

Chiselborough Parish Council (CPC)

Parking on the Common : Statement

This topic was raised by a villager last year who objected to vehicles being parked on the Common and asked that we do something about it and investigate the issue.

It would seem that this is not the first time that this subject has arisen. The Parish Council at the time presumably found, as we have, that to resolve the matter with clear rules could be costly in legal terms, complex, and risks causing a good deal of ill will.

- 1) The facts are that our Common is registered as common land and as such parking on it is illegal other than within 15 yards of a public road.

This means that unless they are within the specified distance of a public road, vehicles are parked illegally on common land. The exception only applies if they are to passing to and accessing a parking area where permission exists.

It is possible for CPC to grant easements in certain circumstances to allow passage over the Common to gain access to their property.

CPC cannot grant permission to park on common land. In some circumstances it may sell land to a bordering household.

- 2) Some residents around the Common have told CPC that they have permission to park on it and have done so for many years.

CPC investigated some examples where such claims had been made but found no registration on their deeds of any permission granted, or easements recorded for access, or permission to park on the common land.

If such permissions exist they should be recorded in the property deeds to prove their existence.

- 3) The increasing number of motor cars means that the parking problem on the Common and in general in the village is not a problem which is going to go away.

To do nothing as owners of the Common would be abrogating our responsibility as a Parish Council to safeguard the status of the Common.

What we agreed to do is to make clear our position in this area with a statement.

- 4) We have decided to leave the established arrangements as they are but to operate within the current rules if a matter becomes an issue within the time limits of present legislation.

Any recent changes or new applications will be treated as current and dealt with under the limits of present legislation.

In the case of easements (permission to pass over the common land), the time limit is less than 20 years usage.

In a case of encroachment (adverse possession), the time limit would be less than 10/12 years.

- 5) To avoid any disputes in this area please ensure any formal arrangements have been registered on property deeds.

10. 4. 2019

Chiselborough Parish Council