

From: wirepuller@hotmail.com
To: boxmadhouse@aol.com
Subject: RE: regarding breach of data protection act
Date: Wed, 12 Aug 2015 09:30:42 +0000

Mr Mullins,

I had hoped not to waste any more of my precious time on your nonsense. However as you persist, allow me first to address the subjects featured in your disgraceful letter which was rife with misrepresentations. After all the negativity, I will include a positive section about the joys of woodlands which can, of course, principally be found by walking in them. I will then move on to your so-called breach of data protection.

The tone of your whole piece was, for reasons known only to yourself, antagonistic towards the community asset bid, its authors, the woodland itself and the people of Rudloe. I would have thought that you would have welcomed interest in the woodland from a local community who wish to maintain it as a community asset. Perhaps you could explain your antagonism?

For completeness, I repeat the aims of Leafy Lane Playing Field Ltd (LLPF) found in its 1996 Certificate of Incorporation (as a limited company) and through a 1997 extraordinary general meeting: *'To advance and improve the education and physical, mental and social well-being of the community by the provision of sporting and recreation amenities, grounds and facilities of all kinds'* and *'To provide for the inhabitants of Corsham and surrounding areas in the interests of social welfare facilities for recreation and leisure time occupation with the object of improving their conditions of life'*. This position was reiterated to me by Mr Graham Cogswell, LLPF Project Manager, in a letter dated 13th January 1999, when he stated: *"We believe that our proposals enhance the site for all users and are based on national guidelines. An extended dog walking area is being provided around the site. We have always intended that the site be sensibly used by the whole community"*. The foregoing confirms that Leafy Lane Wood was and is, certainly since the genesis of LLPF, a community asset. The Springfield and Clift Residents Association (SCRA) wishes to continue these aims so, again, one would have thought this would be welcomed by LLPF? However, you have presumed to know the motives of SCRA using innuendo and misrepresentation and you have assumed those motives, for reasons known only to yourself, to be negative; this was not and is not the case.

Having set the scene, I will take your 10th June letter page by page.

Your first page questions the legitimacy of SCRA to make a community asset bid. This question had already been resolved between Wiltshire Council and the SCRA; your mischievous attempt to discredit the SCRA was unnecessary (in both senses).

Your second page commences *"SCRA from their statement do not have any concept of what LLPF actually provides for the community"*. Our bid does not mention LLPF's core aims, why should it? We were not required to provide a statement about the laudable work of LLPF which is well known; we were and are making a bid for the woodland to be listed as a community asset. The woodland and its recreational value for the community was the focus of our bid.

Your paragraph starting "*the woodland area on the other hand ...*" states "*does not provide any community asset*", "*nor does it provide the amenities for the local community*" and "*nor did it have a need within the community*" contradicts your Certificate of Incorporation, the 1997 EGM statement and Mr Cogswell's 1999 letter. And your "*advertised for a month within local newspapers, online and via a noticeboard*" presumably talks of the estate agent's advertisements and notice board. Section 121 of the 2011 Charities Act requires that public notice be given in the area prior to a decision on disposing of land and that trustees consider any objections received during the notice period. A 'For Auction' sign or sale advert does not constitute a public notice **prior** to a decision to dispose.

At the foot of page 2 you make the following statements: "*threat to the future of LLPF*" and "*much needed finances as quickly as required*" and "*devalue the land*" and "*deter people from purchasing*" and "*there is a real concern does not have the present finances to carry out vital work to secure its future*". It is not for me to judge your financial status or the finances required for future projects but ... from your filed accounts, you have (at around £13k) about twice as much cash in the bank as you had, say five years ago (£7k in 2010) so you are not doing badly. LLPF has, to the best of its ability, maintained the woodland for the community since its incorporation in 1996 - the best part of twenty years. One might ask why, after 20 years, is there such a desperate rush to dispose of the woodland? Surely a further six months (if the community decides to bid) would be neither here nor there? With LLPF continuing its (fine) work with sporting (and other) facilities for the community, it would surely make sense (as it has done for 20 years) for the adjacent woodland also to be maintained for and by the community. And as to this state of affairs prejudicing the status of the woodland or devaluing it, that is pure scaremongering. Factors affecting prospective purchasers would be the woodland's location in the AONB, the blanket TPO, the (currently) unadopted footpaths, the adjacent RAF married quarters and even, perhaps, the underlying mine. If and when the woodland goes to auction, as it surely will (in order that LLPF under its charitable obligations, obtains the best price), another party in the bidding war, in the guise of the local community (hopefully having obtained the required finances), will undoubtedly only serve to augment the price (unfortunate for us!).

