

East Herts District Council
Assets of Community Value: Nomination form

The Localism Act 2011 created the Community Right to Bid, which gives eligible organisations such as Town and Parish Councils and defined community groups the opportunity to nominate an asset (buildings or land) they believe to be important to their community wellbeing, to be listed by the Local Authority as an Asset of Community Value.

General information on the Localism Act 2011 and the Assets of Community Value provision can be found on the Ministry of Housing, Communities and Local Government website at: <http://www.communities.gov.uk/communities/communityrights/righttobid/>

The legislation governing nominations for Assets of Community Value can be found at: <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted> and <https://www.legislation.gov.uk/ukdsi/2012/9780111526293/contents>

This form is designed to provide East Herts Council with the information required to consider the nomination of an asset as an Asset of Community Value. The form seeks information on the following:

- your organisation
- the asset being nominated
- evidence as to why the asset furthers the social wellbeing of your community.

THERE IS NO GUARANTEE THAT REGISTRATION AS AN ASSET OF COMMUNITY VALUE WILL KEEP THE ASSET FOR COMMUNITY USE. IF THE NOMINATED ASSET IS REGISTERED AS AN ASSET OF THE COMMUNITY VALUE, AND IF THE OWNER WISHES TO DISPOSE OF THE ASSET, THERE IS NO OBLIGATION ON THEM TO SELL TO THE NOMINATING GROUP OR ANY OTHER COMMUNITY GROUP.

Please read the Assets of Community Value – Further Information document on the East Herts District Council website before completing this nomination form.

Please complete the form and return it with supporting evidence to: customer.services@eastherts.gov.uk (please ensure that 'Assets of Community Value' is in the subject line')

Alternatively, please print the form and send with supporting evidence to:

Assets of Community Value
Communications, Strategy and Policy
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

Local Authority:

Please enter the local authority in which the asset is located:

East Hertfordshire District
Much Hadham Parish

Part 1 - About the group making the nomination

Name of the group making the nomination:	Much Hadham Parish Council in association with Moor Place Heritage Group (MPHG) see Letter of Support from Moor Place Heritage Group – Appendix 1.
Contact name for correspondence:	Fiona Forth Much Hadham Parish Council
Contact address for correspondence:	40 Calverley Close Bishop's Stortford Herts CM23 4JJ
Telephone number:	07545089445
Email address:	fionaforthmhpc@gmail.com

Which of the following describes the group? Please tick.

Please see the [Assets of Community Value Regulations 2012](#) for details of who is eligible to nominate an asset as an Asset of Community Value.

Town or Parish Council	✓
Body designated as a neighbourhood forum under the Town and Country Planning Act	
Charity	
Community Interest Company	
Unincorporated body with at least 21 individual members and which does not distribute any surplus it makes to its members	
Company limited by guarantee which does not distribute any surplus it makes to its members	
Industrial and provident society which does not distribute any surplus it makes to its members	
Other – please detail	✓ MPHG is joint sponsor

For groups other than town and parish councils, please confirm and provide evidence (such as Register of Electors details) that the group is wholly or partly concerned with the area covered by East Herts District Council or a neighbouring local authority area. Please see Guidance Notes for details.

N/A – Parish Council Application.

For groups other than town and parish councils, please confirm and provide evidence (such as recent projects) that any surplus made by the group is wholly or partly applied for the benefit of the area covered by East Herts District Council or a neighbouring local authority area.

N/A – Parish Council Application.

Part 2: About the asset being nominated for inclusion in the register of Assets of Community Value

Name of asset being nominated:	The Ley - Parkland and Nature Reserve
Address of asset being nominated:	Land north of Kettle Green Lane, Much Hadham located between and adjoining Moor Place Park SG10 6BF and Walnut Close SG10 6AJ.

