

## **Transfer of Traditional Rights to New Land Wardman Meadows**

### Ancient Rights (Customary Law)

The Freeman of Sudbury had, for centuries, held rights to graze, after harvest, most arable and grass lands throughout the Borough. Land subject to these rights was referred to as 'Shack' land. Other traditional rights included those over wasteland and flood meadows specifically designated for the Freeman.

### Sudbury Town-Lands Act 1838 (Statutory Law)

Grazing rights over Sudbury shack lands were an impediment to the development of the Town. By an Act of Parliament the rights over the Shack--Lands were extinguished in exchange for replacement lands (with rights over) including Sudbury North Meadow and Harp Close Meadow.

### Suspended Rights ( Not surrendered)

Freemen's grazing rights, due to the sale of Harp Close Meadow by the Trustees, have been suspended. The Freeman of Sudbury have not actively surrendered their legal rights and have anticipated an exchange of their rights to new land - ultimately Wardman Meadows.

### Modern Times (Participation)

The Freeman would accept an argument that financial benefit should not be gained (specifically over Wardman Meadows) by any privileged position of the few remaining Freeman, However, it is essential that the ongoing tradition of legitimate inherited rights be maintained.

### Conclusion

It would seem reasonable for the Trustees and the Freeman to arrive at an agreement to extend the rights over Wardman Meadows but that this be conditional that the 'rights' are not actively exercised.

Alan Shelley Freeman of Sudbury 6 October 2008

### NOTES:<sup>123</sup>

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<sup>1</sup> Harp Close Meadow 16 acres of grazing land purchased in 1880's under the 1838 Act sold 1987 to NHS £850,000. The land was not registered common land under 1965 Commons Registration Act. Freeman's Grazing Rights were suspended (awaiting transfer).

<sup>2</sup> Wardman Meadows (formerly Barleyman Meadows) 39.29 acres of grazing land aquired 1998 and subsequently purchased. The land has not been registered as Common Land.

<sup>3</sup> Friars Meadow 25 acres of grazing land (now recreational) which Freeman had half-yearly 'shackage' rights. The land was sold to the Borough in 1960's (with the possible exception of Lady's Island) - Freeman's Grazing Rights suspended?

## Common Rights over Replacement Land - Wardman Meadows

### Customary Tradition at Sudbury Suffolk

- The Common Lands; John Wardman published a pamphlet in May 1991 entitled "Sudbury Common Lands - The Position as Viewed by the Chairman of Trustees".

In his introduction he stated "I consider it unfortunate that the generally accepted name for the meadows is the Common Lands; the more historical name - The Freeman's Lands - is slightly more accurate".

The lands have been grazed 'of customary right' by the Freeman of Sudbury over many centuries.

- The Commonalty of Sudbury; 'Commonalty' as employed within Charters is often mistranslated. The correct expression is used to describe the commoners who have legitimate right over the use of something.

This does not describe the 'general public' or even the 'general' inhabitants of a neighbourhood. In Land Law, the 'commonalty' describes a tract of land with right holders over it.

- Transfer of Rights; Sudbury has a traditional history of grazing rights, held by Freeman, over lands throughout the Borough/Town. Lands redeemed and or rights extinguished have determined the transfer of rights over to replacement land.

Inclosed (or sold off) land removed from commoning - the rights over which cannot be automatically extinguished without the agreement of right holders. Rights are 'real property' in as much as the land itself. Property cannot be confiscated, by law, without compensation.

- It is widely accepted and approved of that the Freeman's connections with the 'Common Lands' have safeguarded their longevity and have retained much of their independence from central government interference.
- The Charity Commission (ruling body) is an overarching authority nation-wide, it does not participate in the individual arrangements of 'local' organisations.

Local Schemes - are set up to meet the charitable requirements approved by the Commission. Any decision can be made locally (by Trustees) providing it does not contravene the charitable intentions set out within a Scheme.