Your page three starts with unsubstantiated misrepresentations and irrelevances as follows: "*there are also frictions between various small groups within the community ... the applicants, through having no legal rights, would see this as having a means to control over the area thus creating more tensions between locals, should the applicants ever have a say over the woods through purchasing it there would be no one ie in the form of a private owner, as we have done, who could intervene between rival community groups. The local parish council as we have found through the culling incident are no help when it comes to dealing with community rivalry*". This is pure, malicious invention. What groups? What frictions? What relevance to a community asset bid? You, a Box resident, purport to know an awful lot about the Rudloe community. We (my wife and myself) know scores of people across all the Rudloe estates, most of whom have lived here since their building in the 60s/70s (my better-half was born at Rudloe, I have lived here for 40 years), who know nothing of what you speak. Indeed, the "*culling incident*" as you call it brought the community together (apart from two individuals I believe) against the proposed, illegal rook cull. An email sent by one of these individuals on 19th March 2012 (to Bob Davies) refers: "*Thanks for your email. The signs have been taken down as we are not ready to proceed at present, but don't worry as and when we are ready sign will go up with the new dates, we will have a Police cordon tape across all the entrances when the shooting is in progress and a sweep of the woods will be done before we start. So enjoy your dog walking and there is no*

need to worry". Five days later, on 24th March 2012, in an email to me, you said: "*the cull has been stopped in the short term*" so the LLPF organisation was fully aware of this proposed, illegal cull. The community was worried and finally, presumably through our solicitations (and its illegality), the cull did not go ahead. Reference to this incident as an example of "*community rivalry*" is a mischievous misrepresentation of events.

Moving on to the supposed 'tensions' and your "*the area has been mistreated by local residents from within the community as their local dump to dispose of garden and household waste*". This has happened from time to time but there are no so-called tensions about it; the amount and frequency of any dumping is relatively small and substantially less than the dumping that takes place in Quarry Wood for example (I have evidence of substantial dumping there). Following an email exchange in January 2013 and an unsubstantiated accusation from you, I said the following: "*Thanks for the response but what evidence do you have for your statement: 'there is a significant number of local residents who seem to think Leafy Lane is a place to dump their rubbish and misuse the facilities without offering any form of assistance to the running of Leafy Lane'*"? **Significantly, you did not respond.**

In the same email exchange I said: "*I have lived in Springfield Close for thirty-seven years and know the area and its residents well. I also know the playing fields and surrounding areas, having walked just about every inch of this part of north-west Wiltshire regularly. In all this time I have never seen a local resident depositing rubbish in the playing fields or in the skips ... Much of the rubbish in the skips was food waste deposited by tournament vendors and represented a health hazard. It is clear from the photos I enclosed that the rubbish deposited on the fields and in the car parks is user detritus i.e. from footballers, supporters etc. As you will have seen, the rubbish comprises drinks cans and bottles, food wrappers, tape (for socks) and so on. And, as I said in my first email, it would take very little regular effort to keep the car parks clear*". If we take the playing fields and woodland as a whole, most rubbish emanates from playing field users not woodland users. Anyway, this is all rather small potatoes none of which has any significant effect on a bid to have Leafy Lane Wood declared a community asset.

In the same section you say: "*It is private land with no official or authorised paths through or within the woods ...*". Here again you appear to be denying the purpose of the woodland as a recreational area. As indicated earlier, your project manager stated in his 1999 letter: "*An extended dog walking area is being provided around the site. We have always intended that the site be sensibly **used by the whole community***". It seems that you are so concentrated on producing a negative response to our bid that you have lost sight of LLPF's aims (overall aims not core aims).