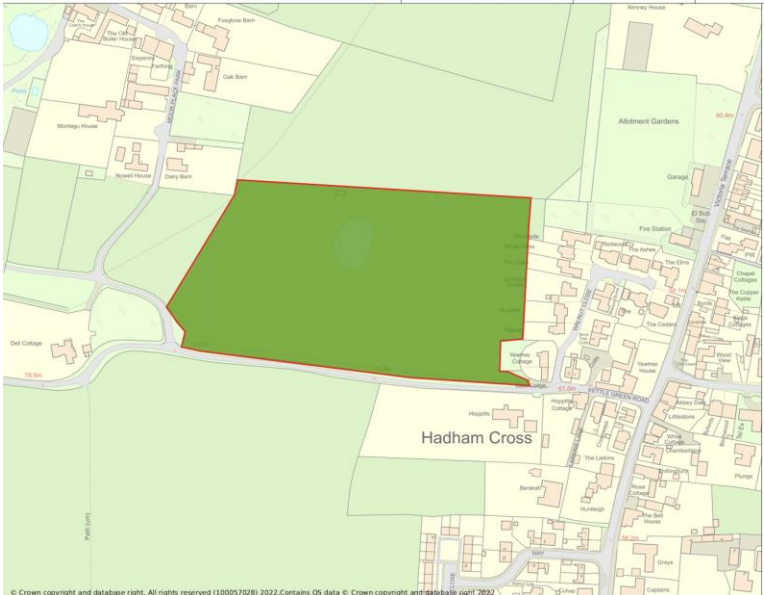
Details of the boundaries and any other information which helps to clarify the exact location of the asset:	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Nature Reserve Nature Reserve- Kettle Green Lane</p> <p>Much Hadham Author: Date: 17/02/2022</p> </td> <td style="width: 50%; vertical-align: top;"> <p align="right">ParishOnline</p> <p>Parish <input type="checkbox"/> Nature Reserve - Kettle Green Lane</p> </td> </tr> </table>  <p><small>© Crown copyright and database right. All rights reserved (100057928) 2022. Contains OS data © Crown copyright and database right 2022</small></p>	<p>Nature Reserve Nature Reserve- Kettle Green Lane</p> <p>Much Hadham Author: Date: 17/02/2022</p>	<p align="right">ParishOnline</p> <p>Parish <input type="checkbox"/> Nature Reserve - Kettle Green Lane</p>
	<p>Nature Reserve Nature Reserve- Kettle Green Lane</p> <p>Much Hadham Author: Date: 17/02/2022</p>	<p align="right">ParishOnline</p> <p>Parish <input type="checkbox"/> Nature Reserve - Kettle Green Lane</p>	

Figure 1: The location of The Ley shown in dark green marked with red border.



Figure 2: Contextual satellite image showing the location of The Ley in relation to the village centre and the rest of historic Moor Place parkland

landscape with public footpath access. The existing Nature Reserve pond can be clearly seen.

Key: (all lines drawn are indicative only)

- Boundary of Moor Place parkland landscape crossed with footpaths
- The Ley (ACV application site)
- Public Footpath crossing Moor Place
- - - Footpath crossing The Ley



Figure 3: The original plan for the nature reserve from the 2012 planning application 3/12/1075/FP for the development of Moor Place Park. The ACV nomination is limited to the area within the overlaid red boundary.



Figure 4. Aerial photo of The Ley and surrounding parkland.

- A plan must be submitted along with a written description detailing boundaries and any other information which helps to clarify the exact location and extent of the asset being nominated. Land Registry title documents and supporting maps/plans should not be less than one month old.

Has the plan been attached to this application?

See Above.

Yes / No

- For Town and Parish Councils – please provide evidence that a formal decision has been taken by the Town or Parish Council to nominate the asset – e.g. minutes of the meeting where this decision was taken.

Have the minutes been attached to this application?

See Appendix 2.

Yes / No

Part 3: Supporting evidence for nomination

The Localism Act 2011 defines an asset/land of community value if:

An actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

3.1 What is the current main use of the asset? Please provide detail below.

The Ley covers an 8.7 acre part of the historic parkland of the Moor Place Estate. The historic use of the site as open parkland is clearly demonstrated by the Heritage Landscape Statement produced in January 2019:

<http://www.moorplaceheritagegroup.org.uk/community/moor-place-heritage-group-15199/heritage-statement/>

This was further reinforced by the developer's designation of the site as a Nature Reserve for community enjoyment within the approved planning application 3/12/1075, together with the developer's supporting material promoting such use of the designated land and its informal walkways (see Figure 3).

The Nature Reserve status of The Ley remains to be formalised following the completion of the Moor Place Park development but the 'spirit of intent' of this field being a community space remains strong with local residents, visitors and ramblers.

The Ley forms the southern boundary of a larger area of historic parkland, with footpath access throughout, which is included in the District Council's local list (HHER 9590). The Ley's historic interest is by virtue of its association with Moor Place and the historic deer park. As with all of the remaining parkland of Moor Place, The Ley is much revered by the local community due to its historic significance, parkland landscaping, Nature Reserve and its pond, and close location to the heart of Much Hadham.