### Opinion

The fraught outcome over the sale of Harp Close Meadow has resulted in an unfair loss, by the Freeman of Sudbury, of rights (previously held, real property) without any form of comparative compensation.

It appears to me that a decision, by the Trustees of Sudbury Common Lands, can be reasonably made to transfer rights (in principle) previously held over Harp Close Meadow to Wardman Meadows.

This could be carried out on the understanding that the Freeman do not request payment for grazing rights, nor practice fishing rights over the new land, and agree to make no interference with existing management plans over Wardman Meadows.

The Freeman's rights over Wardman meadows would be reserved and unexercised. In this way the long held traditions and association with the Freeman's attachment with the lands can be maintained.

Alan Shelley BA DLA FRSA, Sudbury Freeman. 6 Oct. 2008

## Wardman Meadows - Action Trustees

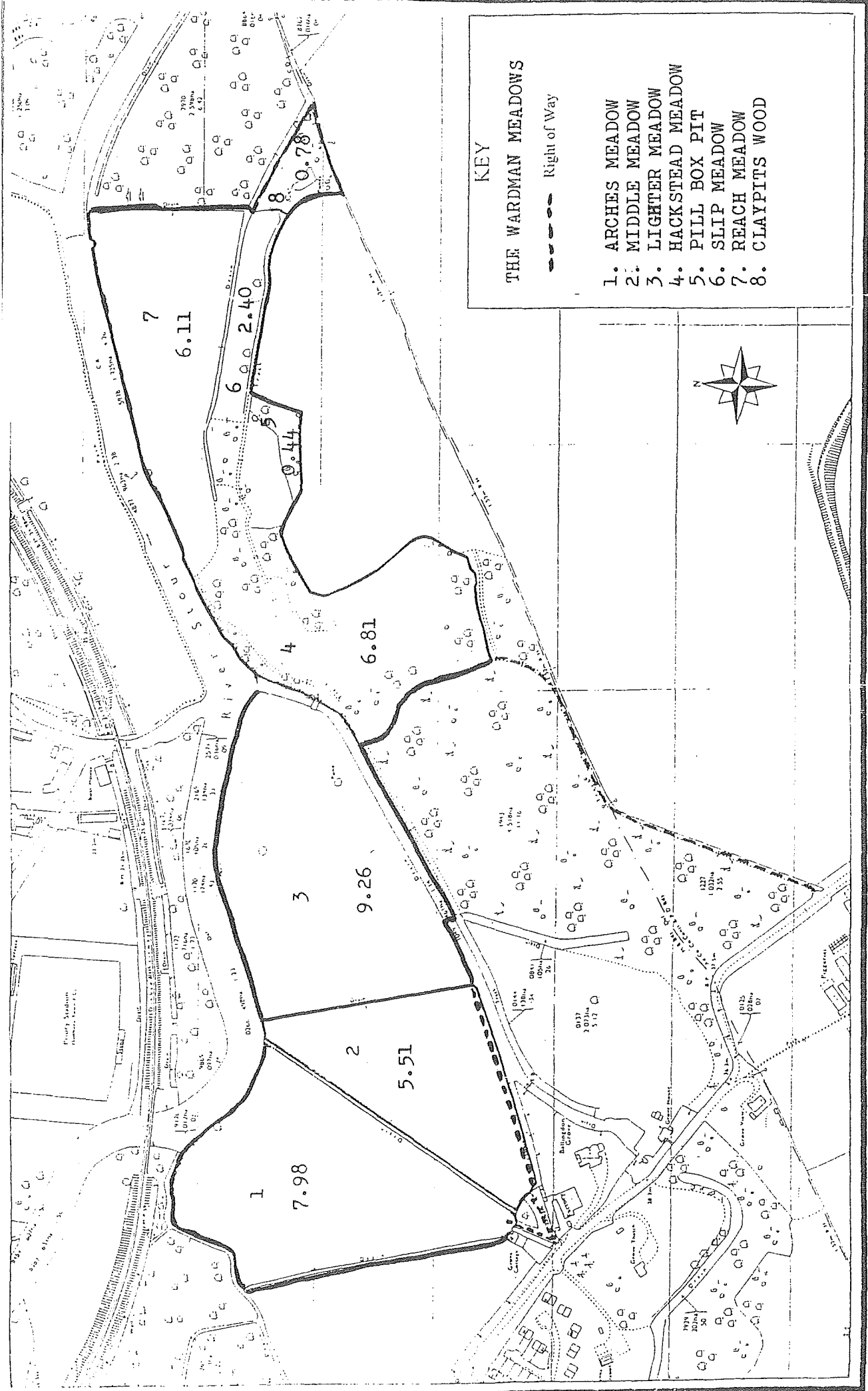
- Scheme - Update the Schedule (if not already done so) to replace cancelled Harp Close Meadow with Wardman Meadows 39.29 acres.

