

## HARTLEY WOOD

Hartley Parish Council is extremely concerned about the recent action taken by the London Borough of Southwark in attempts to prevent public access onto an area of woodland in Hartley Wood.

This area of woodland is owned by the London Borough of Southwark, who has taken steps to erect fencing along its boundary in the wood and to place warning signs deterring public access. However all attempts to fence off the land have so far been thwarted, as the fence posts have been systematically removed and all the warning notices have now disappeared.

The Parish Council is currently seeking to have the area of woodland owned by Southwark designated as a village green and, if successful, would secure the rights of access for the public in the area of woodland owned by Southwark in perpetuity. To qualify as a village green the land must have been enjoyed by local people without obstruction, permission, secrecy or force for a period in excess of 20 years.

The success of the Parish Council's application for village green status is dependant upon the outcome of legal proceedings which were recently considered by the House of Lords. The case in question is known as the "Trap Grounds" case, (*Oxfordshire County Council v Oxford City Council and Catherine Mary Robinson*) and is centred on an area of land in north Oxford which was granted planning permission for the development of a road and 45 houses.

Last year the Court of Appeal ruled that the 20 year use of land must run until the date of registration as a village or town green. The effect of this ruling is that if a landowner takes action to exclude the public from the land before the date of registration, the claim for village or town green designation will automatically be invalidated. The defendant was given leave to appeal to the House of Lords and the case was heard at the end of March 2006. The judgement will have huge implications for the Parish Council's application and is expected to be published within the next few weeks. Further information on the case, can be found on the Open Spaces website at [www.oss.org.uk](http://www.oss.org.uk) Click on the link on the home page, "landmark greens-case to be heard by law lords"

The Parish Council is keen to preserve the public's rights of access throughout the woods and is taking steps to discuss the matter with the London Borough of Southwark. The Parish Council will keep residents informed of any further developments, as and when they become known.