

Commons Act 2006, Section 15**The Pen, Charlestown, Hebden Bridge****Application to register land as a Town or Village Green****Proof of Evidence on behalf of the Applicant by****LEAH CONERON**

1. I **Leah Coneron** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **10 Turret Royd Road, Hebden Bridge** since 1977. Previously I lived at 4 Turret Royd between 1962 and 1977.
3. Married in 1958 we rented a cottage at Knott Hall, Charlestown, and it didn't take me long to find the blackberry bushes on the Pen. I can honestly say that I cannot remember a season when I didn't collect the fruit. The bushes stretched from Stony Lane to Oakville Road. By the two garages on the Pen near Oakville Road were raspberry bushes which I also picked. I always believed this land was public and never saw any sign or see anyone to be told differently.
4. In 1962 we moved to 4 Turret Royd, Charlestown where in 1963 our first son was born. Now I used the land to take him and our dog along the little winding paths, where I always felt safe and very much at peace with the world.
5. In 1964 and 1969 two further sons were born and they in turn enjoyed the land for playtime and pleasure; sledging, football, tree climbing, a place to get together with their friends.
6. During my children's childhood in the 16 houses on Turret Royd Road and Turret Royd there were 14 children, who in turn would play on the only flat field in the area. Building ramps for BMX bikes, camping out and generally doing all the things that make a happy childhood. I also remember Margaret Slack, who lived in Stony Lane kept two goats there for many years.
7. My granddaughter has a friend in Oakville Road and I remember thinking as they played one day on that same piece of land that the Coneron family have had pleasure from this stretch of countryside for the past 52 years.
8. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.

9. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: J. Lawan Dated: 30-6-11

Leah Coneron

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

JILL DYER

1. I **Jill Susan Dyer** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I lived at **12 Oak Villas, Hebden Bridge, HX7 6NP** between 1962 (the year I was born) and 2006. I now live at 4 Brier Hey Mill, Mytholmroyd.
3. My parents Alan and Rita Yates bought 12 Oak Villas, Hebden Bridge in 1954. I am the youngest of 3 children born whilst they lived there. My brother Frank was born in 1956, my sister Kathy in 1958 and I was born in 1962. For as long as I can remember, the land across from the house has been known as 'The Pen'.
4. During our childhood we have all played there. We have had birthday parties at home and always ended up playing on The Pen.
5. We have spent many an hour playing games. Some rough and tumble ones, a great favourite was British Bulldogs and tig. There was plenty of scope to play hide and seek.
6. There was a tree along the route to Stony Lane that we called 'The Monkey Tree'. It had a hollow section in the middle and we used to make dens there.
7. The Pen stretched from the bottom of Oakville Road right up the hill and down the other side to Stony Lane. It was often used as a shortcut to go to friends who lived at Southview and they in turn used to use it to come to us on Oakville Road.
8. It has always been a place to play, we would (very naughtily) even cross the railway line (fortunately not many trains went by in those days) to go play with friends who lived at Thistle Bottom.
9. We had friends who lived on Turret Royd, Undercragg and Throstle Bower. They all joined us too as we played our games.
10. Each year we had a communal bonfire which was held on the bottom level of the Pen. We would spend weeks "plotting" before the big event. All the collected wood would be stored alongside the wall adjacent to the road. People would spend time making toffee and providing other types of food, such as hotdogs and pie 'n' peas. They were huge events with lots of friends and family coming to join us.

11. I can remember in the mid 1980s when the Residents' Association was started at the time that British Rail were wanting to sell the land. There was a neighbourhood b-b-q held on the top section of the Pen, across from Beechwood View. There was a marquee erected and everybody contributed with food, wine, beer and soft drinks.
12. Until 6 years ago, I remained living at Oak Villas. I have had 2 children. Sam who is now 22 and Katie is 20. They too have spent all their childhood playing on the Pen. It started from when they were babies and they would be carried across for the neighbours to coo over them.
13. They have spent many a happy hour playing games such as we did. Sam was the elder of the children during his era and all the other children looked up to him. He was the one who organised the bonfire for many a year right up to into his teenage years.
14. He played football with his friends on the Pen. He has also camped with them too, lighting a little campfire on the bonfire site, just as his Uncle Frank did too all those years ago.
15. Katie too played all the games the boys did. She was forever galloping up and down the Pen. She loved playing at being a horse.
16. They too have had plenty of fun playing when we had the snow. Great competitive snowball fights with all ages taking part, even the adults. Sledging was great fun, again for all ages. The run would go from across Beechwood View, right down to the bonfire site, if you were lucky.
17. The Pen for generations has always been a communal gathering area. My mum would pass away the time of day chatting to other neighbours on The Pen.
18. I still drive down Oak Ville Road and it is always good to see the children still playing there and the neighbour's chit chatting the day away.
19. For as long as I can remember the Pen has been the centre of local community spirit and play. It has always been regarded as a safe haven for generations of resident's children and their friends. It was maintained, nurtured and respected by us all.
20. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
21. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Jill Dyer Dated: 27.6.11

Jill Dyer

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

ANGELA SUTCLIFFE

1. I **Angela Sutcliffe** and make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. We have lived at **9 Oak Villas, Oakville Road, Hebden Bridge, HX7 6NP** since 2nd July 1966. Previously my husband John lived at 12 Hepton Drive, Heptonstall and Angela at 15 Oak Street, Hebden Bridge.
3. When we first moved here, there was already a regular 'plot' (on bonfire night) and recreational use of the Pen.
4. We took over tenancy of the "hanging-out facility with permission to cultivate" with British Rail (see copy of agreement) from the previous tenants Mr & Mrs A. Robinson. We have therefore had the right to enter the green for this purpose from this time, to Mr Pont's purchase.
5. He subsequently "granted and deed full rights of ownership" to the above on 31st July 2008 (copy of letter available for evidence) without any instigation or reply.
6. Other children joined mine in activities on the 'hanging ground' because it is flat. There is a picture (see photographs marked 'Sutcliffe' in the Application folder) of the paddling pool on area with other neighbour's children who just turned up uninvited in swimming costumes! We never minded other people using the facility and it never interfered with hanging the washing.
7. We were asked to fence it and asked to put a gate on. John made a gate and within two weeks it had been pulled off. We wrote to the railway to tell them this and they wrote back to say that it could be left as it was. This is why we never fenced the area.
8. When we came to raise a family (I have three daughters) we used the rest of the Pen outside our hanging ground just like the rest of the community did. There are photographs that my husband took to show this happened (see photographs marked 'Sutcliffe' in the Application folder). In all this time we have never been asked for authorisation of use and all the neighbourhood used the land for recreation without consent or discouragement as a community area which has always been a valued amenity.
9. Our own children learned to walk and play and interact in complete safety with their peers. In summer in their paddling pool, bat and ball (hand and eye co-ordination), blackberrying, bilberrying, climbing trees, football, swings and over the west side (the BMX course) first learned bike skills.

