

Llansteffan Village Green

Facts

What is a Village Green?

1. Parliament enacted the Commons Registration Act 1965, to provide for the registration of common land and of town or village greens. Section 22 of the Act provides the following definition:

"town or village green" means land which has been allotted by or under any Act for the exercise or recreation of the inhabitants of any locality or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes or on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than twenty years.

The Commons Registration Act 1965 allowed for town or village green rights to be claimed over land, provided the required legal tests were met. The Act identified three classes of greens:

- a. those that were allotted through inclosure for recreation,
 - b. those originating in customary rights,
 - c. and those on which lawful sports and pastimes had been carried out for more than 20 years by a significant number of inhabitants.
2. The application to register the village green in Llansteffan was based on the third of the legal tests, namely, that lawful sports and pastimes had been carried out for more than 20 years by a significant number of inhabitants.
 3. The right to enjoy lawful sports and pastimes on a green does not extend to the public at large, but is only exercisable by inhabitants of the locality in which the green is situated.

Where is Llansteffan Village Green?

4. The tract of land in Llansteffan which extends from the County Council Car Park in the south-west to Ferry Point in the north-east is a registered Village Green.



6. The land coloured **RED** is owned by Llansteffan & Llanybri Community Council. (This map is from the last page of the **1980 Deed**.)

1980-Deed-Complete



7. This map is a compilation of a Satellite Image (2021) from Google Earth combined with the 1980 Deed map.



Enlargement



8. The Village Green in Llansteffan is comprised of all the land from the County Council Car Park at the South-Western end to Ferry Point at the North-Eastern end. The land coloured in **GREEN** is owned by Carmarthenshire County Council (CCC), the land coloured in **RED** is owned by Llansteffan and Llanybri Community Council (LLCC).
9. The **BLUE** area is VG1 'The Morfa', conveyed to Carmarthenshire County Council, "*in Trust for the perpetual use thereof by the Public as an Open Space for exercise and recreation and ancillary purposes pursuant to the provisions of the Open Spaces act 1906*" (Full details in the 1960 Deed)

[1960-Deed-complete](#)



[Click to enlarge](#)

10. The **PINK** area is the County Council Car Park, which was removed from VG2 application in 1981.

[1981-Commons Commissioner Report](#)

11. This map illustrates the section of the Village Green which the 'Brilliant Basics' funding is intended to change into a car park. The RED section is owned by LLCC and the GREEN section is owned by CCC.



Registration of Llansteffan Village Green

*“Under the Commons Registration Act 1965 a procedure was established whereby authorities or individuals could apply to register areas of common. land or village green, in a register which is maintained by the County Council, and **the effect of this is that it becomes conclusive evidence of the status of that land as common or as village green unless the registration is provisional only.** A registration is provisional if objections have been entered in the register against it, thus creating a dispute between the applicant for registration and the objector. In such a case, unless the objection has been withdrawn, the matter must be referred to a Commons Commissioner who will determine the dispute and either cancel or confirm the registration. (Page 140 - Planning Minutes, Carmarthenshire County Council 1984)*

To make an application to register land as a village green the applicant was required to make a statutory declaration, to be sworn before a Justice of the Peace, that the land described in the application was a town or village green. Making of a false statement to procure registration could render the applicant liable to prosecution.

On 13 March 1967, Thomas Ernest Williams, (Clerk to Carmarthen Rural District Council), on behalf of Carmarthen Rural District Council, made a Statutory Declaration that land known as ‘The Green’ was a village green.