The new land, as with Harp Close, would remain unregistered as 'common land' under the Commons Registration Act 1965 and the subsequent Commons Act 2006.

- Freeman's traditional rights, permitted in law and dictated within sections 21 (2) and 25 (5) of the governing scheme dated 14 May 1987
- Management - If Wardman Meadows is specifically dedicated as 'protected wildlife reserve', perhaps the Freeman may agree that their share of any income from that specific land, for the foreseeable future, is reinvested into the management of that specific area of land.

NB - Attention of the Freeman and all concerned should be drawn to the ten years delay in resolving this matter. The subject of which could be amicably brought to a close without need for any legal proceedings.

Alan Shelley 4 November 2008



**KEY**

THE WARDMAN MEADOWS

- - - - - Right of Way

1. ARCHES MEADOW
2. MIDDLE MEADOW
3. LIGHTER MEADOW
4. HACKSTEAD MEADOW
5. PILL BOX PIT
6. SLIP MEADOW
7. REACH MEADOW
8. CLAYPITS WOOD

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6  
2.40

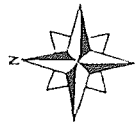
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R I V E R  
S O S R I V E R

Pratt's Stadium  
Hammock, Forest, E.

Burkington  
College

1928  
June  
20

16 Bournside Road  
Cheltenham  
Glos. GL51 3AH

26 September 2008

Dear Andy

### **Wardman Meadows**

When last I saw you, at the Sudbury Freeman's Committee Meeting, 8 September, we briefly discussed the Freeman's relationship with Wardman Meadows.

I raised within AOB the personal view that we should pursue our connection with that land. To do so would necessitate a friendly approach to the Trustees avoiding any form of confrontation. It would not be our intentions to seek financial gain but to establish the personal (property) 'rights' of Freeman over that land.

It would appear that the transfer of Freeman's rights from Harp Close Meadow were previously rejected, somewhat spuriously, on the grounds that HCM was never registered nor subject to the 1965 Commons Registration Act. Our case pre-empts and excludes the need to defer to such legislation.

The Statute of Merton 1285 of Edward I, 46.13, the initial 'freedom of commons' Act, was brought about to ensure the ongoing transfer of rights over replacement lands.

Quite simply the situation should be viewed as follows:

1. The sale of Harp Close Meadow enabled the purchase of Wardman Meadows. Rights of pasturage previously held over HCM were not carried to the subsequently obtained land. Such transfers, as had been the case with former 'shack' lands traditionally carry their rights to the replacement lands. This is the customary practice at Sudbury.
2. There appears to be nothing preventing the Trustees of the Common Lands, in all fairness, allowing the Freeman similar 'transferred' rights over the Wardman Meadows as those enjoyed within the existing Scheme – section 21 (2) 14 May 1987 –  
“The Trustees when letting rights of grazing and sporting rights over land belonging to the Charity shall give preference to applicants for such rights who are Freeman or the Widows of Freeman . . .”
3. The Charity Commission (Hd Office) have indicated they see no reason to obstruct this arrangement and will allow this decision to be made by the Trustees (See copy of Charity Commission letter to A.W. Berry of 18 December 2002.