The site lies within the Much Hadham Conservation Area that, in 2014, was extended to include the Moor Place estate, including The Ley, as a 'distinct' conservation area. The Conservation Area Appraisal emphasised the fact that most of the designated Conservation Area of Moor Place is of exceptional quality both in terms of its built form and natural environment, stating it worthy of the greatest care, attention and protection.

The current main use of the nomination site is as a natural open green space enjoyed by the community as a 'green lung' in the village for recreation and as a Nature Reserve.

As noted above, The Ley was accepted as a Nature Reserve intended for whole community enjoyment under an approved planning application in 2012. This was delivered, in part, with the introduction of a large pond with marginal planting and a wild flower area (See photo's below). The pond attracts wildlife with ducks, moorhens, dragon flies and other insects regularly seen here.

The site has been laid principally to grass for many years and has a public footpath running across its western edge. There is a long history of use by the community with the whole field being used, informally, by ramblers, runners, dog walkers and the like, for many years prior to, and since, the development of the Nature Reserve. There is no highway footpath along the narrow Kettle Green Lane adjacent to the southern edge of the site. Instead, there is a "permissive path" (described as such by the last owner) inside the line of the southern boundary hedge, providing an alternative safer pedestrian route and in constant usage.

Ancillary uses of the nomination site include occasional light grazing for a small number of horses. In addition, The Ley has historically been used once a year as the access route to a temporary car park on the Moor Place estate for the Village Fete and Dog Show. The Fete is a substantial annual community event and the use of this land for this essential purpose (there is no alternative route) has been hugely beneficial for the community, facilitating significant fund raising in support of many local clubs, societies and for the maintenance of other village assets.



Figure 5: The pond in the centre of the Nature Reserve with marginal planting creating a natural habitat.



Figure 6 and 7: The swathe of wild flowers and the pond in August 2015, the first summer after the completion of Moor Place Park development and the Nature Reserve.

3.2 Is the asset used wholly or partly as a residence?

Yes / **No**

If yes please provide details.

N/A

3.3 Do you consider that the **current main** use of the asset furthers the social wellbeing or cultural, recreational or sporting interests of the local community? **Yes** / No

If yes, please provide details.

Social Wellbeing:

Social history through association with the historic landscape of Moor Place.

Much Hadham is one of England's oldest villages and many of the local residents have enjoyed a close history with the Moor Place estate of which The Ley forms part, both economically and socially. Given the importance of Moor Place in village life, both historically and today, there is great local interest in the future of the remaining estate parkland in which The Ley is located.

For over 900 years, the Moor Place parkland has provided the setting for the village, providing a welcome, elegant green space directly west of the village centre. The Ley forms the most southerly section of this historically significant parkland area which was once an ancient deer park. The local community have enjoyed access to this space throughout with public footpaths running across the estate. It is core to the social history of Much Hadham and the local community is committed to maintaining this and its future survival. For further information see the Heritage Landscape Statement by MPHG:

<http://www.moorplaceheritagegroup.org.uk/community/moor-place-heritage-group-15199/heritage-statement/>

The Nature Reserve.

The introduction of the pond and marginal planting on The Ley has increased the biodiversity of the area and provided a welcome natural community space at the heart of the village. The local community supports this and would welcome any opportunity to protect the site and improve the quality of the nature reserve habitat, which has been inadequately supported in recent years following its initial creation in 2014. This could include additional planting to safeguard, develop and encourage biodiversity and improve the richness of the local habitat, while remaining in-keeping with the character of the landscape. Any such initiative would support opportunities for community inclusion.

An open green space at the heart of the village.

The footpaths throughout the Moor Place estate feature as protected views in the local Neighbourhood Plan. The paths running up to and through the west end of The Ley form a safe, calm and tranquil walking route close to the village centre. The presence of open green spaces encourage positive social interactions that cultivate social cohesion in ways that enhance health and well-being and this is true of The Ley. Its close proximity to the heart of the village provides accessibility to the less able within the community such as the elderly.

Cultural Interests:

Integrity of the Historic Park.

