

Information for members from the council's legal team regarding the statement made about Town Greens

The impact of the Town Green on organised football.

Under Town Green status there would, of course, be no prohibition on anyone playing football on the area, but the key here is in the reference to "organised" football. What would no longer be possible, under Town Green status, would be for the Council (or anyone else) to ensure that a particular football match could be played on a particular pitch at a prescribed time on a specified day. Thus it would be impossible for a local organised team to "book" the pitch for a league match (as they do at present), as in effect anyone would have the right to turn up five minutes beforehand (or even five minutes after kick-off) and walk their dog, have a picnic, play cricket, sunbathe, fly a kite, etc on and over the designated pitch and no one would have the legal right to tell them to move on.

It is unlikely that these problems would be in any way alleviated by having "holes" in the Town Green. The original application showed two holes in the proposed green, but in a subsequent plan this seems to have been increased to show four holes (notwithstanding that we understand that at present there are in fact five separate pitches on the area). We are not aware of any Town Green that has two (or four) oblong holes in it, but irrespective of whether a Town Green is capable of having "holes", this clearly does not address the point that football pitches are periodically moved to avoid excessive wear on particular areas or that different sized pitches are periodically provided as required to cater for adult and junior users, and 7-a-side matches. Even if the registration authority is happy to accept a Town Green with oblong holes, it surely can never agree to a concept of "moveable" holes.

Changing rooms

Representations have also been made about the right to build changing rooms on a Town Green. The position is as follows. If any building is constructed on a Town Green any person can apply to have it removed. Certainly there would be no right whatsoever to charge anyone for use of the building. It may, in some circumstances, even be a criminal offence to carry out the construction work.

Play area

The proposed new £150,000 play area is also on hold and the plan in the original application only excluded the current small play area on Pegasus Road. While the revised plan seeks to reduce the area to be included within the Town Green this would still prejudice the proposed development. In any event, it is likely that the registration authority will deal with the application in the form originally submitted.

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