10. The autumn acorns, Halloween lights, bonfire with tasty treats and sledging when adults and children join in the sliding extravaganza. Easter egg hunts and our glorious summer fete when all join in various activities to raise money for road salting etc.
11. The area is "wombed" regularly and litter free and the grass mown. Areas are planted, with seats for the weary, south facing, paradise! Dog walking with no fouling permitted.
12. A neighbourhood where all are welcomed, and watched out for – an example to our children (and grandchildren) of community spirit.
13. At times when I've been out on the Pen, British Rail representatives would approach me and pass the time of day. I was never asked to leave or asked for authorisation. They would have seen furniture and other people on the Pen but never did anything to discourage it.
14. My husband's father rented a small building on the Pen (opposite Beechwood View) to use as a carpenter's workshop. He would come from Heptonstall and visit his father on the site. The workshop was demolished when his father set up business in West Vale. This was over 50 years ago.
15. At no time between 1988 and 2008 did anyone ask us or any member of our family to leave the Pen. We have never been given permission to use the land or asked for permission (beyond that part of it subject to our tenancy agreement). We have used the land in the way we described above in the belief that we have a right to use the land as a village green. We have always used the Pen openly and without secrecy and still do so.
16. We believe that the contents of this statement are to the best of our knowledge and belief a true statement of the facts it contains.

Signed: Angela Sutcliffe Dated: 30/6/2011

Angela Sutcliffe

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

LIZ STANSFIELD

1. I **Liz Stansfield** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **11 Oak Villas, Oakville Road, Hebden Bridge, HX7 6NP** since 1972.
3. Trevor and I got married in 1972 and moved into 11 Oak Villas. One of the attractions to buying the house, apart from the view, was the Pen across the road, owned by the railway, but unspoilt grassland and woods.
4. Since the early 1980s when my children were old enough to explore we started going onto the Pen regularly and have used it for recreation several times a week since then. Now that the children have grown up and I don't work full time, I still use it regularly, often just to chat to people, but also when my grandchildren come and to walk my neighbours' dogs.
5. Both our children (2 boys), have played on the Pen all their childhood life, and joined in activities later, on the Pen, until getting married and leaving home (mid 1990s), from their first steps, toddling around to riding their bikes over the man-made course in the top wooded area.
6. Their friends from Turret Royd and Stony Lane would gather at the big tree on the top flat part where you can access the Pen and climb up the tree as far as they could get. The BMX course, which is on the top part of the Pen, was used a lot in those days by the children on their BMX bikes. They used to make the 'bomb hole' bigger with shovels.
7. Birthdays were a treat especially in summer when all the partygoers would spill onto the Pen, playing tig and hide & seek, when they were younger in the late 1980s and early 1990s. When they got older they progressed on to football, rounders, badminton and a big picnic.
8. Bonfire night was delightful and still is. There has been a bonfire on the Pen ever since we moved here. It used to be called "Frank Yates' Plot" – Frank was our neighbour. All the children used to bring firewood and the bonfires were really big. There was big competition between the kids at Horsehold and our kids to see whose bonfire was the biggest. It was mostly locals from the neighbourhood and the kids' friends as well. Lots of food and drinks were provided by the residents of the community. I remember big trays of meat and potato pie. The bonfire used to go on long past midnight. The morning after there was a big clear up operation, and the Pen would be back to normal.
9. Quite a few neighbours have dogs and this open space has been great for some serious training for the pups. Since I have lived here, people from the neighbourhood have walked their dogs on the Pen every day. All the dog owners respect the Pen and

immediately scoop up any mess. My two boys only had guinea pigs and rabbits and even they had a run out on the Pen.

10. As they got into their early teens, friends would stay over and enjoyed camping on the Pen, sat round a small camp fire before returning to bed. All mess was cleared up and noise kept to a minimum.
11. Trev and I are now grandparents and the whole has come around again. My two grandsons absolutely love playing on the Pen, from pushing little trucks in the long grass to riding their bikes. My son took them up to the wooded area where he used to ride and off they went, whilst he pointed to the big tree and said "we used to climb up and across to the next tree".
12. As I sit in my small garden overlooking the Pen, I hear children playing after school. Some use the Pen as a safe and interesting diversion on their way home to Turret Royd.
13. Sledging is and was a huge enjoyment when my children were small. I can still picture Trev and about 6 children on a big black sheet flying down the slope on the Pen.
14. The Pen is very well cared for, with mowing and trimming particularly on the flat play areas. A couple of nice benches have been placed, shrubs and flowers planted making the whole area really attractive. The small overgrown parts are not dangerous, so do not cause problems.
15. I think of my neighbourhood as the people I speak to regularly. I know a lot of people in Turret Royd and my children used to play with people from there and Stony Lane. I walk past Throstle Bower and Undercrag every day.
16. The top house on Stony Lane used to be a sweet shop. You used to have to knock on the door. There was a butchers on Stony Lane, the butcher lived in Beechwood View. There was a general store on the main road at Woodland View and there was lots going on at the Woodman until it closed.
17. The Residents' Association was started by Gabriel Elliot in the 1980s when the Railway were thinking of selling the Pen to us. We didn't buy it at the time because there were legal problems. The Association carried on after that and met every now and then to discuss things like parking, the state of the road and things to do with the Pen. People used to come to the meetings from Oakville Road, Stony Lane, Turret Royd and Undercrag.
18. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
19. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Liz Stansfield Dated: 26.6.11