The Ley forms part of an area of parkland with an important history. The area has local historic park status. Paragraph 21.6.1 of East Herts District Plan explains the importance of conserving historic parks and gardens: "Historic parks and gardens are a fragile and finite resource: they can easily be damaged beyond repair or lost forever. There is a need to protect such sites and their settings from new development which would destroy or harm the historic interest." Within the same document, Policy HA8, which covers Historic Parks and Gardens, it is made clear that as a "locally important site", Moor Place should be granted the same protection as a listed Park or Garden: "Development proposals should protect the special historic character, appearance or setting of those sites listed on the Historic England 'Register of Historic Parks and Gardens'. The same level of protection will be afforded to other locally important sites". Hertfordshire Gardens Trust have additionally expressed their support of this view, emphasising that harm to the historic park "can be caused by inappropriate development, neglect & ignorance, and the cumulative harm from incremental interventions can be insidious". Historic England supports this stance. The Ley is therefore of great importance and is respected by the community because of its historic standing.

At a holistic level, incremental development is damaging to the landscape and retention of The Ley as a natural open space and Nature Reserve, forms an important barrier to possible development that could result in a 'tipping point' being met beyond which the integrity of the remaining estate landscape is lost.

Cultural and Economic history of the site and the wider estate.

The Moor Place Landscape Statement produced by Moor Place Heritage Group in 2019 contains first-hand accounts from just some of the many people that were employed on the estate over many years. It demonstrates how the whole estate has touched the lives, both economically and socially, of so many of the Much Hadham village community. (Appendix 3). Of those that do not have a working history on the estate, many have enjoyed the footpaths and parkland that remains a beautiful village asset to this day, in this way making it an asset of huge community value. The Ley is the subject of this application as an ACV because it is an outstanding part of the whole estate, which was recognised when it was designated by the developer as a Nature Reserve in the planning approval for Moor Place Park in 2012.

Recreational Interests:

An open space close to the heart of the village.

The Ley promotes mental and physical health by supporting the physical activity of members of the local community. Open spaces are known for their psychological relaxation and stress alleviation properties and this is true of The Ley. Formal footpath access is to the west of The Ley offering open views east toward the nature reserve pond, with a "permissive path" along the southern boundary.

The Ley has a long history of informal access for recreational activities, most typically dog walking, rambling, running and in more recent times bird watching opportunities have arisen through the creation of the pond. These activities contribute to the continued social wellbeing of the local community. The Parish Council is not aware of any recorded incidents of inappropriate use of The Ley due to this informal use. There is informal security of this space due to the proximity of neighbouring housing and open views.

The Moor Place Heritage Group Landscape Statement 2019 contains a number of quotes that summarise the feeling and emotional connection by the local community about this piece of land and clearly demonstrate the social, cultural and recreational wellbeing generated by The Ley, making it worthy of listing as an Asset of Community Value. (See Appendix 3).

3.4 Which parts of the community currently have access to the asset?

All members of the community have access to this open space via a public footpath, other informally adopted walkways and indeed informally throughout The Ley. The approved planning application in 2012 further enhanced that accessibility (see Figure 3). The proximity of The Ley to the village centre and the topography of the land, makes the nomination site highly valued by less able members of the community, such as the elderly, who may not be able to access the more outlying green rural spaces.

Kissing gates currently provide entry and egress to The Ley and there are clear designated boundaries with fencing, or hedgerows. Restricted vehicular access is to the west and east of the site.

3.5 Over what period is the main use of the asset anticipated to continue?

Our community would like The Ley to remain an open space with Nature Reserve in perpetuity for future generations to enjoy. The community has demonstrated its passion for this by forming a local interest group, Moor Place Heritage Group (MPHG), dedicated to the preservation of the remaining Moor Place estate landscape from further incremental damage from development. MPHG has been involved in the preparation of this application and fully supports the efforts of the Parish Council to protect the future of this much valued landscape that is currently enjoyed by the local community and visitors alike.

3.6 If the main use of the asset does not currently further the social wellbeing or cultural, recreational or sporting interests of the local community, did it do so at some stage in the recent past? **Yes / No**

3.7 If yes, please provide details of how the asset's main use furthered the social wellbeing, or cultural, recreational or sporting interests of the local community in the past:

Not Applicable: The Ley has supported the social wellbeing or cultural, recreational or sporting interests of the local community both currently, in the recent past and its more distant past.

3.8 How and when do you consider that the asset could realistically return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?

Not Applicable: The Ley currently supports the social wellbeing, cultural, recreational and sporting interests of the local community.

Please provide any further information to support why you think that East Herts District Council should register the asset as an Asset of Community Value:

Questions 3.6 - 3.8 do not apply to this application as the site has remained in its current main use for a long period of time over which there have been no significant changes to this other than the beneficial creation of the pond with its marginal planting and a swathe of wild flowers. This point marks the time when the site was designated as the Nature Reserve in line with Planning Application number 3/12/1075/FP approved in 2012.