In my opinion we, the Freeman, should recommend that the land remains unregistered as far as the Commons Act, in order that it should not become 'open' to the general public and can remain a sanctuary to wildlife. It should also be devoid of general fishing rights to the public at large.

If the rights can be established, we could agree that for the foreseeable future they would remain 'unexercised'. This would establish the principle connection required by the Sudbury Freemen.

Should the question of sufficient rights over the additional acreage of Wardman meadows arise, perhaps we could call upon those possibly unextinguished rights over Friars Meadow.

Hope this all makes sense to you, the 'facts' you requested are within the wording of the Charity Commission's letter to AWB in effect telling the Freemen to organise it with the Trustees. The last thing I would want, would be to fall out with Adrian who regards the Wardman Meadows like his back yard. This correction of the record would not affect any physical changes and he should be made to rest assured that we have everybody's best interest at heart.

Yours sincerely

Alan Shelley

Wycken End  
16 Bournside Road  
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31 October 2008

Dear Chris

Further to your telephone call and our conversation about the benefits or otherwise of registering the Common Lands. I am enclosing a few notes, the first regarding registration and the other two sheets concerning the transfer of our rights from Harp Close Meadow to the Wardman Meadows.

There are very good grounds for the rights to be transferred and for them to be included into the Schedule without any need for the involvement of the Charity Commission. The Head Office has already said that this is a matter to be handled locally, providing it does not contravene the charitable intentions of the Scheme.

Surely a friendly discussion between the Freeman and the Trustees could resolve an agreement for the 'rights' to be included and for the Freeman to allow (for the foreseeable future) grazing payments to be absorbed by the Trustees. In this way, the historical rights are endorsed and the Freeman can recognise some connections with the new land. Adrian can continue to manage that land independently as wildlife reserve without any recording or controls under registration as 'Common' open to the public at large.

If you feel so inclined I hope you and Andy can present the case at your next meeting of the Trustees. I am readily available for any further discussion.

Kindest regards,

Yours sincerely

Alan Shelley

Ps. Andy has a copy of the Charity Commission letter suggesting the matter is a decision to be made locally and refers to the Scheme - section 21 (2).

16 Bournside Road  
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6 October 2008

Dear Andy

**Wardman Meadows**

Further to my letter of 28 September last, I enclose a discussion note in the way of an 'Opinion' over the request to attach the Freeman's interest to Wardman meadows. I hope you can find time to discuss this with your Dad, along with my previous letter.

Best wishes and looking forward to hearing from you

Yours sincerely

Alan Shelley

*AW Berry*

16 Bournside Road  
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6 October 2008

Dear Allan

Sorry if this is too soon since my last letter but I shall keep it brief.

I have just re-read your excellent account of "The Awkward Apprentice" and it prompts me to enquire, as I previously intended, about the Corporation's treasures concealed in the attempt to foil full payment of the fine. The Loving Cup and the Maces were recovered, but mention was also made (by Hamilton Roche poem) to the sword of Justice. Was this simply an expression appertaining to actions or was there, as in most Boroughs, a physical 'sword of Justice' to lead civil processions? If so I wonder if it ever came back to light!

Further to my suggestions regarding a Freeman's connection to Wardman Meadows I enclose some discussion notes in the way of an opinion, perhaps it could be useful.

All the best



## **'Keep People's Park grassland' say Sudbury campaigners**

by Barbara Eeles

PLANS to split a much-loved meadow into open space and homes if moves to save it as a public green are defeated would wreck its character, it is claimed. Grass areas in the masterplan for the possible development of People's Park, Sudbury, look too much like an urban park, said campaigner Jill Fisher.

The plan has been produced for owners West Suffolk Hospital Trust who fought bids to register it as a green at a four-day inquiry last week. The future of the land – also known as Harpclose Meadow – now hangs in the balance while Suffolk County Council waits for the recommendation of barrister Edwin Simpson, who heard the inquiry on their behalf.