Liz Stansfield

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

GABRIEL ELLIOTT

1. I **Gabriel Elliott** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I lived at 3 Beechwood View, Oakville Road from 1977 to 1997 when I moved out of the neighbourhood and I now live at 1 Castle Cottage, Dobroyd Road, Todmorden.
3. When my wife and I purchased our house one of the attractions was the availability of The Pen, almost literally on the doorstep, providing a pleasant 'natural' area for strolling and playing.
4. In 1977 my children were aged five and two and The Pen provided a safe and easily supervised area for them to play or simply sit in. Through their childhoods The Pen was continually used forming an integral part of their lives where they could meet with friends and play at any time of year. Children and young people from Oakville Road, Stony Lane, Turret Royd, Undercragg and as far as Wood Farm would use The Pen, as well as visiting friends and relations.
5. All sorts of games were played: sports - football, cricket and rounders, children's games – tag, hide and seek, tree climbing. These took place in different areas of the Pen according to the mood of the children. The uneven area (probably where the old attempted tunnel excavations had collapsed) provided an excellent BMX track for children. Sometimes my children would eat their lunch or have a picnic on the Pen.
6. There were community activities such as the annual 5th November bonfire, attended by people from all the neighbourhood, with everyone contributing food and refreshments, and neighbourhood BBQ's or "get-together's".
7. Most adult usage was impromptu. Strolling and chatting to other people on the Pen was a regular occurrence. In summer on returning home from work, like others I would often stroll on the Pen with a cup of tea.
8. The Pen provided a variety of environments within such a relatively small area: one could chat with other people or sit quietly admiring the view in a secluded area. It also provided an alternative walking route between Oakville Road and Stony Lane which was used daily during school time by children catching a bus to the local secondary school.
9. The large number of families living "on the backroad" seemed to make for a clearly defined community with the Pen very much at its centre. In 1987, when British Rail Properties were looking to sell plots of land such as the Pen

a residents' association was formed.. This was felt to be an necessary measure in case urgent action needed to be undertaken, and if any funds were to be collected. The fact that there was already a 'community' and it felt so strongly that the Pen belonged to it simply facilitated this. In fact the existence of the Residents' Association lead to more contact within the community, including well attended meetings and newsletters about the pen. During my involvement with the residents' association I think I visited every house in the neighbourhood and cannot recall a single person who, regardless of the type of household, did not regard the Pen as belonging to the community.

10. At no time between 1988 and 2008 has anyone asked me, or any member of my family, to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I had a right to use the land as a village green. I have always used the Pen openly and without secrecy.

11. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Gabriel Elliott Dated: 25th June 2011

Name of Witness

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

LIZZIE LOCKHART

1. I **Lizzie Lockhart** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I lived at **8 Beechwood View, Oakville Road** between **1983 and 1990**. I now live at Jumble Hole Mill.
3. I moved to 8 Beechwood View in September 1983 along with my 7 year old son. From the start he played on the Pen with the other local children. The geography of the Pen allowed their play to be in many different forms, including BMX tracks on the right hand part of the Pen, a basketball ring set up on an existing concrete patch, hide and seek, football, cricket, rounders, grass sledging in summer, snow sledging in winter, building of snowmen, building of dens and an enormous amount of free play that is vital to children's development.
4. During my time on Oakville Road the Pen also was the focus for the street's events including an annual bonfire and summer barbecues. There are photographs of these events (copies are in the application bundle) which show how they enhanced community spirit and brought the locals together.
5. My daughter's childminder lived at Higher Undercrag and in the summer months she and the 4 other children were taken down to the Pen, after school, for picnics and to be able to run around in safety. This was an excellent way of giving the children supervised play but also a feeling of space after being inside for most of the day. There was nowhere else this could have happened and everyone thoroughly enjoyed themselves.
6. Each year I would pick raspberries from raspberry canes that had been left from when the Pen had been used for livestock and gardens. These were mainly in the part that is opposite the entrance in the middle of the Pen. I also annually picked blackberries for preserves.
7. I regularly walked along the path from Stoney Lane up through the Pen.
8. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
9. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Lizzie Lockhart Dated: 30/6/11

Lizzie Lockhart

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

MICHAEL SHARP

1. I **Michael Sharp** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **1 South View, Stony Lane, Hebden Bridge**, since 1986.
3. When we moved in our household consisted of myself, my wife Christine and children, James (15), Marcus (13) and Ailsa (7).
4. We moved here because James attended the Air Training Corps at the bottom of Stony Lane. I remember once they did 'manoeuvres' on the Pen in the dark.
5. When we moved in there were a lot of children on the street. There were 4 school-age girls and a boy at 3 Stony Lane; a girl at 4 Stony Lane; a boy and two girls at 5 Stony Lane; a boy who used to stay with his grandparents at 6 Stony Lane; a boy and a girl at 7 Stony Lane. There were also other children on the surrounding streets at Turret Royd and Oakville Road.
6. They used to play out on the Pen all the time. They used to ride their bikes on the Pen, play ball, and hide and seek. Kids played out constantly after school and all day at the weekends and played or sat around talking and giggling, or having picnics. They used the whole Pen; they didn't use the gap near the top of Stony Lane but run right down to the bottom and either jump over the wall or go through a gap which I think used to be opposite number 6.
7. The Pen was really popular for mountain biking and BMX biking. All the children in the neighbourhood used to ride their bikes there, and kids used to come from other areas to ride their bikes. It was a safe place for children to play and you felt you could leave them to play.
8. One year they took some old doors I had replaced and either built a treehouse or put them on the bonfire.
9. The adults used the Pen as well. I'd spend time on the Pen looking after the kids when they were little. I've been on my mountain bike on the Pen as well.
10. My wife particularly enjoyed picking blackberries – just after the gap on Stony Lane. They didn't have any exhaust fumes on them and were often really juicy.
11. Between 1990 and 1992 we kept a goat for milk in a hut in our garden. She had two kids. We took her for walks on the Pen for exercise. We used to collect willowherb and heather for her and she used to browse on holly and willow shoots. The children used to love meeting her and stroking her. She was really friendly and curious.