However, the Nature Reserve modifications were not fully implemented during the building of the Moor Place Park development (a number of trees should have been planted for example) and designation of the land for this purpose has not been enforced since this time. As a result, whilst the main use of the land has not changed, the quality of the Nature Reserve is not what was originally promised because the asset was never fully delivered to the community in the spirit of the approved planning application.

The land is currently under threat with recent attempts to sell plots on a speculative incremental development basis. This is against the original intent of the planning permission granted in 2012 and has caused anxiety/concern to the Parish Council and members of the community who wish to take over the maintenance of the The Ley as a Nature Reserve and protect it from inappropriate mis-use in the future.

Whilst legally The Ley is in private ownership with formal footpath access only across the west of the site, it has been used as described throughout this application for many years on an informal basis across the whole of the site. Today many members of the community have the understanding that they are entitled to access The Ley as part of their rights under planning application 3/12/1075/FP. Whilst this may be a misinterpretation of the legal status, The Ley has been used on this basis as a norm both historically and in particular for the past 9 years since the development of Moor Place Park.

The factual main use of The Ley has therefore remained constant for many years as an open fallow space and more recently as a Nature Reserve for recreational purposes.

We understand it is the factual main use of The Ley that should be considered in the review of this application. This is supported by case law that confirms that it is a question of fact that must be accounted for in ACV decision making. Supporting examples can be found in Appendix 5.

It may be unusual that what is effectively innocent 'trespass' forms a non-ancillary use of a piece of land, but we believe that this is legitimately such a case. It is a statement of fact that The Ley has been the subject of informal community use for many, many years. The Ley is of substantial value to local residents and contributes directly to the social wellbeing, the cultural and the recreational interests of the local community.

We therefore ask that, for the reasons detailed above, The Ley be accepted for addition to the Asset of Community Value Register.

Thank you for considering this application.

Part 4 – About the owner and occupier

Please note that East Herts District Council has a legal obligation to inform the owners and occupiers of the asset of the nomination.

Owner and occupiers of the asset:	
Name of owner	Strategic Land Holdings Ltd (Company Number 018278V)
Address of owner	St Mary's The Parade Castletown IM9 1LG Isle of Man
Other contact details for owner – e.g. phone number, email address:	This is an offshore company so no further details found
Is the above the:	
Current owner OR	We believe the above company is the current owner
Last known owner	Foxley Commercial Properties Ltd Barn 2 Warren Park Green Tye Hertfordshire SG10 6FF
Name of occupier (s)	N/A

Where the owner is not the freeholder, please provide the names and addresses of any holders of the freehold estate:

Holders of the freehold of the asset:	
Name	N/A
Address	
Name	
Address	
Name	
Address	

Please continue on a separate sheet if necessary.


Please provide the names and addresses of any holders of the leasehold estate other than the owner:

Holders of the leasehold of the asset:	
Name	N/A
Address	
Name	
Address	
Name	
Address	

Please continue on a separate sheet if necessary.

Part 5: Declaration

I certify that the information provided in this nomination form is correct to the best of my knowledge.

Title	Clerk to Much Hadham Parish Council
Name	Fiona Forth
Signature	
Date	29 th March 2022

Data Protection and Freedom of Information:

We will process the information provided in accordance with the Data Protection Act for the purposes of administering the Community Right to Bid procedure established under the Localism Act 2011. Names and contact details provided will be shared with the owner of the asset in the event that the nominating organisation subsequently submits an intention to bid.

The information provided will be subject to the Freedom of Information Act, but personal information (names and contact details) will not be provided in response to Freedom of Information requests.

Appendix 1.

Letter of Support of ACV Application from Moor Place Heritage Group



Website: www.moorplaceheritagegroup.org.uk
Email: moorplaceheritagegroup@outlook.com

Moor Place Heritage Group

16th February 2022

To: Mr Ian Hunt, Much Hadham Parish Council.

The Ley, Kettle Green Lane, Asset Of Community Value Nomination.

Dear Ian,

Thank you for contacting us regarding the possibility of making an application for The Ley to be added to the local Asset Of Community Value Register (ACV).

Whilst we acknowledge that acceptance onto the ACV register, in itself, will not guarantee the safe future of The Ley, we are in no doubt as to the value of this land to the local community. For many years The Ley, together with the rest of the Moor Place Estate, has furthered the social wellbeing, cultural, recreational or sporting interests of the local community making it, in our opinion, suitable for inclusion on the ACV Register.