Mrs Fisher, a leading member of the People's Park Preservation Association, attacked the proposal to plant trees and hedges and put paved and mown pathways on what has been open grassland. She also criticised the plan to have a strip of public open space alongside the main road, with the houses built further back on the site.

"This is more like an urban park than a meadow. What happened to the idea of country walks in wellies," said Mrs Fisher who lives close to People's Park. "If you plant trees the grass won't grow, if there is no long grass there will be no insects, and if there are no insects there will be no birds. The skylarks won't nest there. "And they are planning to build the houses just where the wild flowers grow. They should be built fronting Waldingfield Road instead."

The hospital trust commissioned KLH Architects and the Landscape Partnership to draw up the development blueprint which leaves 44 per cent of the land with public access as opposed to the 40 per cent required under Babergh District Council's Local Plan. Chris Bown, chief executive of the hospital trust, says attention has been given to both landscape and visual issues, and to wildlife and nature conservation. "The intention is that the new park would become more intimate and offer a greater network of utilisable footpaths, habitats and play areas than currently exist or were previously indicated," he said in a letter to PPPA chairman Derek Wells.

He also says the trust was keen to learn the views of the wider population of Sudbury and would be embarking on informal consultations over the coming weeks. Mrs Fisher said: "To me, the use of the word 'intimate' to describe the park sounds like estate agents' jargon for small."

barbara.eeles@sudburytoday.co.uk  
02 October 2008, Suffolk Free Press Sudbury

## **Sudbury - Legal hitch in land saga**

**Barbara Eeles**

Uncertainty still surrounds the fate of Sudbury's People's Park after plans to hold a public inquiry were dropped.

A battle to stop the land being sold for housing, by registering it as a public green, has been going on for well over a year.

Suffolk County Council now says unless objectors to the registration application pay the extra cost of an inquiry it will make a decision based on written evidence and the advice of a barrister.

But the issue could be heading for a legal quagmire following moves to withdraw the original applications... which the county council says it will go ahead and determine anyway,

Meanwhile, a dedicated environmental campaigner is trying to set up a support group to ensure the fight goes on.

Jill Fisher lives near People's Park, which is owned by West Suffolk Hospital Trust and was once earmarked for a new Sudbury hospital.

Some of the land off Waldingfield Road has already been built on and the trust hopes to make around £2 million from selling the rest.

"We will battle on," said Mrs Fisher. "If People's Park goes we will have no green land at all in this part of the town.

"I'm hoping we can arrange a public meeting for interested people."

First application to register the land as a green was made by former Sudbury councillor Albert Pearce, who has now moved to Sussex. He persisted despite threats of High Court action from the hospital trust.

Retired lawyer Barry Pamplin took on the campaign from Mr Pearce and put in his own application.

But he now wants to withdraw it because he believes complex registration laws mean the county council's decision would not be the end of the matter.

He says he may apply for a judicial review of the county's refusal to accept the withdrawal and is taking counsel's advice.

Mr Pearce, whose application is also still being pursued by the county council, was recently told by senior legal officer Jane Stevenson that no inquiry would be held unless the objectors – the hospital trust – paid the extra cost.

A county council spokesman said solicitors for the trust had lodged a formal objection to both applications.

"The solicitors would prefer this matter to be dealt with by way of a public inquiry because they feel it is the best way of testing the evidence.

"Mr Pearce and Mr Pamplin both wish to withdraw their applications with a view to one application being re-submitted in due course.

"The county council is minded not to accept the purported withdrawal and is minded to pursue determination by referring the papers to an independent barrister for advice."

Managers at West Suffolk Hospital Trust would only say that they were closely following the process as set out by the county council, and were awaiting the outcome with interest.

To join Jill Fisher's campaign, call her on 01787 373776.

The full article contains 488 words and appears in Suffolk Free Press newspaper.

