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| Meeting of: | Welsh Church Act Estate Committee |
| Date of Meeting: | Tuesday, 27 January 2026 |
| Relevant Scrutiny Committee: | No Relevant Scrutiny Committee |
| Report Title: | Land at Glebe Fields, Sully - Town and Village Green Inquiry Application |
| Purpose of Report: | To update Committee on the Application to register Glebe Fields, Sully as a Town and Village Green |
| Report Owner: | Director of Corporate Resources |
| Responsible Officer: | James Docherty, Principal Lawyer, Legal Services |
| Elected Member and Officer Consultation: | <p>Committee Reports - Legal</p> <p>OM Property</p> <p>OM Accountancy</p> <p>No ward member consultation - since Members of this Committee are acting as Committee Members independent of other Council's resolutions, no wider consultation has taken place</p> |
| Policy Framework: | The Trustees are working independently of other Council decisions and in accordance with the requirements of Charity Law. |
| <p>Executive Summary</p> <ul style="list-style-type: none"> The Trust's land at Glebe Field has been the subject of a Town and Village Green Application. The Trust has appointed specialist legal Counsel and objected to the Application. Following the previous Committee Meeting the Applicant has written to the CRA requesting that the Trust consents to the application being amended. On behalf of the Trust the Principal Lawyer has submitted a request to the CRA that the Applicant provides details, including relevant documents, relating to the proposed amendments to the Application in order that the Trust can obtain appropriate external legal advice and consider its response to the request. No further information has been received from the Applicant and the CRA is proceeding to appoint the Independent Inspector. | |

Recommendation

1. That Committee notes the update in respect of the Town and Village Green Application.

Reason for Recommendation

1. To note the and acknowledge the progress of the Application.

1. Background

- 1.1 Following the making of the Application to the Commons Registration Authority to register the Land as a Town and Village Green pursuant to Section 15(2) of the Commons Act 2006, the Trust gave authority to appoint specialist legal Counsel to prepare a formal objection to the Application.
- 1.2 As is normal in TVG applications the CRA then engaged with the parties to try and narrow the issues in dispute.
- 1.3 Following this period of correspondence the CRA has sought authority to instruct and independent inspector to hear the application at a non-statutory public inquiry, which is normal procedure where TVG applications are either complex or involve land owned or managed by the Council in another capacity.
- 1.4 The CRA's report to the Council's Public Protection Licensing Committee provides a comprehensive summary of the current position and copies of all the application documentation, including the Application itself and the WCAE Committee's objection. This is available on the Council's website [https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Licensing-Public-Protection/2025/25-05-13/TVG-Application-Glebe-Fields-Sully.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Licensing-Public-Protection/2025/25-05-13/TVG-Application-Glebe-Fields-Sully.pdf) Thos papers are not attached to this agenda due to the amount of documentation.
- 1.5 On the 30th June 2025 the Applicant wrote to the CRA. In the letter the Applicant raised a number of points relating to their request for the Trust consent to the Applicant amending the application. The letter sets out that:
(a) additional documentation and evidence has come to the attention of the Applicant which it considers relevant and wishes to introduce to the Application;

(b) there are additional witness statement which it wishes to submit as part of the Application; and

(c) it is considering reducing the extent of the land covered by the Application to exclude that area covered by the Planning Application by Sully Centurions.

- 1.6 The Principal Lawyer has discussed the letter with the Trust's External Legal Expert who has advised that the Trust needs additional details and information regarding the proposed amendment in order to consider its response.
- 1.7 The Trust has written to the CRA requesting that it asks the Applicant to provide such additional information.
- 1.8 The CRA have advised that they have not received any further documentation from the Applicant since the date of the last meeting.
- 1.9 The Principal Lawyer has requested that in the absence of any further documentation from the Applicant that the CRA proceed to appoint the Independent Inspector as soon as possible in order that the Independent Inspector can make directions to progress the matter.
- 1.10 The CRA have confirmed that they are undertaking the process of identifying and appointing an appropriate Independent Inspector.

2. Key Issues for Consideration

- 2.1 Under the legislation the Applicants must show that:
"a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years and they [continued] to do so at the time of the application"
- 2.2 If successful the Application would mean that the Land would be registered as a Town and Village Green.
- 2.3 If the Land was to be registered as a Town and Village Green the value of the Land would be significantly reduced because:

It is a criminal offence to undertake any act which interrupts the use or enjoyment of a green as a place for exercise and recreation or to cause any damage to the green.

It is an offence to drive over a registered town or village green without lawful authority and in certain other circumstances.

It is deemed to be a public nuisance and therefore, an offence, to enclose or encroach on a green, or interfere with, disturb or build on a green, unless this is done "with a view to the better enjoyment of such town or village green.

- 2.4 The Trust has formally objected to the Application.
- 2.5 Following the receipt of the additional evidence, witness statements and proposed amendments to the Application the Trust will seek further legal advice in respect of its response to the request for consent to amend the Application.
- 2.6 In light of the request to amend the Application the CRA has not yet sought to formally instruct the Independent Inspector.
- 2.6 If Members of the Committee would like to ask further questions in respect of the application and the Committee's position it is recommended that the matter be moved to Part II in order that the Legal Officer can provide answers to those questions.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The Trusts actions need to comply with Charity law and its decisions are independent of the Council's obligations under the Well-Being of Future Generations Act.

4. Resources and Legal Considerations

Financial

- 4.1 The Trust is likely to incur further external legal costs in defending the Application.
- 4.2 If the Application is successful the value of the Glebe Fields is likely to be compromised due to the impact on the available uses of the land.

Employment

- 4.3 There are no employment implications arising from this report.

Legal (Including Equalities)

- 4.4** The Trust has a duty to manage lands and property held by them in accordance with the Scheme of Trust and with Charity Law and decisions should be consistent with the Charity Objects and powers.
- 4.5** There is a Legal requirement for Trustees to:
- (a) Act within their powers;
 - (b) Act in good faith and only in the interests of the charity
 - (c) Make sure they are sufficiently informed
 - (d) Take account of all relevant factors
 - (e) Ignore any irrelevant factors
 - (f) Manage conflicts of interest
 - (g) Make decisions that are within the range of decisions that a reasonable trustee body could make

5. Background Papers

- 5.1 None