We are therefore writing to confirm our support of this application and to offer our help with the preparation of the ACV Nomination Form for submission to East Herts District Council by Much Hadham Parish Council.

Yours sincerely,

Sally & Andrew Savage, Sally Barra and Harry Platt.

On behalf of the Moor Place Heritage Group

Appendix 2.

Minutes of Much Hadham Parish Council Meeting – Tuesday 1st March 2022

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 1st March 2022, in the Green Tye Mission Hall, at 7:32 pm.

Extract

22/42. ASSETS OF COMMUNITY VALUE

Cllr I Hunt reported that during discussions with East Herts Council regarding the “Nature Reserve”, the suggestion was made to designate this land as an Asset of Community Value. Whilst it would not prevent the sale process, it could make potential buyers wary as a charge would be placed on the property at the Land Registry for a period of 5 years.

In addition, Cllr I Hunt stated that the Moor Place Heritage Group were supportive of this approach and had agreed to undertake the bulk of the work required. It was noted that it may be hard to demonstrate the community value of this land since public access is limited.

RESOLVED to nominate the “Nature Reserve”, Kettle Green Lane (otherwise known as Ley field) for designation as an Asset of Community Value.

Full minutes available on the Much Hadham Parish Council website:

https://www.muchhadhamparishcouncil.co.uk/wp-content/uploads/minutes-agendas-newsletters/Minutes_2022-03-01.pdf

Appendix 3.

Extract from Moor Place Landscape Heritage Statement **Prepared by Moor Place Heritage Group – 2019**

(Referring to the open spaces leading to and including The Ley)

Today the public footpath through the estate is well used by dog walkers and ramblers and within the last ten years the entrance area on both sides of the drive was used for cattle grazing. Speaking to local current day users of the land, the importance of the parkland landscape, and the reasons why it is still special and worthy of protection from further development, are captured in some of their comments:

(a) “I love to walk across Moor Place, it is so calm and tranquil with the regal house as a fitting back drop. It is a place of beauty so close to our village centre”.

(b) “Sunset walks in the summer time can’t be beaten across Moor Place”.

(c) “The wild flowers in the Nature Reserve field when Moor Place Park and the pond were built were absolutely beautiful. Let’s sow them again”.

(d) “It is the mature specimen trees dotted through the expansive grass fields that make this place a park and a lovely place to walk”.

(e) “The experience of walking towards the quiet of the estate begins as you leave the village through the main gate. As you walk up the drive at the heart of the village you move further away from the hubbub of the residential main road and become fully immersed in the calm of Moor Place by the time you reach the top of the drive. It is the existence of this right in our village centre that makes it so special”.

(f) “I have watched my children grow up running through those fields with our dog. Moor Place holds a special place in my heart as it holds lots of happy memories of family times. Future generations must be able to enjoy it as we have”.

(g) “I have been walking over Moor Place my whole life, the buildings have changed a lot but the parkland of the original estate remain something to be cherished”.

(h) “I grew up in Much Hadham. My family lost people in the war so the war memorial is a place we go to remember. It is a very significant place to us. Please leave it alone”.

Appendix 4.

Extract from Moor Place Landscape Heritage Statement **Prepared by Moor Place Heritage Group – 2019**

FOLK HISTORY: HOW IT IS REMEMBERED

4.2 Historically it is estimated that, at any one time, some 30-50% of the village adults were employed 'up at Moor Place'. Villagers were either employed in the house or on the estate or had connections to the Norman family. Largely due to the advent of farming mechanisation, the numbers employed there in recent years have been much lower. However, there are still many people in the village with either a current or recent working connection with the Moor Place estate.

