

# **CRAKEHALL WITH LANGTHORNE PARISH COUNCIL**

## **Village Greens Policy and Procedures**

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3. Legislation
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### **Introduction**

The Village Green is an integral part of a village community, and as such, should provide its residents with a focal point on which to live a peaceful and friendly existence. It is the essence of rural England.

The following policy is designed to improve awareness of the tight rules and practices that we all need to follow, by making reference to the legislation that covers this often misunderstood area.

## **1. Definition of Village Greens**

Village Greens are defined in the Commons Registration Act 1965 (s22) as amended by the Countryside and Rights of Way Act, 2000 (s98) as:

"land ....on which for not less than 20 years a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged in lawful sports and pastimes as of right, and either (a) continue to do so, or (b) have ceased to do so for not more than such a period as may be prescribed ....."

Village Greens are protected by the Inclosure Act, 1857 (s12) and the Commons Act, 1876 (s29).

Section 12 makes it a criminal offence to do any act which injures a Green or interrupts its use as a place for exercise and recreation.

Section 29 makes encroachment or inclosure of a Green, and interference with or occupation of the soil unlawful unless it is with the aim of improving the enjoyment of the Green.

**It is not possible to give consent to do any works that contravene this legislation, as to give approval would be condoning a criminal offence.**

## **2. Registration**

The Village Greens are registered with the COMMONS REGISTRATION AUTHORITY This provides protection as afforded by various acts of legislation that cover all aspects of the Green's use and management. Crakehall Village Green was registered on 25<sup>th</sup> October, 1971, The Batts on 29<sup>th</sup> October, 1970 and Langthorne Village Green originally on 11<sup>th</sup> January, 1979 and amended on 19<sup>th</sup> June, 2024.

Crakehall Village Green and The Batts are owned and administered by Crakehall with Langthorne Parish Council. Langthorne Village Greens are owned in one part by Crakehall with Langthorne Parish Council and the other part by Mr J.Thompson (as detailed in Appendix 1). Even though one part of the Langthorne Village Green is privately owned by Mr J. Thompson as a Registered Village Green it still retains the rights and protection afforded to a Registered Village Green.

It is not possible to alter the Green, or make changes of use without the involvement of the Secretary of State.

## **3. Legislation**

The following is a list of the most common legislation that exists for the protection and rights that cover Village Greens;

- \*The Inclosure Acts of 1845 and 1857
- \*The Commons Act 1876, 1899 & 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
- \*Local Government Acts.

#### **4. Responsibilities**

For the Greens that are owned and administered by Crakehall with Langthorne Parish Council, the Parish Council is responsible for their maintenance, protection and upkeep. Any rulings or actions will be made by the Parish Council in accordance with legislation and published guidance from authoritative bodies such as DEFRA.

As custodians on behalf of the community the Parish council must ensure that all the Greens are protected against encroachment, damage and uses other than those consistent with normal enjoyment of the Greens. This also applies to the part of the Village Green in Langthorne owned by Mr J. Thompson.

Protection of grassed areas may involve the placing of stones, or erection of posts or bollards to prevent vehicular access.

Under no circumstances will any grassed areas of the Village Green be lost due to any works.

All instances of maintenance and repairs will be carried out by the Parish Council or by contractors that the Council appoints to carry out such works.

It is the responsibility of the owners of property fronting directly onto the Village Greens to check their Deeds as to the boundary of their property to ensure that no items such as flowerbeds, shrubs and hedges extend beyond it.

#### **5. Lawful and prohibited uses of a Village Green**

Whilst not exhaustive, the following is a list of lawful and prohibited uses of the Green.

##### **Lawful uses would include:-**

- \*walking across it with or without a dog.
- \*village fêtes (with the prior approval of the Parish Council)
- \*playing sports and games.
- \*use of existing paths for access/egress on foot.
- \*use of existing rights of access that cross the Green with a vehicle.

##### **Prohibited uses include:-**

- \*any physical alterations to the green.
  - \*fencing of the Green or otherwise making it inaccessible to the public.
  - \*Willful damage (i.e. when a person was aware of the risk of damage). e.g. By vehicles, bicycles and horses.
  - \*parking of a vehicle on the grass
  - \*planting of trees except by the Parish Council
  - \*the building or introduction of any structure (this includes even small things such as steps, bollards, posts) except by the Parish Council.
  - \*the driving of a vehicle across grassed areas
  - \*the pruning or cutting down of trees except by the Parish Council
- Camping or caravanning

A degree of common sense must prevail in interpreting the possibilities for the Green's use. However the overriding factor must be the Green's protection against damage, maintaining access and enjoyment for all in the neighbourhood and guarding against changes of use.

## **6. Enforcement**

Where a party or parties are proved to have misused the Greens, creating damage or alteration to its original fabric the Parish Council will deem those persons responsible for unlawful damage and take action for the Green's repair or reinstatement.

Those responsible will be expected to pay all subsequent costs in relation to the Green's repair/reinstatement, and works will be subject to timescales laid down by the Parish Council.

In some circumstances damage or encroachment may result in criminal proceedings being taken by the Parish Council.

Should the Council have to carry out its own works in relation to repairs/ reinstatement or employ a contractor/individual; all costs incurred will be automatically charged to those individuals responsible for the damage or alteration.

Please contact a Parish Councillor, or attend one of the Parish Council meetings if you require advice or facts on any issues relating to the Village Green, before you engage in any form of activity that does not fall within the detail listed in this policy (see note 5).

## **7. Maintenance**

The Parish Council is legally responsible for the maintenance of all parts of the Village Greens.

Some areas may be subject to repair from time to time dependent on the degree of erosion they have received.

All decisions relating to the Greens maintenance and repair will be taken by the Parish Council.