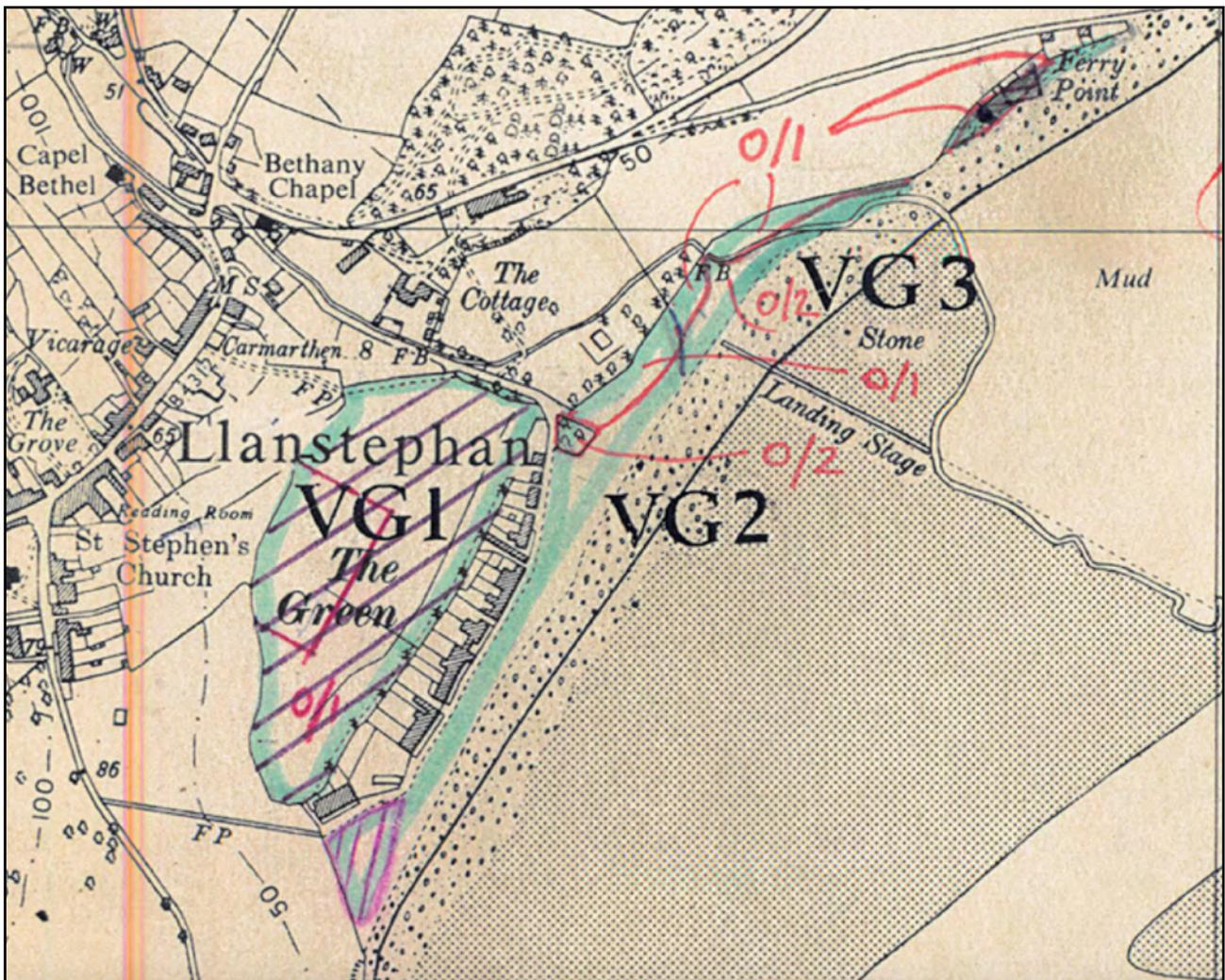
VG2 Application

On 27 December 1967, T. Glanmor Davies (Clerk to Llanstephan Parish Council), on behalf of the Parish Council, made a declaration that the inhabitants of Llanstephan had indulged in sports and pastimes on the land, as of right, **for not less than twenty years.**

VG3 Application

This is conclusive evidence that the land was used as a village green at least as far back as 1947.

12. There were three applications to register land as a village green in Llanstephan. Each of the applications was recorded in the Carmarthenshire County Council 'Register of Town and Village Greens'. The applications were assigned a 'Register unit No.', namely VG1, VG2 and VG3. The definitive Common Land Register Map (1968) shows the boundaries of **VG1, VG2 and VG3**



13. VG1 Summary

- Application for registration made by The Friends of Llansteffan.
- Objections made by Dyfed County Council and Carmarthen Rural District Council on 23 October 1970.
- Commons Commissioner's Decision 23 June 1980.

The registration was not properly made and refusal to confirm registration. Although the appearance and status of land conveyed for the purposes of the Open Spaces Act 1906 may in many respects be similar to land which is within the definition of the 1965 Act of a town or village green, such land is not by reason of such conveyance within the definition.

Conveyance dated 22 August 1960 by which the open space part was conveyed upon trust for the perpetual use thereof by the Public as an open space for exercise and recreation pursuant to the Open Spaces Act 1906.