Last Updated: 17 January 2008 11:51 AM

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21 October 2008

Dear Allan

Thank you for your valuable comments, much appreciated. However, while I understand your cautions, I cannot agree to outright abandon the case.

The Trustees appear to have determined not to allow the Freeman rights over Wardman Meadows. To take no action would be unsatisfactory. Ten years have already expired since the land was acquired and further delays may damage any chance of recovering our position. In reply to your numbered points:

1. Agreement (if possible?) to the application of rights, 'unexercised for the foreseeable future' would provide documentary proof that the rights exist and will continue into the future.
2. I agree with your view that this delicate situation could lead to 'ideas in the heads of some Trustees'. However, it seems to me that we must find a 'meeting position' in order to gain any headway.
3. I understand your concern regarding the apparent attitude of the Charity Commission toward our grazing rights in general and do applaud your fighting action in 1987-8.
4. Indeed, the proposal put to the Freeman must surely be that any form of connecting the Freeman with Wardman Meadows appears to be through negotiation and not by demand. The Freeman may concede that by the inclusion of Wardman Meadows onto the Schedule, at least the connection with the Freeman is maintained.

This would mean that we will not have forgone our rights over the new land, merely be allowing the Trustees to reinvest, for the time being, any income from that specific land for wildlife sanctuary.

My sympathies are entirely with you regarding the delicate nature of the situation and also with your mistrust of the Charity Commission. I have not your 'up front' experience of the Trustees, other than the resolute manner of the Clerk (who I endeavour to keep on good terms). Any suggestion of registering the new land as Common (under the Act) would meet with such retaliation from Adrian that I fear could never be repaired.

Please forgive me for boring you and bear with me if I continue to look for a way of recovering our lost rights, without I hope, upsetting the equilibrium. That also includes, again I hope, my not upsetting the Society's Committee!

CO2 OAA

19.10.08

Dear Alan,

While I am most appreciative of your excellent intentions, I fear your plan has dangers that make it best abandoned.

1. It would mean the permanent loss of any possible future claim to actual rights over Wardman meadows.

2. It could, probably would, sooner or later put ideas into the heads of some Trustees that the same principle could be applied to the Common Lands as a whole.

3. As I suggested previously, the Charity Commission could one day see it as a precedent for watering down or abolishing our grazing rights, as they nearly did at the time of the new scheme. They would, I am sure, dearly love to do so. Our rights survived because we put up a fight in 1987-8.

4. Such a proposal would require the consent of all the freemen, which would be hardly likely.

Remember, too, that the Commons Registration Commissioner ruled that the freemen had no rights other than what the Scheme allowed.

One answer might be to apply for Wardman meadows to be registered under the Commons Registration Act, something that Adrian Walters hopes to avoid, and a move that would alienate the Trustees, and which the Freemen's Committee would no doubt be reluctant to embark on.

I don't trust the Charity Commission (would-be empire builders), or indeed some of the Trustees!

Your interest should at least do something to invigorate the Society's Committee.

*Best wishes*

*Yours  
Alan*

16 Bournside Road  
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14 October 2008

Dear Allan

Many thanks for your letter of the 8th last. I can see how you were confused by my argument for Wardman Meadows,.

I should have more clearly stated the purpose, and that it is directed only at those that fully understand the normal practise regarding the exercise of Freeman's rights under the Scheme.

The subject of transferred rights from Harp Close Meadow to Wardman Meadows had reached an impasse and been 'shelved'. I felt personally concerned that it should not be finalised in such a way. Simonie and Tony have expressed somewhat negative opinions but I feel that we should not simply capitulate without trying another tack. Perhaps by accommodating the wishes of the Trustees we can compromise to at least gain something rather than nothing!

I am looking, at least, to retain a connection by the Freeman with the new land. Here is the background, as I see it:

- A) The application for transferred rights from Harp Close Meadow has been discussed by the Trustees and rejected.
- B) The Chairman, I understand, has been given to conclude (somewhat spuriously) that because HCM had not been 'registered' under the 1965 commons Act, the rights were not transferable.
- C) Adrian Walters clearly wishes the new land to be 'independent' and defines WM's as wildlife 'sanctuary' managed by "the Charity" (his common expression of independence).
- D) Simonie and Tony clearly do not themselves wish to pursue the potential subject of these transferable rights.