## **8. Inspections and working parties.**

The Parish Council will inspect the whole of the Crakehall and Langthorne Village Greens on an annual basis (April) to determine their condition and any works that may need to be carried out. Other inspection may take place on an ad-hoc basis to look at individual issues as and when they arise. The results of such inspections will be formally recorded.

From time to time the Parish Council will conduct working parties to carry out minor works in relation to the Green's maintenance and upkeep, i.e. seeding, removal of invasive weeds, etc. Residents will usually be informed by means of a flyer and / or Facebook post, and any help would be greatly appreciated.

## **9. Protection of trees**

All trees that are planted within the Village Greens are protected and must not be pruned or cut down without obtaining permission from the relevant bodies. This means the Parish Council and in the case of trees covered by a Tree Preservation Order, or in Conservation Areas (as is Crakehall), also means North Yorkshire Council. The Parish Council has over the years been responsible for the planting of such trees and they form part of what is the Village Green.

You should contact a Councillor or attend one of the Parish Council meetings if you have any questions or queries in relation to the planting of trees and other plants on the Village Greens.

The Council will endeavour to provide you with the relevant information or help you with your query.

### **10. Availability**

This document will be published on the Parish Council's website ([www.crakehall.org](http://www.crakehall.org)) and copies may be obtained on application to the Parish Council or by contacting any of its Councillors or Parish Clerk.

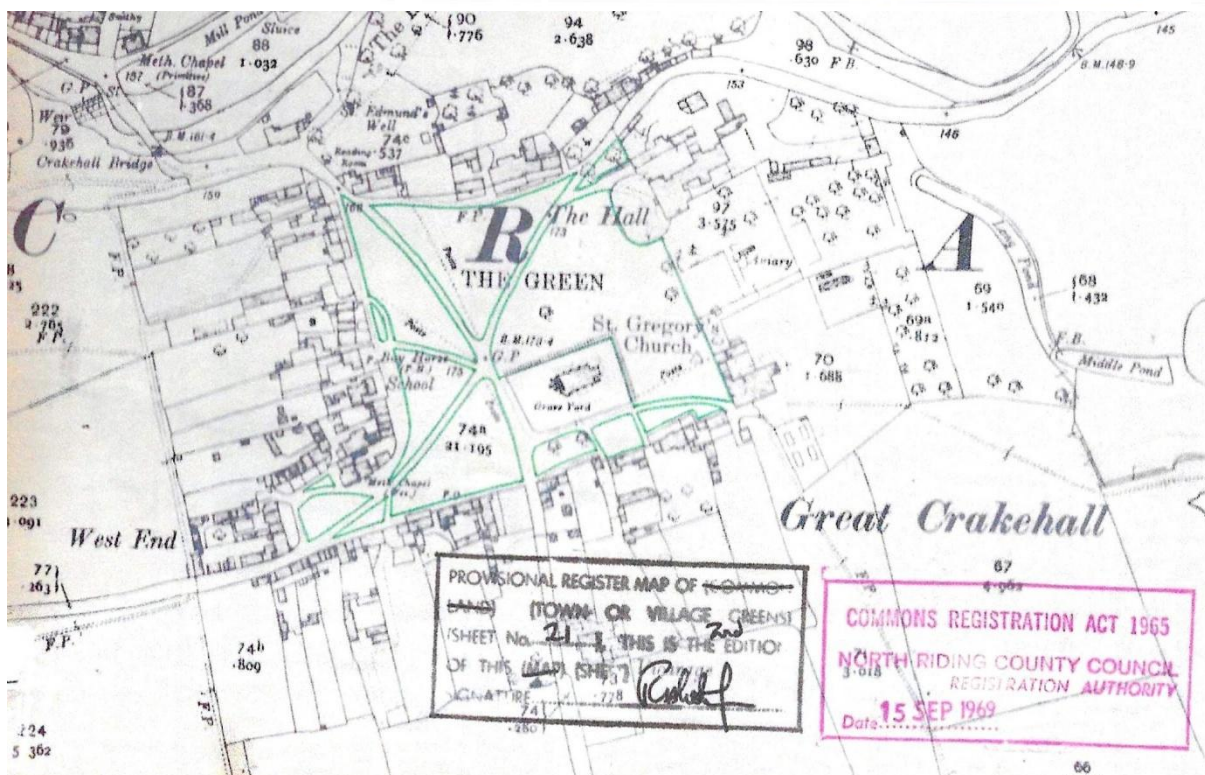
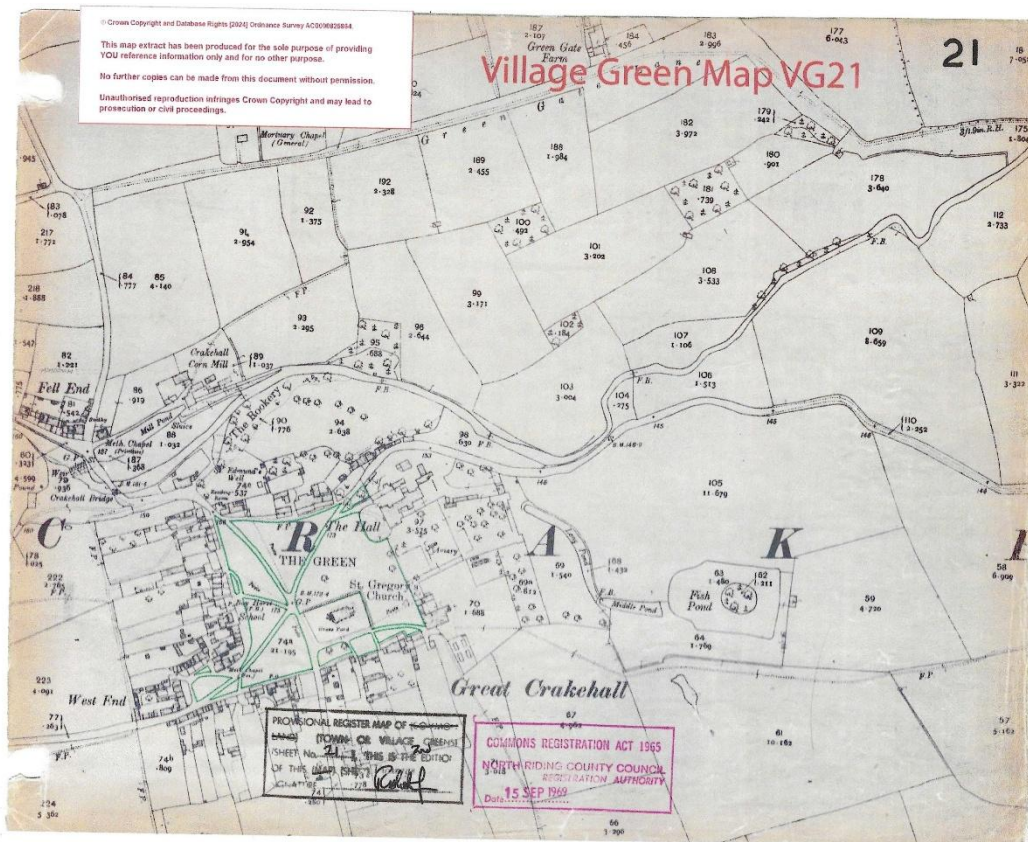
### **11. Summary**