VG1 Comms Comm Report

- 7 May 1980 - Llansteffan Community Council, letter to Commons Commissioner not objecting to refusal to confirm the Morfa as a village Green.

VG1's significance is that in the recent past, (2018 - 2019), there has been discussion about de-registering part (approximately 1980 square meters) of the Community Council owned village green, which would require replacement land. The Morfa - (VG1) has been considered as replacement land. However, in 1980 the Commons Commissioner refused the application for registration of The Morfa as a village green. This stopped further pursuit of de-registering part of the village green because there was no replacement land

VG2 Summary

13 March 1967

Provisional registration of about 2.92 acres called 'The Green', Llansteffan, by Carmarthen Rural District Council.

3 January 1969

Florence Jane Lloyd sells the Cottage Farm to her son Royston Ambrose Lloyd.

(Note. - The 1969 Deed not only includes the details of Cottage Farm but also includes "*the hereditaments delineated and coloured Blue on the said plan*".

Coincidentally, the ownership of this land ,(coloured Blue) becomes the basis of the objection to the registration of VG3 which is made in 1970.)

23 October 1970

Objection to registration of VG2 by:

Florence Jane Lloyd, Llansteffan. (Previous owner of of the Cottage Farm)

17 December 1980

Out-of-Court settlement to objection to registration, by Royston Ambrose Lloyd (son of Florence Jane Lloyd) and Carmarthen District Council.

The 1980 Deed details the settlement.

[1980-Deed-Complete](#)

The significance of this Deed is that approximately half the section of the registered village green that the Brilliant Basics funding intended to make into a Car Park, is owned by the Community Council. As a village green the land has considerable statutory protection as well as the legal protection agreed in the 1980 Deed regarding restrictions and covenants which limit the permitted use of the land.

It also establishes how the land was used, prior to registration, between December 1980 and November 1981, (namely, for free use for recreational purposes by members of the public without vehicles), which is relevant when considering use of the land prior to registration as a Village Green.

22 June 1981

Commons Commissioner granted final registration to VG2.

On 22 June 1981, at a hearing of the Commons Commissioner, the Carmarthen District Council Solicitor requested that the registration of the Village Green be modified by removing the 'Car Park Area', from the registration, stating: "*the Car Park Area is now and has for some time been used as a car park and therefore not he thought appropriately registered as a town or village green.*"

The significance of this amendment is that the Commons Commissioner made his decision conditional on both the County Council and the Community Council not objecting to the 0.6 acres of land being removed from the registration as a village green so that it could continue to be used as a car park. Therefore, both Councils considered car parking on the village green in 1981 and neither Council requested that any other part of the village green be excluded from registration for the purpose of car parking.

The map on (Page 4) of the Commons Commissioner's Report shows details of 'The Car Park', 'The Green', the Football Field, 'Shelter', 'Groyne' and even House Names, but no other car park; this contradicts the current assertion by the County Council that parking of vehicles on the section of the village green they now refer to as the 'North Car Park' predates the registration of the land as a village green. [1981-Commons Commissioner Report](#)

CCC Common Land Register records that no owner of the houses adjacent to the village green claimed a right to use the village green.

This directly contradicts the assertion made in the [Consultation Draft page 6](#):

"The thin strip of raised Village Green includes a small area of resident parking for the properties located opposite."

[Consultation Draft Report](#)

05 October 1982

Registration amendment. The tract of land comprising of 0.6 acres was withdrawn from the registration of VG2.

The tract of land of about 2.32 acres called The Green became final on 23 June 1981. (Retrospectively)

VG2 - Land Register Entries

[VG2- Register-Entry](#)

VG3 Summary

27 December 1967

Provisional registration - The land usually known as 'The Green' from Western end to Ferry Point, Llanstephan, by Llanstephan Parish Council.

(Part of the land was provisionally registered as a town or village green under Register Unit No. VG 3, because the remainder of the land had already been provisionally registered under Register Unit No. VG 2.)

20 October 1969

Objections to registration of VG3 as a village green from:

Kenneth Morris Sowerbutts, 55 Bridgend Road, Llanharan, Pontyclun, Glam.

Mrs Sarah Lane Thomas, 11 Mansel Street, Carmarthen.

