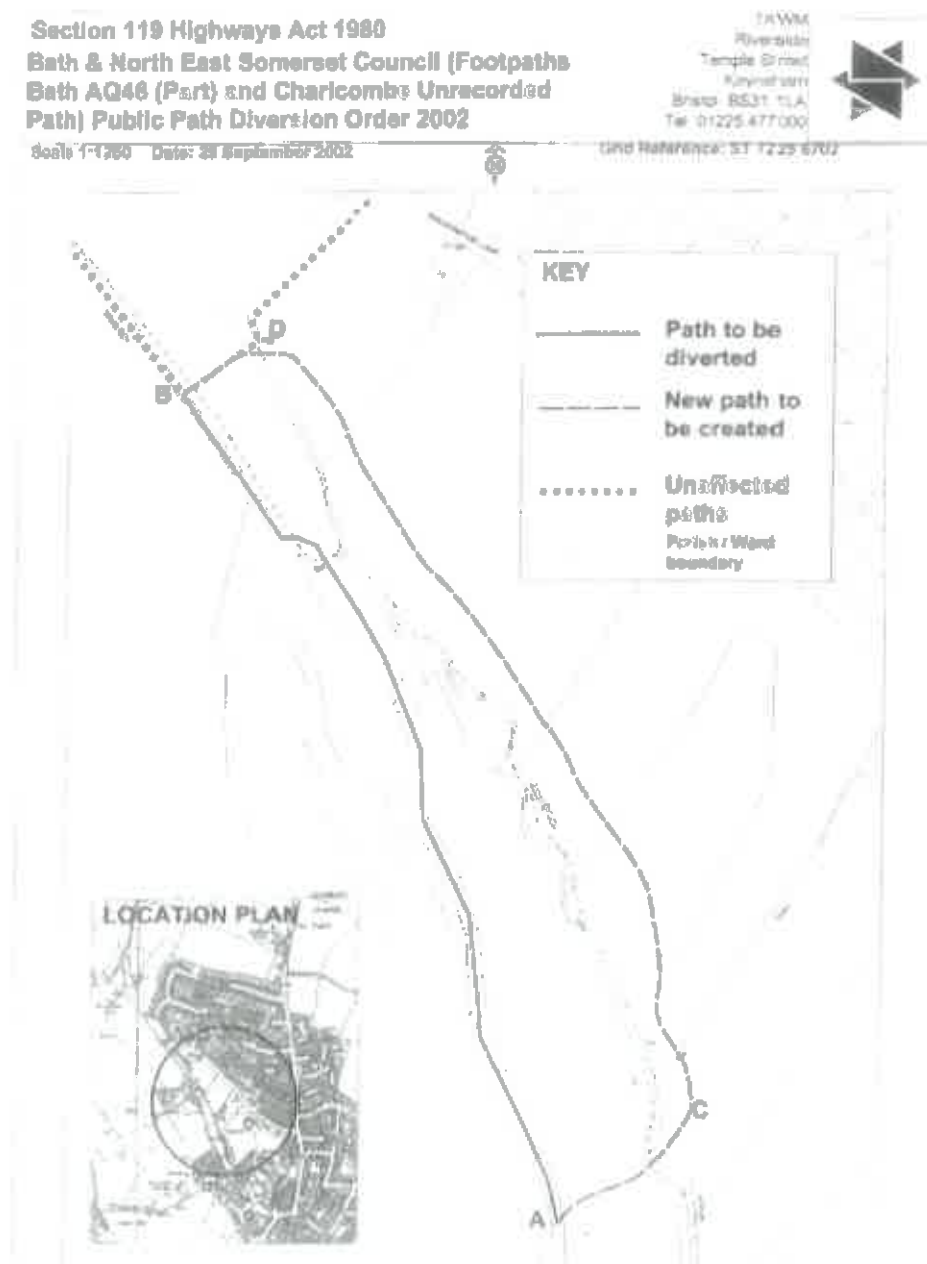
The objection to this application makes reference to installation of the footbridge to the north of Westbrook Woodland at the time of the housing development at the Orchard on Broadmoor Lane. As illustrated below, the present routing of Footpath BC27/1 skirts the northern tip of Westbrook Woodland, via a footbridge crossing the West Brook.

Figure 8. Present routing of Footpath north of the Westbrook Woodland



Note that prior to installation of the footbridge (approx. 2002), the previous routing of the footpath also allowed access from the north of the site, going from Broadmoor Lane directly through Lansdown Grange Farm (with an upstream crossing north of the farm) rather than over the new footbridge. This is shown below (see also APPENDIX 3), with the diversion order which was made on 13th November 2002 and which came into effect on 19th November 2003 when the Authority confirmed the order. The original alignment of the public footpath is shown by a solid black line on the map which forms part of the order.

Figure 9. Original routing of Footpath north of Westbrook Woodland, shown in solid black line



Therefore, access to Osborne's Lane via Broadmoor Lane existed both before and after installation of the footbridge. The evidence submitted in the application by long-term residents corroborates this pattern of access which predates the 2002 development. Prior to installation of the footbridge, the Westbrook Woodland was used as a shortcut route to the village, as well as a destination in its own right. The bridge meant that people didn't need to go through the woods any more to get to the village, but they still did, for the recreational reasons described by witnesses.

For access from the south of Westbrook Woodland, Osborne's Lane permits direct access to the site and has been wholly unaffected by housing development in the area (or installation of the footbridge). Osborne's Lane is a public road and residents from Weston Village have enjoyed longstanding access to the site from Osborne's Lane via Dean Hill/High Street.

We therefore discount as false the assertion in the objection that there was an 'impenetrable boundary to the Site prior to the footpath being diverted and the bridge being erected to the West of the site.' The land was freely accessible prior to November 2018. As noted in our rebuttal to the objection, we do not deny that the formal access to the site was the gate on Osborne's Lane; however, there is considerable evidence for the use of informal access points as described in the present TVG19/1 application.

1.7 Signage at the site

Just as the photographic evidence of fencing reflects the work of the current owner (done after 2 November 2018), the signage at the site described in the objection letter (specifying 'keep out', 'private property', etc) is also a recent addition (after 2 November 2018) and does not relate to the period of time under consideration in this application. The basis for this application is the twenty year period preceding November 2018, and users of the site over this period have given substantial evidence that no signage was present during this timeframe. This is corroborated by evidence statements submitted with the objection (i.e. Michael Wiltshire answers that "only recently" has signage been present; Kaye Brown states "no signs").

For the period of time under consideration (twenty years preceding November 2018), we know of no evidence of signage to indicate that Westbrook Woodland was private property. Indeed, we note that in the photographs submitted with the objection, there is no signage present on the five-bar gate, despite the objection letters (e.g. from Matthew Davies) stating that the gate has this signage.

We acknowledge receipt of the set of two undated photos of horses in a field (received 7 August 2019, following the original objection letter) which purport to show evidence of signage relevant to this Village Green application. If these photos were taken at the site in the twenty years preceding November 2018, then these photos would contradict our evidence that there was no signage during the relevant twenty year period. However, it is not clear when these photos were taken, and the fact that the landscape is so different to the present day suggests these photos are considerably older than twenty years. In present day, the land is a well-established woodland while in the photo the land is bare, suggesting a significant time span. Please see the following images from 1999 and 2005 for evidence of long-established tree coverage at the site, inconsistent with the bare appearance of the land in the undated photo.



Figure 10. *Google Earth images of the vicinity in 1999, showing significant tree coverage*



Figure 11. Google Earth image of the vicinity in 2005, showing significant tree coverage

1.3 Local tradition of public use of open space

'Green' recreational activities are highly valued by the community who use the Westbrook Woodland. As attested in a number of statements, the woodland is a favourite spot for outdoor birthday parties.



Figure 12. 'Gruffalo' themed birthday party, May 2012 [photo: Claire Doig]

Community groups value the Westbrook Woodland for activities such as den-building, outdoor cooking, tree-climbing and play in the stream. Witness statements attest to use of the site by preschool and school groups, as well as other organisations listed below.

Organisations using land, as named by witnesses

Boys' Brigade	Toddler Groups
Childrens' Art Group	Scouts
Weston Litter Group	Youth Club
Play Rangers	Moving Mountains
Bath Area Play Project	BLRA / Friends of the Orchard
WASPS school	

The woodland is located immediately to the west of Weston All Saints Primary School – the largest primary school in Bath – which draws in users of the space from across the locality. To the north, the woodland borders the Orchard at Broadmoor Lane, a public open space formally created as part of a Redcliffe residential housing development in approx. 2002 and now owned by Bath Recreation Ltd. In recognition of longstanding community interest in public access to green space in this vicinity, we note that the Orchard open space, prior to its development, was subject to an application to register the land as a Village Green in the late 1990s.

The image below shows the location of the Westbrook Woodland contiguous to the Orchard space on Broadmoor Lane. This image is taken from the B&NES Planning website and shows these areas highlighted in dark green (to indicate the blanket Tree Preservation Orders across the sites). We note that prior to the development of the Orchard space by Redcliffe Homes (approx. 2002), the woods were easily accessible to locals via this open space, over the stepping stones at the weir.



Figure 13. Map showing Westbrook Woodland and adjacent Orchard space

A significant number of people across the locality naturally gravitate towards Westbrook Woodland given its proximity to neighbouring Weston All Saints Primary school. The neighbouring orchard and playpark are also a draw. These facilities together in one contiguous area add to the importance of the woods in the community as a focal point. We expand on the place of Westbrook Woodland in the locality in Section 2.

1.4 Summary of evidence of public use of Westbrook Woodland

The weight of evidence supports the claim that our community has enjoyed unrestricted access to Westbrook Woodland for recreational purposes over a twenty year period which ended in November 2018. The land is highly valued as a recreational space which attracts users of all ages. For generations, it has been an area to roam, explore and connect to nature through a range of recreational pursuits including walking, dog-walking, bird-watching, conkering, and playing in the brook.

Contrary to assertions by the objector that public access to Westbrook Woodland was initiated in the last ten years by newcomers to the area via a newly installed footbridge, we have presented robust evidence that this pattern of use by the community extends over several decades, and did not rely on the new footbridge; when new residents accessed Westbrook Woodland for recreational purposes, they were adopting a pattern of use which was already well-established by long-term residents. The witness statements within this application provide testimony from long-term residents alongside testimony from more recent members of the community. In the following section (Section 2), we turn to discussion of how the users of Westbrook Woodland are drawn from across the local vicinity – contrary to claims in the objection letters (e.g. former Weston ward councillor Matthew Davies) which state that use was narrowly restricted to residents from the Redcliffe Homes development on Broadmoor Lane.

2. The Locality

The Westbrook Woodland is located along the West Brook, which marks the boundary between the mainly rural Charlcombe Parish and the more residential Weston electoral ward.

2.1 Definition of the locality

Charlcombe Parish and Weston electoral ward are each clearly defined regions under law. The map below shows the position of Westbrook Woodland within this clearly defined conjoined locality.

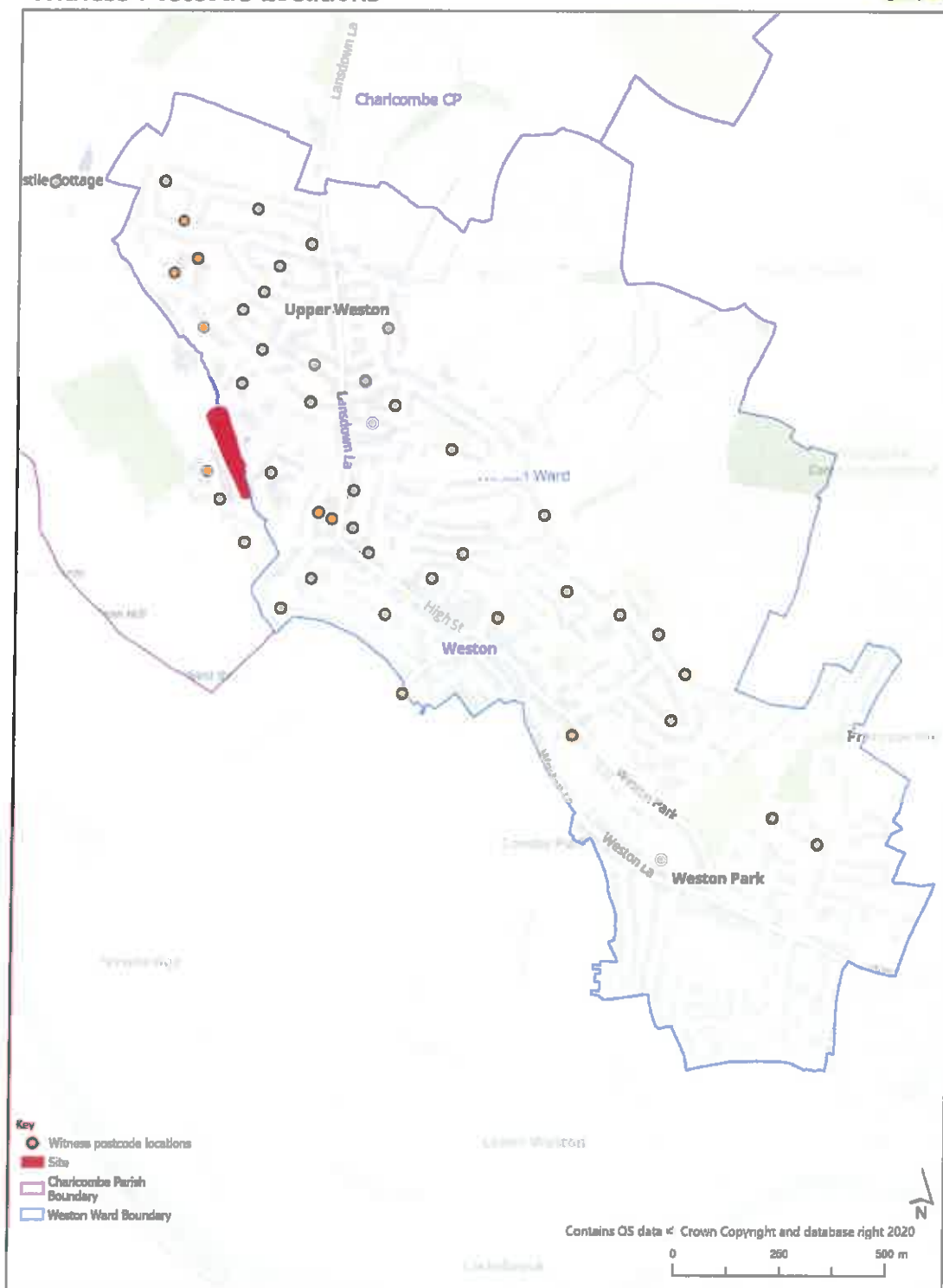


Figure 14. Weston Ward and Charlcombe Parish

2.2. Distribution of witnesses

Users of the space come from Charlcombe Parish addresses including Westbrook Park, Westmead Gardens and Broadmoor Lane. Users also come from across Weston Ward, including addresses at Symes Park, Vernslade, Broadmoor Lane, Broadmoor Vale, High Street and beyond. The distribution of residents across the conjoined locality of Weston ward and Charlcombe Parish is shown in the following image, with markers to indicate postcodes of applicant witnesses for TVG19/01.