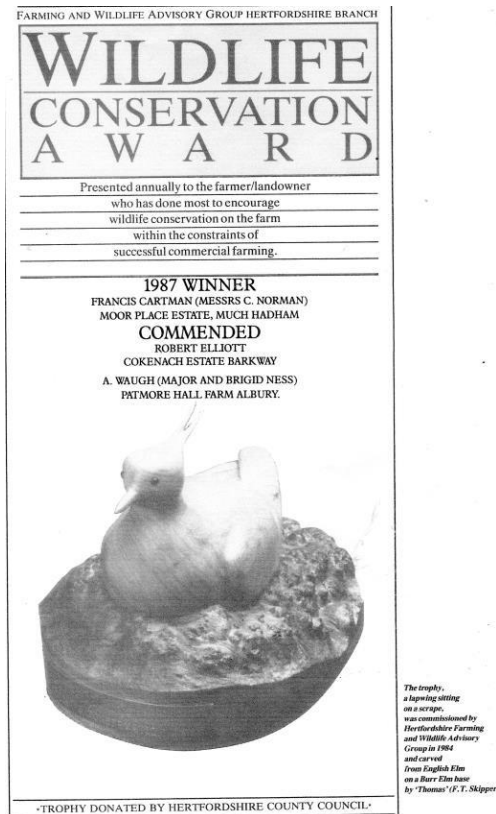
4.3 Daphne Jordan, currently in her eighties, fondly remembers riding horses bareback as a child on the estate when she and her friends could get away with it (and they often did!). The village children roamed the parkland of Moor Place estate freely. She remembers skating on the pond in the 'wilderness' (an area behind Moor Place house where the old pump-house, which supplied water to the house, is located). As workers they were permitted to go ferreting for rabbits on the estate at weekends; Daphne would sell 2 rabbits for half a crown each to Mr Pells the tailor in Bishop's Stortford. As a young woman she made curtains for all the bedrooms, and the bedhead and the throw-over in the main bedroom. Her mother Dora worked 3 days a week sewing and mending, based with her sewing machine in the butler's room. Her father Eric also worked on the estate; he painted the gold leaf on the clock on the clock-house. Daphne still has a pot of the gold leaf to this day.

4.4 Ron Ward, now in his late eighties and still living in one of the tied cottages on the estate, worked as a farm labourer at Moor Place in his twenties. His first job was to thin the trees down Cox Lane, by hand, using only an axe. He progressed to driving tractors and other farming tasks. Ron planted the limes and London planes which line the upper section of the drive. He remembers the elm trees that lined the lower section of the drive extending to the main gate. They are presumed to have been taken down, having become old and dangerous. Ron's father Fred was a cowman and his older brother Ben worked as a gardener up at the house after contracting TB. Prior to his illness Ben had worked on the farm. Fred and Ben each remained employed by the estate for over 50 years. Ben married an Italian girl, Giana, who worked in the kitchens, whilst her sister married the cook. The women had been brought over from Italy to work on the estate after the war. Ben and Giana lived in a flat up at Moor Place when they were married, and later at Dell Cottage. After Giana died, Ben lived out his days at Moor Place Front Lodge.

4.5 Francis Cartman worked as Farm Manager on Moor Place estate for Brian Norman from 1968 until 1989. From the outset he looked after the farm and the 24 cottages. Francis introduced budgeting to the farm operation, which enabled the estate to prosper. He was credited by Brian Norman with bringing the farm into the 20th century. Prior to Francis's arrival, Brian had sold two thirds of the dairy herd but Francis quickly built it back up to 100 head of cattle. Francis had a particular interest in conservation and in 1987 won a Wildlife Conservation Award for his work on the estate.

4.6 Mick & Shirley Turner retired from working at Moor Place in 2000. They moved into a flat on the estate in 1975 just after they got married and remained living there until

Figure 11 Wildlife conservation award to Francis Cartman, 1987



the estate was due to be sold in 2010. Their flat used to be the old kitchen for the main house and had a glass dome ceiling; they recall someone once clearing snow and falling through the glass dome onto the kitchen table! Shirley worked at Moor Place from 1980 until 2000; she cooked, cleaned, did laundry and prepared for numerous dinner parties. Often working 7 days a week, Shirley worked closely with Pam Evans who, as housekeeper, was the only employee who actually lived in the main house with Mr & Mrs Norman. The Normans did a lot of entertaining and she remembers their daughters getting married, with wonderful receptions in a marquee in the garden and the operas the family hosted every year requiring lots of exhausting furniture moving in the dining room. Shirley also recalls enjoying the open garden events at the house, serving tea and cake to enthusiastic visitors.

4.7 Mick worked in the gardens, under head gardener Paul Weaver, producing lovely fresh vegetables. He was especially proud of the impressive vegetable gardens. In later times Mick worked with Steve Cox who continues to be the estate gardener to the current day. They used to prepare the gardens for the Open Gardens and Red Cross open days. Mick remembers shooting pigeons in the autumn, the hunt congregating in front of the main house and once fishing a child to safety out of the pond in the grounds. An occasional duty was to enter the large pond at the front of the house to remove rubbish and clean it and he recalls the odd sensation of being nipped on the tummy by the large resident fish! He also remembers with a smile the bull pens that were located on each side of Farm Cottage each housing three bulls – very unusual neighbours!