12. I used to do a bit of maintenance on the Pen from about 1987 and I still clear the drains on Stony Lane and keep the brambles from the road side of the wall. I've cut the grass at the top and cleared saplings around where the hardstanding used to be opposite Beechwood View.
13. From when we moved in there were bonfires every November and barbeques in the summer for a few years. People would bring food and drink and share it. They were nice community events and everybody was made welcome.
14. The Oakville Residents' Association was formed in the summer of 1987 when we heard that the Pen was due to be sold because we didn't want any development or loss of amenity on the site. There was a token membership payment (£10 per person) to raise a fighting fund. The Residents' Association was open to anybody who wanted to join in from Stony Lane, Turret Royd, Throstle Bower, Undercrag and Oakville Road. After the auction in 1987 we discussed other things, including a Neighbourhood Watch initiative, parking, maintenance of the road and similar issues.
15. Our immediate neighbourhood is our terrace on Stony Lane. We know everybody and look after each other. Every winter I grit the road and I also make sure the drains are clear. I think of our wider neighbourhood as being from the bottom of Stony Lane to the bottom of Oakville Road, including Turret Royd, Undercrag, Throstle Bower and perhaps as far as Ferney Lee (our daughter used to play with a boy who lived there and they used to come down and play on the Pen with his rabbit and guinea pigs). We also have friends in the houses on the main road, but we wouldn't let our children go there on their own. There also used to be a pub (the Woodman) where people from the neighbourhood went all the time. It closed about 15 years ago.
16. In December 1987 British Rail put up the Pen for auction at the Thistle Hotel in Manchester. We collected pledges from neighbours and came prepared to buy the Pen if we could afford it. We went to the auction with a limit which we were prepared to bid for. We spoke to British Rail at the auction and discussed the liabilities that came with it, which included that a fence had to be constructed and we would take on liability for maintenance of Oakville Road, Stony Lane and all the walls. In the end, nobody bid for the land because the auctioneer made it clear that liability for the road would go with the land. We decided not to bid either because we were happy for British Rail to continue owning the land.
17. We don't use the Pen as much as we used to but we've got grandchildren that are growing up and that come to stay and they are starting to play on the Pen.
18. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
19. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:

Dated: 26-6-2011

Michael Sharp

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

STEPHEN BURNIP

1. I **Name of Witness** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **13 Oak Villas, Oakville Road, Hebden Bridge, HX7 6NP** since 2002. Previously I lived at **Oak Crest, Oakville Road, Hebden Bridge, HX7 6NP** between 1988 and 2002.
3. I look out directly onto the land in question, known locally as The Pen. I have seen it used by local people for almost quarter of a century.
4. This piece of land, this swathe of grass and trees, has been enormously important in my life. My children were born soon after moving into Oakville Road and they grew up playing every day on the Pen. They have left home now but they grew up playing games every day on the grass area (like football and sledging) and in the wooded area (especially hide and seek), with children from up and down the road. They learned invaluable social skills, playing constructively in a safe environment. They learned about nature. And they learned how to use their imaginations.
5. This isn't just a piece of land. It's psychologically important to the children (and the adults) who live in this vicinity. It's the Central Park of where we live.
6. In the time I have lived here adults have used the Pen extensively for all sorts of social events - birthday celebrations, bonfires, and community celebrations, to name just a few.
7. Perhaps more importantly, it is also used on a daily basis by residents just doing the small things which actually create a community - chatting about the weather, discussing bin collections, etc. It is a social space for us to meet in.
8. Residents have always looked after the Pen. Some people have planted flowers in certain areas which provide a contrast with the wilder areas. There are also some benches that have been put out over the years which you always feel you can go and sit on.
9. The railway used to own the land. They never prevented us from using it. There was never any suggestion from them that it was off limits. It was never mentioned. Locals have considered it common land as far back as you can go.
10. This piece of land is woven into the lives and memories of the many people who live, and have lived, in this vicinity. It belongs to all of them in their

hearts, even if it is actually owned by someone else. It would be a shame not to recognise this. It deserves to be recognised as a village green.

11. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.

12. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: *Stephen Burnip* Dated: *30 June '11*

Stephen Burnip

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

(ANNA) MARIA HOWARTH

1. I **Maria Howarth** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **1 Beechwood View, Hebden Bridge**, since 1989. I previously lived at 5 Unity Street, Hebden Bridge.
3. I was delighted when I signed for my present home in 1989. I had visited the Charlestown area many times since moving to Hebden Bridge in 1974. "The Penn" had been a major reason for my buying a house in this area. Previously I had witnessed children playing in a safe open environment and I had enjoyed roaming through heather, trees and grass. My sons were fifteen and five years old when we moved to Oakville Road. Our activities on the Penn have been numerous.
4. Our dog "Polly" moved in with us who always wanted exercising. In between her regular, lengthy walks "The Penn" was ideal for someone to take her to chase round the trees, play hide and seek and retrieve as many sticks as could be thrown down the banking towards the football area.
5. My youngest son has also submitted a witness statement. I remember him playing out on "The Penn" relentlessly through all seasons with various neighbourhood children from the day we arrived. I was happy he was in a safe place where I could easily keep an eye on him (if not hear them) and yet he was able to be independent, in an open natural environment.
6. Specifically I recall by Christmas 1989 he had learned to confidently ride his bike on "the big boys" BMX track. Some of his other pursuits I have observed if not been actively involved in over the years have included practicing various football techniques; flying kites; badminton; various chase games; sledging, snowball fights, igloo and snowman building; not to forget camping.
7. My eldest nine year old grandchild also lives with us. He has developed his own circle of friends with the current neighbourhood children whom he regularly meets under the "swing tree" on the Penn. I enjoy watching him engage in and practicing very similar pursuits to his dad. Football, tree climbing, hide and seek etc happen frequently most weekends. The large volumes of snow over the last two years have led to some of the best sledging tracks I have seen.
8. I have usually accessed "The Penn" through the gap in the wall opposite Beechwood View although I do sometimes use the smaller entrances going down the hill. Regularly I walk around the tree area at the west end to unwind and relax – often hoping not to meet anyone! When being more sociable on

an impromptu basis I have sat out on the Penn with neighbours and enjoyed conversations and the surroundings.

