



Providing a life-enhancing education that develops the character, talents and potential of every child

ACHIEVEMENT ~ DIVERSITY ~ RESPECT

Headteacher: Ms Jo Butler

3 November 2023

An update on our Playing Fields at Stoke Lodge

1. This is an update about the School's position on the application by local residents to register the School's playing fields at Stoke Lodge as a village green.
2. By way of background, the School is under a duty to provide pupils with suitable outdoor space for physical education in accordance with the school curriculum. The School does not have enough outdoor space on its main site to meet the requirements, so from 2011 leased the Stoke Lodge playing fields on a long lease. The use of the playing fields however became problematic as a result of safeguarding concerns namely: open access to the site; uncontrolled dogs; dog excrement on pitches; dogs and strangers in the changing rooms, potential risk of harm to students and staff from uninvited members of the public, the risk of students absconding and the general atmosphere of pupils and teachers being made to feel unwelcome by other users of the playing fields.
3. Following the Council's decision in June 2018 to refuse to register Stoke Lodge playing fields as a village green, the School arranged for the playing fields to be fenced to deal with known safeguarding issues. The School has however made it clear that when the School and its hirers are not using the playing fields, it welcomes the public to use the maintained facilities free of charge.
4. A further application was then made by local residents to register the playing fields as a village green. This was recommended for refusal by a village green inspector appointed by the Council, and by the Council's own officers, but the Council's Public Rights of Way and Greens Committee on 28 June 2023 resolved to register the land contrary to that advice.
5. The Council has now registered the playing fields as a village green.

Cotham School, Cotham Lawn Road, Bristol, BS6 6DT | 0117 919 8000 | info@cotham.bristol.sch.uk | www.cotham.bristol.sch.uk



Cotham School: a charitable company limited by guarantee.
Registered in England: Company Number 07732888.
Registered Office: Cotham School, Cotham Lawn Road, Cotham, Bristol BS6 6DT



6. The School intends to apply shortly to the High Court under s.14 Commons Registration Act 1965 to rectify the register i.e. to remove the registration of the playing fields as a village green. This will entail a Judge of the High Court deciding whether the playing fields qualify for registration as a village green.
7. In the meantime, the School has commenced proceedings in the High Court of Justice, Planning Court, for judicial review of the Council's decision to register the land (ref AC-2023-LON-002454) on a number of grounds. The Court has agreed to stay the proceedings pending the School's application under s.14 Commons Registration Act 1965.
8. Local residents have demanded that the School's fencing be removed but whilst legal proceedings are ongoing, it is not considered to be a good use of public funds to remove the fence which may be reinstated at a later date. Should the School's legal challenges ultimately be unsuccessful, the School will remove the fence.
9. The consequence of registration is that the School has had to open the playing fields full time to the public, with the knock on effect that unfettered public use means its pupils can no longer use the playing fields due to safeguarding issues referred to above.
10. Until the Courts decide the issue of whether the playing fields should continue to be registered as a village green, the School will a) have to use expensive alternative space for the provision of physical education and b) no longer be able to charge for the hire of its playing fields. It has therefore taken the decision to reduce its costs by 1) ceasing line marking of the playing fields; and 2) ceasing hire out of the changing room facilities, the maintenance costs of which significantly exceed hiring fees and 3) reducing the frequency of mowing the playing fields.
11. Cessation of hire does not stop any member of the public or any community sports club from using the site, it is simply that the school cannot viably continue to maintain the site for organised sports use. The public are of course able to use the playing fields notwithstanding the above.
12. Finally, it is with regret that the School notes that since registration, several fence panels have been removed by persons unknown and its football nets have been cut up into little pieces.