Village Greens are part of our English heritage and should be protected and enjoyed by everyone as much as possible, and especially by the residents of the village they are connected with. We should all be proud of our Village Greens and feel honoured to live and be a part of a community that has the good fortune to have them.

January 2025

# APPENDIX 1 – MAPS OF CRAKEHALL AND LANGTHORNE VILLAGE GREENS

## 1. Crakehall Village Green Commons Registration





**Register of** TOWN OR VILLAGE GREEN

COMMONS REGISTRATION ACT 1965  
NORTH RIDING COUNTY COUNCIL  
REGISTRATION AUTHORITY  
Date: 15 SEP 1969

Register unit No. V.G. 21  
Edition No.

See Overleaf  
for Notes

LAND SECTION—Sheet No. 1

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1 24th May, 1967	The tract of land known as The Village Green, Crakehall, Bedale, in the Parish of Crakehall, as shown edged green on sheet No. 21 of the register map (Provisional Edition) and distinguished by the number of this register unit. Registered pursuant to application no. 30 made the 16th May, 1967, by Crakehall with Langthorne Parish Council acting through their Clerk Ronald William Kettlewell, Crakehall, Bedale, Yorkshire (Registration Provisional).
2 13th June, 72	The registration at Entry No.1 above being undisputed, became final on the 25th October, 1971.

No. and date of note	Notes	No. and date of note	Notes
1 31st May, 1968	Benjamin William Crawford of Crakehall Vicarage, Bedale, claims to be entitled to a right of way at all times over the land comprised in this register unit for the purpose of access and egress to and from his premises on the south side of Great Crakehall Village Green.		
2 21st Oct. 1970	The objection No. 0231 of the Crakehall Village Hall Committee, c/o Messrs. Eccles, Heddon and Young, South End, Bedale made 24th September, 1970 is noted in respect of the registration at Entry No.1 in this section. Objection withdrawn -25.10.71		

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

**Register of** TOWN OR VILLAGE GREEN

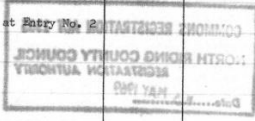
COMMONS REGISTRATION ACT 1965  
NORTH RIDING COUNTY COUNCIL  
REGISTRATION AUTHORITY  
Date: 15 MAY 1969

