



STEYNING PARISH COUNCIL – SKATE-PARK AND VILLAGE GREEN UPDATE

Steyning Parish Council wishes to update all residents on the current position of the skate-park and the village green.

An Extraordinary General Meeting (see footnote) of the Council was held in confidential session on Wednesday 19th November to discuss legal issues surrounding the village green status of the Memorial Playing Field (MPF). The Council is obliged to meet in confidential session when discussing legal issues that may be prejudicial to future legal proceedings.

The MPF has two village green registrations, the first of which was granted in 1974 (VG65) and the second in early 2013 (VG93). VG65 was the registration of the lower part of the MPF that includes the bowls club, cricket club and pitch, and the tennis courts. VG93 was the registration of the top part of MPF, including where the skate-park was planned to be built.

Following advice from Horsham District Council (HDC) planning department in July this year, the Parish Council had to withdraw its planning application for building a skate-park on the MPF since, in HDC's opinion, there was a potential for 'harm through noise' in the evenings. Village green status does not allow the facility to be fenced, to prevent evening access, and because of this, the Planning Officer intended to change the recommendation from approval to refusal of the planning application. HDC advised us to seek independent legal advice on the effect that Village Green status would have upon the clubs and users of the MPF.

Having had this legal advice we looked at what options were available to us, in order to try to deliver a skate-park, in the MPF, as supported by a majority of the residents voting in the town poll of October 2013.

At last week's Extraordinary Meeting, to which all Councillors were asked and 12 attended, Councillors discussed at length the legal advice received regarding the possibility of rectifying the decision on the 2013 village green registration (VG93) and the deregistering of the village green registration of 1974 (VG65). In addition, the Council also considered the possibility of a technical 'land swap' of land occupied by the bowls, tennis and cricket clubs as village green status could impact upon certain aspects of the clubs operations.

Having considered this legal advice Steyning Parish Council agreed as follows;

- This Council will not deregister VG65
- This Council will not apply to the High Court for a rectification of VG93
- This Council shall not consider a 'land swap' of the land occupied by the bowls, tennis and cricket clubs at this time

In making these difficult decisions, Councillors took account of the good, but not certain, prospect of rectifying (overturning) village green status of VG93, and the potential high costs of litigation. Councillors took account also of the fact that litigation could extend beyond the mandate of this Council which expires in May 2015.

Our legal advice included reference to the Parish Council's legal duty regarding management of the village green, its users, the clubs, clubhouses and facilities. The Council has agreed to set up a working party to investigate all aspects of village green management and make its recommendations to Full Council. The Council is committed to

ensuring that the clubs continue to prosper and grow and, that they and the residents using the Memorial Playing Field do so 'lawfully' and for the 'better enjoyment' of the village green.

There have been some concerns raised over possible building development on the MPF. The Council would like to assure all residents that there has never been any suggestion by this Council, or any other that we are aware of, that it would permit development on the MPF or the Abbey Road open space, and any contrary suggestion is incorrect.

We regret that we have been unable to deliver the long awaited skate-park in the MPF, as supported in the town poll in 2013, through circumstances beyond our control.

Finally, the Council would like to confirm its commitment to protecting and enhancing the Memorial Playing Field for the benefit of all.

STEYNING PARISH COUNCIL consists of fifteen local people with deep roots in our community.

Please always remember, as we do, that the Council exists to serve the community of Steyning.

Phil Bowell (Chairman)

Tim Lloyd (Vice Chairman)

Mariella Alexander

David Barling

Nick Hopkinson

Gordon Marshall

Nick Muggridge

Gill Muncey

Gill Ness-Collins

Sue Rogers

Ben Staines

Roger Toms

Martin Toomey

Liz Trundle

Michael Willett

Footnote

Confidential sessions of the Council, where the public and press are excluded, are held under Standing Order 1(d) which states that; *"Meetings shall be open to the public and press unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons."* This includes matters of 'legal privilege' when it may be prejudicial to future proceedings for such advice to be in the public domain. All members of the Parish Council are invited to extraordinary meetings of the council.

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