

Colin Duke

From: Colin Duke [awdh83@dsl.pipex.com]
Sent: 04 September 2015 16:04
To: 'DEBBIE FITZPATRICK'
Subject: FW: Matters of Appropriation

From: Paul Dwyer [<mailto:paul.dwyer@bradford.gov.uk>]
Sent: 04 September 2015 15:44
To: 'Colin Duke '
Cc: Kay Sanders; Debbie Newman
Subject: RE: Matters of Appropriation

Mr Duke

Thank you for the below

In respect to the second paragraph of your e mail I informed you that the Council were advertising the possible appropriation of Public Open Space in accordance with Section 122 of the Local Government Act 1972. As you are aware this is a statutory process and objections to the proposed appropriation are invited.

I would again invite you to lodge any objection you may have. In this respect I do not consider that I have acted unreasonably

In respect of the consultation I will bring your concerns to the attention of my client Directorate

With reference to Woodside I informed you that I did not have the file and accordingly was not in a position to comment. I will however refer your concerns to Estates and respond in due course

You informed me that your solicitor would be taking the matter up on your behalf and I will be pleased to hear from him in due course

Thanks

Paul Dwyer
Solicitor
Property Law

Legal & Democratic Services

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From: Colin Duke [<mailto:awdh83@dsl.pipex.com>]

Sent: 04 September 2015 15:14

To: Paul Dwyer

Subject: Matters of Apropiation

46 Meadway
Woodside
BD6 2SP

Dear Mr Dwyer

In the furtherance of matters relating to objection on a Statutory Act begun by Notice

I asked you to clarify material facts relevant to the process, you responded by stating to put my objections in writing and refused to clarify or provide information in whole or part and to which would impact or prejudice on the same

I refer to the express wording of the notice to object to a grant of lease relevant to the land that in which you have in not provided or made available .

I put it to you given such questions where applied to diverse agents within the council in advance of any closure date imposed by the council that you the Council have acted unrerasonable in accordance with any Wednesbury Test , and that you have sought , with prejudice to obstruct a due process of consultation or informed fact

It is not possible to raise informed objection to the material use if the land if you have no begun a process of consultation or failed to provided any material fact relevant to it, The Council having commercial benefit in the material determination of the same

In the matter of Woodside Playground and Open Space I expressly asked as Head of property Law to state why Land above given to be of same POS / Recreation was not appropriated prior to any disposal in the same manner which would be properly a matter to which you would be obligate under duty to deal with under Property Disposal 3:2

I would ask you please to put in writing why you refused to provide the information being reasonably asked of you in under your extant role and duties in public office

And why the process of appropriation did not occur in regard to the Woodside Site

I remain

Yours Sincerely

CV Duke