I hoped you could see the nuance in my developing argument and 'opinion' on the subject.

- 1) To deter a possible wish to subdue the historical "Freedom" of the Commons [detected in comments by the Ranger]
- 2) Expressions of "Commonalty" have incorrectly been applied to support public association with the lands.
- 3) Transfer by ancient tradition need not (it seems to me) to necessarily rely only on legal definition.
- 4) The Charity Commission do not need to dictate at local level
- 5) Actions, such as the transfer of rights, if not materially (financially) benefiting the Freeman, would not contravene the charitable principles of the Scheme.
- 6) Endorsement would simply require that Wardman meadows be added to the schedule with a condition that the rights would be 'unexercised (no rent)for the foreseeable future'.

I believe that point 6 can avoid the 'awkward precedent' that you suggest. Harking back to earlier days - we shall never know whether it would have been better had you not registered the lands under the 1965 Act and remained independent. Similarly, I agree, it may have been better to have awaited compulsory purchase of HCM - sadly "What if"- we shall never know!.

CO2 OAP

8.10.08

Dear Alan,

No sooner do I contemplate replying to your first letter than a second one arrives, with its well reasoned argument re Wardman meadows.

I fully agree, except for the last paragraph. It ~~is~~ not a question of freemen requesting payment for grazing rights; the position is that the freemen own any grazing rights, and the income from the exercise of them, and pay half the income to the Common Lands Trustees as the fee they are required to pay, under the Scheme, for the exercise of those rights.

It is not clear what the point would be of a nominal transfer from Harp Close meadow to Wardman meadows if it did not include the rights which certainly existed over Harp Close. It might provide an awkward precedent next time the Charity Commission wants a new Scheme.

If only the NHS had acquired Harp Close by compulsory purchase there would have been a legal case for the rights to transfer to replacement land. What a pity we didn't know more about the law at the time!

The inquiry into Harp Close has been held, both the NHS and the Sudbury Committee being represented by barristers.

There is no trace of Sudbury's sword of justice. When one ex-service freeman died, his widow offered his sword to the freemen. I suggested offer it to the Council, but heard no more.

Turning to your first letter, I am sorry to hear of your car misfortunes, but hope that the theft of petrol and damage to the tank will not put you off going to Sudbury. Can there be a more secure place to park?

We have to be so careful nowadays. Even with my little scooter - whenever going to the local shop I chain it to a post, as it doesn't need a key to start it, as the ones I use in town do.

You may know about the Babergh plan to sell part of Belle Vue for housing, with possible demolition of the house. Sudbury is not happy.

Adrian Walters is organising a training course for volunteers.

Our granddaughter Sarah is now at Brighton university, on its Eastbourne campus.

We have a new gas boiler, more complicated than the old, condemned one. It cost more than the house did! At least we have it in time for the worst of the winter.

Yours

Alan

16 Bournside Road  
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26 September 2008

Dear Allan

I trust you are both reasonably well as we are in Cheltenham. We have just returned from a delightful holiday (lots of walking and cycling) in Jersey.

I was a little overtaken by activities within the few days following the Sudbury Committee Meeting and our flight to the Channel Islands, hence this late communication.

Unfortunately our visit to Sudbury was marred by a most unpleasant experience on the Tuesday when we attempted to return home. Our car, parked overnight at the rear of 'West House' Ballingdon Street, had the fuel tank 'drilled' and about £40 of petrol removed. Following a visit by the AA and notifying the police (it turns out there were 8 other cars that had met the same fate) we were temporarily 'plugged-up' and able to leave in the by then pouring rain, slowly limping home. The cost of the tank replacement c £500!