See Overleaf  
for Notes

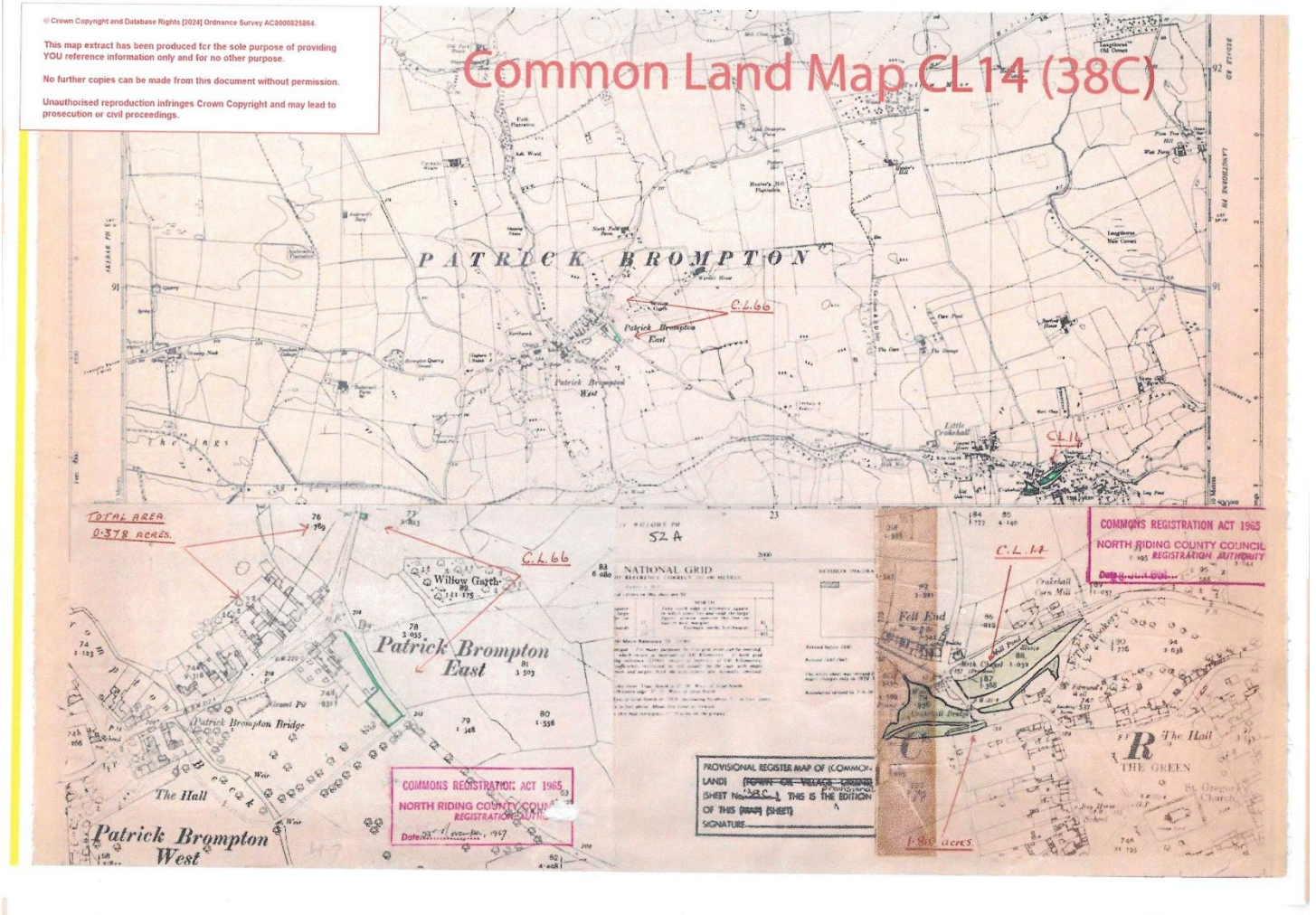
OWNERSHIP SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 25th May, 1967	31 25th May, 67	Crakehall with Langthorne Parish Council. (Registration Provisional)	The whole of the land comprised in this register unit.
2 30th May, 1968	144 26th Jan. 68	Arthur Robin Ian Hill, Clifton Castle, Ripon, Yorks. <del>XXXXXXXXXXXXXXXXXXXX</del> [NOTE: Handwritten have provided evidence that Crakehall now owned by] CNS 15/12/2001	The whole of the land comprised in this register unit.  [see file] 4 June 1997
3 28th Apr. 1969	144 26th Jan. 68	The registration at Entry No. 1 is in conflict with the registration at Entry No. 2 in the Ownership Section of the Register of Town or Village Green.	Register Unit No. V.G. 21 and each of those registrations is accordingly to be treated as an objection to the other to the extent of the conflict.
4 28th April, 1969		The registration at Entry No. 1 deleted 28th April, 1969 with approval of applicant.	
5 13th June, 72		The registration at Entry No. 2 above being undisputed became final on the 25th October, 1971.	

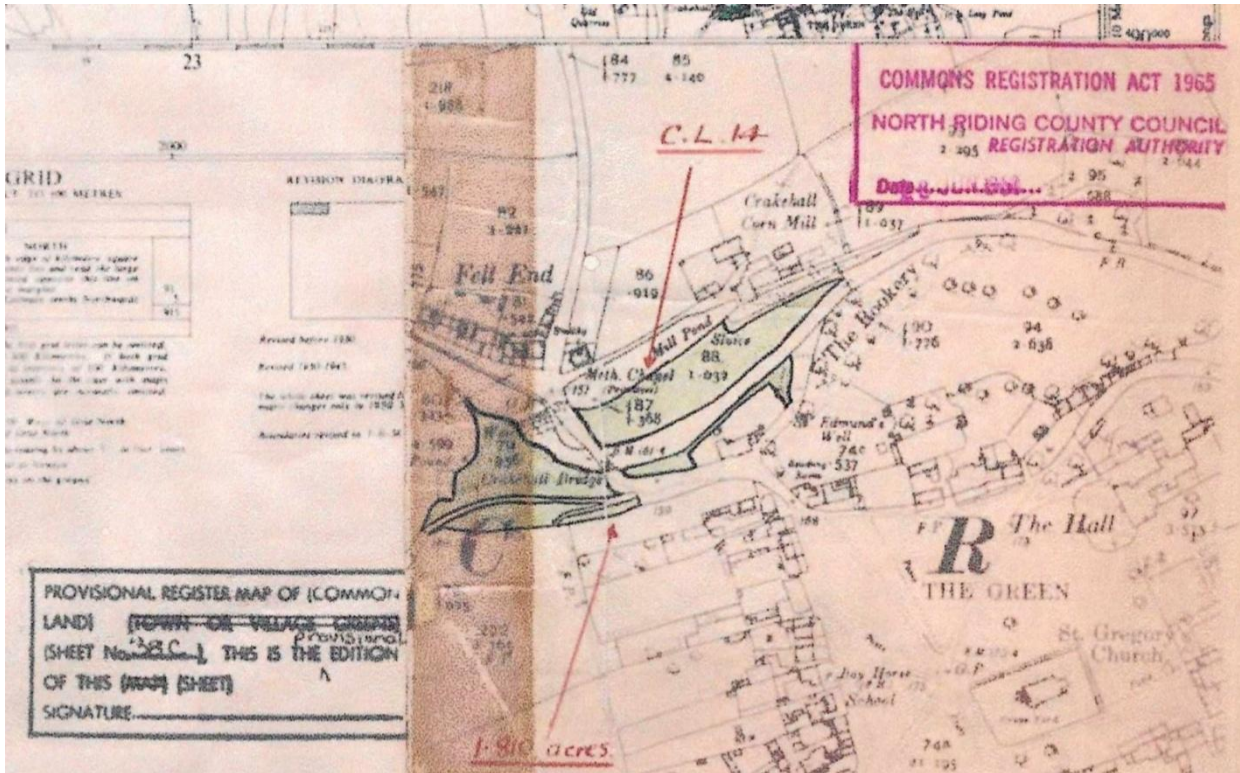
No. and date of note	Notes	No. and date of note	Notes
1	The objection No. 0231 of the Crokehall Village Hall Committee, c/o Messrs. Eccles, Heddon and Young, South End, Bedale made 25th September, 1970 is noted in respect of the registration at Entry No. 2 in this section. Objection Withdrawn - 25.10.71		