4.8 Shirley remembers warm summers on the estate with the Normans allowing the children of the estate workers to swim in the swimming pool with their own children and all the children playing together in the parkland and amongst the hay bales. Mick's Uncle Ernie and Aunt Lily also worked on the estate. Ben and Ron Ward (mentioned earlier) were his cousins. Mick and Shirley recalled the excitement of 'Lovejoy' being filmed at Moor Place and fondly remember

Ian McShane having a cup of tea in the kitchen with them and Vivienne Gent; Vivienne cleaned the house and helped out with dinner parties.

4.9 Ron, Francis, Shirley and Mick all recall WW2 troops being billeted in Nissen huts on the sports field and in tents along the drive of Moor Place. They would take cover under the trees along the drive to hide from the Germans. Shirley also remembers the village children playing hide and seek, popping out from behind those same trees.

4.10 One other worker on the estate also recalls 20 or so people that worked for the Normans in the late 40s. All lived in properties the Normans owned either in the village or on the estate. There were 4 gardeners, 4 cowmen, 8 to 10 farm workers, a chauffeur and plumber/handyman. The family used to drive to church in their chauffeur-driven car. Children of the workers often played with the children of the Normans, whilst there were major occasions such as Christmas when everyone got together.

4.11 In addition to those that lived and worked on the estate full time there are many still in the village who have done regular work of one sort or another over the years. Brett's builders did many jobs on the estate, Steve Wren did tree work, the Hornett brothers (deceased) did decorating – to name but a few.

4.12 So it can be seen, that the Moor Place estate has touched the lives both economically and socially, of so many of the Much Hadham village community. For those that do not have a working history on the estate, many have enjoyed the footpaths and parkland that remains a beautiful village asset to this day.

Appendix 5.

Supporting Case Law

Higgins Homes PLC v Barnet Local Borough Council – October 2014.

In the case of Higgins Homes PLC v Barnet Local Borough Council, Judge Warren held that use by trespassers can be taken into account in a consideration of ACV allocation. The case concerned land which had been leased in 1910 to local residents to be used as a private recreation ground. The lease expired in 2006 but the use continued after the purchase of the site by a developer. The basis for this decision was that it is “a matter of common sense” that informal recreational use of land will not encourage bad behaviour or breed disrespect, as had been the claim. It may be unusual that trespass forms a non-ancillary use of a piece of land, but there may be many pieces or derelict or fallow land that are the subject of informal community use. It is a question of fact that must be accounted for in ACV decision making.

Banner Homes Limited v St. Albans City and District Council – May 2016.

The same decision was applied by Judge Lane in Banner Homes Limited v St. Albans City and District Council which concerned meadows in respect of which Banner Homes hoped to obtain residential planning permission. An argument on behalf of Banner Homes was that the recreational use of the meadow was a trespass. It was material that there was no evidence of criminal damage or other criminal activity and that the use was equivalent in value to the sorts of games and pastimes envisaged by the town and village green legislation. Judge Lane refused to insert “lawful” before “use” in section 88 but did indicate that many unlawful uses would not further community benefit such as raves.

Oliver’s Battery Limited v Winchester City Council – November 2019.

The case of *Oliver’s Battery Limited v Winchester City Council, Oliver’s Battery Parish Council* concerned agricultural land, which had, for the past few years, been participating in the EU set-aside programme, administered under the Basic Payment Scheme. Effectively, this meant that it has been left uncultivated. Nevertheless, its use was agricultural.

Conflicting evidence was given in the case – members of the public stated that they used the land for a variety of activities, including running, walking, dog walking, and horse riding; the Director of Oliver’s Battery Limited said that he had not seen anyone on the land on the majority of occasions, apart from the occasional dog walker and horse rider.

The court acknowledged that the use of the land was, in part anyway, trespass. However, in following the Court of Appeal’s decision in *Banner Homes*, it stated that ‘there is no requirement for actual current use pursuant to s. 88(1) to be lawful use. I therefore find that the actual current use of the northern part of the Land by the local community is a qualifying use for the purposes of s. 88(1)(a) notwithstanding that this use is largely trespassory.’

In this case the public’s use of the land was not ancillary to the agricultural use in assessment of an ACV application.

In all three cases it is an issue as to whether there is, or in the recent past has been, use which furthers the social wellbeing or social interests of the local community. The Ley is therefore an excellent example of an area of land deserving of inclusion on the ACV register.