Now to your 'Equality and Social Inclusion' section and its "*Rudloe community is made up of largely an area listed by Wiltshire (sic - I presume Wiltshire Council) as a high area of deprivation and of military accommodation, the applicants live in a minority of private dwellings. This group are not representative of the community as a whole*". There is no pan-Rudloe community group. In a community of almost 1,000 dwellings (circa 550 on the original Rudloe Estate, circa 300 on the Leafy Lane estates and circa 100 in the RAF and ex-RAF (some have been sold off) estates), this would not be possible. However, the Rudloe community has developed together over the years, the civilian estates having all been built in the 60s and early 70s, and there is, as indicated elsewhere, relatively high social interaction across the estates. This has been enabled in no small part through the presence of Leafy Lane Wood; the evidence forms now coming in for the establishment of rights of way in the wood are from all parts of Rudloe. What the SCRA has attempted to do is to represent the

community and its wishes. With regard to your "*recent events plus complaints from them (the SCRA?) on who is using Leafy Lane Playing Fields and glade, it is clear they have strong views on who are or are not acceptable users of the area*", once again, the Rudloe community (SCRA included) has no idea what you are talking about. Could you produce evidence of your "recent events" and "complaints"? Again: "*... if this area were a community asset then the applicants would not be concerned about restricting usage of the area to various groups ...*". And again, the SCRA and other community members have no idea where this notion comes from - there was nothing in the SCRA bid about restricting usage. And once more: "*This is demonstrated by the strong concerns being raised by the SCRA with regards to who can or cannot have ownership of the woodland area and using this as their reason to (sic) wanting special provisions put in place so they can purchase the land and have total control*". Your 'special provisions' are, I assume, the community asset bid. Neither the SCRA nor any other group has any influence over who may be successful at auction. The asset bid places no obligation on the owner, LLPF, to accept any offer that may be made (by SCRA) following the bid process. Indeed LLPF is obliged, through the provisions of its charitable status, to find the best price available for the wood; this can only be achieved at auction. As indicated earlier, the community asset bid allows the local community time to gather (financial) resources in order to compete at auction. This state of affairs can only be beneficial to LLPF as with SCRA throwing its hat into the ring, there will be more auction competition. And, in spite of all your negative misrepresentations, SCRA said in its bid that our aims would be (ironically) exactly the same as the stated aims of LLPF - 'to be used by the whole community with the object of improving their conditions of life'. Where all your negative invective comes from or what you hope to achieve through it is beyond comprehension.

In the same section, you bring up the subject of the parish council meeting on 28th May. At the Box Parish Council Budget and Finance Committee meeting on 11th May where SCRA made a presentation regarding its bid, a member of the public brought up the subject of the possibility of travellers becoming the new owners of the wood. These comments were immediately suppressed by the chairman. At the 28th May full council meeting, SCRA followed up these comments and included a preamble on the desire not to use racist or inflammatory language. This is why, I believe, the chairman allowed SCRA to continue. The subject was principally a matter of fact to which you refer - an encampment at Leafy Lane Playing Fields by travellers some years ago. You say: "*they were clean and tidy as commented by the local police ... we only had to move them as we could not use the facilities fully but they left happily leaving not a trace of evidence they camped there*". I'm not sure if you are using misinformation or disinformation or if you are suffering from amnesia but let's get the facts straight. The travellers left significant piles of rubbish behind not least of which was at the end of the line of trees (shown as G1 on the TPO) that separates the main playing fields from the small meadow. The detritus here was principally building rubble which included corrugated asbestos roofing and asbestos guttering. Both Bob Davies and myself carried some of the material across to the skip at different times. Bob Davies emailed you with photographs and you responded (Bob still has the emails). I too took a number of photographs and of course still have them! I have attached a number of photos of the detritus. So whither your "*leaving not a trace of evidence they camped there*"?

Now to your: "*In our view this does not equate being seen as a community asset by the applicant's (sic) but as a threat to their white middle class lives, which is completely against community assets criteria and not representative of the majority of the resident (sic) with the locality (sic)*". I shouldn't need to comment on this - it speaks for itself as a further example

of invective, defamation and disparagement drawn solely from your imagination. I presume here that the "*white middle class lives*" allies with your previous "*living in a minority of private dwellings*" and "*SCRA not being representative of the community as a whole*"? Once again, as a Box resident, you presume to know an awful lot about the Rudloe community. Rudloe residents have friends, relations and acquaintances across all the estates. People move from one area to another without the encumbrance of your "*white middle class*" or your repeated "*high area of deprivation*". For my part, I have friends and acquaintances on all Rudloe estates (this was enabled in no small part as a result of chance meetings in, guess where, Leafy Lane Wood!) and a relative on the original Rudloe Estate. The community asset bid was made on behalf of the **whole** community. Your supposed separation of different parts of the Rudloe estates into rival groupings comes entirely from your imagination.