## 2. The Batts Commons Registration







C.R. Form 2 COMMONS REGISTRATION ACT 1965

NOTE: This section contains the registration of the land comprised in this register unit.

Registration authority  
NORTH RIDING COUNTY COUNCIL

Register unit No. C.L. 14  
Edition No.

**Register of** COMMON LAND

COMMONS REGISTRATION ACT 1965  
NORTH RIDING COUNTY COUNCIL  
REGISTRATION AUTHORITY  
Date: 24 MAY 1967

LAND SECTION—Sheet No. 1.

See Overleaf for Notes

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1. 24th May, 67	The pieces of land containing 1.810 acres or thereabouts called "The Batts" in the Parish of Crakehall as marked with a green verge line inside the boundary on sheet 380 of the register map (6" Ordnance Survey Sheet SE 29 SW) (Provisional Edition) and distinguished by the number of this register unit. Registered pursuant to Application No. 35 made the 16th May, 1967, by the Crakehall with Langthorne Parish Council through their Clerk, Ronald William Kettlewell, Crakehall, Bedale.
2 15th Feb. 71	The Registration at entry no. 1 above being undisputed, became final on the 29th October, 1970.

(See entry No. 2 below)

No. and date of note	Notes	No. and date of note	Notes
1 31st May, 1968	Benjamin William Crawford of Crakehall Vicarage, Bedale, claims to be entitled to a right of way at all times over the land comprised in this register unit for the purpose of access and egress to and from his premises on the south side of Great Crakehall Village Green.		
2 21st Oct. 1970	The objection No. 0231 of the Crakehall Village Hall Committee, c/o Messrs. Eccles, Heddon and Young, South End, Bedale made 24th September, 1970 is noted in respect of the registration at Entry No. 1 in this section. Objection withdrawn -25.10.71		

Note: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

# Register of TOWN OR VILLAGE GREEN



See Overleaf for Notes

OWNERSHIP SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
25th May, 1967 <del>21</del>	25th May, 67	Crakehall with Langthorne Parish Council. (Registration Provisional)	The whole of the land comprised in this register unit.
30th May, 1968	26th Jan. 68	Arthur Robin Ian Hill, Clifton Castle, Ripon, Yorks. <del>XXXXXXXXXXXXXXXXXXXXX</del> NOW CRAKEHALL WITH LANGTHORNE PARISH COUNCIL [note: Halsbury have provided evidence that Crakehall now owned 1967] CNS 19112001 (see file) 4 June 1997	The whole of the land comprised in this register unit.
28th Apr. 1969	26th Jan. 68	The registration at Entry No. 1 is in conflict with the registration at Entry No. 2 in the Ownership Section of the Register of Town or Village Green Register Unit No. V.G. 21 and each of those registrations is accordingly to be treated as an objection to the other to the extent of the conflict.	
28th April, 1969		The registration at Entry No. 1 deleted 28th April, 1969 with approval of applicant.	
13th June, 72		The registration at Entry No. 2 above being undisputed became final on the 25th October, 1971.	

No. and date of note	Notes	No. and date of note	Notes
21st Oct. 70	The objection No. Q231 of the Crakehall Village Hall Committee, c/o Messrs. Eccles, Heddon and Young, South End, Bedale made 24th September, 1970 is noted in respect of the registration at Entry No. 2 in this section. Objection Withdrawn - 25.10.71		

### 3. Crakehall Village Green and The Batts Land Registration



**GOV.UK**

Search for land and property information

#### Title register for:

**Village Green and land adjoining the A684, Crakehall, Bedale (Freehold)**

**Title number: NYK194336**

Accessed on 12 September 2024 at 14:31:46

This information can change if we receive an application. This service can not tell you if HM Land Registry are dealing with an application.



**This is not an official copy. It does not take into account if there's a pending application with HM Land Registry. If you need to prove property ownership, for example, for a court case, you'll need to order an official copy of the register.**

#### Register summary

<b>Title number</b>	NYK194336
<b>Registered owners</b>	CRAKEHALL WITH LANGTHORNE PARISH COUNCIL 9 Coronation Road, Little Crakehall, Bedale, N Yorkshire DL8 1HZ
<b>Last sold for</b>	No price recorded

#### A: Property Register

This register describes the land and estates comprised in this title.

<b>Entry number</b>	<b>Entry date</b>	
1	1997-08-29	NORTH YORKSHIRE

The Freehold land shown edged with red on the



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plan of the above Title filed at the Registry and being Village Green and land adjoining the A684, Crakehall, Bedale.

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2	2010-08-27	The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
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### **B: Proprietorship Register**

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

**Class of Title:** Title absolute

<b>Entry number</b>	<b>Entry date</b>	
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1	1997-08-29	PROPRIETOR: CRAKEHALL WITH LANGTHORNE PARISH COUNCIL of 9 Coronation Road, Little Crakehall, Bedale, N Yorkshire DL8 1HZ.
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### **C: Charges Register**

This register contains any charges and other matters that affect the land.

