



# **Village Green Policies and Procedures**

**Adopted by the Parish Council on 25<sup>th</sup> July 2024**

These policies and procedures relate to Sunningwell Parish Village Green and Bayworth Triangle

## **Policies and Procedures**

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## **1. Definition of a Village Green**

This is defined in the Commons Registration Act 1965 as amended by The Countryside and Rights of Way Act 2000 as land which has been allotted by or under any Act for the exercise or recreation of the inhabitants of a locality, or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes, or which falls within subsection (1A) of this section as follows: Land falls within subsection 1A if it is land on which for not less than 20 years a significant number of inhabitants of any locality, or of any neighbourhood within a locality, have indulged in lawful sports and pastimes, as of right.

This document covers Sunningwell Village Green, along with the Bayworth Triangle in the ownership of Sunningwell Parish Council.

## **2. Registration**

The Sunningwell Village Green is registered with the Commons Registration Authority at Oxfordshire County Council. This provides protection as afforded by various acts of law (see note 3 below) that covers all aspects of the Village Green's use and management. Sunningwell Village Green was registered on the 28<sup>th</sup> September 1999, following a House of Lords' judgement on the 14<sup>th</sup> April 1999 under register unit number VG 121. The land was purchased by Sunningwell Parish Council from The Oxford Diocesan Board of Finance in 2017.

Sunningwell Village Green and the Bayworth Triangle are now owned, managed and administered exclusively by Sunningwell Parish Council. All policies in this document apply to both, unless stated otherwise. They are jointly referred to throughout this document as "the Village Greens".

## **3. Legislation**

The following is a list of the most common legislation which currently exists for the protection and rights relating to Village Greens.

- The Inclosure Act 1845 and 1857
- The Commons Act 1876,1899 and 2006
- The Open Spaces Act 1906

- The Acquisition of Land Act 1981
- The Law of Property Act 1925
- The Countryside and Rights of Way Act 2000

#### **4. Responsibilities**

The Village Greens are owned, managed and administered by Sunningwell Parish Council, who are responsible for their maintenance, protection, and upkeep. All matters relating to the Village Greens should be referred in the first instance to the Parish Council for consideration. Any rulings or actions will be made by them in accordance with present legislation, the Parish Council's contractual obligations and their own policies and procedures, or referred to other Authorities as deemed necessary by them.

As custodians, the Parish Council must ensure that the Village Greens are protected against encroachment, damage and uses other than those consistent with normal enjoyment of the Village Green. Driving, cycling, motorcycles, or parking of any motorised or horse drawn vehicles on any part of Sunningwell Village Green is not permitted, unless by prior written agreement with the Parish Council. No horse riding nor grazing of livestock is permitted. The same rules apply to Bayworth Triangle, except that parking of domestic cars and light commercial vehicles is permitted perpendicular to the highway and entirely on or within the hardstanding area specifically designated by the Parish Council for that purpose.

Maintenance and repairs relating to the Village Greens will only be carried out by Contractors appointed to carry out such works by the Parish Council.

#### **5. Lawful and Prohibited Uses**

Whilst not exhaustive, the following is a list of lawful and prohibited uses permitted on the Village Greens.

Lawful uses include:

- Walking and dog walking
- Playing sports and pastimes
- Public gatherings for entertainment

- Village Fetes
- Carol singing and maypole dancing

The Parish Council welcomes ideas from the Parish relating to use of the Greens for free, public gatherings. Full Parish Council consent (minuted in a Parish Council meeting) must always be obtained prior to any form of public gathering taking place or being promoted. Each application will be considered on its merits and against the criteria set out below.

Prohibited Uses without prior written consent from the Parish Council include:

- Any physical alteration to the Village Green including altering the surface of the greens.
- Fencing of the Village Greens, or otherwise making it inaccessible to the Public.
- Wilful damage e.g., from vehicles, horses, or bicycles.
- Driving or parking of any motorised or horse drawn vehicle or bicycle/motorcycle unless the prior approval of the Parish Council has been obtained (except within the designated area of Bayworth Triangle as set out above)
- Grazing of cattle, sheep, horses or other animals.
- The pruning, cutting down planting or removal of trees or shrubs unless at the express request or consent of the Parish Council.
- The building of any temporary or permanent structure except with the authority of the Parish council.
- Camping, caravanning or any other form of overnight stays.