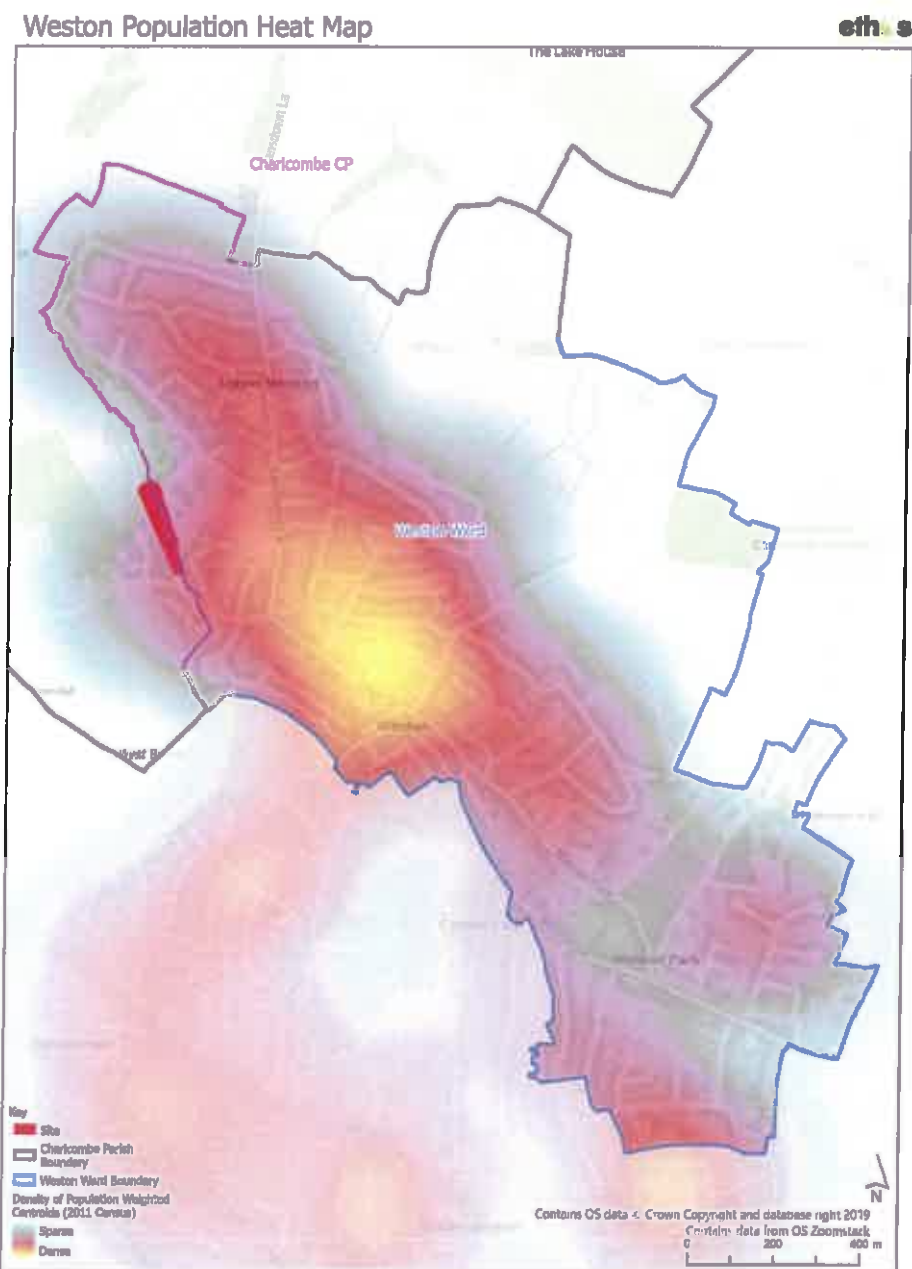
Witness Postcode Locations



As a rural and sparsely populated parish, the total number of inhabitants of Charlcombe Parish is fewer than 400 (according to the Charlcombe Parish Council website¹). Relative to the total number of inhabitants, our seventeen witnesses from Charlcombe Parish represent a sizeable proportion of Charlcombe Parish residents (>4.2%). Our Charlcombe Parish witnesses include David Weaver, a former longstanding Charlcombe Parish councillor who served until 2019.

Relative to the 5237 residents of Weston electoral ward recorded in the 2011 census, our 167 witnesses from Weston ward represent >3% of the population of Weston.

The following Heat Map shows the proximity of the Westbrook Woodland to nearby densely populated residential areas.



¹ Charlcombe Parish Council website <http://www.charlcombeparishcouncil.org/> accessed 11/7/2020.

2.3 Cohesiveness

As a conjoined locality, there is a natural cohesiveness to Charlcombe Parish and Weston. Charlcombe Parish forms the green hillside crowning Weston, and a number of footpaths bind the region, including the Cotswold Way.

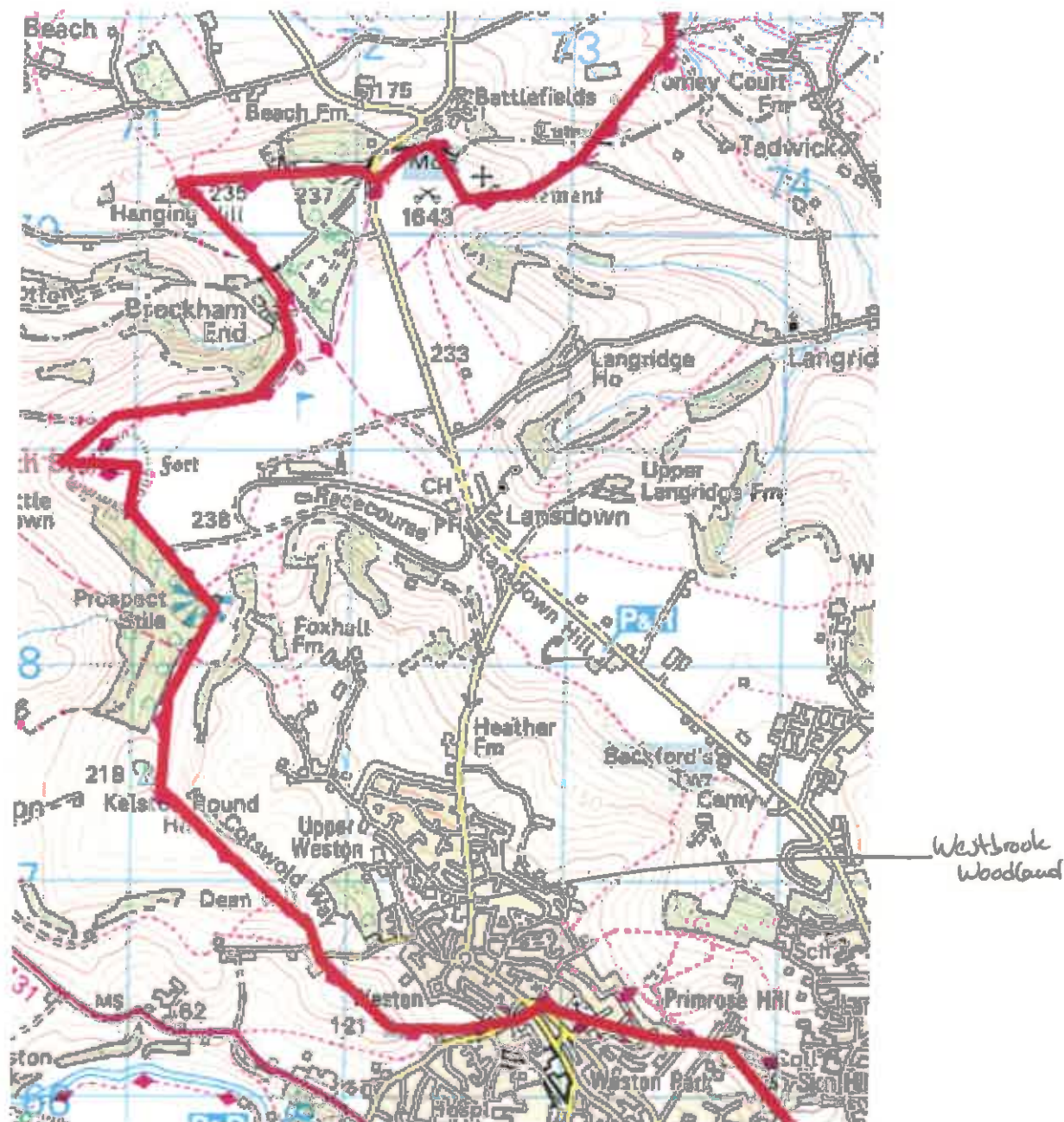


Figure 15. Red line indicates the path of the Cotswold Way connecting Weston and Charlcombe Parish

The following is an image of the Westbrook Woodland, taken from the Cotswold Way. This image shows the position of Westbrook Woodland nestled between Weston and the hills and scattering of homes in Charlcombe Parish.

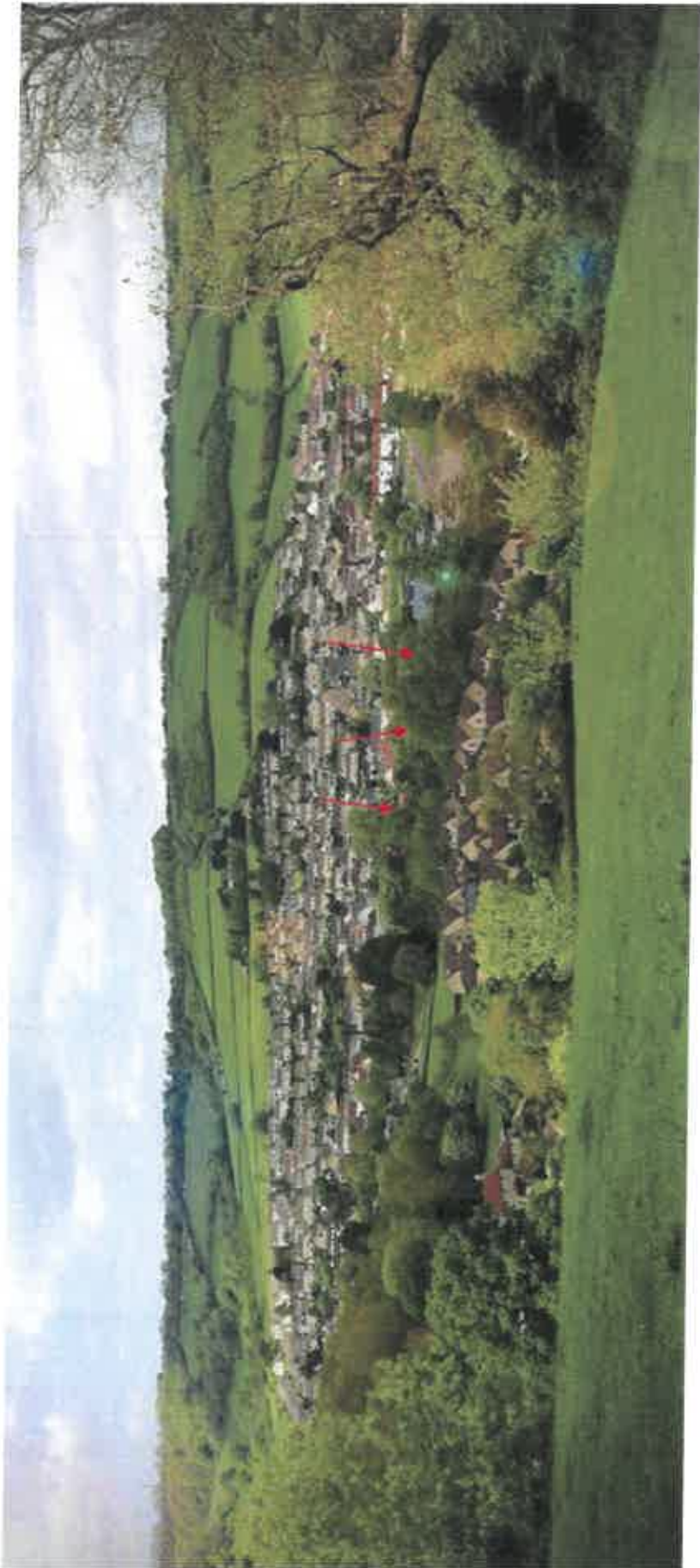


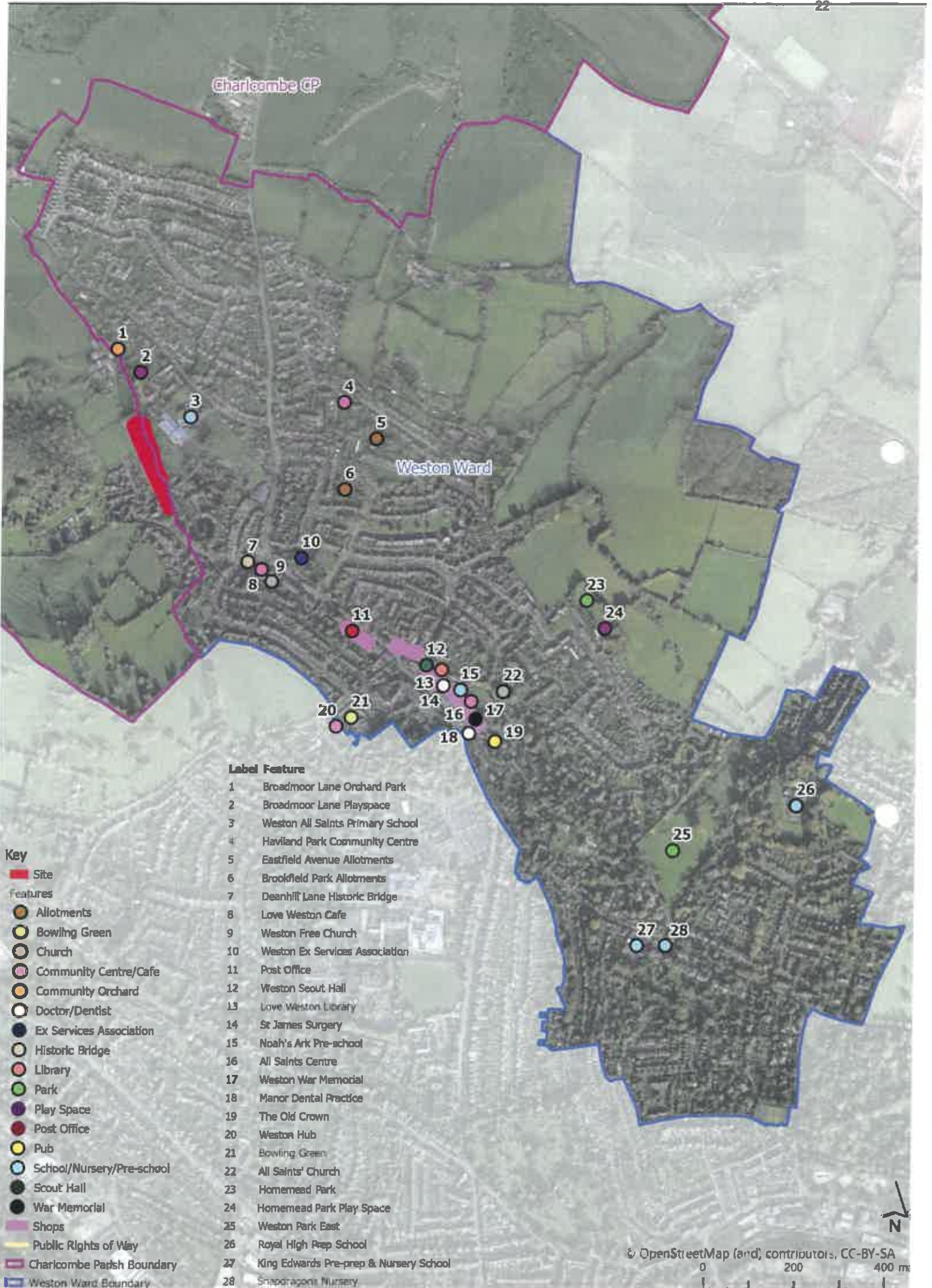
Photo of the Westbrooke Woodland, taken from the Cotswold Way in Charcombe Parish, overlooking Weston.

Charlcombe Parish has no shops or schools², so is dependent on neighbouring amenities.

Weston has many local amenities, including shops, a post office, dentist, library, vet, pharmacy, scout hut, nurseries, and primary schools. As a further indication of how closely bound the areas are, we note that the local noticeboard for Charlcombe Parish (photo 16 in the photosheet) is sited within the Weston electoral ward boundary, at the Lansdown Lane roundabout (Moravian church).

The range of amenities in the locality are shown in the following map and photosheet.

² Charlcombe Parish Council website <http://www.charlcombeparishcouncil.org/> accessed 11/7/2020.



Key

- Site
- Features**
- Allotments
- Bowling Green
- Church
- Community Centre/Cafe
- Community Orchard
- Doctor/Dentist
- Ex Services Association
- Historic Bridge
- Library
- Park
- Play Space
- Post Office
- Pub
- School/Nursery/Pre-school
- Scout Hall
- War Memorial
- Shops
- Public Rights of Way
- Charlocombe Parish Boundary
- Weston Ward Boundary

- | Label | Feature |
|-------|--|
| 1 | Broadmoor Lane Orchard Park |
| 2 | Broadmoor Lane Playspace |
| 3 | Weston All Saints Primary School |
| 4 | Haviland Park Community Centre |
| 5 | Eastfield Avenue Allotments |
| 6 | Brookfield Park Allotments |
| 7 | Deanhill Lane Historic Bridge |
| 8 | Love Weston Cafe |
| 9 | Weston Free Church |
| 10 | Weston Ex Services Association |
| 11 | Post Office |
| 12 | Weston Scout Hall |
| 13 | Love Weston Library |
| 14 | St James Surgery |
| 15 | Noah's Ark Pre-school |
| 16 | All Saints Centre |
| 17 | Weston War Memorial |
| 18 | Manor Dental Practice |
| 19 | The Old Crown |
| 20 | Weston Hub |
| 21 | Bowling Green |
| 22 | All Saints' Church |
| 23 | Homestead Park |
| 24 | Homestead Park Play Space |
| 25 | Weston Park East |
| 26 | Royal High Prep School |
| 27 | King Edwards Pre-prep & Nursery School |
| 28 | Shippards Green Nursery |



Photo 1: All Saints Community Centre



Photo 2: Library



Photo 3: Historic Water Fountain



Photo 4: Scout Hut



Photo 5: Bakers



Photo 6: Convenience Store & Post Office



Photo 7 Vets



Photo 8 Pharmacy



Photo 9 Fish and Chip Shop



Photo 10 Local Shops



Photo 11 High Street looking north



Photo 12 Community Noticeboard



Photo 13: Kings Head Pub



Photo 14: Cotswold Way



Photo 15: Bowling Green



Photo 16: Charlcombe Parish Noticeboard (outside the Moravian Church in Weston)



Photo 17: Ex Services Club



Photo 18: Dentist



Photo 19: Weston All Saints C of E Primary School



Photo 20: Playpark at the Orchard—view south towards the West Brook and Westbrook Woodlands

BATH AND NORTH EAST SOMERSET COUNCIL

**(Land to West of Weston All Saints Primary School, Osbournes Hill, Upper Weston,
Bath No. 318)**

TREE PRESERVATION ORDER 2018

TOWN AND COUNTRY PLANNING ACT 1990

**Relating to a deciduous woodland within a strip of land along Osbournes Hill, Upper Weston,
Bath**

in the District of Bath and North East Somerset

Town and Country Planning Act 1990

The Bath and North East Somerset Council (Land to West of Weston All Saints Primary School, Osbournes Hill, Upper Weston, Bath No. 318)

TREE PRESERVATION ORDER 2018

The Bath and North East Somerset Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

- 1.1 This Order may be cited as the Bath and North East Somerset Council (Land to West of Weston All Saints Primary School, Osbournes Hill, Upper Weston, Bath No. 318) Tree Preservation Order 2018.