Your part 3 'Health and Well-being' is again replete with unwarranted, inaccurate and distorted, negative comments. The high price put on the wood by the valuers surely disaffirms your assessment. Will your remarks appear in the sales literature? And why would Snapdragons Nursery lead a party of toddlers through the wood a number of times each week to or from the play area at the end of Park Avenue? If you feel the wood holds such dangers, perhaps you should pay a visit to Snapdragons to warn them (although I feel they would have found out for themselves if, indeed, they really did exist)? There is more to wellbeing than "*benches*", "*running*" and "*long walks*" - just being in the wood can be a wonder. Last Sunday there was an incredible buzzing from the canopy - there were tens of thousands of hoverflies all through the wood - I made a short video/audio recording which may be found here: <https://youtu.be/zbFVZoQxcnI>. Again, your comments are misrepresentations, this time of the state and nature of Leafy Lane Wood.

Part 4 - Decent Neighbourhood Standards - again replete with negative comments and misinformation. As you well know and as documented in emails between LLPF and myself, some of which content is covered above in the para. commencing "*Moving onto the supposed tensions ...*", most rubbish in Leafy Lane Playing Fields has, in the past, been discarded by LLPF users. The final para. of my 30th January 2013 email to you follows: "*I think it's a bit rich to devote so much of your response on shifting the blame with your: 'there is a significant number of local residents who seem to think Leafy Lane is a place to dump their rubbish and misuse the facilities' and 'also stop local residents from misusing a private waste disposal.' and 'The misuse of our skips has cost LLPF over £1200-00 during the last 3 years. Money lost to the youth of the area by selfish people'. In fact, on behalf of the people of Rudloe, I take exception to being accused of something that I have not done and of being 'selfish' and of costing LLPF £1,200. If you take a look at the website I mention above (link given in my first email), you will see that the selfish people of Rudloe have devoted countless hours to the collection and disposal of rubbish in this area over the last 33 years. And we will, of course, continue to clear the rubbish from LLPF as it is OUR environment*". The Rudloe Mob has now (in 2015) been collecting litter in and around Rudloe for about 36 years - the Mob's CPRE webpage, as you probably know, may be found here: <http://www.litteraction.org.uk/the-rudloe-mob>. The LLPF organisation features heavily on the site, both in words and pictures, in view of the state of the playing fields over the years. However, the site (The Rudloe Mob) has not been updated for some time as 'we' have been busy on other fronts. I should say that the state of the playing fields has improved markedly in recent months so the site should now be updated. However, your part 4 is a case of the pot calling the kettle black.

In Part 6, your *"in our view this shows, if the area was unique in the flora, fauna, wildlife or woodland facilities it offered to the community they (the Woodland Trust) would have at least shown some interest in supporting the applicants"* is completely mischievous, incorrect conjecture on your part and has no basis in fact. The Woodland Trust knew nothing of the wood; their lack of interest was based entirely on size - here is their response: "Dear Paul, Thank you for taking the time to contact us. We are always looking out for potential acquisitions, and we rely on our members to let us know of any woods or land that may come on the market. Our Land and Property team are aiming to acquire those sites of the highest conservation interest, preferably with both existing ancient woodland and woodland creation potential. In general, **we are looking at gaining sites of at least 25 acres in size**. At the moment, we are very busy raising funds to acquire a 1700 acre site in Bolton Lancashire. Unfortunately this wood does not meet this criteria and so we cannot get involved at this time". You go on to say *"The woods at Leafy Lane are not unique because there are woodlands of a similar size or larger which are open and accessible to the general public, within the local area which provide exactly the same, which have the same listed flora, fauna and wildlife. Some have authorised and official footpaths within them unlike the woods at Leafy Lane, see appendix 3"*. I devoted my email of 24th July 2015 to Simon Day at Wiltshire Council to your appendix 3 which simply circled, in blue, every wooded area in and around Rudloe. You will remember that I said that all the woods circled at Rudloe and Thorneypits are privately owned and inaccessible to the public. Yet even during our telephone call you were still in denial about this. There is therefore, in my view, only one way to establish the true state of affairs - that is for you to meet the owners and for them to tell you face-to-face the status of their woods. As I have known the Maidments, owners of four of the woods you circled, and Tim Barton, owner of another four of the areas circled, for donkey's years (both families are part of the wider "white middle class" Rudloe community!) I'm sure I will be able to broker a meeting at which you can show them your map and explain to them that you have decided that the circled woods (and a crop field) are accessible by the public. Please let me know the dates/times you are available.