Their properties are shown in pink and blue on Carmarthen Rural District Council Provisional Register Map Sheet No. 31(See below)

[CCC-Registration-Map-VG-123](#)

[VG3 Register Map](#)

The two objections related to the ownership of the land that was provisionally registered as a village green.

There was no objection challenging the sworn declaration that the land had been used as a village green by the inhabitants of the village for at least 20 years.

The Carmarthenshire County Council 'Register of Town and Village Greens' shows that no person claimed a right of common on any part of the registered village green.

VG3 - Land Register Entries

[VG3 Register entries](#)

Transcription of VG1 & VG2 Land Registry entries

[Transcript of VG2 & 3 Register Entries](#)

1 November 1981

Carmarthenshire County Council Register of Town and Village Greens records that the provisional registration of 1967, became final as a result of the Commons Commissioner's Hearing held at Carmarthen 29 April 1980, with the modification that the land owned by objectors, Kenneth Morris Sowerbutts and Mrs S.L. Thomas, be removed from the register.

1981 - Commons Commissioner excludes Car Park from Village Green

Extract from Commons Commissioner's Report 22 June 1981

“He [Mr Williams Carmarthen District Council Solicitor] nevertheless suggested that I should modify the registration by removing part (“the Car Park Area”) from the Register...

...At the hearing I said I would do this of (sic) Llanstephan Community Council as successors to the Parish Council and Dyfed County Council were agreeable.

*...Mr Williams after describing the Unit land (a strip about 600 yards long bounded on the southeast by the foreshore), and the Car Park Area (approximately triangular at the south end of the Unit Land), said that **the Car Park Area is now and has for some time been used as a car park and therefore not he thought appropriately registered as a town or village green....***

... In these circumstances, I confirm the registration with the modification that there be removed from the Register the Car Park Area as delineated on the copy plan”

The significance of this amendment is that the Commons Commissioner made his decision conditional on both the Dyfed County Council and the Community Council not objecting to the 0.6 acres of land being removed from the registration as a village green so that it could continue to be used as a car park. Therefore, both Councils considered car parking on the village green in 1981 and neither Council requested that any other part of the village green be excluded from registration for the purpose of car parking.

It is significant to note the **Commissioner's map (page 4)** shows details of ‘The Car Park’, ‘The Green’, Football Field, ‘Shelter’, ‘Groyne’ and even House Names, but no other car park; this contradicts the current assertion by the County Council that parking of vehicles on the section of the village green they now refer to as the ‘North Car Park’ predates the registration of the land as a village green.

Carmarthenshire County Council are in denial of their own recorded history of the Village Green.

Commons Commissioner's Letter 22 June 1981

[1981-Commons Commissioner Report](#)

Damning County Council Solicitor's Report - 1991

CCC Special Development & Leisure Services Committee - 8 March 1991

Report from Harold B.R. Jenkins (Solicitor to the Council)

Extract from the full report:

(b) The Current Position

*Since 1984, the Council have been not only allowing private cars to park on the Village Green but also charging for the privilege. The Council specifically excluded from the Confirmation of the Registration of Land as a Village Green that area of land which had been tarmacadamed and used as a car park, and the Commons Commissioner accepted this. **Had the whole of the Village Green been available for the parking of vehicles, then there would have been no need to exclude the tarmacadamed area from the Confirmation of the Registration of the Land as a Village Green. It is clearly inconsistent with the use of the land as a Village Green to allow the same to be used for the parking of vehicles. In addition, the Council have, in recent years, initiated proceedings in the Magistrates' Court to prosecute an individual who drove his pony and cart onto the Village Green and camped on the Village Green.***

*The question of charging at Llansteffan and the question of the use of the Village Green was considered by Committee a few years ago, but, **at the request of the then local member, it was not pursued.***

Committee are again asked to consider the position of the Council as owner and guardian of the Village Green and the conflict between that and the use of the Village Green for the parking of vehicles. Please find attached a map² which indicates the boundaries of the land registered as a Village Green.

The Full Report can be seen at: [CCC Solicitors Report 1991](#)

8 March 1991 - Committee Decision

After considering the matter it was unanimously recommended that the collection of car parking fees be discontinued at Llansteffan Green for the forthcoming season and that the appropriate officers undertake a review of the overall situation in relation to car parking at Llansteffan and submit a report to the Committee in due course.

The committee minutes can be seen at: [1991 Committee Minutes](#)

² The map referred to is the same as that used in the Commons Commissioners' letter of 1981