

Draft Policy on use of Walberswick Village Greens

For consideration for adoption by Walberswick Parish Council January 2021

Introduction:

There are three designated Village Greens in Walberswick, known as:

- a. The Village Green (VG51)
- b. Jubilee Green (VG52)
- c. Ferry Knoll, Bell Green No.1 and Bell Green No.2 (VG50)

The areas designated as Village Greens are marked in Green and edged in Black on the map shown in Appendix 1 of this document

All three greens are formally recorded on the Suffolk County Council register of Common Lands and Village Greens. Hearings were historically held regarding all three greens by the Commons Commissioner and in all three cases the Commons Commissioner directed that Walberswick Parish Council be recorded as the owner; these findings can be seen on the Walberswick Parish Council website (*link to be inserted after approval*)

Relevant Legislation:

Greens receive considerable statutory protection under the following two statutes:

Section 12 of the Inclosure Act 1857 makes it a criminal offence to:

- wilfully cause injury or damage to any fence on a green
- wilfully take any cattle or other animals onto a green without lawful authority
- wilfully lay any manure, soil, ashes, rubbish or other material on a green
- undertake any act which causes injury to the green (e.g. digging turf)
- undertake any act which interrupts the use or enjoyment of a green as a place of exercise and recreation (e.g. fencing a green so as to prevent access)

Section 29 of the Commons Act 1876 makes it a public nuisance to:

- encroach on a green (e.g. extending the boundary of an abutting property so as to exclude people from that area)
- inclose a green (i.e. by fencing it in, whether or not the effect is to exclude public access)
- erect any structure other than for the purpose of the better enjoyment of the green

- disturb, occupy or interfere with the soil of the green (e.g. camping or planting of trees/shrubs) other than for the purpose of the better enjoyment of that green.

Use of the Village Greens in Walberswick:

- Use of the Village Greens in Walberswick is exclusively controlled by Walberswick Parish Council
- All Village Greens permit exercise (includes exercising of dogs), and the playing of lawful sports and pastimes without specific permission being sought
- Any individual, business or group wishing to use the Green for any purpose beyond those activities mentioned above must seek the written permission of Walberswick Parish Council before carrying out the activity and such permission must be recorded as a formal resolution in the minutes of Walberswick Parish Council before the activity takes place
- Anyone seeking such permissions should in the first instance email the Parish Clerk at: walberswickclerk@gmail.com
- The Parish Council (and authorised contractors acting on their behalf) can access the Village Greens as required at any time for Inspections, Maintenance and Repair

Prohibited Uses of Village Greens in Walberswick (Note: Exceptions to prohibited uses can be considered for permission upon request to the Parish Council per this policy)

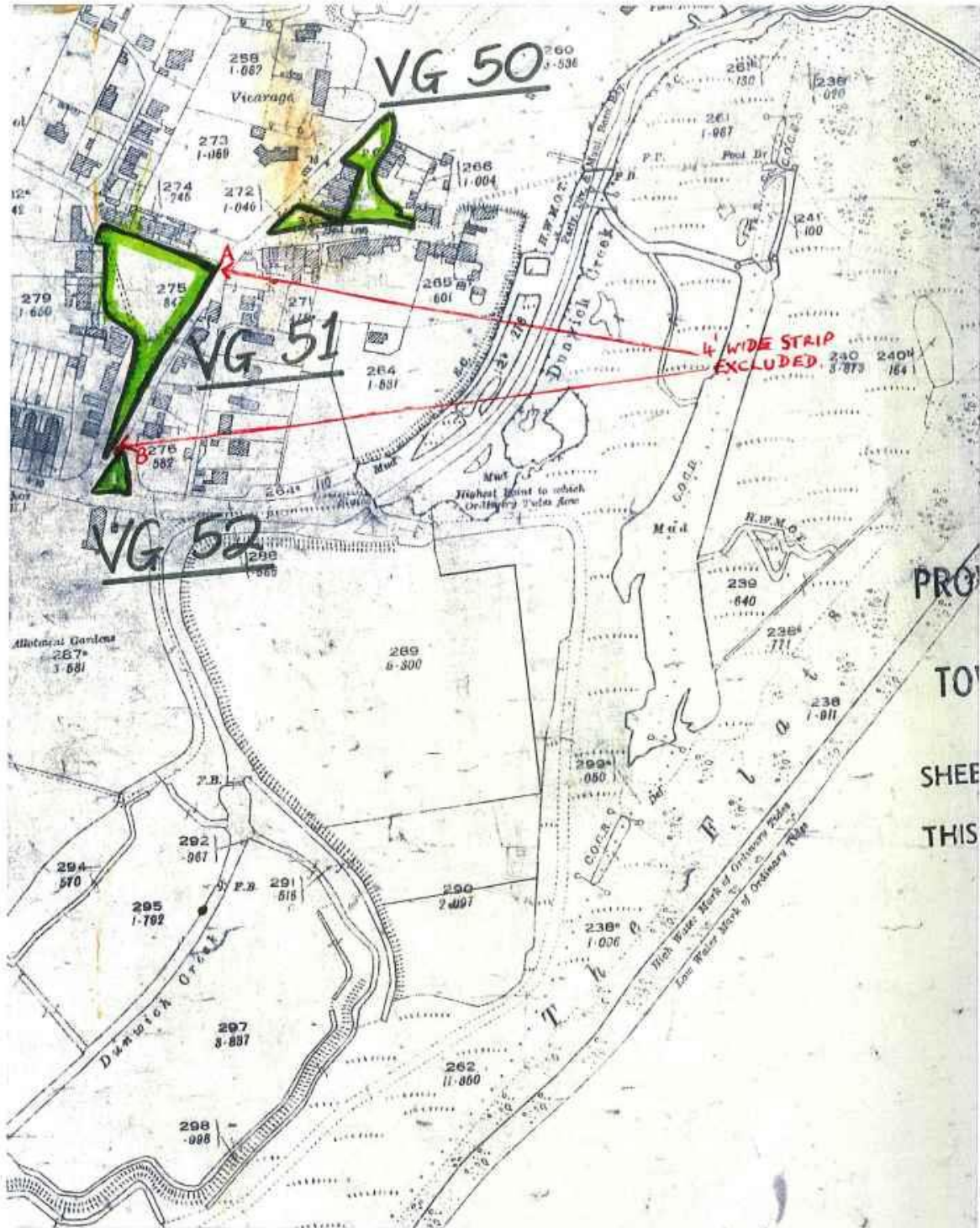
- Parking of vehicles, including for tradespeople
- Advertising for a business
- Operation of a business
- Fireworks
- Collections for non-charitable purposes

Uses of the Village Greens requiring (but likely to receive) permission of the Parish Council include, but are not limited to:

- Fetes
- Erection of a maypole
- Erection of a Christmas tree
- Holding of Carol Services
- Collections for charitable purposes

In all cases the designation of permitted uses (other than those permitted by statute) rests entirely with Walberswick Parish Council

Appendix 1 – Map of Walberswick Village Greens



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SUFFOLK COUNTY COUNCIL
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