No fires may be lit nor portable BBQs used on the Village Greens, except as part of Parish Council sponsored events.

Alcohol consumption on the Village Greens is prohibited, except as part of Parish Council sponsored events

Uses which could cause damage to property or people or are likely to be a danger or a nuisance to other users of the Sunningwell Village Green and Bayworth Triangle or nearby residents such as flying of model aircraft, kites or drones will not be permitted before 9am or after 9pm. Playing of loud music through personal portable devices is not permitted at any time. Any Parish Council sponsored events involving loud noise or music must finish by 9pm.

Dogs must always be controlled and kept on a lead where appropriate, and any waste or rubbish arising from the use of the Village Greens must be removed.

Alcohol may only be sold on the Village Greens as part of Parish Council sponsored events, and on condition that the appropriate licences have been obtained from the District Council. In the case of Sunningwell Village Green, the Oxford Diocese must also have given express consent in writing to any alcohol sales for the event in question.

**Benches:** Any resident of the Parish who wishes to install additional bench or benches on the greens must obtain prior written approval from Sunningwell Parish Council and must follow the current style, type, size, standard, design and installation of those benches already located on the greens and are to carry out future repair and maintenance at their own expense. Given the size and nature of the Village Greens and the number of benches already in place, the Parish Council reserves the right to refuse approval of new benches. In this case, it will work with relevant Parishioners to suggest alternative locations or memorial tributes.

**Privately run and/or financed events** will not be permitted, whether open to the public or otherwise, unless prior written approval has been requested from, and granted by, Sunningwell Parish Council.

**Parish Council sponsored events** should be run on a "not for profit" basis, and any profits that are realised will be donated to local organisations and/or Charities approved by the Parish Council, or as part of fund-raising for Parish projects. Members of the Parish Council are not permitted to gain personally or financially, directly or indirectly, from these events.

## **6. Enforcement**

Where person/persons are shown to have misused the Village Greens, creating damage or alterations to its original fabric, the Parish Council will require those responsible to make good the damage to the satisfaction of the Parish Council or reimburse any cost incurred by the Parish Council in effecting repairs and reinstatement.

In certain cases, damage or encroachment may result in legal proceedings being taken by the Parish Council.

## **7. Maintenance and works**

The Parish council is legally responsible for the maintenance of all parts of the Village Greens whether grassed or hardstanding.

While grassed areas are regularly cut and seeded, other areas may be subject to repair or replacement from time-to-time dependant on the degree of wear and tear received.

The Parish Council may also undertake more extensive works to the Village Greens where required to ensure the safety and wellbeing of Parishioners, for example, as part of plans agreed with Oxfordshire County Council and the Vale of White Horse District Council to alleviate flooding in properties in the Parish as part of County-wide Flood Prevention Policies.

All decisions relating to the maintenance and repair of, or major works involving, the Greens will be taken by the Parish Council in the first instance, before any works are carried out. Where possible, the Parish Council will consult with local residents but ultimately the Parish Council will take all final decisions in relation to maintenance, repair and major works on the Village Greens.

## **8. Inspection and working parties**

The Parish council will carry out an annual inspection of the Greens to determine their condition and identify any works required to be carried out. Other inspections may be carried out on an "ad hoc" basis as and when deemed necessary. The results of all inspections are to be formally recorded and reported to a Parish Council meeting at the first available opportunity.

From time to time the Parish Council will conduct a working party to carry out minor works in relation to the Village Greens' maintenance and upkeep. The Parish Council may appoint a Village Green Warden (who may be a member of the Council or a local volunteer) to run the working party. The Village Green Warden will be agreed by the Parish Council every four years, with no individual to hold the role for more than 8 years.

## **9. Protection of trees shrubs flora and fauna.**

All trees, hedges shrubs and flowers planted on the Village Green are the property of the Parish Council. They are protected and must not be pruned, cut, damaged, or removed without prior written approval from the Parish Council.

In the event that trees are covered by a Tree Preservation Order, or are in a Conservation area, additional authorisation will be required from the Vale of the White Horse District Council. The Parish Council have the authority to remove or replant/ replace trees and other plants on the Village Greens.

## **10. Summary**

This document will be available to be viewed on the Parish Council's website and copies may be obtained from the Clerk to the Parish Council. [Email clerk@sunningwell-pc.gov.uk](mailto:clerk@sunningwell-pc.gov.uk)

The policies and procedures contained within this document supersede all prior versions.