**Class of Title:** Title absolute

<b>Entry number</b>	<b>Entry date</b>	
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1	1997-08-29	The land tinted yellow on the filed plan is subject to the following rights reserved by a Conveyance thereof dated 11 May 1971 made between (1) Arthur Robin Ian Hill (Vendor) (2) The Royal Bank of Scotland Limited and (3) The Parish Council of Crakehall with Langthorne (Council):-
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"EXCEPT AND RESERVING to the Vendor and his successors in title a right of way at all times and for



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all purposes over the roadways shown coloured brown on the said plan and those roadways left uncoloured (which are public highways) .....subject to all the subsisting rights and easements enjoyed over the Village Green by the owners and occupiers of properties adjoining the said Village Green (including the Vendor)."

NOTE: Copy plan filed.

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2                      1997-08-29      A Conveyance of the land tinted pink on the filed plan dated 24 January 1973 made between (1) Arthur Robin Ian Hill (Vendor) (2) The Royal Bank of Scotland Limited and (3) The Parish Council of Crakehall with Langthorne (Council) contains the following covenants:-

"THE Council hereby covenants with the Vendor and his successors in title the owner or owners for the time being and all or any part of the Clifton Castle Estate :-

(a) to maintain the land hereby conveyed in a clean and tidy condition and free from rubbish

(b) to keep the river banks in repair

(c) to plant the land with trees in accordance with the scheme of arrangement already approved by the Vendor's Surveyor

(d) not to erect any buildings on the said land or any part thereof and to preserve the same as common land."

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3                      1997-08-29      The land tinted pink on the filed plan is subject to the following rights reserved by the Conveyance dated 24 January 1973 referred to above:-

"EXCEPT AND RESERVED unto the Vendor and his

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successors in title the whole of the river bed all fishing rights in the said river and all necessary rights of access for the purpose of the exercise of such rights and to carry out any works incidental thereto."

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4                    2003-12-15            The land is subject to the rights granted by a Deed of Grant of Easement dated 11 December 2003 made between (1) Crakehall with Langthorne Parish Council and (2) Brian George Everett and Ann Wilson Everett.

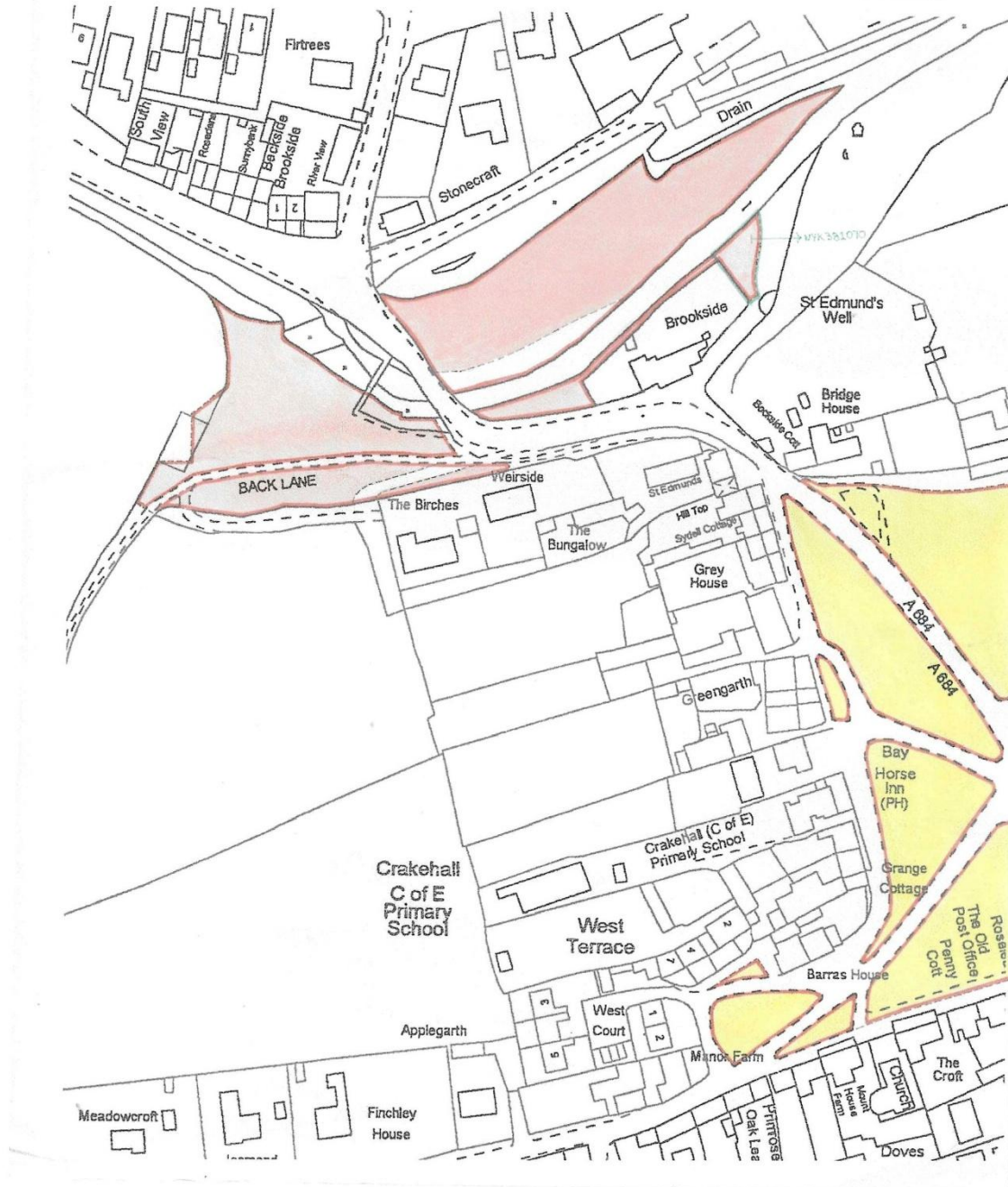
NOTE: Copy filed under NYK215347.

