



**SAVE
RADLEY LAKES**

www.saveradleylakes.org.uk

email: info@saveradleylakes.org.uk

Press Release 16 October 2007 (2)

Inspector's Verdict: Radley Lakes do not Qualify as a Town Green

Campaigners dismayed at decision, which will allow lake to be destroyed

On 13 October 2007, Inspector Vivian Chapman QC delivered his 62 page report rejecting the application by Mrs Jo Cartmell to register Thrupp and Bullfield Lakes and their immediate surroundings as a Town or Village Green under the Commons Registration Act 1965. Despite finding "overwhelming evidence" of use by the people of Abingdon, and fully acknowledging the beauty and interest residing in the area, the inspector nevertheless decided, based upon his expert interpretation of the law, that the applicant had failed to prove that the land was registrable as a Town Green. Accordingly he has recommended that Oxfordshire County Council reject the application, which, there is little doubt, they will do.

RWE npower, one of the world's largest electricity companies, will now go ahead with ruining Radley Lakes. Local campaigners are dismayed by the Inspector's decision that the land does not qualify as Town Green.

Basil Crowley of the Save Radley Lakes campaign said today:

"We are deeply disappointed that the Inspector has not found in our favour. This disappointment will be shared by the hundreds of thousands of people – both locally and further afield – who deplore what RWE npower are doing to our environment. Not content with running the second most polluting power station in the country – Didcot A - they want to destroy a beautiful lake, which is hugely valued by local people.

"Large companies can push aside local campaigners. That doesn't make what they do right. By aggressive use of the same form of injunction that BAA used to restrict protest at the entirely peaceful Heathrow Climate Camp, npower sought to criminalise ordinary people from Radley and Abingdon.

"The behaviour of Oxfordshire County Council in this matter has been equally shameful. Local politicians are supposed to protect the interests of their voters. In this instance, the County Council actively supported RWE npower every step of the way: encouraging them to fill in Thrupp Lake in contravention of the Council's own policies, producing a highly misleading report to the Planning Committee, even advising RWE npower on the steps needed to avoid a judicial review of the County's planning decisions.

"Our heads are held high. We know that our peaceful and law-abiding resistance was right. - Right for our community and right for our children.

“One of the largest electricity companies in the world is now going to dump millions of tonnes of ash in a lake rich in wildlife. It isn’t necessary. No other utility company in Britain does this. The employees of RWE npower should be ashamed of what their company is doing.

Save Radley Lakes will continue the campaign.

For further information contact: Marjorie White on 01235 216428 or 01235 530174, or visit www.saveradleylakes.org.uk.

Notes for Editors

The application to register the Radley Lakes, Bullfield Lake and Thrupp Lake and the land around them, as a Town Green was made by Mrs Jo Cartmell on 19th October 2006.

The registration authority, in this case, is Oxfordshire County Council.

The application was accepted as duly made in December 2006, and Oxfordshire County Council appointed senior barrister, Mr Vivian Chapman QC, to head a non-statutory public inquiry into whether the area was registrable.

The Public Inquiry was held in Radley over 7 days during April and June 2007.

35 witnesses gave oral evidence in support of the applicant and 3 against. A further 78 witnesses (some of whom were couples) submitted written evidence in support of the application.

Two of the key findings of fact contained in the Inspector’s report are:

[237] The evidence is overwhelming that for many years, certainly since before 1986, Thrupp and Bullfield Lakes have together formed a popular destination for trips by residents of Abingdon. They are only a short distance from the edge of Abingdon and are readily accessible on foot or by bicycle using public rights of way which are easily combined to make a short round trip. It is also possible to park a car near Sandles. There are very good views over Thrupp Lake from the BOAT running down its E bank. Thrupp Lake is an attractive expanse of water with interesting waterfowl. The ease of access has increased with the opening of the Sustrans route in 1999, but I find that the trip to these lakes was very popular with Abingdon residents even before 1999.

[238] Although many people doubtless confined themselves to the public rights of way running along the E and S sides of the lakes, I find that, since before 1986, a significant number of local people have left the public rights of way and walked around the sides of the two lakes. Since before 1986, it has been possible freely to enter the application land through an opening at the SE corner of the application land. From there, it is possible to walk a circuit of Bullfield Lake using the path along the isthmus to the N of the lake and the path running through the strip of land to the S of Bullfield Lake. It has also been possible to walk a circuit of Thrupp Lake by walking N or S of Bullfield Lake and then walking along the W side of Thrupp Lake, exiting through the Curtis works gate when it is open and then walking along Thrupp Lane to the N of Thrupp Lake to rejoin the E BOAT. Of course, these routes can also be walked in reverse.

Oxfordshire County Council’s Planning and Regulation Committee will consider the Inspector’s findings at its meeting scheduled for 26th November. There can be little doubt that councillors will accept the Inspector’s recommendation and reject the application.

The Inquiry and its conclusions have nothing whatsoever to with the rights and wrongs of npower’s plans. It is a verdict on whether the lakes are registrable as a Town or Village Green under the Commons Registration Act 1965, which nothing to do with planning. Had the application been successful, it would have prevented any development in the designated area.