

## Registration of the Green as Common Land 1982

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In 1968, Willaston in Wirral WI discussed applying for the Green to be registered as Common Land and put in an application. At the time, they were the only village organisation active in this type of issue. This was objected to by Neston Urban Council on the grounds that 'The land referred to was originally the site of the National School in Willaston and was conveyed to the Willaston Parish Council in February 1932, after the school had been demolished. It is contended therefore that the land cannot be considered to be a village green within the meaning of the Act.'

Although the school had been demolished, the deeds had been passed on to the District Council and therefore, the land was considered to be owned by them.

The WI then had eighteen months to research how the land had been used. They had to prove that events had been held on the green by many local organisations. The research went back to 1746 and they gathered 37 pieces of evidence.

A hearing was held by the Commons Commissioner in No 2 Court Room, The Castle, Chester on Tuesday 2<sup>nd</sup> February 1982. The WI was represented by Mr Roger James who was the Secretary of Willaston Residents' and Countryside Society.

Several people gave statements about how they had played on the green as children but these were not accepted as evidence.

The Commons Commission decided in their favour and registered the green on 29<sup>th</sup> September 1982.

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**COMMONS REGISTRATION ACT 1965**

Reference No. 205/D/32

IN THE MATTER OF The Village Green, Willaston, Ellesmere Port  
Borough, Cheshire

To the Cheshire County Council

I HEREBY GIVE YOU NOTICE in pursuance of Section 6(2) of the Commons Registration Act 1965 that on the 29 day of September 19 82 the registration at Entry No. 1 in the Land Section of Register Unit No. VG 22 in the Register of Town or Village Greens maintained by you became final without any modification

### Extracts from Affidavit by George Cecil Barnes

I live at Sundawn, Smithy Lane, Willaston which has been my present address since 1939 and I have lived in Willaston itself on and off for a period of 70 years. I am intimately acquainted with Willaston life and lore. I have been in business for 40 years as a family butcher in Willaston and as such can claim to have first-hand local knowledge.

I well remember the school which was on the site which presently forms part of the village green in the centre of Willaston. I attended that school between 1912 and 1918. It was in fact a Junior School. I should perhaps explain that it was not a Junior School in the sense which is usually understood today inasmuch as one went right through the school until one left. The school

leaving age at that time was 14 years of age. The school was surrounded by the green. The green itself was not in the forms of a green in those days but was laid out with a hard surface and was used as the school playground. It was always my understanding of the situation, even when I was at the school, that the playground itself was not part of the school but part of what was known locally as the village green ...

Whilst, in those days, the green was used primarily by the school children, I can categorically state that it was used by adults as well for the purpose of local gatherings. For example, the Shepherds Club organised its activities from the green as that was the assembly point of the Club. The Club organised social activities within the village and its members met on the green before calling on various named households within the boundaries of the Parish of Willaston .... Activities organised by the Shepherds Club included the playing of an accordion and fiddle and also dancing on the green ... Amongst other activities of adults on the green was that every Boxing Day there would be a meeting of the local pack of beagles. Indeed this continues to the present day.

As far as the young people of the village were concerned, I can say that I have engaged in many pastimes and games with other young people in the village on the green in my younger years. By way of example, we used to play rounders, marbles, hopscotch, skipping, Maypole dancing, drill, hand-ball, jacks, kick the can, hide-and-seek and many other youthful recreation and pastimes ...

Over the years of course, the green has been used more extensively by others than by myself. I clearly remember the school which stood there and which I attended being demolished and the site being cleared. This happened in the early 1930s and the area of the green was then laid out to grass and I also recall that in 1935, to celebrate the Silver Jubilee of King George V, a tree was planted in the centre of the green which still remains there.

The sort of activity which has gone on in recent years is that the green has been used for outdoor services by the local church, carol singing at Christmas by the local residents, organised outdoor meetings on some point for example, of local controversy, an assembly point for meetings of most organised outdoor activities within the village or a collection point for travel for persons within the village who were travelling as a group to some other area or activities ...

There is one particular incident which I feel I should recount. About 15 years ago, the tree ... at the centre of the green was the subject of potential vandalism by a group of 2 or 3 youths one evening. I saw what was happening but did not recognise any of the boys concerned. I concluded that they were not Willaston boys because, being a tradesman within the village, I knew most

of the families intimately. I therefore got hold of the boys and more or less physically bundled them off the green and told them not to come back again. I did this because I believe that the green was the heritage of Willaston village...

#### Extracts from Affidavit by Keith Butcher

I live at Change Hey, Change Lane, Willaston. I have lived in Willaston for most of my life apart for about 8 years just after I was first married. I am a teacher employed by Clwyd County Council ... I am the present chairman of the Willaston Residents' and Countryside Society, which is ... a sort of watch dog for the interest of the community of Willaston and, for the record, is currently petitioning the Houses of Parliament over a matter of great local concern. The village, through the Residents' Society is organising a Fair this year ... and a substantial number of stalls are envisaged to be put on the village green. A plan has already been drawn up of how we intend to use the green and I can honestly say that it never even crossed my mind to approach anyone for permission to utilise the green in that manner. There have been Fairs in the past, notably in recent years. I think it is probably right to say that the then Chairman of the Residents' Society, Mrs Mary Doughty, possibly did request permission to hold some of the Fair activities on the green. If this was the case, I am quite sure that it was done from the point of view of courtesy in the event ...

If, in my capacity as chairman of the Residents' Society, I had been approached by a resident of Willaston for consent to use the green I have no doubt that my reaction would have been that it was not within my gift to give such a consent. If, on the other hand, I had been approached by someone or some group which apparently had no connection with Willaston, I think that I would have made it abundantly clear that the green was there for the use of the people in Willaston but that I would make enquiries and if they had no particular use of the green that particular day then probably there would be no objection to other people using it. I would not put it greater than that.

#### Affidavit by Edward Bramley Brown

I live at 23 Field Hay Lane Willaston. I am the local Councillor for the Willaston and Thornton Ward on the Ellesmere Port and Neston Borough Council. I have served as the Councillor for the Ward since 1977. I am the Chairman of the Willaston Memorial Hall, a Show Manager of the Willaston Horticultural Society, a Committee member of Willaston Residents' and Countryside Society, a trustee of the Johnston Recreation Ground. I have lived in the village for 30 years and as a result of my involvement with local affairs, am well accustomed to the use which has been recited by others of the village green.

From my recollection of the village green, it has been laid out in its present form although for some years it did have chain railing round the larger area of the green. I have always been of the impression that the green has been there to be enjoyed by all the residents of Willaston for whatever lawful purpose they chose to put it to. I can certainly say that the gatherings of various societies in the village with which I have been involved from time to time were always centred upon the green. The green has been used also ... as an assembly point for local activities and pastimes.

I can also say that I know that approaches have been made to the local authority for the use of electric lighting on the green for carol services and other events of that nature, use of local authority bunting to decorate the green on ceremonial and other occasions has been requested, the mowing and maintenance of the grassed area and other similar reasons.