

Registration of the Tye as a Village Green

This article appeared in the East Hanningfield News published on 1st. September 2001.

This year is the twenty-first anniversary of the finalisation of the registration of the Tye as a village green under the Commons Registration Act 1965. The process was long and complicated and the successful outcome was a tribute to the determination of the councillors and clerks who made it happen.

The first application to register the Tye was made in May 1967. A second application showing the access ways across the Tye replaced the first within a few months. The owners of the two pubs in the village, Truman Hanbury and Buxton and Co. made four objections to the registration saying that the area in front of the Windmill was not village green; that they maintained pictorial signs on the grass in front of the Three Horseshoes and the Windmill; and that the car park in front of the Three Horseshoes was not village green. Much investigation into historical documents followed.

Meanwhile the Parish Council was also attempting to register the wide verges along the Main Road through the parish, including the Tye, as common land. Truman Hanbury and Buxton and Co. objected to this as well.

The Parish Council, Messrs. Truman etc., and their respective solicitors could not reach an agreement, and the matter of the village green was finally decided by the Commons Commissioner in May 1978. The Parish Council had acceded to the objection concerning the area in front of the Windmill, so a decision remained to be made concerning the car park in front of the Three Horseshoes.

The [Commissioner](#) described the evidence relating to the objections as 'meagre', there having been no plan on the conveyance by which the Writtle Brewery Co. Ltd. acquired the inn in 1891. The Commissioner used the 1922 Ordnance Survey map to establish the extent of the grass, and thereby the village green, at that time and concluded that it had been encroached upon by the car park, which was not there in 1922. He had difficulty making a decision concerning the area immediately in front of the building and beside the garage, which had previously been a stable block. He speculated that "either it was originally part of the village green and was encroached upon when the inn and its stable block were built or the right to indulge in lawful sports and pastimes never extended further north than the area which was grassed in 1922". Finally he 'presumed' that the L shaped piece of land providing access from the road to the front of the inn and the garage, or stable block, was lawfully appropriated and so that area was excluded from the registration. (Obviously, he did not see the two old manorial maps in the Record Office which prove that the stable block was built on the green.)

The final element of registration, which took place in 1980, was the entry in the register of the sole owner, Lord Petre. The Parish Council's byelaws for the protection of the village green were confirmed by the Secretary of State in the same year.

a/c.

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date *5* March 1979

our ref SJG/MS
CP92A.03/3/1

your ref

Dear Madam

Commons Registration Act 1965

Following the recent decisions of the Commons Commissioner regarding the registrations of village green and common land, I thought that the Parish Council might like a copy of the plan which has been inserted in the Register of Village Greens, showing, hatched purple, the land removed from the Register as a result of the objections by the brewers.

A copy of this plan is therefore enclosed.

Yours faithfully

J. P. Davey
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For Chief Executive and Clerk

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