9. In the good weather visitors and friends have also enjoyed sitting on the Penn opposite our house sometimes picnicking whilst watching children play. Previously I have collected rubbish, cut down weeds and strimmed this section of the Penn to make it more accessible. Several years ago (1995?) I planted a lilac tree; as it was not exactly thriving I trimmed it down last year and I am hoping it will flourish in the future. Around the same time and in the same area I also planted geraniums and bluebells. I hope to tidy it up again this year.
10. I think I have attended every community bonfire in November in the last twenty one years. Each year we try to encourage the "current" children to organise the fire – I think they call it "plotting". This has benefits for the children and surrounding area. Children are involved in purposeful, self directed team work, organisation, communication, problem solving – things sadly missing in many young people's lives. The local area is cleared of dead wood and broken branches and the locals – of all ages - enjoy an evening out contributing what they can. My donations of fireworks go to a supervising adult to light and I contribute food in the form of flapjack, crisps, potato wedges or similar.
11. We have enjoyed glorious weather for our community Mid Summer Fairs for the last two years. I have organised "wet sponge throwing" for both years and provided teas and coffees last year.
12. The Penn is the hub of the area for children. They actively enjoy all parts of it. I have enjoyed watching many children grow and develop over the years and hope they will be enabled to do so for a very long time.
13. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
14. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Maria Howarth Dated: 26/6/11

Maria Howarth

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

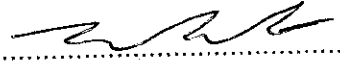
Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

JAMES HOWARTH

1. I **James Howarth** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **1 Beechwood View, Oakville Road, Hebden Bridge** since September 1989. I have lived in Hebden Bridge since birth in 1984 having previously lived in Unity Street Hebden Bridge.
3. When my parents moved to the area I was only 5 and had a 15 year old brother. The open space was used and enjoyed by current residents, and I'm sure this was a major factor in the location they chose for us to grow up in.
4. When we moved to the area I used the Pen as it was already used by the current residents. I remember walking our dog as well as playing fetch with sticks and balls, and she particularly enjoyed rolling around in the heather. I regularly played on the Pen with children from the neighbourhood – Aiden (Stony Lane), Harry Oliver (4 Beechwood View), Leanne Clayton (2 Beechwood View) Harry (1 Oak Villas), Jake Blakey (4 Oak Villas), Russell and Grant Horn (7 Oak Villas), Simon Patterson (Turret Royd), Lee and Jode Stansfield, Dan Holmes (Stony Lane), Sam Hinchliffe (Oak Villas), Liam and Hayley Rolands (Under Cragg) and Anthony Woolsey (Calderside). Depending on who was out we played various children's games including relevo, football, rounders, tig, laser quest, hide and seek, etc.
5. I quickly learnt to ride my bike on the part of the Pen which is referred to as "the bike track" with its quirky lumps and bumps. It was ideal for a number of different activities, which the older children instigated, including riding bikes and building ramps to see who could jump the furthest.
6. Now that I have my own child, I still regularly use the Pen, and we enjoy playing out together, as it is a safe play area for him. We regularly play badminton, football and catch. He has his own group of friends who he plays out with, and they use the Pen as I did when I was his age.
7. The Pen is an essential part of the community and has been ever since I have lived here. It is used daily by people of various age ranges and for a number of different activities, but it is the fact that it brings the residents together which makes it invaluable. A notable event which has taken place on the Pen ever since I can remember is the annual bonfire on the Friday closest to bonfire night. The bonfire is made by the children, the parents generally make food and it is a massive success where all the community contributes and interact with each other.

8. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
9. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 26/06/11

James Howarth

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

CLARE BLAKEY

1. I **Clare Blakey** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **5 Oak Villas, Oakville Road, Hebden Bridge, HX7 6NP** since 1991.
3. I have lived on Oakville Road for 20 years, moving into 5 Oak Villas in 1991 with my husband and three children. The house was recommended to me as a good place to live because I was told it had a good community group which had an annual bonfire party and the children would be able to play on the land called the Pen. One of the first things I did was to erect a washing line on the Pen apposite my house since the neighbour at 3 Oak Villas (Joe, since deceased) already had one and he also maintained a small garden area. There was a hole in the wall, but Joe found it difficult to get through so my partner at the time built some steps to make the entrance more accessible.
4. As we imagined the children did play on the Pen; football, cricket and water fights. I did have video tapes of them but sadly these deteriorated over time and became unplayable. The Pen was always the place to have children's parties including one year around 2001 when we hired a bouncy castle for my daughter's birthday. Every year there has been a community bonfire and always dogs playing and other children playing ball games. Around 1991 I began ridding the area in front of the house of knot weed which was beginning to spread all around the area. I then replanted that area with wild roses, and so began gardening. This began as a wild flower area not intending to look cultivated so that if I did leave and didn't tend it, it would just look natural - over the years it has since been added to and now has many plants grown especially to attract birds and butterflies. I do it because I enjoy gardening and because I know it gives other people pleasure, which is why I strim paths through the area so that people can walk in it. Other people - Lou, Angela, Rick and Joe (before he died) - have planted areas of the Pen, and have put up benches and made paths in the same way and they do it for the same reasons.
5. In 2002 I got two dogs and began regularly walking them, especially around the birch wood area which made a good loop to walk. This area was regularly used as a den-making and camping area by older children which was just a bit more private. The wood is especially important as a dog walking area for older residents as most of the other walks are steep and wooded. This area has also been used for collecting blackberries in autumn and there is an apple tree here as well. There is also a pond and I have met with other residents and have discussed with a wildlife officer about how best to keep the large frog population - which spawns in spring - healthy when there is a

dry spell. This wooded area is also included in regular spring cleaning sessions organised with the local parish council.

6. The main top area is well maintained by John and Angela and children regularly play here too. Additional furniture appears in the summer when neighbours meet up and chat or have tea or BBQs (until the midges appear). Neighbours regularly chat and wave to each other at the washing line area and I consider this to be the hub of the community area where news is exchanged, help offered and garden produce exchanged. In winter this is the sledging and snow man building area. Two years ago after another bad winter we organised to have a salt/grit bin situated here and we raised money at the summer fayre for filling it with salt. There have also been spring celebrations with easter egg hunts and I once played the fiddle for some maypole dancing. I have attended numerous Residents' Association meetings over the years and was treasurer for ten years. The meetings have been well attended with great community interest, especially to save the Pen from being built upon.
7. For the summer fayre I strim parts of the Pen to make paths between the planted areas and nettles (these I also make nettle tea out of). The Pen has been of enormous significance to me and my family and now my granddaughter enjoys sliding down the grassy slopes, swinging on the rope swing and most importantly feeding the ducks and chickens in the chicken area that was put there in 2009. This year I have also planted an apple tree for future Oakville Road residents to harvest.
8. Fires feature regularly on the Pen from the traditional Nov 5th bonfire, summer BBQs and New Year's Eve parties. Residents emerge at midnight to watch fireworks and lanterns lit over the valley. I have seen other people's larger birthday celebrations take place on the Pen, from toddlers, 50ths, and 18ths.
9. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
10. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Clare Blakey Dated: 26-6-11