Interpretation

- 2 (1) In this Order “the authority” means the Bath and North East Somerset Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- 3 (1) Subject to article 4, this Order takes effect provisionally on the date on which it made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
- any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

2. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate

provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 6th November 2018

Signed on behalf of the BATH AND NORTH EAST SOMERSET COUNCIL



Mark Reynolds
Group Manager (Development Management)

Authorised by the Council to sign in that behalf

SCHEDULE**Specification of trees****Trees specified individually**

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

Groups of trees

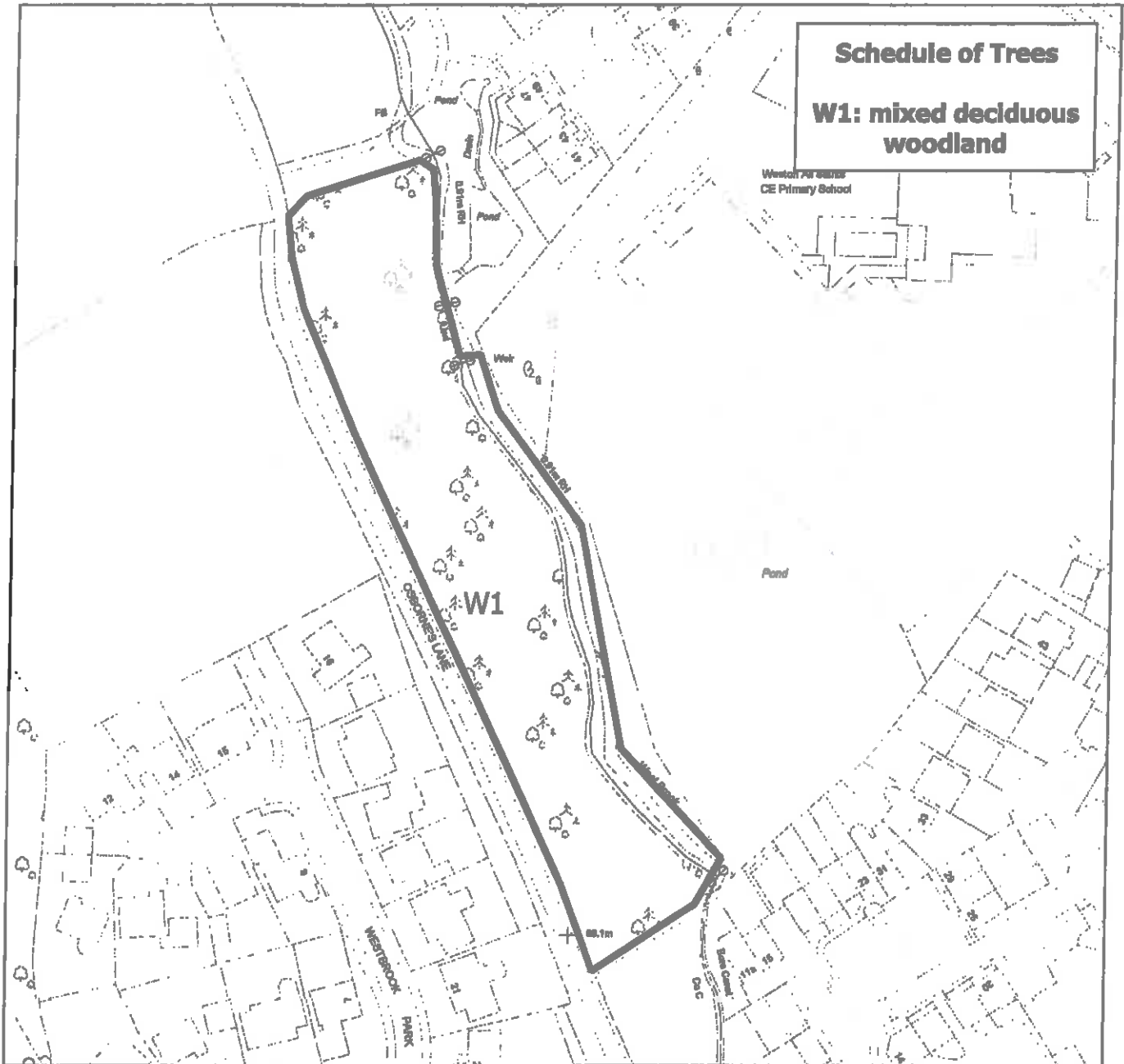
(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
NONE		

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W1	Deciduous woodland	Located within a strip of land along Osbournes Hill, Upper Weston, Bath Ordnance Survey ref; ST 722668



Title:
TOWN AND COUNTRY
PLANNING ACT 1990
BATH AND NORTH EAST
SOMERSET COUNCIL
(Land to West of Weston All Saints
Primary School, Osbornes Hill, Upper
Weston, Bath No. 318)
TREE PRESERVATION
ORDER 2018

Scale 1:1250
Date: November 2018
Plan No: 500/318;
18/00004/TPO
Grid Ref: ST 722668

Mark Reynolds, Group Manager
Development Management



Arboricultural Assessment & Recommendations Report



LAND AT OSBORNE'S LANE, UPPER WESTON, BATH

On behalf of

Mr Paul Ealey
Redwoods
6A Kelston Road
Bath
BA1 3QN

prepared by

Alister Rankine BSc. (Forestry); Tech. Cert. (Arbor. A.)
Arboricultural Consultant

December 2018

CONTENTS

1.0 SCOPE

2.0 ARBORICULTURAL OBSERVATIONS, ASSESSMENT & RECOMMENDATIONS

3.0 LEGAL

APPENDIX 1 TREE LOCATION PLAN. Drawing No. 181213-OL-TLP-SR

APPENDIX 2 PLATES

Hillside Trees Ltd.
2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
Tel: 01761 233244 E: enquiries@hillsidetrees.co.uk

2

Directors: A Rankine BSc (Forestry), Tech Cert. (Arbor A), S J Rankine BSc (Hons), Dip Arb L4 (ABC)

Registered in England No. 07175569
Registered Office: Broadway House, Third Avenue, Westfield Industrial Estate, Radstock, BA3 4XD

1. SCOPE

- 1.1 I have been engaged by Mr Paul Ealey, to undertake an inspection of trees currently growing on land at Osborne's Lane, Upper Weston, Bath.
- 1.2 The purpose of this inspection is to assess the condition of key trees and make appropriate recommendations for any remedial tree surgery works and future management.
- 1.3 This is a preliminary report based on ground level inspections of the trees by a person experienced in arboriculture. I have not drilled the trees nor taken soil samples.
- 1.4 Trees are living, dynamic organisms which can be affected by external conditions and may occasionally fail without warning. It is therefore not possible to state with certainty that any tree is completely safe.
- 1.5 The trees were inspected on 11th December 2018. The weather conditions were fair. Visibility was good.

Hillside Trees Ltd.

2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
Tel: 01761 233244 E: enquiries@hillside-trees.co.uk

3

Directors: A Rankine BSc (Forestry), Tech Cert. (Arbor A), S J Rankine BSc (Hons). Dip Arb L4 (ABC)

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2. ARBORICULTURAL OBSERVATIONS, ASSESSMENT & RECOMMENDATIONS

Hillside Trees Ltd.
2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
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Registered in England No. 07175569
Registered Office: Broadway House, Third Avenue, Westfield Industrial Estate, Radstock, BA3 4XD

Site: Land at Osborne's Lane Upper Weston, Bath

Client : Paul Ealey



Surveyor: Alister Rankine

Date: 11th December 2018

Tree Number	Scientific Name	Common Name	Height M	Stem diameter M	N - Radius (m)	S - Radius (m)	E - Radius (m)	W - Radius (m)	Age Class	Structural Condition	Pathogens, Pests and Diseases	immediate Recommendations	Target
T1	<i>Tilia x europaea</i>	Lime	23	1020	6	7	8	7	M	Basal epicormics. Dead wood in crown. Leaning to east. Ivy clad crown. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Remove basal epicormics Crown clean 20% crown thin to reduce canopy density	Stream to east Land to east
T2	<i>Tilia x europaea</i>	Lime	25	1200	6	6	6	7	M	Cavity on south side at base. Decay in cavity. Extensive decay in main stem. Dead wood. Ivy clad stem	No fungal fruiting bodies at time of survey.	PICUS / resistograph investigation Crown clean Crown reduction or Fell - depending on results of investigation	School grounds to east
T3	<i>Fraxinus excelsior</i>	Ash	10	850	0	1	0	3	M	Dead. Monolith. Extensive decay and necrosis. Dense ivy clad stem. Tree has failed in the past - remnants in school grounds	No fungal fruiting bodies at time of survey.	Fell	School grounds to east Stream to east
T4	<i>Aesculus hippocastanum</i>	Horse chestnut	18	1030	3	7	8	8	M	Dense ivy clad stem. Dense ivy in crown. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Sever and remove ivy Up to 4m crown reduction on east and west dies to remove weight and balance crown	School grounds to east Stream to west
T5	<i>Alnus glutinosa</i>	Alder	5	250	1	3	5	0	M	Split main stem. Fallen on boundary fence to east	No fungal fruiting bodies at time of survey.	Fell	School grounds to east Stream to east

Tree Number	Scientific Name	Common Name	Height M	Stem diameter M	N - Radius (m)	S - Radius (m)	E - Radius (m)	W - Radius (m)	Age Class	Structural Condition	Pathogens, Pests and Diseases	Immediate Recommendations	Target
T6	<i>Aesculus hippocastanum</i>	Horse chestnut	19	1500	7	6	9	4	M	Evidence of failure in past. Large cavity on west side at ground level. Extensive decay in main stem. Crown asymmetry to east. Stress cracks in main limb on east side over school grounds	<i>Phytophthora</i> and necrosis on south side	Remove major limb on east side over school grounds Monolith to 10m	School grounds to east Stream to east
T7	<i>Aesculus hippocastanum</i>	Horse chestnut	14	800	6	6	7	5	M	Tight fork at 2m. Crown asymmetry to east. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown lift to 3m on east side 3m crown reduction on east side to balance crown	School grounds to east
T8	<i>Aesculus hippocastanum</i>	Horse chestnut	23	680 650 580	5	6	7	6	M	3 stems. Large basal cavity with extensive decay. Leaning to east. Stress cracks at base on west side	No fungal fruiting bodies at time of survey.	Fell	School grounds to east Stream to east
T9	<i>Aesculus hippocastanum</i>	Horse chestnut	21	670	3	5	6	5	M	Large occluded wound scar on north side of main stem	No fungal fruiting bodies at time of survey.	Nothing at time of survey	School grounds to east Stream to east
T10	<i>Alnus glutinosa</i>	Alder	22	480 460	6	4	6	5	M	Tight basal fork. Ivy clad stem on south side. Minor dead wood in crown. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Remove dead wood remove lowest branches on east side up to 4m	School grounds to east Stream to west
T11	<i>Alnus glutinosa</i>	Alder	21	510	4	4	6	5	M	Minor dead wood. Ivy clad stem. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Sever and remove ivy Remove dead wood Remove lowest limb on east side to 4m to clear school grounds	School grounds to east Stream to west
T12	<i>Alnus glutinosa</i>	Alder	21	550	4	5	7	7	M	Slight lean to east. Crown asymmetry to east. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Remove lowest limb on east side to 4m 2-3m crown reduction on east side to balance crown	School grounds to east Stream to west

Tree Number	Scientific Name	Common Name	Height M	Stem diameter M	N - Radius (m)	S - Radius (m)	E - Radius (m)	W - Radius (m)	Age Class	Structural Condition	Pathogens, Peets and Diseases	Immediate Recommendations	Target
T13	<i>Alnus glutinosa</i>	Alder	21	470	3	4	6	6	M	No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Nothing at time of survey	School grounds to east Stream to west
T14	<i>Alnus glutinosa</i>	Alder	20	600 880 380 350	8	7	10	7	M	U' shaped basal forks. Dead wood in canopy. Stem on east side leaning over school grounds. Dead limb on west side of main stem	No fungal fruiting bodies at time of survey.	Remove dead wood remove lowest branches on east side of main stem Remove stem on east side overhanging school grounds	School grounds to east Stream to west
T15	<i>Alnus glutinosa</i>	Alder	22	480 520	6	3	6	4	M	Tight basal fork. Ivy clad stem on east side. Tight fork at 6m on west stem. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown lift to 4m on east side over school grounds 2-3m crown reduction on east side to balance crown	School grounds to east
T16	<i>Alnus glutinosa</i>	Alder	22	270	3	3	3	3	M	Minor cavity at base on west side	No fungal fruiting bodies at time of survey.	Nothing at time of survey	School grounds to east
T17	<i>Alnus glutinosa</i>	Alder	21	470	3	4	7	4	M	Leaning to east. Crown asymmetry to east. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown lift to 4m on east side over school grounds 2-3m crown reduction on east side to balance crown	School grounds to east
T18	<i>Alnus glutinosa</i>	Alder	22	450	4	4	4	5	M	No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Nothing at time of survey	School grounds to east
T19	<i>Alnus glutinosa</i>	Alder	21	490	4	5	4	5	M	Leaning to south. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Nothing at time of survey	School grounds to east
T20	<i>Alnus glutinosa</i>	Alder	21	440	4	6	7	3	M	Leaning to east. Crown asymmetry to east. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown lift to 4m on east side over school grounds 2-3m crown reduction on east side to balance crown	School grounds to east
T21	<i>Salix caprea</i>	Goat willow	6	350	0	5	4	0	M	Leaning to east. Extensive cavity in main stem. Crown asymmetry to east	No fungal fruiting bodies at time of survey.	Fell	School grounds to east

Tree Number	Scientific Name	Common Name	Height M	Stem diameter M	N - Radius (m)	S - Radius (m)	E - Radius (m)	W - Radius (m)	Age Class	Structural Condition	Pathogens, Pests and Diseases	Immediate Recommendations	Target
T22	<i>Tilia x europæa</i>	Lime	25	1400	6	8	7	8	M	Minor dead wood. Ivy clad stem. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown clean Remove basal epicormics Remove epicormics up to 3m	Road and houses to west
T23	<i>Tilia x europæa</i>	Lime	25	1040	5	7	6	7	M	Minor dead wood in crown. Ivy clad stem. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown clean Remove basal epicormics	Road and houses to west
T24	<i>Tilia x europæa</i>	Lime	25	1030	5	5	6	6	M	Tight forks at 7m. Dead wood in crown. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown clean Remove basal epicormics	Road and houses to west
T25	<i>Tilia x europæa</i>	Lime	24	980	4	4	5	7	M	No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Crown clean Remove basal epicormics	Road and houses to west
T26	<i>Tilia x europæa</i>	Lime	22	950	4	3	4	6	M	Dense basal epicormics. Extensive dead wood in upper canopy. No evidence of rot or decay at time of survey	No fungal fruiting bodies at time of survey.	Remove basal epicormics Remove dead wood Remove minor stem on west side Re-assess	Road and houses to west

3.0 LEGAL

- 3.1 The trees are covered by Wansdyke District Council (Charlcombe No.3) Tree Preservation Order 1987 and Town and Country Planning Act 1990 Bath and North East Somerset Council (Land to the West of Weston All Saints Primary School, Osbournes Hill, Upper Weston, Bath No.318) Tree Preservation Order 2018, therefore consent for works must be obtained from the Local Planning Authority. Consent is not required for urgent work to dead or dangerous trees, but the Local Planning Authority should be given at least five days notice of intended works. Replacement trees may be required for any protected trees which are felled. If the site is in a Conservation Area six weeks' notice of works to all trees should be given.
- 3.2 There may be a number of hollows in the trunks and larger branches of the trees which could be used by birds or bats for shelter or breeding. It is an offence under the Wildlife and Countryside Act and Countryside and Rights of Way Act to disturb a nesting bird or roosting/breeding bat. Work to trees with the potential for roosting bats is best carried out from mid-September to late October. This assumes that young bats are weaned and independent as is before hibernation and before young are born, although due account should be taken of nesting birds, which also (with few exceptions) enjoy statutory protection. Further advice, particularly if bats are discovered during tree work, may be obtained from Natural England.

Hillside Trees Ltd.