Continuing with Part 6, you state that Leafy Lane Wood is not needed for recreational purposes. Has this always been the case? If so, then why has LLPF kept it under its wing for twenty years? I refer you again to your Certificate of Incorporation, the 1997 EGM statement and Mr Cogswell's 1999 letter. You continue in this section with ambivalent statements that the community may use the playing fields, clubhouse, 3g astro, glade and small area of woodland (why would it be fine for the community to use this but not Leafy Lane Wood itself?), the local community club, children's play area, school and nursery. You forget here to mention the 'pub' (the Rudloe Arms), the cafe (Crumpets) and the Rudloe store. This list is all very well but these are not woods - Leafy Lane Wood is a valuable community asset, containing, contrary to your assertions, many beautiful trees (for example, the trees of the lime avenue, the two hornbeams at the western entrance and even the much-derided sycamores which have gorgeous bark) of which I took further (to the many already taken) pictures last Sunday - these photos and the many others taken in the wood over the years may be found mainly in the gallery 'Views of Rudloe including Leafy Lane Wood and Bradford Road' here <http://www.rudloescene.co.uk/localities/rudloe/>. Again contrary to your assertions, the wood has a thriving area of Bath asparagus of which the Wiltshire and Swindon Biological Records Centre website says the following: *'Population numbers: occurring widely across Europe, in particular throughout the Mediterranean. In the UK the greatest numbers are found in the Bath area, this being close to the centre of its UK distribution with the concentration of colonies spreading into Wiltshire where four Protected Road Verges in Wiltshire have been designated due to their population of Bath asparagus. This very restricted distribution, exacerbated by its large seeds which make dispersal difficult, has led*

*to Bath asparagus being recognised as a **nationally scarce species in the UK and also protected under the Wildlife and Countryside Act (1981)***'. So where are your woodlands "*that have the same listed flora*"? This is, of course, a rhetorical question - Leafy Lane Wood has a population of a nationally scarce plant.

Your 'Conclusion' simply repeats the misinformation and disinformation propounded earlier.

With regard to your appendix 4, the letter to Box Parish Council, I had not realised that you were present at the 28th May full council meeting. You may remember that I asked the meeting if the council had had any communication from LLPF on the subject of the playing fields and their proposed sale. The secretary of BPC said that she had had a phone call from the LLPF chairman asking if the parish council would be interested in purchasing the wood and in response said that LLPF should put the request in writing. She (the secretary) said that nothing further had been heard. For all its laudable work, one might say that this is somewhat typical of the way LLPF operates. Its meetings are 'closed' (I have asked in the past if I could attend a meeting and was told this in response) and no minutes of its meetings are published. In a similar vein, as the treasurer and trustee of LLPF, you sat in at this meeting and said nothing with regard to this question. You also said nothing even though you were supposedly "shocked" at the "outburst" from SCRA. Instead you just sat there stoking up feigned affronts to your sensibilities. Rules and regulations of small parish councils are not so stringent as to disallow a member of the public, on request, from voicing a strongly-held opinion on matters at hand. As indicated earlier, the SCRA comments on travellers used measured language prefaced by conciliatory phrases regarding racism and discrimination; they were not, as you say, "*an outburst*" - this is unnecessary use of inflammatory language. The SCRA remarks, as also indicated earlier, related to well-documented (the emails included you as an addressee) problems encountered previously at the playing fields with considerable amounts of hazardous waste left by travellers (once again, I refer you to the attached photographs); problems which you now deny.

