**VILLAGE GREEN APPLICATION FOR COOMBE LANE**

**Background**

Land off Coombe Lane, which has been used by the public for decades for both walking and recreation, has recently been sold in separate plots to individuals, some of whom have erected fences to prevent public access and who, it is feared, may submit planning applications for development of the land. The land has a blanket TPO and is designated greenbelt.

**What is Village Green Status & Why Apply**

Town and Village greens developed under customary law as areas of land where local people indulged in lawful sports and pastimes. Village greens are protected under law and it is an offence to “cause injury” to the green or “undertake any act which interrupts the use or enjoyment of a green as a place of exercise and recreation.”

There are various stipulations for Village Green status, including:

* The land must have been used for lawful sport and pastimes;
* The landowners are aware of the public use of the land;
* A 12-month time restriction from the date the first obstruction was placed to stop access;
* The neighbourhood must have some identifying features;
* The process cannot move forward if a planning application has been made that awaits determination;
* There must be public access to the land.

There has been a strong response to the sale and attempted fencing-off of the land. In addition there is fear that the various new landowners will develop the land.

The parish council wishes to protect the land for the community now and for future generations.

The parish council wishes to protect the biodiversity of the land.

**Current Status**

* The first fence was erected on the land on 15 May 2021, meaning the deadline we are working to is 14 May 2022.
* In response to our invitation on social media, the parish office has received 68 responses, of which 19 fall into the category of using the land for pastimes for over 20 years.
* Any correspondence specifically referring to the possible application for Village Green status has been kept confidential; it is feared that, should the new landowners become aware of this, the process could be halted by submission of planning applications.

**In Summary**

The application process must begin at the earliest opportunity and must be kept confidential. However, it is expected that, should the application be successful, the landowners will wish to contest it. In such circumstances it is likely that legal representation will be required; the parish council should be aware that there may be legal costs involved.

**Proposal**

The Clerk is seeking the parish council’s approval to move forward with the application for Village Green Status on the land off Coombe Lane and the council, in agreeing to this proposal, acknowledges the possible legal costs which may be incurred.