2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
Tel: 01761 233244 E: enquiries@hillside-trees.co.uk

5

Directors: A Rankine BSc (Forestry), Tech Cert. (Arbor A), S J Rankine BSc (Hons), Dip Arb L4 (ABC)

Registered in England No. 07175569

Registered Office: Broadway House, Third Avenue, Westfield Industrial Estate, Radstock, BA3 4XD

Appendix 1

TREE LOCATION PLAN Drawing No. 181213-OL-TLP-SR

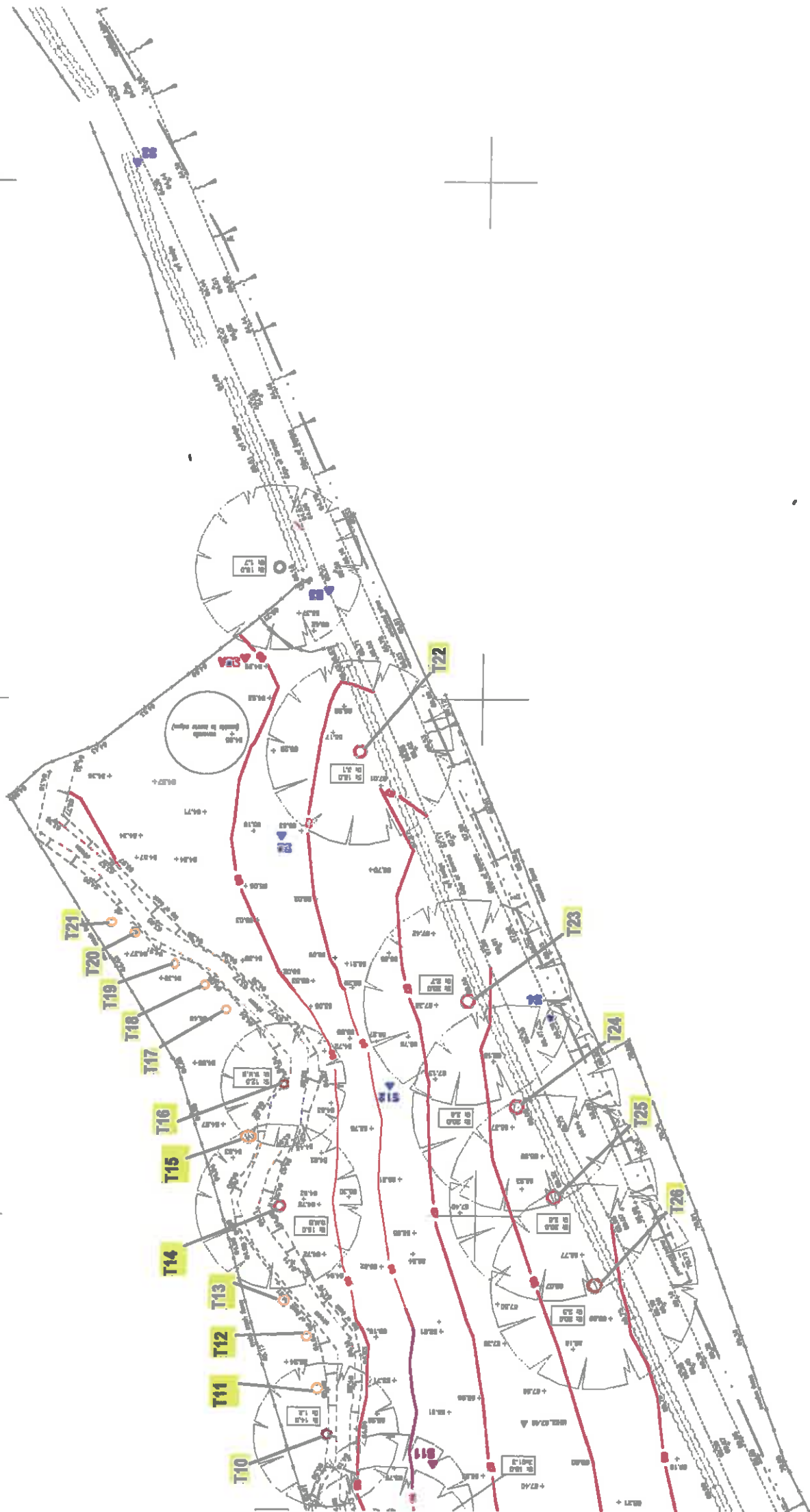
Hillside Trees Ltd.

2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
Tel: 01761 233244 E: enquiries@hillside-trees.co.uk

6

Directors: A Rankine BSc (Forestry). Tech Cert. (Arbor A). S J Rankine BSc (Hons). Dip Arb L4 (ABC)

Registered in England No. 07175569
Registered Office: Broadway House. Third Avenue. Westfield Industrial Estate, Radstock. BA3 4XD



Appendix 2

PLATES

Hillside Trees Ltd.
2 Hillside, Bowden Hill, Chilcompton, Radstock, BA3 4EN
Tel: 01761 233244 E: enquiries@hillside-trees.co.uk

7

Directors: A Rankine BSc (Forestry), Tech Cert. (Arbor A), S J Rankine BSc (Hons), Dip Arb L4 (ABC)

Registered in England No. 07175569
Registered Office: Broadway House, Third Avenue, Westfield Industrial Estate, Radstock, BA3 4XD



PLATE 1 - CAVITY AT BASE OF T2



PLATE 2 - T3



PLATE 3 - T5



PLATE 4 - T6

APPENDIX 2: Tree Survey



PLATE 5 - T8



PLATE 6 - T14

APPENDIX 2: Tree Survey



PLATE 7 - T28

APPENDIX 3: Public Path Diversion Order

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

BATH AND NORTH EAST SOMERSET COUNCIL

Bath and North East Somerset Council (Footpath AO46, Bath (Part) and Unrecorded Footpath, Charlcombe) Public Path Diversion Order 2002

This Order is made by Bath and North East Somerset Council ('the authority') under section 119 of the Highways Act 1980 ('the 1980 Act') because it appears to the authority that in the interests of the owner of the land crossed by the footpaths described in paragraph 1 of this order it is expedient that the line of the paths should be diverted.

The owner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situated at Bath and at Charlcombe and shown by a bold continuous line on the maps contained in this order and described in Part 1 of the Schedule to this order shall be stopped up from the date of confirmation of this order.
2. There shall from the date of confirmation of this order be a public footpath over the land situate at Lansdown Grange Farm, Bath described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this order.
3. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Given under the Common Seal of the Bath and North East Somerset Council the 13th day of November 2002.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
in the presence of:-



Authorised signatory

AUTHORITY FOR SEALING	
Full Council Meeting	
Council resolution:	
Committee estate:	24/11/02
Initials:	KE

SCHEDULE**PART 1****DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

That part of the footpaths AQ46 in Bath and an unrecorded footpath in the Parish of Charlcombe in Bath & North East Somerset running from point A at Grid Reference ST 7225 6695 on the map annexed to this Order in a generally north westerly direction for a distance of approximately 245 metres to point B at Grid Reference ST 7215 6717 on the said map and shown by a bold continuous line.

PART 2**DESCRIPTION OF SITE OF NEW PATH OR WAY**

From point A at Grid Reference ST 7225 6695 on the map annexed to this Order in a generally north easterly direction for a distance of approximately 45 metres to point C at Grid Reference ST 7228 6698 and thence in a generally north westerly direction for a distance of approximately 235 metres to point D at Grid Reference ST 7218 6718 and thence in a generally south westerly direction for a distance of approximately 30 metres to point B at Grid Reference ST 7215 6717 and shown by a bold broken line. The path to be a width of 2.0m.

PART 3**LIMITATIONS AND CONDITIONS**

Footbridges at Grid References ST 7227 6697 and ST 7217 6718.

Section 119 Highways Act 1980

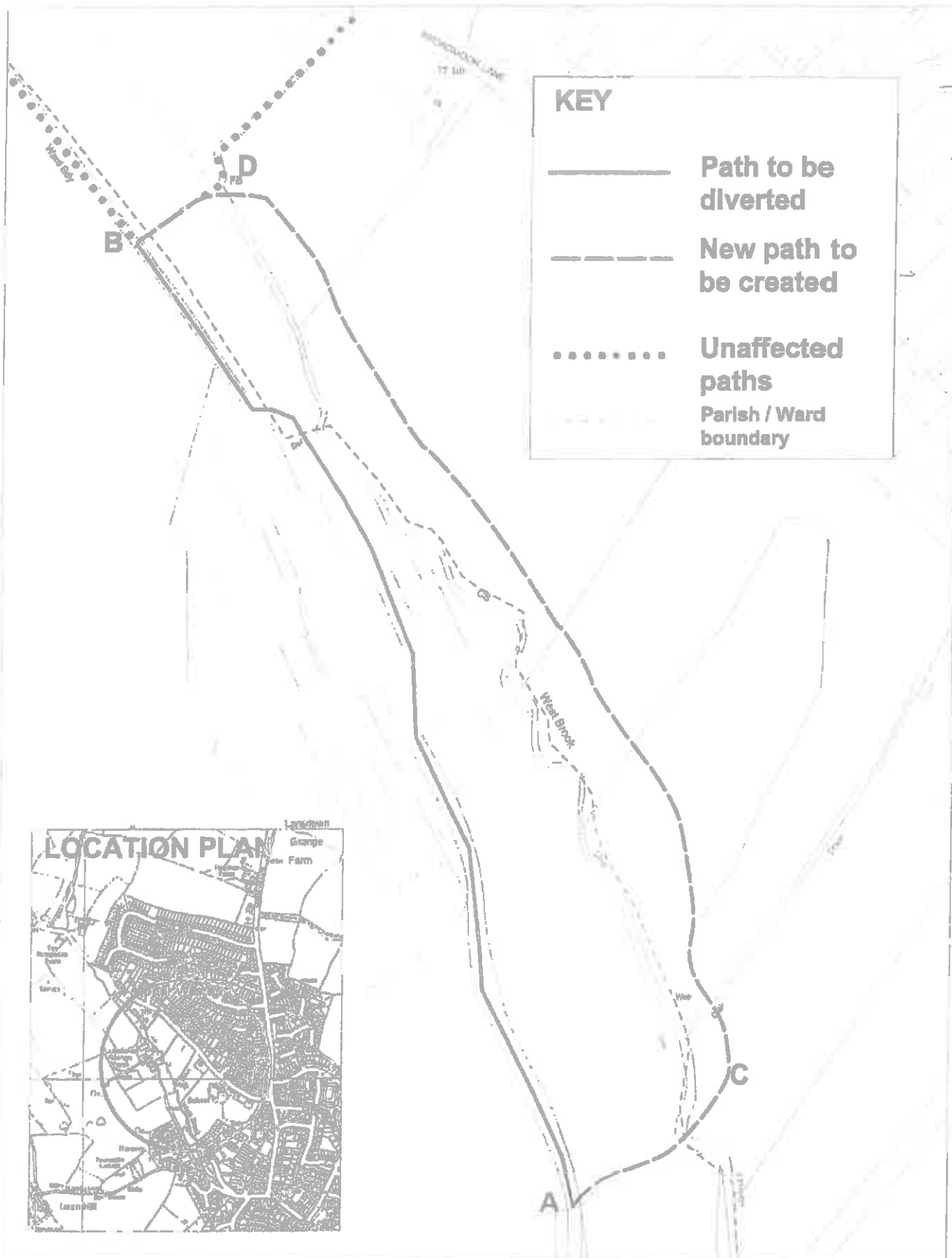
Bath & North East Somerset Council (Footpaths Bath AQ46 (Part) and Charlcombe Unrecorded Path) Public Path Diversion Order 2002

TAWM
Riverside
Temple Street
Keynsham
Bristol BS31 1LA
Tel 01225 477000







Scale 1:1250 Date: 25 September 2002

Grid Reference: ST 7225 6702



KEY

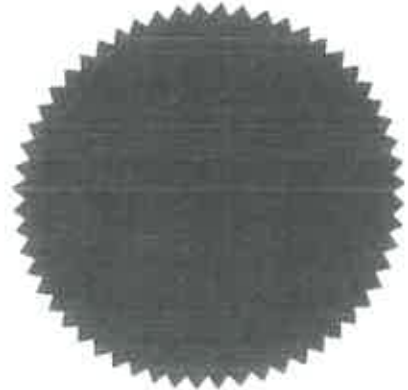
-  Path to be diverted
-  New path to be created
-  Unaffected paths
-  Parish / Ward boundary



In pursuance of the powers in that behalf conferred by Schedule 6 of the Highways Act 1980, the Council hereby confirms the foregoing Order.

The COMMON SEAL of
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
this 19th day of November 2003
in the presence of:-



AK Brooks

Authorised signatory

AUTHORITY FOR SEALING	
Council resolution	Full Council Meeting
Correspondence minute	of 9/5/03
Initials	KE

NOTICE OF MAKING AN ORDER**HIGHWAYS ACT 1980****BATH AND NORTH EAST SOMERSET COUNCIL****Bath and North East Somerset Council (Footpath AQ46, Bath (Part) and Unrecorded Footpath, Charlcombe) Public Path Diversion Order 2002**

The above order, made on 13th November 2002, under section 119 of the Highways Act 1980, will divert that part of footpath AQ46 in Bath and an unrecorded footpath in the Parish on Charlcombe running from point A at Grid Reference ST 7225 6695 in a generally north westerly direction for a distance of approximately 245 metres to point B at Grid Reference ST 7215 6717 to a line running from point A at Grid Reference ST 7225 6695 in a generally north easterly direction for a distance of approximately 45 metres to point C at Grid Reference ST 7228 6698 and thence in a generally north westerly direction for a distance of approximately 235 metres to point D at Grid Reference ST 7218 6718 and thence in a generally south westerly direction for a distance of approximately 30 metres to point B at Grid Reference ST 7215 6717, as shown on the order map.

A copy of the order and the order map have been placed and may be seen free of charge at the offices below (please telephone the Public Rights of Way Team for an appointment on 01225 477650) and at Trimbridge House, Trim Street, Bath during normal office hours. A copy of the order and the order map is available for inspection at Bath Central Library. Copies of the order and map may be bought from the offices below at the price of £3.50.

Any representations about or objections to the order may be sent in writing to the Public Rights of Way team at the address below not later than 8th January 2003. Please state the grounds on which they are made. Please note that all representations received will be considered in public by the Council and that the substance of any representation together with the name and address of the person making it will become available for public inspection.

If no such representations or objections are duly made, or if any so made are withdrawn, the Bath and North East Somerset Council may confirm the order as an unopposed order. If the order is sent to the Secretary of State for Environment, Food & Rural Affairs, for confirmation any representations or objections which have not been withdrawn will be sent with the order.

This does not form part of the statutory notice: This is a re-advertisement of the Order, first advertised on 20 November 2002, to correct a minor error in the documents served at that stage.

Floor 2, Riverside,
Temple Street,
Keynsham,
Bristol
BS31 1LA
Fax. No. (01225) 394335
Dated: 11th December 2002



S. Howell
Head of Transportation, Access and
Waste Management

NOTICE OF CONFIRMATION OF AN ORDERHIGHWAYS ACT 1980BATH AND NORTH EAST SOMERSET COUNCILBath and North East Somerset Council (Footpath AQ46, Bath (Part) and Unrecorded Footpath, Charlcombe) Public Path Diversion Order 2002

On 19th November 2003, Bath and North East Somerset Council confirmed the above order made under section 119 of the Highways Act 1980.

The effect of the order as confirmed is to divert that part of footpath AQ46 in Bath and an unrecorded footpath in the Parish on Charlcombe running from point A at Grid Reference ST 7225 6695 in a generally north westerly direction for a distance of approximately 245 metres to point B at Grid Reference ST 7215 6717 to a line running from point A at Grid Reference ST 7225 6695 in a generally north easterly direction for a distance of approximately 45 metres to point C at Grid Reference ST 7228 6698 and thence in a generally north westerly direction for a distance of approximately 235 metres to point D at Grid Reference ST 7218 6718 and thence in a generally south westerly direction for a distance of approximately 30 metres to point B at Grid Reference ST 7215 6717, as shown on the order map.

A copy of the order as confirmed and the order map have been placed and may be seen free of charge at the offices below (please telephone the Public Rights of Way Team for an appointment on 01225 477650) and at Trimbridge House, Trim Street, Bath during normal office hours. A copy of the order and the order map is available for inspection at Bath Central Library. Copies of the order and map may be bought from the offices below at the price of £3.50.

The order came into force as from 19th November 2003, but if any person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from 26th November 2003, make an application to the High Court.

Floor 2, Riverside,
Temple Street,
Keynsham,
Bristol
BS31 1LA
Dated: 26th November 2003



S. Howell
Head of Transportation, Access and
Waste Management

55
Rowena Meager
c/o Graeme Stark
Principal Officer: Public Rights of Way
Environmental Services
Bath and North East Somerset

1 February 2020

Dear Madame,

As requested of Friends of the Orchard at the meeting on 21 January 2020, we are writing to describe the straightforward circumstances in which we collected a statement from Jo O'Donoghue as part of our TVG 19/1 application for Westbrook Woodland.

Jo O'Donoghue made her evidence statement on 7th February 2019 with the assistance of her neighbour and friend Lisa Loveridge. Lisa is a well-respected member of our neighbourhood who has served her community in a range of roles including as a committee member for Bath Interfaith Group, a parish councillor at St Mary's Church (Julian Road), a trustee and Chair of Hillside Hall Community Centre in Oldfield Park and is a past chair of the Diocese of Clifton Justice and Peace Commission. Lisa has a professional background working with elderly people and is qualified as a social worker, and we trust her sound ethical judgement. Please see the statement attached from Lisa Loveridge describing in her own words her interactions with her neighbour Jo Donoghue, back in February 2019.