Continuing with appendix 4, you say "*I noted you said no member's (sic) of the charitable trust Leafy Lane Playing Fields had contacted yourselves*"; this, as indicated in the paragraph above is incorrect, the LLPF chairman had made contact. You also say "*It would have been polite & proper for the Parish Councillors to contact the organisation themselves to ask their view on how this proposal will affect the running & finances of the playing fields, so they had both sides of the argument for & against*". This is somewhat rich coming from an organisation that, through the obligations of its status as a charity, is required to give public notice of its intentions to dispose of land. If LLPF had kept Box Parish Council (BPC) informed of its intentions and proposals then perhaps BPC would have been in a position to invite LLPF's comments. I suppose that our community asset bid came rather 'out of the blue'. As indicated earlier, section 121 of the 2011 Charities Act requires that public notice be given in the area prior to a decision on disposing of land and that trustees consider any objections received during the notice period. A 'For Auction' sign or sale advert in a local paper does not constitute a public notice **prior** to a decision to dispose and does not make local councillors aware of your intentions.

Now after responding to so much negativity, I feel the need to include a small piece about the joys of woodlands. Perhaps Bruce Armstrong, who lived at the Rudloe Park Hotel in the early 50s, paints a good picture in his email which is published in the rudloescene archive: "*It was a fairy tale wood (now ripped up for houses, I see) At my age, just past nursery rhymes and the big bad wolf, the wood was a special place of fantasy. That night, even searching with a*

lot of other people, I was in thrall of the place. Made for Walt Disney cartoons, that wood was. The whole place was magical to me". Bruce is talking here of the woodland, including what now remains (Leafy Lane Wood), that extended, along with its lime avenue, towards the Rudloe Park Hotel.

Oliver Rackham in his *Woodlands* (2006) provides a table of indicators of ancient woodland. These include *anemone nemorosa* (wood anemone), *tilia cordata* (small-leaved lime), *allium ursinum* (ramsons), *lamium galeobdolon* (yellow archangel), *viola reichenbachiana* (dog violet), *crataegus laevigata* (hawthorn), *ranunculus auricomus* (goldilocks buttercup) and many others, all of which can be found in Leafy Lane Wood. I mentioned earlier the nationally scarce Bath asparagus (*ornithogalum pyrenaicum*) which is also found in the wood; other delights include winter aconites (*eranthis hyemalis* - a large, but reducing patch opposite Rudloe House), Star of Bethlehem (*ornithogalum umbellatum*) and sanicle (*sanicula europaea*). For those with an interest in the natural world or those just seeking a place for quiet reflection or those passing through on the way to a play park, Leafy Lane Wood can be a magical place of many natural delights and, as indicated by Bruce Armstrong, childhood fantasies.

Now, moving on to your data protection issues ...

I put it to you in our telephone conversation that your 10th June 2015 letter to Wiltshire Council was "*a disgrace*". Your letter was replete with, to put it politely, misinformation and disinformation, which point I made in my 26th July email to Simon Day. Correspondence related to community asset bids is in the public realm and can be requested through Freedom of Information requests. The public should be aware of the representations that are being made on their behalf (or otherwise) - this is something that, locally, the rudloescene website attempts to do - to reveal information in the public sphere, not to conceal it. Notwithstanding this, if you have evidence, perhaps from LLPF meeting minutes, that the 10th June letter had been read and sanctioned by a quorum of the LLPF committee or trustees, and it not just a tirade of misrepresentations from your pen, then I will consider your solicitations.

With regard to your concern "*copying over with a blank box this unfortunately does not prevent the information from being viewed by those who would wish to use my personal information fraudulently*", this is not the case. The .pdf document now available to view is an original; if you would care to 'track' document updates, you will see that there are none.

I'm sure there must be some punctilious regulations in existence which could be brought to bear for sending threatening emails, for vilifying a section of the local community and for presenting misinformation and disinformation to public bodies. Further research is required here but, in the meantime and in the absence of confirmation regarding a quorate sanctioning of the 10th June letter, I expect an apology from you to the people of Rudloe for the distasteful representation made regarding our community asset bid.

Sincerely

Paul Turner