Clare Blakey

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

JULIE FINNEY

1. I **Julie Finney** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **8 Beechwood View, Hebden Bridge**, since May 1991. I previously lived at 2 Beaumont View, Hebden Bridge as a child.
3. For as long as I can remember, I have used the land known as 'The Pen' on Oakville Road for many activities. As a child in the 1960s, we lived at Beaumont View (which is the other side of the railway line from the Pen) and I regularly used to come and play with Jill Dyer (nee Yates) and her sister. My brother played with Leah Coneron's children on Turret Royd and Eileen Cunningham's brother on Stony Lane. We also played with other children from school who in that neighbourhood area. We always considered it a different neighbourhood to ours: we would play on the other side of the canal, which was 'our territory' and the Pen was 'their territory'.
4. I played childhood games such as tig and hide and seek as well as attending children's parties and bonfires which were held on the Pen. With my parents we walked, collecting blackberries, picking flowers etc. As a teenager it was a fantastic, safe place to 'hang out' with friends.
5. After leaving the area in the 1980s I returned and got married. In 1990, when looking for our first family home after the birth of our son, we were delighted when a property became available on Oakville Road. I remembered the fun times I had had as a child and was attracted to the area knowing that it would offer the same to my own children. I have not been disappointed.
6. For the last 20 years, since moving here in 1991 with a 5 week old baby, we have all enjoyed many and varied activities on the Pen. When the children were babies, we would meet with other young Mums for picnics, to chat whilst our children played safely together and to make new friends in the community. As the boys got older they would play on every part of the Pen with other children in the neighbourhood; football and cricket on the flat area in front of Oak Villas, tree climbing and Den making in the trees opposite Beechwood View, making scrambling and BMX tracks in the wooded area. They have played every childhood game imaginable using their imagination to create fantastic games in the changing environment throughout the year. Summer and winter alike, it was a safe place to play rounders, games of tig, and so on.
7. In the Spring, we have watched birds visiting the Pen and flowers and leaves growing. In summer we have enjoyed some relaxation times, sunbathing with friends, listening to music or pitched a tent and 'camped' overnight. In

Autumn, we have picked blackberries, watched squirrels or collected leaves. In Winter we have sledged, built snowmen and had snowball fights.

8. We have held children's parties, parties for our own celebrations, barbeques and picnics for family and friends over many, many years. Pitching a gazebo and enjoying lazy summer evenings with friends and neighbours alike has become a part of summer life.
9. I have been lucky enough to attend many annual events over the years such as the bonfire and the summer fete. Wonderful activities bringing the community together as well as welcoming friends and family along too.
10. People have always, and continue to have pride in our communal piece of land. It is well cared for. There are regular 'litter picks' for example. Neighbours strim and mow parts of the Pen so everyone can continue to enjoy it. Some parts have had flowers and shrubs planted to make it even more beautiful. Benches, tables and deckchairs are left out for all to share and enjoy.
11. I continue to use the land on a regular basis for walking and leisure purposes and for relaxation. On a warm summer evening after a long day at work it is a pleasure to take a picnic rug or a chair across to the Pen to read or simply relax in the sunshine and "recharge our batteries".
12. I have used the Pen for almost 50 years for varying activities, never seeking permission or being given consent. I look forward to using it in the same manner for many, many years to come.
13. There is a Residents' Association which covers Oakville Road, Stony Lane, Turret Royd, Undercrag and Throstle Bower. It was set up over 20 years ago and meets every now and then to discuss a range of things, including the Pen, parking, the state of the road, fundraising events and so on. It plays a supportive role to residents as necessary, and its a nice way to meet people in the pub to exchange gossip. I was the Chair of the association for ten years until 2010.
14. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
15. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 30.6.11

Julie Finney

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

GRANT HORN

1. I **Grant Horn** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **7 Oak Villas, Oakville Road, Hebden Bridge** since January 1991. My family moved here from Walsall, West Midlands due to my father starting a new job in the north of England.
3. When my family moved to the area I was 11 years old with a 9 year old brother and 6 year old sister. The surrounding area of forest and open space opposite the house was a key reason for my parents choosing 7 Oak Villas as the house to buy with three young children.
4. In discovering our new surroundings one the first places my brother and I explored was the Pen, particularly the bike track area. We had mountain bikes that we often took to the bike track and cycled for hours around the small man-made track. I always remember there was one steep slope that my brother and I were wary of trying in case we lost control and went flying. Luckily there was always ample amounts of heather around to soften the landing! Football was another favourite on the Pen. My dad constructed some goal posts on the pen so that we could actually have something to aim for rather than the debatable pile of coats and jumpers previously used. Many a night was spent playing footie with some of the other local children, including my brother Russell, Jamie Howarth (1 Beechwood View), Lee and Jode Stansfield (11 Oak Villas), Simon Patterson (Turret Royd), Anthony Woolsey (Calderside) to name a few. I also have memories of playing hours of Badminton over Mrs Sutcliffe's (9 Oak Villas) washing line in the summer months – and getting told off for playing if there was still actually washing on the line! In the winter months if there was enough snow the Pen turns into a great little sledging run with its undulating layout.
5. One of the other main uses we had for the Pen was walking out family pet border collie, Elsa. The bike track area could just as easily be used as a dog walking circuit and Elsa was walked countless times around the bike track. It also made for a fun area to play a little hide and seek with Elsa. Have you ever tried to play hide and seek with a dog? It's impossible to hide for very long – the dog always wins!
6. In addition to above there were often community events held every year on the Pen such as Bonfire night where most of the neighbourhood came out to enjoy the fire and set off some fireworks. I remember one year I think Sam Hinchliffe (Oak Villas) decided to try and compete with the Hebden Bridge fireworks display by setting off about 50 odd fireworks with the help of one the tree stumps on the Pen as a staging area. There has usually been a summer

event of some description though this has become far better organised (and bigger!) than previous years thanks to the efforts of the Oakville Residents' Association.