We understand that nearly a year after Jo O'Donoghue's evidence statement was made, an intervention was made by Mr Ealey and Mr Davies in January 2020 to challenge her statement, at a visit to her home in which this elderly woman was presented with a copy of her original statement but with her signature blacked out. With her signature absent from the document, she was nonetheless asked to verify the statement's authenticity. We understand the considerable distress Jo O'Donoghue must have experienced in such difficult circumstances, particularly when – as is now known through Mr Ealey's admission – the statement was presented to her by her former councillor as a potential case of wrongdoing.

We believe that this intervention by Mr Ealey and Mr Davies was inappropriate. These actions caused considerable distress to a vulnerable elderly woman, and we would like to ask all those concerned to please put this matter to rest.

To place this intervention in context, we would like to draw your attention to the admission which Mr Ealey made during the meeting on 21st January that he had approached another individual directly (whom he named) and asked him to retract his TVG evidence statement. We understand this request was declined.

We believe that these actions raise real concerns about how Mr Ealey and Mr Davies may be using their influence to challenge the grounds of this TVG application by persuading people to retract their evidence.

In conclusion, we reject the claims of Mr Ealey of falsification of evidence, and assert that the original statement from Jo O'Donoghue was taken in good faith.

Thank you for your attention to this matter.

Sincerely,

Rachel Jarai Graham Thomas-Widger

Rachel Jarai and Graham Thomas-Widger
(On behalf of the Friends of the Orchard committee)

Lisa Loveridge
88 Broadmoor Lane
Bath
BA1 4LB

30 January 2020

To whom it may concern,

I have known Jo O'Donohue for 6 years as a friend and neighbour. I first met her when I organised Catholic Mass at my house for Catholic neighbours and was given her address by the Parish Priest. She couldn't come round that day but we stayed in touch and became friends. I went to the funeral of her partner and since her partner's death, I've have ordered groceries for her most weeks from Riverford. Jo comes to dinner about once a fortnight and had Christmas dinner with us in 2018. Jo now dog sits for us about once a week.

Jo grew up on a farm and appreciates the semi-rural nature of our neighbourhood, which she has lived in since 1975. We have often discussed the local open spaces and Jo has always been supportive of efforts to preserve public access to land in our area. When the Broadmoor Lane orchard was under consideration as a Local Green Space for the Local Plan in 2016, I helped Jo to complete an evidence questionnaire in support of this designation.

It was natural for me to approach Jo to ask about her use of Westbrook Woodland when the opportunity came up to apply for it as a Village Green. I visited Jo on 7 February 2019 to ask if she had used Westbrook Woodland to walk her dogs and if she would like to make a statement supporting the Village Green application. Jo said that she had walked her dogs there and that she would like to make a statement. She asked if I would write it, as she didn't feel confident to write it herself and felt that she'd be happy to dictate it to me. She dictated it to me and I read it back her. She didn't wish to make any changes and signed it. I passed the completed statement to Friends of the Orchard.

Jo has been very distressed by the controversy surrounding her submission and it has significantly affected her self-confidence.

Please do not hesitate to contact me, should you have any further queries.

Yours faithfully,



Lisa Loveridge

Comments regarding TVG19/1 to register Westbrook Woodland, Bath as a Village Green

Submitted by Friends of the Orchard (August 2019)

We are writing in respect of the application by Friends of the Orchard to register land known as Westbrook Woodland as a Town/Village Green under section 15 of the Commons Act 2006.

We are writing specifically with comments on an objection and representation which has been made, to rebut the grounds of the objection.

1. APPLICATION ON BEHALF OF THE COMMUNITY

The application has been made by the constituted community organisation Friends of the Orchard (FOTO). The objection refers to the Secretary of FOTO by name as the applicant, and we would like to correct this inaccuracy, as the application was done on behalf of the community rather than by an individual. As noted in the attached constitution (Appendix B), Friends of the Orchard is a volunteer group which organises community involvement at the Orchard on Broadmoor Lane and which represents the needs of the community who uses this public space. The Orchard on Broadmoor Lane borders the Westbrook Woodland. The activities of the group include volunteer work days, Apple Days, wassails, picnics, litter picks, nature walks and local history projects. The group encourages community participation and environmental responsibility, and its well-attended annual Apple Day typically draws in over 150 people living in the local area of Weston & Charlcombe Parish.

One of the stated objectives of the organisation is to "work to minimize any potentially adverse impacts on the Orchard or the Community's enjoyment of the Orchard arising from planned change in use of land or property along its boundary." Given that the Westbrook Woodland immediately borders the Orchard, FOTO is bound by its constitution to act on the concerns which were raised to the committee when change of public access to the Westbrook Woodland took place in November 2018. The fencing which was installed at the site from 2 November 2018 included barbed wire along the brook where the Orchard public open space adjoins the Westbrook Woodland, cutting off access which had previously been possible from the Orchard to the brook, weir and beyond.

The committee of FOTO currently has eight members (Nicola Harvey, Rachel Jarai, Lisa Loveridge, Ernie Messer, Jim Phillips, Hugh Thomas, Graham Thomas-Widger, Len Turner) and Rachel Jarai has the role of Secretary. FOTO has robust channels of communication with the community it serves, thanks to community activities (such as Apple Day) organised at the Orchard over the last 20+ years. Current methods of communication include representation in person at our regular community events, our community website and noticeboard, our community newsletter Broadmoor Views, and social media.

The objection to TVG19/1 incorrectly states that the evidence for the application was collected through a 'social media campaign', when in fact it was done with minimal publicity (and no social media relating to the TVG application) until after the application was already submitted. Recent legislation on triggering events for TVGs has the consequence of limiting publicity, and in our case, evidence for the TVG application was collected by word of mouth by a team of volunteers. (The TVG registration process should be distinguished from the separate campaign for a permanent blanket Tree Preservation Order for Westbrook Woodland, which did use social media from November 2018.)

We have carefully reviewed the evidence submitted by members of the community, and feel duty-bound by the weight of evidence to represent these views.

The present application reflects the positive community spirit of Friends of the Orchard. Amongst its many activities, Friends of the Orchard played a pivotal role in safeguarding the Orchard on Broadmoor Lane as a public open space. FOTO welcomed and oversaw the recent land transfer of the Orchard from its previous owners Redcliffe Homes to its current owner Bath Recreation Limited, and FOTO successfully engage with the owners to promote positive landscape management of the public open space. Through FOTO, the Orchard at Broadmoor Lane consistently ranks highly in the Royal Horticultural Society's *It's Your Neighbourhood* award scheme, thanks to longstanding, positive community engagement. The objection letter mistakenly refers to FOTO 'relinquishing management' of the Orchard site to its current owner, and implies that FOTO would wish to 'look after [the Ealeys'] site'; it is not the intention of FOTO to manage or adopt the Westbrook Woodland site.

The intention of this application is to present evidence on the longstanding public access to the site and the community's wish for this to continue.

2. BREADTH OF USE BY THE COMMUNITY

The objection mistakenly states that evidence of public access to Westbrook Woodland relates to 'mainly dog walkers who allowed their dogs to [foul]' on the site (Extract 2). The objection discounts evidence from several individuals on the basis that it is submitted by a 'disgruntled dog owner'.

We have reviewed the evidence carefully, and found that the community has enjoyed a broad range of uses for Westbrook Woodland. Amongst the 146 evidence questionnaires submitted with the application, a minority (40) were from dog-walkers – accounting for only 27% of users of the site who submitted evidence questionnaires. Of these 40, there were no dog walkers who reported using the site exclusively for dog-walking.

As noted in the original submission, respondents reported a wide range of activities in which they had participated (from page 12, point 10 of original supporting documentation):

Picnics Meditation Community events Birthday parties Bicycling Paddling Investigating Exploring Nature watching Litter picking Nut collecting	Pooh Sticks Learning flora and fauna Peace and quiet Collecting Wreath making Rock hunting Archaeology Camping Stream watching Being awed by large trees	Clay-pot making Outdoor challenges Hide and seek Water experiments Dam building Brook jumping Bat-tracking Animal tracking Welly walks Visit mini nature reserve	Circuit training Creepy crawlies Relaxing Watching grand-children play Exercise De-stressing Hammock building Blackberrying Kicking leaves Rope swings
---	---	---	---

The basis of this objection concerning dog-walkers can therefore be rejected as groundless. Furthermore, signs on public rights of way in the area relating to dog-fouling have no bearing on this application; they reflect a positive initiative by Weston Litter Group and other community-minded dog-walkers to engage with B&NES Council to keep this popular area as tidy as possible.

We would like to further emphasize that users of Westbrook Woodland are drawn to the site due to their appreciation of the space as a beautiful and tranquil natural setting. The space is highly valued by the people who visit it. The evidence previously submitted attests to this appreciation; we include an additional photo below taken by one visitor (Mick Jones, 12 Westmead Gardens) which illustrates the natural beauty of the location.

Figure 1. Image of Westbrook Woodland



3. BREADTH OF EVIDENCE OVER TIME

The objection implies that the application is “all about what has happened at the site in the last 10 years”, and discounts the evident breadth of use over time which extends over 60 years. Specifically, the objection challenges the application based on the fact that some of the evidence was submitted by individuals who have lived in the area for less than 20 years.

We note that the satisfying criteria for a 20 year period of use for a Town/Village Green is not use by given individuals, but instead *cumulative* use by a community. The evidence submitted for the Westbrook Woodland easily satisfies this condition for breadth of use over time. This includes many long-term residents. Of the evidence submitted in the original application, the length of time the land has been used by individuals can be summarised as follows:

Length of Time Used	% of total
<10 years	33%
10-19 years	53%
20+	14%

The testimony during the relevant 20 year period (Nov 1998 – Nov 2018) includes evidence of use during the period in which ponies/horses were temporarily pastured at the site. We note that having ponies/horses on the site does not preclude access or use of the site.

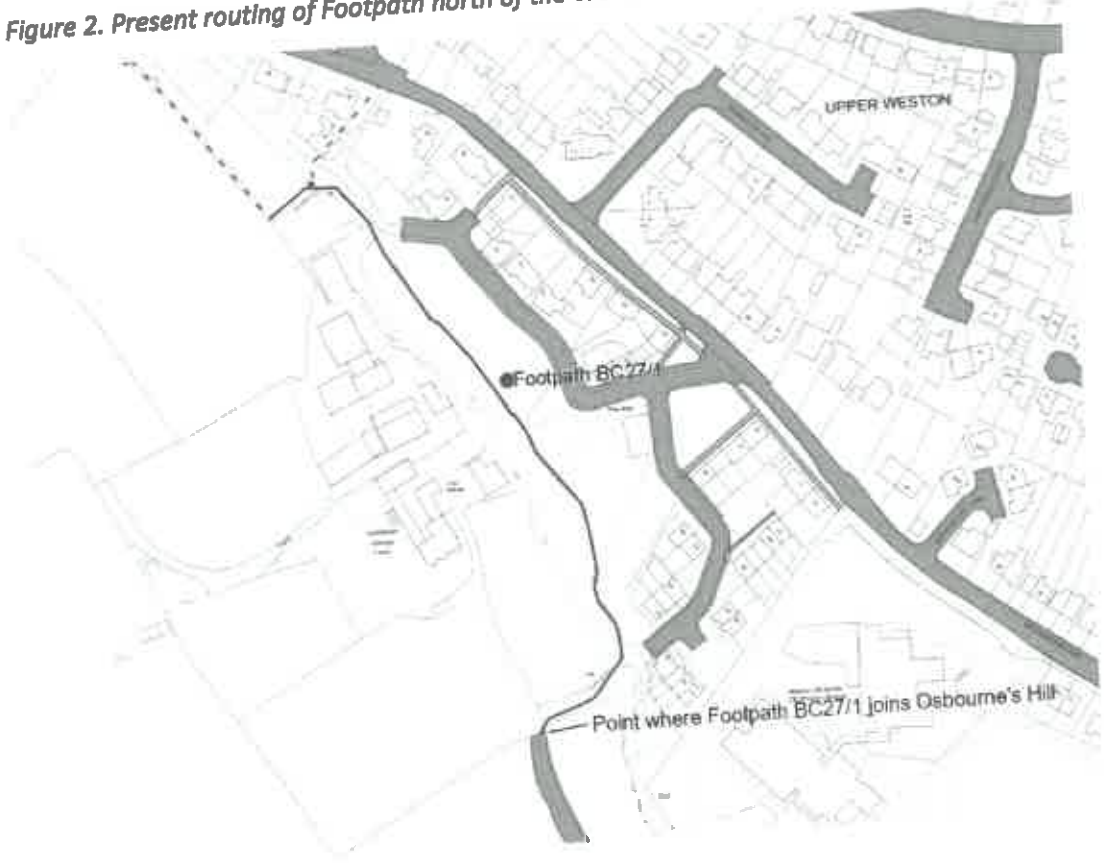
4. ACCESS TO THE SITE

We acknowledge that there is no formal, legally-defined public access point to the site – this is in fact the basis for the present application to register public access rights. We stand by our original assertion that the site was freely accessed until November 2018 through a number of points, including the weir (at the boundary with the Orchard public open space) and through gaps in the hedge along Osborne’s Lane (which is a public right of way). The supporting evidence within this application attests to the ease of access to the site. The land was not fenced off during the period of use attested in the application, as it was only fenced off in November 2018.

Please note that the photographic evidence of fencing along Osborne’s Lane reflects the work of the current owner, done after 2 November 2018, when public access was cut off. We acknowledge that the site is currently secure, and note that the fencing, barbed wire and other reinforcements along the brook and along Osborne’s Lane are recent additions (after 2 November 2018) and do not relate to the period of time under consideration in this application. The basis for this application is the twenty year period preceding November 2018.

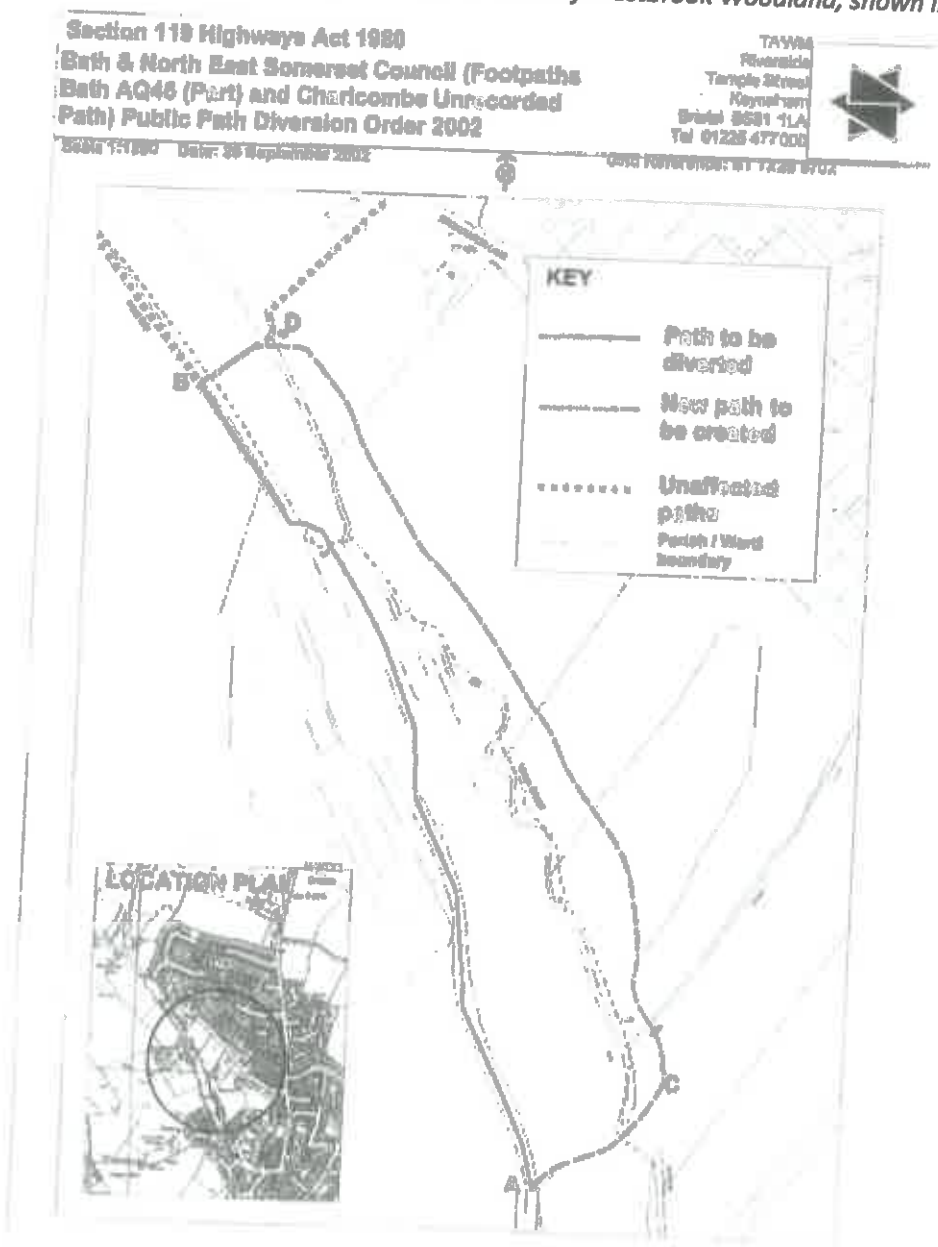
The objection makes reference to installation of the footbridge to the north of Westbrook Woodland at the time of the housing development at the Orchard on Broadmoor Lane. As illustrated below, the present routing of Footpath BC27/1 skirts the northern tip of Westbrook Woodland, via a footbridge crossing the West Brook.

