

Please reply to
Offley Parish Council
1 Newlyn Close
Stevenage SG1 2JD
Telephone: 01438 243 218
Email: clerk@offleyparishcouncil.gov.uk
www.offleyparishcouncil.gov.uk



Offley Parish Council

9th March 2026

Mr Richard Muller
82/83 Luton Road
Cockernhoe
Hertfordshire
LU2 8PY

Dear Mr Muller

Further to your e-mail request I can confirm that St Hughes Annex is located adjacent to the registered village green at Cockernhoe Green and that you are seeking clarification that this property has rights of access over the village green which is owned by Offley Parish Council.

In normal circumstances a landowner can grant any rights over his own land. In *Bakewell Management Ltd v Brandwood* (2004) it was held that in the case of common land (as opposed to village green) a landowner can grant any such easements as long as those do not interfere with commoners' rights over the common land. There has been no similar case law in relation to village greens, and unfortunately the law involving village greens is complicated somewhat by the fact that village greens are protected by section 12 of the Enclosure Act 1857 and section 29 of the Commons Act 1876, which protect greens from damaging activities. DEFRA guidance on the subject states that it is unclear as to whether a landowner can grant easements over a village green, but there would appear to be certain circumstances, where the village green rights are not affected and the 1857 and 1876 Acts are not infringed, where it would be possible.

Seeing as how the property has been in its current location for many years I am happy to acknowledge that St Hughes Annex has access over the registered village green. You must understand that I am not giving permission but acknowledging this fact.

I must point out that should access be agreed then all repairs to the track become the responsibility of the owners of the dwellings bordering / using the track.

Yours sincerely,

Sent by E-mail

David Sample
Clerk to Offley Parish Council