7. Nowadays I love to use the Pen to sit out and eat breakfast in the morning sunshine in front of the house. The table and chairs are there for general use and allow other people to enjoy the fantastic view you get of the green hills (Horsehold) opposite. It's a great spot to enjoy a BBQ with friends and family and it wouldn't be the same if it wasn't there to use anymore.
8. The Pen is essential to the community of Oakville Road and adjoining streets such as Turret Royd and Stony Lane. It is used daily for various activities by people of all ages. The Pen played an essential part in my childhood growing up – allowing me a safe and easily accessible area to play outside when I was younger. It is great to see this continuing with the children now; we all know how much it is advertised in the press how children don't get enough exercise or play outside much with the advent of computer games consoles. From the looks of things creating a game out of nothing on patch of grass is still alive and well on the Pen today. Though my use of The Pen has changed I still appreciate what a fantastic area it is and even though Elsa is sadly no longer with us I still take myself on a quick walk around the bike track if I'm looking for a quick and quiet walk.
9. I understand that before the current owner, the land was owned by British/Network Rail. There has always been free access to the Pen as long as I can remember. The walls along Oakville Road are as old as the houses and have always had a gap allowing access for residents onto the Pen. These gaps haven't been made recently.
10. The Pen has always been used as described above openly as long as I can remember and has been used by all members of the community over the years. In all the time I have used the Pen and lived at 7 Oak Villas the pattern of use has never changed. Many of the children in the community now still use the goalposts on a regular basis.
11. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
12. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Grant Horn Dated: 29/5/11

Grant Horn

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge


Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

LEWIS FINNEY

1. I **Lewis Finney** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **8 Beechwood View, Hebden Bridge**, since March 1993.
3. Ever since I was born, I have been using the 'Pen' for many activities. As a child I would play with friends and make new ones. It was a wonderful place to grow up, knowing we had lots of space to play with friends, use up our energy and use our imagination making up endless games.
4. Over the years I have played childhood games such as tig and hide and seek. The flat part of the Pen opposite Oak Villas has been a football field, a cricket pitch, a badminton court or a rounders field amongst other things. The wooded area was always known as 'the bike track' where we could safely ride our bikes, build BMX tracks and have endless fun whilst our parents knew we were safe from traffic. We have also used that part of the Pen for games such as cowboys and Indians and built dens or climbed trees.
5. When I was younger I loved to watch birds and squirrels on the Pen. We even 'built' a pond once and in the Spring were delighted when there were frogs and tadpoles in it. The Pen has been a great place to collect blackberries and acorns in Autumn and when we have had snow it has been great for sledging, snowball fights and just for having fun in the snow.
6. Another thing which was great about playing on the Pen, was that everyone in the neighbourhood knew each other. Parents watched out for everyone's children, not just their own, and as kids ourselves we loved looking after the younger ones or looking up to the older ones. There was never a shortage of friends from school wanting to come and play at my house just so they too could enjoy the freedom of the Pen
7. Our family have often used the Pen for family parties and barbeques or picnics. I have been able to camp out there with my friends and have great fun.
8. We have always been to the bonfire in November. When I was younger we turned up with our parents, shared our food and fireworks with the neighbours and had a great time. As I got older I have helped to and later organised the collection of wood so the tradition could continue. Even now, my friends want to come and be part of Oakville Road Plot!

9. As a teenager the Pen was a short cut home from school through the wooded area and I have enjoyed simply 'hanging out' on the Pen. We have sat late into the evening chatting, playing guitars and singing. We still enjoy the odd game of football and cricket.
10. The Pen has been a huge part of my childhood. I have had many many happy times there. It is big part of Oakville Road and my community.
11. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
12. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 26.06.2011

Lewis Finney

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

RENOS CHRISTODOULOU


1. I **Renos Christodoulou** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **3 Beechwood View, Oakville Road, Hebden Bridge, HX7 6NR** since September 1997.
2. My family – my wife and 3 children and I – have used the Pen village green since the 12th September 1997. The Pen and the community spirit it engenders has been a major factor in choosing to move here.
3. My children first used the Pen on the day we moved before we even unloaded our possessions from the removal van. A group of “Pen” children from the neighbourhood came to our door and invited our eldest out to play while we got on with unpacking. The Pen is and has been for many years more than a place to be used for sports and pastimes – it has been a place where individuals moving in to the locality quickly become community members, starting with the young. Children congregate on the Pen from all the nearby streets of the neighbourhood. At the moment these are children from Oakville Road, Turret Royd and Undercrag. This changes over time as older children move away and younger children become more adventurous and start exploring the Pen independently. It allows them to form friendships which last and help them during their school years, especially when they start secondary school when they need to travel on their own – for the younger ones it has always been comforting for them to have the familiar faces of their older Pen friends at the bus stop and at school during those first weeks and months.
4. As my eldest is turning 18 it is reassuring to see today’s 4 and 5 year olds following in the footsteps of countless other children in the locality, forming yet another “generation” of Pen children, some of whose parents were Pen children themselves. For adults it has always been a place to chat and catch up while watching the children play or just relaxing.
5. Over the years we have used the Pen for a variety of activities. The bottom part of the Pen has been used by all the children to play football and other ball and throwing games. Further up a flatter area has also been used by the younger children for ball games as well as for racket games, badminton, etc or for general chasing games. Both these areas are visible from our houses and this has made it easy for parents and neighbours alike to watch over the safety of the children. The whole of the Pen has been used for hide and seek games, especially the upper wooded part, which has also been very popular for den building and the very popular annual Easter egg hunt. Children have also used the “BMX track” in the woods, built by other generations of children

before them. More recently the wooded part of the Pen has also been used for "nature watching" with the ponds being created by rainwater providing ample pond life to catch the attention of the younger children. One of my children also claims to have seen a deer in the wooded part of the Pen, an unusual event as they are usually seen in the woods behind our houses.