Figure 2. Present routing of Footpath north of the Westbrook Woodland



Please note that prior to installation of the footbridge (approx. 2002), the previous routing of the footpath also allowed access from the north of the site, going from Broadmoor Lane directly through Lansdown Grange Farm (with an upstream crossing north of the farm) rather than over the new footbridge. This is shown below in Figure 3, with the diversion order which was made on 13th November 2002 and which came into effect on 19th November 2003 when the Authority confirmed the order. The original alignment of the public footpath is shown by a solid black line on the map which forms part of the order.

Figure 3. Original routing of Footpath north of Westbrook Woodland, shown in solid black line



Therefore, access to Osborne's Lane via Broadmoor Lane existed both before and after installation of the footbridge, so this change in routing of the footpath is not directly relevant to the present application. The evidence submitted in the application by long-term residents corroborates this pattern of access which predates the 2002 development.

62

For access from the south of Westbrook Woodland, Osborne's Lane permits direct access to the site and has been wholly unaffected by housing development in the area. Osborne's Lane is a public right of way and residents from Weston Village have enjoyed longstanding access to the site from Osborne's Lane via Dean Hill/High Street.

We therefore discount as false the assertion in the objection that there was an 'impenetrable boundary to the Site prior to the footpath being diverted and the bridge being erected to the West of the site.' The bridge does not make the land more accessible than it was before; the fencing and barbed wire installation only occurred after 2 November 2018; the land was freely accessible for the twenty years prior to November 2018.

We do not deny that the formal access to the site was the gate on Osborne's Lane; however, there is considerable evidence for the use of informal access points as described in the TVG application.

5. SIGNAGE AT THE SITE

Just as the photographic evidence of fencing reflects the work of the current owner (done after 2 November 2018), the signage at the site described in the objection letter (specifying 'keep out', 'private property', etc) is also a recent addition (after 2 November 2018) and does not relate to the period of time under consideration in this application. The basis for this application is the twenty year period preceding November 2018, and users of the site over this period have given substantial evidence that no signage was present during this timeframe. This is corroborated by evidence statements submitted with the objection (i.e. Michael Wiltshire answers that "only recently" has signage been present; Kaye Brown states "no signs").

For the period of time under consideration (twenty years preceding November 2018), we know of no evidence of signage to indicate that Westbrook Woodland was private property. Indeed, we note that in the photographs submitted with the objection, there is no signage present on the five-bar gate, despite the objection letters (e.g. from Matthew Davies) stating that the gate has this signage.

We acknowledge receipt of the set of two undated photos of horses in a field (received 7 August 2019, following the original objection letter) which purport to show evidence of signage relevant to this Village Green application. If these photos were taken at the site in the twenty years preceding November 2018, then these photos would contradict our evidence that there was no signage during the relevant twenty year period. However, it is not clear when these photos were taken, and the fact that the landscape is so different to the present day suggests these photos are considerably older than twenty years. In present day, the land is a well-established woodland while in the photo the land is bare, suggesting a significant time span. The heavy snow fall and apparent age of the photo would be consistent with a photo from circa 1980, or earlier – well before the twenty year qualification period for this Village Green application (1998-2018), and evidently beyond the memory of most local residents.

6. INCONSISTENCIES IN SUPPORTING EVIDENCE FOR THE OBJECTION

We are concerned at the contradictory statements in the evidence submitted as part of the objection. For example, one statement asserts that the stabling of horses occurred on the site "forever" (Matthew Davies), while others stated that stabling occurred for five years (Michael Wiltshire) or ten years (S Hook). It is therefore unclear from the evidence which years the stabling took place, and for how long.

Furthermore, we question the recollections in the supporting statements for the objection, which call into question their reliability. For example, the statement from Colin Barrett asserts that The Orchard was designated as a Village Green in 1999; it is a matter of public record that the Orchard has no such designation. (Mr Barrett mentions Andy Stewart as being involved in the Orchard Village Green, and we include a statement from Andy Stewart in Appendix A which challenges Mr Barrett's assertions.) Similarly, given the clear evidence of a public right of way along Osborne's Lane (as described in section 4), there is no basis for the claims in the objection letters that that siting of the land was beyond the reach of residents prior to the installation of the new footbridge.

7. CONCLUSION

The weight of evidence supports the claim of our community that it has enjoyed unrestricted access to Westbrook Woodland for recreational purposes over a twenty year period which ended in November 2018.

Contrary to assertions that the public access to Westbrook Woodland was initiated in the last ten years by newcomers to the area via a newly installed footbridge, we have presented robust evidence that this pattern of use by the community extends over several decades, and did not rely on the new footbridge; when new residents accessed Westbrook Woodland for recreational purposes, they were adopting a pattern of use which was already well-established by long-term residents. Please see the additional evidence presented in Appendix A, which provides testimony from a long-term resident alongside testimony from more recent members of the community. Please further note that as indicated in Appendix C, the users of Westbrook Woodland are drawn from across the local vicinity – contrary to claims in the objection letters (e.g. Matthew Davies) which state that use was restricted to residents from the Redcliffe Homes development on Broadmoor Lane. Of the 167 users recorded in Appendix C, only 20 live in the 37 homes built on Broadmoor Lane in 2002 (this new development has odd numbered Broadmoor Lane addresses from 15-87).

We note that having horses at the site does not preclude public access, and any evidence of restricting public access falls outside of the relevant 20 year period (i.e. the undated photo, which appears to have been taken much earlier than 1998).

Finally, we note that in the recent (24 April 2019) Development Management Committee meeting at B&NES Council, the agent speaking on behalf of the landowner of Westbrook Woodland relayed that that the new – and now permanent – woodland Tree Preservation Order at the site would make it 'sterile' for development. By this understanding, now that development of the site is deemed impossible, we hope that this Town/Village Green application affirms to the landowner the possibility for alternative recreational uses of the site, and we welcome the opportunity to engage with the landowner for the benefit of the community.

APPENDIX A – ADDITIONAL EVIDENCE IN SUPPORT OF TVG19/1

9 Haviland Grove
Weston
Bath BA1 4JP

11th February 2019

Dear Sirs,

I was shocked when walking in Osborne Lane recently to see that the small wooded area between the lane and the Westbrook stream, which has been effectively common land for around 50 years or more, has now been shut off to the public and declared private. Furthermore the way in which it has been done, with high, ugly fencing is totally out of character with the area and an offensive eyesore in this peaceful area of natural beauty. The fencing even looks unsafe, leaning dangerously towards the road and forcing pedestrians out into the already narrow lane. It is likely to cause an accident and even looks like it could even fall on somebody!

I used this wooded area as to play in as a young child and on family walks and picnics in the early 70s and have many happy childhood memories associated with the stream and these woods. Later, as a teenager, the woods and stream area were used as an adventure playground with friends and for walking the dog.

I have continued to use this path for dog walking with family and friends and as a way of walking to the village, avoiding the busy fast traffic of Lansdown Lane which, in recent years, has also become very polluted at busy times. The wooded area beside the stream provides a much safer and pleasant alternative to that part of Osborne Lane which is narrow and difficult to pass cars, delivery lorries and tractors. During all this time I have witnessed many families happily playing or picnicking in this area which had public access during the entire period.

Access was originally via stepping stones across the stream from the old orchard as well as from what is now called Osborne Lane, providing a natural and pleasant through walking route to Weston village from the Broadmoor Lane area where I grew up. In more recent years access from Broadmoor Lane has been via a pedestrian bridge but, with the stepping stones, it has been used a play area for children and a footpath to Weston Village for around 50 years or more.

During that time we have seen many large developments in the area taking up green fields and tree lined areas and turning them into housing or other developments:

- The Leighton road development taking up many green fields and natural hedgerows
- the old orchard and adjacent fields and market gardens turned over to housing
- the field adjacent to the school taken up completely by a large school expansion
- other housing developments at Kinber Close, Broadmoor Vale, Symes Park and Westbrook Park all taking up green fields, woodlands or other areas used by children to play

The area has changed beyond recognition with so many natural facilities removed from residents use including unique childhood memories and wonderful places for the current generation of children to play and for families to spend quality time together, naturally and healthily. With the unacceptable congestion and current, probably illegal, levels of pollution around Lansdown Lane and the High Street at busy times, this area provides an essential amenity and alternative pedestrian route for local families, away from traffic and pollution.

With all that has been taken away from the area in the last 50+ years, and the increased number of young families moving in, this wooded area beside Westbrook stream, which has been effectively common land for at least 5 decades, should be preserved for local people to use. To lose it would be a huge loss of facility for those living in the area, especially now with increased numbers of families and increased traffic congestion and pollution levels in the area.

This facility must be preserved for the public. Please formalise its status as common land or village green. Do not allow yet another natural facility to be taken away from people in the area and probably end up built on!

Thank you in advance for your consideration.

Yours Faithfully,

John Donaghy

John.donaghy59@gmail.com

**EVIDENCE QUESTIONNAIRE
IN SUPPORT OF AN APPLICATION TO DESIGNATE THE WESTBROOK
WOODLAND AT OSBORNE'S LANE (BATH) AS A VILLAGE GREEN**

Name	ELIZABETH GLEWITT		
Address	47 NIMMER RD, BATH		
Postcode	BA1 4LW	Telephone No.	01245 372021
Email address	elizabeth.glewitt32@gmail.com		
(1) Your address when you used the land (answer "as above" if the same)			
AS ABOVE			
(2) Have you signed the map on page 5 confirming it relates to this evidence provided by you?			<input checked="" type="radio"/> Yes <input type="radio"/> No
(3) For how many years have you known the land? Please state the number of years below:			
6			
(4) Between which years did you use it? Please state the years below:			
From 2015		To 2018	
Then from		To	
(5a) By what, if any, name is the land shown on page 5 known?			
WESTBROOK WOODLAND			
(5b) Has it ever in your knowledge been known by any other name? If so, what name?			
DON'T KNOW			
(6) Do you live within "the locality" within (6a) OR (6b)?			
(6a) the electoral ward of Weston - for instance, is your voting station the All Saints Centre or the Moravian Church?			<input checked="" type="radio"/> Yes <input type="radio"/> No
(6b) Charlcombe Parish - for instance, in roads such as Westbrook Park and Westmead Gardens?			Yes / <input checked="" type="radio"/> No
(7) Do you consider yourself to be a local inhabitant in respect of the land?			Yes / No
(8) Where do the people who use the land come from?			
WESTON AND CHARLCOMBE			

(9) What recognisable facilities are available to the inhabitants of the locality (the combined area of Weston electoral ward and Charlcombe parish)? Please tick all boxes that apply and add any OTHER additional matters not covered.

<input checked="" type="checkbox"/> school catchment area	<input type="checkbox"/> neighbourhood watch
<input type="checkbox"/> area policeman	<input checked="" type="checkbox"/> war memorial
<input checked="" type="checkbox"/> doctor's surgery	<input type="checkbox"/> local church or place of worship
<input checked="" type="checkbox"/> community centre/hub	<input checked="" type="checkbox"/> scout hut
<input checked="" type="checkbox"/> local shops	<input checked="" type="checkbox"/> community festival
<input checked="" type="checkbox"/> other (please state) LIBRARY, HOSPITAL	<input checked="" type="checkbox"/> other (please state) WOOD PLOTS, AMUSEMENTS COMMUNITY GARDENS

'AS OF RIGHT': HAS THE USE OF THE LAND BEEN WITHOUT PERMISSION, SECRECY OR FORCE?

(10) To your knowledge are there any public paths crossing the land? Yes / No

(11) How do/did you gain access to the land on the times that you have used it?
THROUGH GAPS BETWEEN THE TREES

(12) Do you know who the owner/occupier of the land currently is? Yes / No

(13) During the time that you used the land, did you know who the owner/occupier of the land is/was? Yes / No

(14a) Has the owner/occupier seen you on the land? Yes / No

(14b) If 'yes' to the question above, what did the owner/occupier say to you? When was that?

(15a) Was permission ever sought by you for specific activities on the land? Yes / No

(15b) If 'yes' to the question above, please state from whom, when and the reason

(16a) Did anyone ever give you permission to go onto the land? Yes / No

(16b) If 'yes' to the question above, please state when and the reason

(17a) Have you ever been prevented from using the land?

Yes No

(17b) If 'yes' to the question above, please state when and the reason

(18a) Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by local people?

Yes No

(18b) If 'yes' to the question above, please state when (dates) and the wording of any notices.

NOVEMBER 2013 TO PRESENT ; "PRIVATE PROPERTY KEEP OUT"

LAWFUL PASTIMES

(19) Why do/did you go onto this piece of land?

TO WALK IN THE WOODLAND

(20) How often do/did you use the land?

A FEW TIMES A YEAR

(21) What activities do/did you use the land for?

WALKING AND WATCHING BIRDS AND OTHER WILDLIFE

(22a) Does your family use the land or have they done so in the past?

Yes No

(22b) If so, what for?

WALKING AND WATCHING BIRDS AND OTHER WILDLIFE

(23a) Did you see other people using the land?

Yes No

(23b) Were they from the locality?

YES

(24a) Do you know of any community activities that take place or have taken place on the land?

Yes No

(24b) If so, please list them and state when and for how long they have taken place

BUT NEVER IN 2013/14

(24) Do you participate in any of them? Yes / No

(25) Do you know of any organisations that use the land for activities? If so, please specify

(26a) Do any seasonal activities take place on the land? DON'T KNOW Yes / No

(26b) If so, please list them

- (27) Please tick all the activities that you have seen taking place on the land
- | | |
|--|--|
| <input checked="" type="checkbox"/> children playing | <input type="checkbox"/> conkering |
| <input checked="" type="checkbox"/> dog walking | <input type="checkbox"/> community events |
| <input type="checkbox"/> picnicking | <input checked="" type="checkbox"/> tree climbing |
| <input type="checkbox"/> meditation | <input type="checkbox"/> birthday parties |
| <input checked="" type="checkbox"/> bird watching | <input checked="" type="checkbox"/> bicycle riding |
| <input checked="" type="checkbox"/> jogging | <input checked="" type="checkbox"/> walking |
| <input checked="" type="checkbox"/> playing in the brook | <input type="checkbox"/> other (please state) |
| <input checked="" type="checkbox"/> building forts/dens | |

(28a) Do you have any photographs or any other evidence of use of the land? Yes / No

(28b) Are you willing to lend them to us? Yes / No

(29) Do you have any additional information you would like to attach as a separate statement? Yes / No

(30) If you have knowledge of others who may be in a position to complete an evidence form, could you please write their names and addresses upon the reverse of the form. Yes / No

(31) I have carried on the activities referred to in this questionnaire for years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin. Yes / No

(32) I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application. Yes / No

(33) I also understand that this evidence may be presented at a court-statutory inquiry and I authorise the applicant to use this form for that purpose. Yes / No

Signed [Signature] Date 20/03/2019

Please return this questionnaire to 81 Broadmoor Lane by 1st July 2019. Thank you!

I've lived in the area for six years and walk past the woodland most days, as it's a lovely route to take into Weston village. Before the woodland was sold and fenced off, I'd sometimes take the path through the woodland. The woodland is home to lots of birds and other wildlife, including foxes and bats, which I've seen at dusk flying in and out of the trees. It's also somewhere we've visited as a family with our young son, who we hoped would one day be able to enjoy the woodland for all kinds of adventuring, just as we used to see the kids in the area do, before it was fenced off. One particularly memorable occasion was during the snow in March 2018 when our son was just a few months old, so it was his first experience of snow. We walked through the woodland, which looked more beautiful than ever (see attached photo). I hope the woodland will be preserved both for it's ecological importance and as a place for many future generations of local residents to enjoy, just as previous generations have done for decades.

Elizabeth Elliott

Elizabeth Elliott, 49 Napier Rd, 30/05/2019



Elizabeth Elliott, 49 Napier Rd

Elizabeth Elliott

**EVIDENCE QUESTIONNAIRE
IN SUPPORT OF AN APPLICATION TO DESIGNATE THE WESTBROOK
WOODLAND AT OSBORNE'S LANE (BATH) AS A VILLAGE GREEN**

Name	PAUL EBBON		
Address	4A NAPIER ROAD BATH		
Postcode	BA1 4LW	Telephone No.	07746 652930
Email address	p.ebbon1@gmail.com		

(1) Your address when you used the land (answer "as above" if the same)

AS ABOVE

(2) Have you signed the map on page 5 confirming it relates to this evidence provided by you? Yes

(3) For how many years have you known the land? Please state the number of years below:

6

(4) Between which years did you use it? Please state the years below:

From 2013 To 2018

Then from To

(5a) By what, if any, name is the land shown on page 5 known?

WESTBROOK WOODLAND

(5b) Has it ever to your knowledge been known by any other name? If so, what name?

