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www.saveradleylakes.org.uk

email: info@saveradleylakes.org.uk

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Radley Lakes Public Inquiry Closes

“Fate of the Lakes in the balance”

The Radley Lakes Town Green Public Inquiry, held at Radley College, finally closed, without ceremony, on Friday at 3.40pm after sitting for a total of 45 hours spanning 7 days: The Inspector, Mr Vivian Chapman QC, concluded the inquiry by requesting that the opposing Counsels submit their written closing statements by mid July, whereupon he would deliberate the matter and produce a report and recommendations in due course.

Over the seven days that it sat for, the inquiry heard testimony from 39 witnesses, 36 of whom appeared in support of the Applicant and only 3 for the Objectors. Among those appearing for the Applicant were the former mayor of Abingdon, Mr Peter Green; Mr Oliver Tickell, the well known journalist and environmental campaigner; Councillor Lesley Legge, former chairman of Oxfordshire County Council; Andy Boddington, campaign manager of the Oxfordshire CPRE; and the Chairman of Radley Parish Council, Jennie Standen. In addition, the inquiry has received written evidence from a further 50 or so witnesses included among which is Tony Juniper, Director of Friends of the Earth.

In his submission, Mr Juniper says “Places like the Radley Lakes are of enormous importance, not only for their wildlife, but because they are near to urban areas. In this case, the industrial estates of Abingdon are only yards away. Critically, they provide a way in which people can get their own little window into the natural world; they can see a reed warbler nesting in the spring, hear the birds sing and feel the rain on their face. I firmly believe that Thrupp and Bullfield Lakes should be preserved and turned into a nature reserve for the community. This will enable the children of Abingdon and Radley to learn about nature and the environment in the same way that I did in the 1970s.”

Mrs Jo Cartmell, the Applicant said “A considerable weight of evidence has been presented in support of my application and much of the Objectors’ evidence has been shot down. There is no question that the case has merit. However the Radley Lakes application has presented the Inspector with some difficult legal issues to resolve, and it is upon these that the fate of the lakes will be decided. The fate of the Lakes is now in the balance. We can only wait and hope.”

The Inspector has requested that Counsels submit their opinions on eight separate legal issues.

In broad terms, the matter hinges on whether the Claimed Land, comprising the Bullfield and Thrupp Lakes and some surrounding land, has been shown to have been used by the public, continuously for 20, or more, years between October 1986 and October 2006 for lawful recreational pastimes, without the permission of the landowners and without use of stealth or force. If this has been found to have been shown within the context of the 1965 Commons Act, then the area should be registered as a Village or Town Green, and any development, such as the proposed filling of the lake with ash by RWE npower, of the area will be prevented, irrespective of any planning permissions that may be or may have been granted.

For further information contact: Marjorie White on 01235 216428 or 01235 530174, or visit www.saveradleylakes.org.uk or the news pages at www.radleyvillage.org.uk .