However, that's life in these days. The meeting in Sudbury was a little disjointed. Simonie, unable to attend had advised Jean Moscrop to run the meeting in assistance to Barry Hibble. Roy Alston, resplendent in pinstripe suit, was clearly under the assumption that Simonie had appointed him to deputise. Tony Wheeler insisted that RA should chair. You might imagine the somewhat tortuous and protracted proceedings, it was a little chaotic.

I hope you will not be too disappointed in my raising, in AOB, the subject of rights over Wardman Meadows. Having further considered the formal attitude of the Charity Commission, they had implied that the subject should be resolved by the Trustees. In view of some of the Freeman's ongoing unhappiness over the HCM outcome, we might at least pursue the transfer of rights. Tony Wheeler is not in favour of any such further actions. However, I have proposed that we request but not demand consideration to allow the traditional practice of transferred rights, from Harp Close Meadow and possibly any unextinguished rights over Friars Meadow previously not transferred onto Wardman Meadows.

Of course we would not anticipate Wardman Meadows becoming 'Common Land' as under the Registration Act, but that it may remain 'closed' as existing Nature Reserve. It may be undesirable that it could become open to the general public or exposed to the general fishing etc carried out elsewhere. It seems to me fair and reasonable that the Freeman should, by right, have some small and 'ongoing' interest in that land.

Our best wishes to Margaret



### **People's Park in Sudbury which was originally bought to site a replacement hospital**

You reported (Free Press, April 5) that councillor Albert Pearce asks for information on the history of the land in Waldingfield Road often referred to as People's Park.

This land, comprising about 15 acres, was bought by the Freemen of Sudbury for £1,628 from Mr Grover, in 1876, as winter grazing when they had to move their cattle off the river pastures.

The land was subsequently conveyed to Sudbury Common Lands Charity in 1897, to be administered under the terms of a scheme approved by the High Court.

During the summer, the charity occasionally let the land for use by the fair or circus, or allowed it to be used with permission for community fetes and events, without charge.

When the hospital authorities were looking for a site for the new Sudbury Hospital in the 1980s, they approached the charity trustees to acquire the land for this purpose.

Details of the negotiations at the time are well recorded in the late John Wardman's book Sudbury Common Lands. In summary, following professional advice received and with the possibility of compulsory purchase hanging over them, the charity trustees sold the land for £750,000.

Much of these funds have since been used by the Charity Trustees for the benefit of the town, with significant grant aid to the Scout Group, River Stour Trust and Tennis Club, with their development on the former gasworks site in the 1990s; acquisition of the Christopher Centre and purchase of land on the other side of the river to Friars Meadow, as well as support for numerous smaller charitable projects.

At the time of sale, approval and funding were in place for the health authority to build the much-needed replacement hospital facility, but a challenge by the Steed brothers that the land should be regarded as a "town green" open to all, resulted in much delay, a High Court review and costs of many thousands of pounds to the Steeds and the health authority. More importantly, due to the delay and a reversal in policy the building of the hospital on this site was scuppered.

As was found by lawyers involved in the original sale, the Sudbury Common Lands Charity had good title to sell the land in question, confirmed by the subsequent High Court review. While access to the site has always been restricted, fencing erected has been cut and broken down. Spending more time and funds again on this aspect again must be questionable.

Sudbury has a fantastic record of individuals and organisations getting together with the local councils and grant-making bodies providing facilities for the public benefit (Friars Street sports ground, football club, theatre, Mill Acre, and Gainsborough's House, together with those mentioned above, among others.)

Surely a better way forward would be to look for means of acquiring the land, to be held by the town council and properly managed as a recreational amenity.

After all, the PCT or its predecessor must have recovered all or most of its original outlay on the land already, sold for housing, and would hopefully welcome a positive response from Sudbury for a change. Some offer of cash and resolution of this long-running saga might even promote a move to provision of those much-needed health facilities we have looked forward to for so long, and truly give us a People's Park.

Philip Richardson Chairman Sudbury Common Lands Charity

19 April 2007