DON'T KNOW

(6) Do you live within "the locality" within (6a) OR (6b)?	
(6a) the electoral ward of Weston - for instance, is your voting station the All Saints Centre or the Moravian Church?	Yes <input checked="" type="checkbox"/>
(6b) Charlcombe Parish - for instance, in roads such as Westbrook Park and Westmead Gardens?	Yes/ No <input checked="" type="checkbox"/>

(7) Do you consider yourself to be a local inhabitant in respect of the land? Yes

(8) Where do the people who use the land come from?

WESTON AND CHARLCOMBE

(9) What recognisable facilities are available to the inhabitants of the locality (the combined area of Weston electoral ward and Charlcombe parish)? Please tick all boxes that apply and add any OTHER additional matters not covered.

<input checked="" type="checkbox"/> school catchment area	<input checked="" type="checkbox"/> neighbourhood watch
<input type="checkbox"/> area policeman	<input checked="" type="checkbox"/> war memorial
<input checked="" type="checkbox"/> doctor's surgery	<input checked="" type="checkbox"/> local church or place of worship
<input checked="" type="checkbox"/> community centre/hub	<input checked="" type="checkbox"/> scout hut
<input checked="" type="checkbox"/> local shops	<input checked="" type="checkbox"/> community festival
<input type="checkbox"/> other (please state)	<input type="checkbox"/> other (please state)

'AS OF RIGHT' - HAS THE USE OF THE LAND BEEN WITHOUT PERMISSION, SECRECY OR FORCE?

(10) To your knowledge are there any public paths crossing the land? Yes No

(11) How do/did you gain access to the land on the times that you have used it?
THROUGH GAPS BETWEEN TREES AND IN HEDGECUTS

(12) Do you know who the owner/occupier of the land currently is? Yes No

(13) During the time that you used the land, did you know who the owner/occupier of the land is/was? Yes No

(14a) Has the owner/occupier seen you on the land? Yes No

(14b) If 'yes' to the question above, what did the owner/occupier say to you? When was this?

(15a) Was permission ever sought by you for specific activities on the land? Yes No

(15b) If 'yes' to the question above, please state from whom, when and the reason

(16a) Did anyone ever give you permission to go onto the land? Yes No

(16b) If 'yes' to the question above, please state when and the reason

(17a) Have you ever been prevented from using the land? / No

(17b) If 'yes' to the question above, please state when and the reason.

(18a) Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by local people? Yes

(18b) If 'yes' to the question above, please state when (dates) and the wording of any notices.
MAY 2013 TO PRESENT.

LAWFUL PASTIMES

(19) Why do/ did you go onto this piece of land?
TO WALK IN THE WOODS AND

(20) How often do/ did you use the land?
A FEW TIMES A YEAR

(21) What activities do/ did you use the land for?
WALKING

(22a) Does your family use the land or have they done so in the past? Yes

(22b) If so, what for?
WALKING

(23a) Did you see other people using the land? Yes

(23b) Were they from the locality? YES

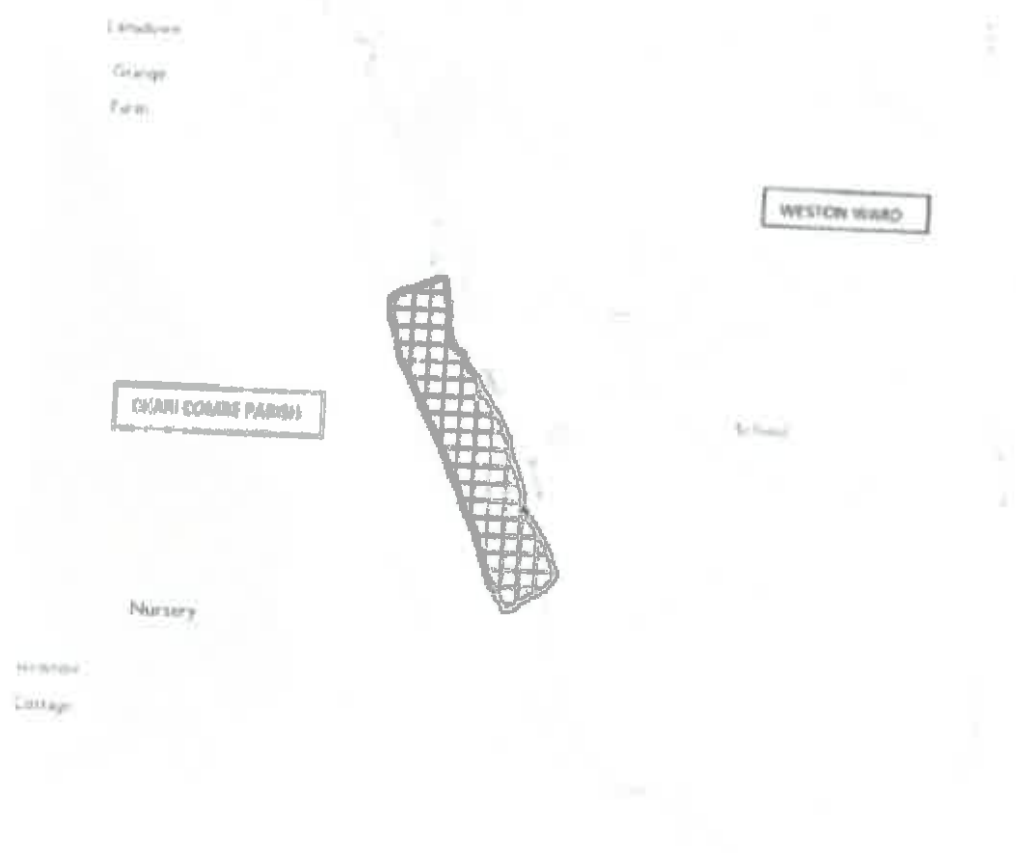
(24a) Do you know of any community activities that take place or have taken place on the land? Yes

(24b) If so, please list them and state when and for how long they have taken place.
SAT 12/2/13 IN 2013/14

(24c) Do you participate in any of them?	Yes / No
(25) Do you know of any organisations that use the land for activities? If so, please specify.	
(26a) Do any seasonal activities take place on the land?	Yes / No
(26b) If so, please list them.	
(27) Please tick all the activities that you have seen taking place on the land.	
<input checked="" type="checkbox"/> children playing	<input type="checkbox"/> conkering
<input checked="" type="checkbox"/> dog walking	<input type="checkbox"/> community events
<input type="checkbox"/> picnicking	<input type="checkbox"/> tree climbing
<input type="checkbox"/> meditation	<input type="checkbox"/> birthday parties
<input checked="" type="checkbox"/> bird watching	<input checked="" type="checkbox"/> bicycle riding
<input checked="" type="checkbox"/> jogging	<input checked="" type="checkbox"/> walking
<input checked="" type="checkbox"/> playing in the brook	<input type="checkbox"/> other (please state)
<input type="checkbox"/> building forts/dens	
(28a) Do you have any photographs or any other evidence of use of the land?	Yes / No
(28b) Are you willing to lend them to us?	Yes / No
(29) Do you have any additional information you would like to attach as a separate statement?	Yes / No
(30) If you have knowledge of others who may be in a position to complete an evidence form, could you please write their names and addresses upon the reverse of the form.	Yes / No
(31) I have carried on the activities referred to in this questionnaire for years without anybody trying to stop me and I believe the activities should be treated by the law as having a lawful custom.	Yes / No
(32) I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this information.	Yes / No
(33) I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.	Yes / No

Signed P. Lopez Date 29/05/2019

Please return this questionnaire to Hf Broadmoor Lane by 1st July 2019. Thank you!



I confirm that the area indicated by cross-hatching above is the land which I refer to in my evidence.

Signed P. [Signature] Date 29/05/2017

Having lived in the local area for six years, my route to Weston village always takes me past and (before it was fenced off) sometimes through the Westbrook woodland. It was always a pleasure to cut through on the pathway through the woodland to experience the running brook and the wildlife that has found a haven there, particularly the birds and bats. My wife and I have walked through with our son since he was just months old, on one occasion giving him a first taste of nature under a blanket of snow. We hope he will be able to enjoy playing in the woodland as he grows up, just as we have seen so many children from the local area doing during the years we have been here - and as they have done for decades.

Paul Robson, 49 Napsir Road, 29/05/2019



9th August 2019

To whom it may concern.

I write regarding the application by the Friends of the Orchard to register Westbrook Woodland as a Town or Village Green and the objection to the same submitted by the present owner, Mr P Ealey.

I was born in August 1967 in Bath and spent my childhood years living with my parents at their home in Southdown. My uncle and aunt, Nigel and Liz Cann, lived in Leighton Road next to one of the objectors, Mr Barrett. They had 3 sons of similar ages to me and my siblings and between the years 1975-1980 I used to regularly visit their home with my sister and brother and together we would explore and play in the local area including the woods alongside the West Brook. I have therefore known the site for the last 45 years. We called the land "the woods". I remember the land as being open and accessible, and we saw other children playing there, quite possibly including Mr Ealey himself, and adults. We used to walk through the woods to get to the village centre and the Recreation Ground and we used to play there – we'd build dens, climb trees or just play games like 'hide and seek'. On the other side of Bath, near my parent's home, we'd play in woods below Corston View. I now know that the woods in Weston were privately owned and the woods near Corston View were owned by the Council; as children we of course knew nothing of 'ownership' – our use of both woods was the same. My uncle and aunt and their family moved to the Forest of Dean in around 1980 (where they had an even bigger area of woodland to play in!), my family and I still had friends who lived in Weston, and we occasionally used to walk there but less frequently.

Then, in 1997 I moved to 101 Broadmoor Lane with my wife - I knew the house well having played in and around it as a child with my cousins, and lived there with my wife and daughters until 2015. The property is one of six cottages that sit astride the West Brook. It is approximately 800m from the land in question.

In 1997, my wife and I became active members of the local community and joined the local Residents Association who were at that time campaigning to save the Orchard as at that time it was threatened with development. I later joined the Committee and became Secretary at the time we submitted an application to register the land as a Town or Village Green. Mr Colin Barrett mentions in his evidence that he was Chairman, and this was at the same time I was Secretary.

Mr Barrett says in his evidence that the Town or Village Green status for the Broadmoor Lane Orchard "was granted in 1999". In fact our application was not successful, because, at that time it was impossible to successfully claim any area in an urban locality since the locality could not be defined. The law was subsequently changed (with our case being mentioned in the debate in the House of Lords) but it was too late for the Orchard to benefit from this, and the land was developed, with 37 homes built. I am surprised that Mr Barrett does not remember this.

I have two children of my own, Daisy (born 1997) and Mary (born 2000). One of the reasons that we chose to live in the area was its proximity to the Cotswolds Area of Outstanding Natural Beauty, with Weston sitting literally tucked under the edge of the Cotswolds escarpment, and lots of walks in the area including the internationally famous Cotswolds Way long-distance path. Broadmoor Lane itself has an interesting history, very probably being the route of the Roman Road 'Via Julia' which branched off the Fosse Way and headed to Aust on the banks of the River Severn where ferries would have crossed to Wales.

We used to walk in the area very regularly, the footpath at the end of the Westbrook Cottages terrace (furthest from the road) used to go under the end cottage through an arch. It led to Lansdown Grange Farm and past the Westbrook Woodland. We walked through the woods on many,

78

many occasions, the girls used to play in the stream, we'd collect blackberries in the summer and conkers in the autumn. We'd often see other local children and adults using the land. We were never challenged.

I mentioned that I was active in the local community. I used to organise community events under the auspices of the Broadmoor Lane Residents Association in the Orchard and elsewhere – these included Apple Days, Wassails, Local History Walks, a Bat Hunt, Owl Prowls and litter picks. Whilst these were centred on the Orchard we regularly used to use the adjacent land at Westbrook Woodland.

At some point, I cannot remember when, I became aware that the land that is today known as Westbrook Woodland had been bought by or was already owned by Gerald Hook. Mr Hook lived at Aldermead, a property in Charlcombe Parish at the very far end of Broadmoor Lane, he was involved in the construction industry and was friends with John Osborne (who I mention below). John told me that Mr Hook knew it was being used by the public and did not object to this. Certainly at no time did I ever see any signage to discourage or prevent the public from accessing the land.

Through my involvement with the Residents Association I also became involved with Charlcombe Parish Council, the Chairman at that time being Mr John Osborne, Farmer, who resided at Lansdown Grange Farm. John was a remarkable character, he wrote and performed poetry, and sang, he raised a great deal of money for charity and was rightly recognised for this being awarded an MBE. We became good friends and I got to know his wife, Rosie and his sons and their families. His son Michael now lives at the farm. I note that Michael has objected to the application – I am surprised at this and explore his motivation below.

Through my involvement with the Residents Association and the Parish Council and as a result of representing them at the Public Inquiry into the Residents Associations application to register the Orchard as a Town or Village Green I of course became very aware of that legislation and the requirements and standards to be met in order to claim an area of land as such. It is my opinion, having knowledge of the land, and use of the land by the community from 1997-2015, I believe that the application for Westbrook Woodland meets the requirements of a Town or Village Green, and that this application by Friends of the Orchard should be accepted.

I would also question the motivation of the objectors, who have personal connections to the present landowner, Mr Ealey. Mr Barrett and Mr Davies were previously Conservative Councillors for Weston Ward and it was reported in the local press that the former Conservative leader of the Council, Mr Tim Warren accepted hospitality from Mr Ealey and was seen in his private box at Bath Rugby matches. The other objectors include Mr Ealey's son, and the previous owner of the land and none of whom can be considered to be impartial. Their 'evidence' certainly cannot be relied upon.

In my opinion, the fencing of the land by Mr Ealey was done in a particularly confrontational and intimidating manner, with barbed wire used as a deterrent for children and families. It appears to me that this was because Mr Ealey was fully aware that the woodland was being used by the public for the purposes set out in the application.

Sincerely,

Andrew Stewart

25 Georgian View

Kingsway

Bath BA2 2LZ

APPENDIX B – CONSTITUTION OF FRIENDS OF THE ORCHARD AT BROADMOOR LANE

Friends of The Orchard at Broadmoor Lane Constitution

1. NAME

The name of the group will be "Friends of the Orchard" (FOTO).
The land referred to as "The Orchard" comprises that area defined by and subject to a deed of sale between Redcliffe Homes Ltd and Bath Recreation Limited (henceforth known as Bath Rec).

2. AIMS

To form an inclusive and welcoming volunteer group who celebrate the value of The Orchard, and who understand and can represent the needs of the community who use this unique resource. We will help steer the direction of the open space and encourage community participation and environmental responsibility. Specifically, we aim to protect and enhance The Orchard as:

- a recreational space for the community, including for play, relaxation and leisure
- a natural space valued for its heritage orchard and ecology
- a social space valued for enhancing community cohesion, empowerment and skills development
- a safe environment for those living next to and visiting the site

3. OBJECTIVES

1. We will organise community involvement at The Orchard, including community events, volunteering opportunities and other activities: for example, an annual Apple Day and Wassail, and occasional events such as picnics, litter picks, nature walks and local history projects.
2. We will promote positive landscape management of the space to encourage play, wildlife & amenity value through volunteer work days, information sharing and events.
3. We will work collaboratively with the landowners and act as their "eyes and ears" and entry point for exchange of information with the community.
4. We will work to minimise any potentially adverse impacts on the Orchard or the Community's enjoyment of the Orchard arising from planned change in use of land or property along its boundary.

4. POWERS

The group shall have the power to affiliate to any organisation, body or cause whose objectives support those of FOTO as outlined in this constitution.

5. GROUP COMPOSITION

The group of people forming the committee of FOTO shall be open to anyone over the age of 18, irrespective of background (e.g. nationality, gender, race) or belief (e.g. political, religious), to all persons falling within the conditions below:

1. It is proposed there will be a Chair, Secretary, Treasurer + SIX others with FIVE forming a quorate committee.

- 80
2. (At least) SIX of the members must be resident within a half mile radius of the playground area within The Orchard.
 3. The Chair will be the main point of contact for Bath Rec.
 4. The landowner may nominate ONE person to be co-opted to FOTO committee (see Section 7 below). The purpose of the co-opted member will be to aid communication and decision making between the landowner and FOTO.
 5. We will establish a pool of volunteers for the committee who have the right mix of skills and knowledge required over time.
 6. No two or more members shall be elected from the same household.
 7. It is proposed that each executive member of the committee (Chair, Secretary, Treasurer) shall occupy that post for no more than 3 years at a time. Each executive member may then offer service for a further 3 years subject to a maximum tenure of 6 consecutive years. This will be voted upon at a "general meeting and carried by a majority vote." The candidate is ineligible to vote.
 8. Vacant positions will be advertised via newsletter or similar mass communication targeting the local area. Potential candidates will be asked to complete a simple application explaining why they seek the role, their credentials in doing so including their skills, knowledge and competencies. The Committee will consider each applicant on their merits and may call the person to a more formal interview with the Chair and TWO other members who will make a recommendation to other committee members for voting purposes.
 9. Names of committee members will be notified to all residents of Broadmoor Lane and the immediate vicinity via newsletter and a request will be made for people who wish to raise any objections to any proposed committee members to voice their concern and reasoning to the committee. If this is not immediately addressed then advice will be sought from Bath Rec to give a final view.