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5                    2009-01-30            The land is subject to the rights contained in a Transfer of The Bungalow, Crakehall dated 12 December 2008 made between (1) Timothy Wyn Potter and (2) Andrew David Nelson and Kerry Anne Michelle Nelson.

NOTE: Copy filed under NYK364819.

H.M. LAND REGISTRY		TITLE NUMBER
		<b>NYK 194336</b>
ORDNANCE SURVEY PLAN REFERENCE	SE2489	Scale 1/1250
COUNTY NORTH YORKSHIRE	DISTRICT HAMBLETON	© Crown Copyright



This is a copy of the title plan on 12 SEP 2024 at 14:31:45. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

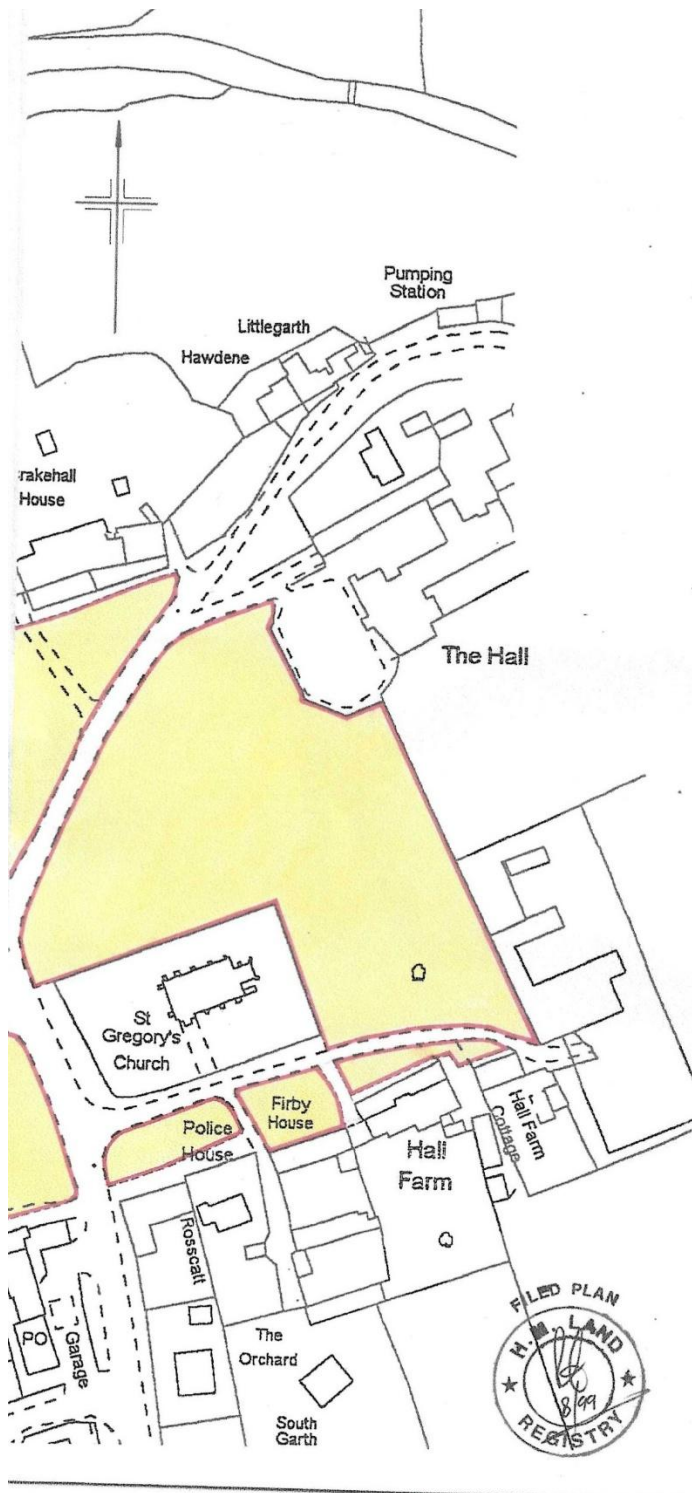
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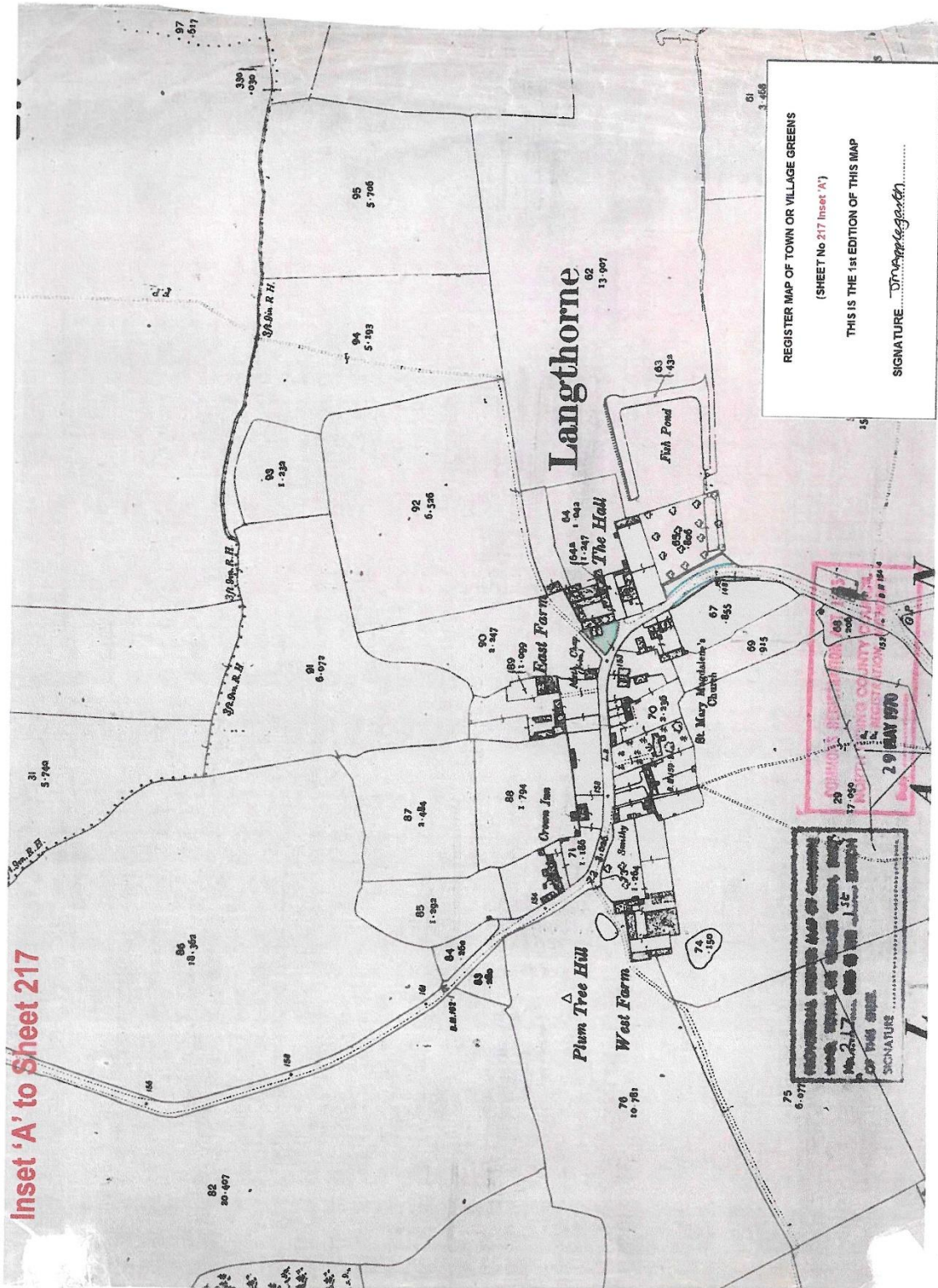
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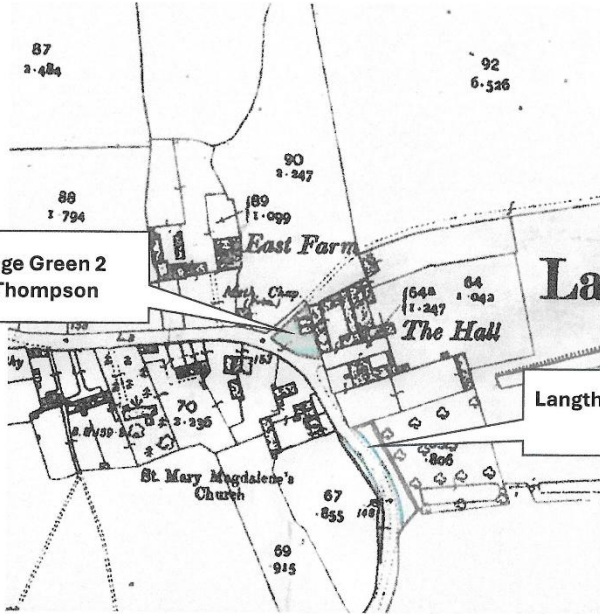
4. Langthorne Village Greens