6. COMMUNITY REPRESENTATION

FOTO is an unincorporated group of volunteers who see it as essential to consult with our community on key decisions. We will use an appropriate range of communication channels over time, including representation in person at community events, as well as written communication in electronic and hardcopy form. Information and updates will be sent to all members of our electronic mailing list. The contact details for joining our electronic mailing list will be advertised broadly through our newsletter Broadmoor Views, and anyone may join the mailing list who wishes to do so. Our occasional newsletter will be delivered in hardcopy to homes in Broadmoor Lane and neighbouring areas in Upper Weston. Other communication channels include social media and our community website.

7. CONDUCT OF BUSINESS

The business of FOTO will be conducted by the committee as detailed in clause 4 above. It is a condition of the committee that members at all times conduct themselves in a reasonable manner at meetings or in premises used by FOTO. Any member may be excluded for breach of this condition, or for any other conduct contravening the objectives of the group as above.

Any member so excluded shall have no right of appeal.

8. COMMITTEE

The Committee shall meet as necessary and not less than FOUR times in each year. The Bath Rec representative will be invited to at least TWO meetings per annum and at those meetings at which

the agenda is relevant. Other Bath Rec representatives may request attendance as circumstance arise but neither will have voting rights.

A set of formal annualised Report and accounts will be brought to a Committee meeting once a year.

9. SPECIAL GENERAL MEETING

The Secretary shall call a Special General Meeting at the request of a majority of the Committee members, or on receipt of a written request by Bath Rec giving reasons for their request. The Secretary shall give not less than 14 days' notice of the holding of the Special General Meeting, which shall take place within 21 days of the receipt of the written petition.

10. NOTICE OF MEETINGS

Notice of all meetings where required shall be sent to each committee member of FOTO and shall include the date, time and place of the meetings, and an agenda of matters to be discussed.

11. SUB-COMMITTEES

The Committee may appoint such sub-committees as may be required to carry out the activities of FOTO. The terms or reference of a sub-committee shall be agreed in advance of it being formed and it will be directly responsible to the Committee.

Where any sub-committee is to continue in existence beyond the Annual General Meeting following its appointment, its members shall submit themselves for re-election at the meeting and annually thereafter.

The FOTO Committee or General Meeting may dissolve any sub-committee whereupon the accounts, records and assets (financial or otherwise) of the sub-committee will pass into the hands of the committee.

12. DUTIES OF OFFICERS

The CHAIR (or if absent the Vice-Chair or other Committee member) shall conduct the meetings of FOTO.

The TREASURER shall maintain a bank account in the name of the FOTO and keep proper records of the Association's income and expenditure. All cheques shall be signed by the Treasurer or their nominee and one other Committee member nominated by the Committee as signatories. The accounts may be audited by a non-member of the Association appointed by the membership at the Annual General Meeting. The Treasurer is also responsible for ensuring the group is appropriately insured to carry out its activities

The SECRETARY shall be responsible for ensuring that prescribed notice of meetings is given to the Committee members and to local residents, and shall ensure that a record is made of all key decisions at meetings, which shall be made available on request.

82

13. ALTERATIONS TO THE CONSTITUTION

Any proposal to alter the Constitution must be submitted to the Secretary not less than 28 days before the meeting at which it is to be discussed. Not less than 14 days' notice of any such meeting will be given, together with the working of the proposed alterations(s). Any alteration will require the approval of two-thirds of those present and voting at the meeting.

If the Committee (or if a full Committee no longer exists) any remaining members of the FOTO committee can decide that the FOTO Group may be dissolved, they shall give at least 14 days' notice to all remaining committee members and the community. For the sole purpose of dissolution a quorum need not apply and FOTO may be dissolved by a two-thirds majority of those present. Any assets, financial or otherwise remaining when the FOTO has satisfied its liabilities shall be applied for the purposes of benefit to the community as the meeting shall decide.

(adopted January 2018)

APPENDIX C: EVIDENCE SUBMITTED FROM THE FOLLOWING USERS OF WESTBROOK WOODLAND

	Name	Address	Ev. Qnr.	Stmnt
1	Peter Donaghy	1 Broadmoor Vale BA1 4LP		
2	Suzanne Donaghy	1 Broadmoor Vale BA1 4LP	yes	yes
3	Margaret Jo Donaghy	1 Broadmoor Vale BA1 4LP	yes	yes
4	Lesley White	22 Broadmoor Lane BA1 4JY	yes	yes
5	Brian White	22 Broadmoor Lane BA1 4JY	yes	yes
6	Laurence Moores	27 Broadmoor Lane BA1 4JZ	yes	yes
7	Fiona Moores	27 Broadmoor Lane BA1 4JZ	yes	yes
8	Suzanne O'Callaghan	1 Symes Park BA1 4PA	yes	yes
9	Lynne Gill	1 Nelson Villas, High Street BA1 4DH	yes	yes
10	103 Childcare - Emily White and Jane Gooding	Weston Hub, Penn Hill Rd BA1 4EH		shared
11	Andrew Podger	16 Lansdown Lane BA1 4LR		yes
12	Charlie Podger	16 Lansdown Lane BA1 4LR		yes
13	Sarah Chappell	16 Lansdown Lane BA1 4LR		yes
14	Blake Gill	1 Nelson Villas, High Street BA1 4DH		yes
15	Jo O'Donoghue	8 Kinber Close BA1 4LT		yes
16	Ava Moore	5 Beresford Gardens BA1 4NX	yes	yes
17	Alfie Moore	5 Beresford Gardens BA1 4NX	yes	yes
18	Gemma Moore	5 Beresford Gardens BA1 4NX	yes	yes
19	Dan Fox	17 Broadmoor Vale BA1 4LP	yes	
20	Jenny Kelly	10 Napier Road BA1 4LN	yes	
21	Lisa Loveridge	88 Broadmoor Lane BA1 4LB		yes
22	Sue Skinner	12 Napier Road BA1 4LN		yes
23	Stephen Skinner	12 Napier Road BA1 4LN	yes	yes
24	Katie Rawlings	12 Napier Road BA1 4LN	yes	yes
25	Sennen Dobson	135 Purlawent Drive BA1 4BE	yes	yes
26	Anna Harvey	11 Broadmoor Vale BA1 4LP		yes
27	Nicola Harvey	3 Broadmoor Vale BA1 4LP		yes
28	Hannah Grimes	3 Broadmoor Vale BA1 4LP		yes
29	Stuart Dobson	9 Broadmoor Vale BA1 4LP		yes
30	George Grimes	11 Broadmoor Vale BA1 4LP		yes
31	Alice Murphy	9 Broadmoor Vale BA1 4LP	yes	yes
32	Oliver Murphy	88 Broadmoor Lane BA1 4LB		yes
33	Chris Murphy	88 Broadmoor Lane BA1 4LB		yes
34	Elizabeth Bennett	88 Broadmoor Lane BA1 4LB		yes
35	Andrea Harris	77 Broadmoor Lane BA1 4LD		yes
36	Simone Davidson	The Grove, Weston BA1 4AT	yes	yes
37	Joyce Besford	73 High Street BA1 4DP		yes
38	Humphrey Pain	29 Broadmoor Lane BA1 4JZ	yes	yes
39	Julia Pain	84 Broadmoor Lane BA1 4LB	yes	yes
40	Louis Pain	84 Broadmoor Lane BA1 4LB	yes	yes
41	Nicola Weaver	84 Broadmoor Lane BA1 4LB	yes	yes
42	Shahzia Lewis	The Kennels, Broadmoor Lane BA1 4LJ		yes
43	Sally Annely	92 High Street BA1 4DQ	yes	yes
		100 Broadmoor Lane BA1 4LB	yes	yes

			yes	yes
44	Josephine Tsegaye	4 Lansdown Lane BA1 4LR	yes	yes
45	Claire Doig	45 Leighton Road BA1 4NF	yes	yes
46	Sandra Tuck	13 Haviland Grove BA1 4JP	yes	yes
47	Chris Nicholson	106 Broadmoor Lane BA1 4LB	yes	yes
48	Rachel Jaral	59 Broadmoor Lane BA1 4JZ		yes
49	Peter Clements	86 Broadmoor Lane BA1 4LB	yes	yes
50	Graham Thomas-Widger	79 Broadmoor Lane BA1 4LD	yes	
51	Jaccl Jones	12 Westmead Gardens BA1 4EZ	yes	
52	Mick Jones	12 Westmead Gardens BA1 4EZ	yes	
53	Helen Back	16 Westmead Gardens BA1 4EZ	yes	
54	William Back	16 Westmead Gardens BA1 4EZ	yes	
55	Russell Back	16 Westmead Gardens BA1 4EZ	yes	
56	Catherine Anderson	4 Westmead Gardens BA1 4EZ	yes	
57	Tim Markall	11 Westbrook Park BA1 4DP	yes	
58	Elisabeth Markall	11 Westbrook Park BA1 4DP	yes	
59	Edward Ingles	Lansdown Vale, Dean Hill Lane BA1 4DU	yes	
60	David Ingles	Lansdown Vale, Dean Hill Lane BA1 4DU	yes	
61	Emma Jacobs	61 Harcourt Gardens BA1 4DL	yes	
62	Teresa & Nigel Brooks	10 Leighton Rd BA1 4NE	yes	
63	David Weaver	The Kennels, Broadmoor Lane BA1 4LJ	yes	
64	Paul Williams	33 Purlewent Drive BA1 4BA	yes	
65	Gaynor Williams	33 Purlewent Drive BA1 4BA	yes	
66	Andrew Biggs	22 Vernslade BA1 4DN	yes	
67	Sally Biggs	22 Vernslade BA1 4DN	yes	
68	Pamela Norbury	25 Broadmoor Lane BA1 4JZ	yes	
69	Richard & Jennifer McMullan	1 Kinber Close BA1 4LT	shared	
70	Mark Payne	4 Kinber Close BA1 4LT	yes	
71	Fina Hughes	4 Broadmoor Vale BA1 4LP	yes	
72	Paul White	54 Broadmoor Lane BA1 4LA	yes	
73	Martin Rust	10 Westbrook Park BA1 4DP	yes	
74	L Bartlett	5 Westmead Gardens BA1 4EZ	yes	
75	G Beavis	3 Westmead Gardens BA1 4EZ	yes	
76	James Shiels	3 Westbrook Park BA1 4DP	yes	
77	C Cottle	27 Greenacres BA1 4NS	yes	
78	Jo Keightley	27 Purlewent Drive BA1 4AZ	yes	
79	Rebecca Docton	9 Duncan Gardens BA1 4NG	yes	
80	Jerzy Jarzebowski	65 Broadmoor Lane BA1 4LD	yes	
81	Jane Jarzebowski	65 Broadmoor Lane BA1 4LD	yes	
82	Luan Williams	11 Haviland Grove BA1 4JP	yes	
83	Tadhg McAdam	13 Haviland Grove BA1 4JP	yes	
84	Ellen McAdam	13 Haviland Grove BA1 4JP	yes	
85	Leo Gacitua	119 Eastfield Ave BA1 4HW	yes	
86	Karen Kovacs	3 Napier Road BA1 4LN	yes	
87	Theresa Bebbington	9 Broadmoor Park BA1 4JW	yes	
88	Janet Robinson	17 Broadmoor Lane BA1 4JZ	yes	
89	Sarah Gleave	30 The Weal BA1 4EX	yes	

90	Zoltan Jarai	59 Broadmoor Lane BA1 4JZ		
91	Chris Moore	5 Beresford Gardens BA1 4NX	yes	
92	Catherine Vallance	15 Broadmoor Lane BA1 4JZ	yes	
93	Ernest Messer	87 Broadmoor Lane BA1 4LD	yes	
94	Finn Thomas-Widger	79 Broadmoor Lane BA1 4LD	yes	
95	Elizabeth Fox	17 Broadmoor Vale BA1 4LP	yes	
96	Tom Longridge	8 Napier Road BA1 4LN	yes	shared
97	Emma Longridge	8 Napier Road BA1 4LN	yes	
98	Catherine Merriman	29 Symes Park BA1 4PA	yes	
99	Marcus Cunningham	15 Lansdown Lane BA1 4LS	yes	
100	Chris Champion	11 Lansdown Lane BA1 4LS	yes	
101	Esther Bennett	93 Brookfield Park BA1 4JJ	yes	
102	Clive Bennett	93 Brookfield Park BA1 4JJ	yes	
103	Heather Lowe	50 Napier Road BA1 4LW	yes	
104	Joan Green	36 Purlewent Drive BA1 4AZ	yes	
105	Helen Horobin	48 Purlewent Drive BA1 4AZ	yes	
106	Nigel Ring	52 Broadmoor Lane BA1 4LA	yes	
107	Ally Messer	87 Broadmoor Lane BA1 4LD	yes	
108	Nina Dobson	11 Broadmoor Vale BA1 4LP	yes	
109	Sarah Nicholson	106 Broadmoor Lane BA1 4LB	yes	
110	Gary Callaway	61 Harcourt Gardens BA1 4DL	yes	
111	Bill Hosker	55 Harcourt Gardens BA1 4DL	yes	
112	Lindsay Hemsley	21 Broadmoor Vale BA1 4LP	yes	
113	Duncan Hemsley	21 Broadmoor Vale BA1 4LP	yes	
114	Sophie Doig	45 Leighton Road BA1 4NF	yes	shared
115	Freya Doig	45 Leighton Road BA1 4NF	yes	shared
116	Ross Doig	45 Leighton Road BA1 4NF	yes	shared
117	Leanna Biggs	12 Vernslade BA1 4DN	yes	
118	Graham Bebbington	9 Broadmoor Park BA1 4JW	yes	
119	Ann Wilton	48 Broadmoor Lane BA1 4LA	yes	
120	Wes Poirot	8 Haviland Grove BA1 4JP	yes	
121	All Childs	15 Broadmoor Park BA1 4JW	yes	
122	Jackie Vowles	33 Haviland Park BA1 4HR	yes	
123	Andrew Skinner	12 Napier Road BA1 4LN	yes	
124	Barbara Kiernan	12 Cranwells Park BA1 2YD	yes	
125	Richard Keightley	27 Purlewent Drive BA1 4AZ	yes	
126	Deborah Cottle	27 Greenacres BA1 4NS	yes	
127	Shirley Smith	16 Vernslade BA1 4DN	yes	
128	Georgia Cooke	5 Broadmoor Vale BA1 4LP	yes	
129	Peggy Cooke	5 Broadmoor Vale BA1 4LP	yes	
130	Jo White	15 Haviland Grove BA1 4JP	yes	
131	Mikaela Frodin	5 Lansdown Lane BA1 4LS	yes	
132	Adrian Watts	42 Broadmoor Lane BA1 4LA	yes	
133	Alison Thomas-Widger	79 Broadmoor Lane BA1 4LD	yes	
134	Wendy Adams	75 Broadmoor Lane BA1 4LD	yes	
135	Maurice Adams	75 Broadmoor Lane BA1 4LD	yes	

136	William Pain	84 Broadmoor Lane BA1 4LB	yes	
137	Rupert Pain	84 Broadmoor Lane BA1 4LB	yes	
138	Leo Thomas-Widger	79 Broadmoor Lane BA1 4LD	yes	
139	Paul Courtney	15 Broadmoor Lane BA1 4JZ	yes	
140	Gerald Bennett	77 Broadmoor Lane BA1 4LD	yes	
141	Sara Santos	119 Eastfield Ave BA1 4HW	yes	
142	Paul Lewis	92 High Street BA1 4DQ	yes	
143	Barnaby Dyer	7 Vernslade BA1 4DN	yes	
144	Sophie Dyer	7 Vernslade BA1 4DN	yes	
145	Francois Chate	3 Napier Road BA1 4LN	yes	
146	Fernanda Ashcroft	8 Suffolk House, Weston Lane BA1 4AB	yes	
147	Alex Upham	16 Haviland Grove BA1 4JP	yes	
148	Beverley Harris	106 Purlewent Drive BA1 4BD	yes	
149	Hugh Thomas	69 Broadmoor Lane BA1 4LD	yes	
150	Kate Thomas	69 Broadmoor Lane BA1 4LD	yes	
151	Mark Docton	9 Duncan Gardens BA1 4NG	yes	
152	MI Tian & Shaohui Zhang	55 Broadmoor Lane BA1 4JZ	shared	
153	Peter Heywood	The Old Store House, 98b High Street	yes	
154	Jack Nicholson	106 Broadmoor Lane BA1 4LB	yes	
155	Fiona Day	76 Southlands BA1 4EA	yes	
156	Ian Wilton	48 Broadmoor Lane BA1 4LA	yes	
157	Samuel Wilton	48 Broadmoor Lane BA1 4LA	yes	
158	Ed Wilton	48 Broadmoor Lane BA1 4LA	yes	
159	Rosanna Hands	60 Purlewent Drive BA1 4AZ	yes	
160	Julia Bennett	93 Brookfield Park BA1 4JJ	yes	
161	Hope Bennett	93 Brookfield Park BA1 4JJ	yes	
162	Theo Day	76 Southlands BA1 4EA	yes	
163	Phil Day	144 Southlands BA1 4EB	yes	
164	Justine Goldstraw	Lansdown Vale, Dean Hill Lane BA1 4DU	yes	
165	* Paul Robson	49 Napier Road BA1 4LW	yes	yes
166	* Elizabeth Elliot	49 Napier Road BA1 4LW	yes	yes
167	* John Donaghy	9 Haviland Grove BA1 4JP	yes	yes

(* denotes new evidence presented in this document)