Inset 'A' to Sheet 217

REGISTER MAP OF TOWN OR VILLAGE GREENS  
 (SHEET No 217 Inset 'A')  
 THIS IS THE 1st EDITION OF THIS MAP  
 SIGNATURE *[Signature]*

REGISTERED IN THE REGISTER OF TOWN OR VILLAGE GREENS  
 No. 217  
 29 MAY 1970  
 SIGNATURE *[Signature]*



C.R. Form 4

COMMONS REGISTRATION ACT 1965

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority  
North Yorkshire County Council

Register unit No. VG.217  
Edition No. 1

Register of TOWN OR VILLAGE GREENS

See Overleaf for Notes

OWNERSHIP SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 11th January 1979		Langthorne Parish Council	The whole of the land comprised in this register unit
<del>2 14th January 1979</del>		<del>The registration at Entry No. 1 above was made in pursuance of Section 8(3) of the Commons Registration Act 1965 in accordance with a Direction dated 4th October 1978 made by A.A. Baden Fuller, Commons Commissioner - Ref: 258/U/209</del>	
		See Entry No. 3 and No. 4 below	
3 19th June 2024	N/A	The registration at entry no 1 and no 2 above was deleted. See notes to entry No. 1 overleaf.	The land shown edged and shaded green on Inset 'A' to sheet 217 of the register map.
4 19th June 2024	N/A	Langthorne Parish Council	The remainder of the land shown edged but not shaded green on Inset 'A' to sheet 217 of the register map.

Downloaded from the National Archives on 17/12/2024 at 10:00:00 AM

No. and date of note	Notes	No. and date of note	Notes
1 19th June 2024	The registration at entry No. 1 overleaf has been deleted under paragraph 8(2) of Schedule 3 to the Commons Act 2006, the freehold estate in the land to which it applied having been registered under the Land Registration Act 2002, with the title numbers NVK490907 and NVK406411		