6. The Pen has been used on many occasions for camping or putting up tents and gazebos for birthdays and other parties by children of varying ages, as well as adults. In the summer months the Pen is often used for barbecues and picnics.
7. A popular annual event ever since we moved to the locality has been Bonfire Night, which brings not only the local community together but also their friends and family. The lower part of the Pen allows us to build a bonfire and firework display at a safe distance from the houses and the spectators who watch from the safety of the upper part which forms a natural "amphitheatre". The children are always excited in the weeks before as they organise themselves to forage for wood and build the bonfire, while the adults provide food and drink for the occasion.
8. A particular pleasure throughout the year has been to watch children on the "climbing tree" opposite our house year after year. It's proven to be irresistible for boys and girls of different ages – I once counted 10 on the tree at the same time.
9. Surprisingly, despite the amount of use the Pen gets for different purposes including dog walking, we have rarely needed to organise a rubbish clear up because everyone sees the Pen as an extension of their own homes and treats it with the same respect – a testimony to the extent to which the Pen forms part of our daily lives. A lot of work also goes into keeping certain areas tidy and under control, trimming and mowing lawned areas to keep them accessible. A few years ago the whole neighbourhood turned out to plant roses along the fence erected by previous owners of the Pen to prevent accidental access to the railway line, and people have been known to plant flowers in different parts of the Pen. People prefer the wooded parts of the Pen to be kept wilder, so there is less to do there except for clearing paths when they become overgrown or a tree falls down. I have mentioned above all the things the children do there. Adults also go there frequently, for instance for fruit picking, especially blackberries for jam, to walk the dog or spend some time in a quieter area.
10. Winter, especially when it snows, transforms the Pen into our very own piste and I have numerous photos over the years of children sledging and building snowmen, not to mention the snowball fights – which tend to bring the adults out too!
3. Although a rare treat, the Pen also provides a brilliant vantage point for the children to watch the steam trains that go past on the railway line below.
4. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the

belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.

5. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 29/6/2011

Renos Christodoulou

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

CHRISTOPH KRATZ

1. I **Christoph Kratz** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **6 Beechwood View, Oakville Road** since 2005.
3. I live at this address with my wife Liz Flanagan and my two daughters aged 4 and 7. From the day we moved into our house we have used the Pen regularly for recreation.

My family's use of the Pen

4. A large part of this use has been based around my children. They play regularly on the Pen. In the summer this includes time playing out after school, and at weekends. In the winter we go there mostly at weekends – unless it is snowing in which case they will play on the Pen most days. Now that we have a dog (since 2011) we also walk this every day on the Pen, spend time training it and letting our children, and other children in the area play with it.
5. The typical range of things my children do on the Pen has changed over the years. Initially, we would let them toddle under supervision. We used the flatter areas opposite our house with the big willow, the lower eastern terraces and the tracks through the western wooded areas to look at the pond. Although we spent most time on the Pen when the weather was fine, they also liked jumping in puddles, and the willow tree provides some shelter in the rain.
6. Later, when they became more independent we let them range more freely. Now when we go out they decide whether to turn left or right. Turning right, they head off into the wooded area, play under the trees, in the grassy glades or in the heather. They like finding a spot in the heathery knolls or among the birch trees. Turning left they go for the tree with the swings. One of the residents must have put the swing there, but I added the rope with the tyre. Between 2006 and 2009 there was a plastic play house and slide under the tree. The tree has always been a place where children play and meet before heading further afield. Further along, the children play in the long grass and willowherb opposite Oakcrest, run around the terraces or settle down in a corner or on a bench.
7. As a family, we have often have our tea out on the Pen in the summer. For instance, I remember in particular the summer of 2006, which was very hot and we would eat on the Pen frequently, and we have repeated this in subsequent years – weather permitting. Favourite spots for a picnic are at

the highest point near the big willow tree; on the middle terrace; in a glade under an oak in the western part (approximately opposite Barfield) and next to the pond where there is a very small flat area that the kids seem to be drawn to. When the kids have friends round they also like to have a picnic there.

8. The pond is also regularly visited by my children. It is an interesting area for their games and they spend a lot of time around it and running around the bumps and hollows of the 'bike track'. Every year there is frogspawn which we have collected and raised. All the children love it: this year I found about eight children passing a frog from one to the other.
9. Ball games are normally played on the flatter eastern levels, and this is also where we tend to socialise with neighbours. There is a good selection of benches which have been put there by residents at various times over the years. Since I have lived here there have always been at least three benches on the Pen. One bench near Beechwood View disintegrated in about 2008.
10. We also enjoy the flowerbeds that have been planted. They make the place look well cared for and very attractive. My children frequently pick the odd flower from them – nobody has complained.
11. When it snows we always sledge on the Pen. There are two main slopes for this – or both can be combined. We also inevitably build a snowman and trek through the woods with the sledge.
12. In the summer I often put one or more tents up on the Pen. Sometimes this is just for fun, to try out a new tent, or to dry it out after camping. It normally stays up for a few days – up to a week. My kids and the other children in the neighbourhood always play in the tent when it is up. I use several spots: opposite Oakcrest, opposite Beechwood View and in the little glade opposite Barfield – that is my favourite spot because it feels secluded, although I don't use that spot for drying. I have done this at least three or four times a year, every year that I have been here. I have also seen other people put up tents and I have lent tents to neighbours to use on a few occasions.

Appreciating wildlife

13. Parts of the Pen become bramble beds in late summer. This is at the bottom of the eastern part (which was partly cleared by the new owner in 2009) and in parts of the western wooded part. We pick blackberries from these areas every autumn.
14. Near the bottom, an area has been planted with teasels and other wildflowers and there are plenty of scrubby patches. To me these areas are very important for wildlife – particular to give cover for birds and a habitat for insects. I was told that in 2005 there was a nightingale resident in the brambles outside Beechwood View all summer. Sadly it has not yet returned.
15. I find the area very interesting to explore: the grassy parts have a surprising variety of wildflowers (including bluebells and vetches). The trees are very interesting: there are oak trees, lots of goat willow, two pretty stands of birch, a few sycamore, hawthorn, a rowan and an apple tree. There are heathy patches and a small boggy area. Deer (and probably badger judging from the

foraging signs) pass through the Pen frequently and frogs breed in the pond every year. For a small area of land it has a huge amount of diversity which gives a wide range of opportunities for enjoying the natural environment on a small scale.

16. The Pen also allows views across the valley – we watch the jackdaws circle every day, herons and geese can be seen flying along the valley on most days and in spring a woodcock flies across the valley every evening. I take great pleasure in this diversity and have spent hours investigating the details of this site.

Other people

17. In addition to my own family's use of the Pen, I have observed many other people from the neighbourhood using it. Almost every dry day that I have lived there, children have played on the Pen. These are normally the children from Turret Royd, Oakville Road and Undercrag – I know almost all of them. There are normally between four and ten of them at any one time and as far as I can see they spend the entire time running around chasing each other or plotting. They use the entire area from east to west, often splitting into 'gangs'. They also play football: either on the lower level or on the next level up between the washing lines. They often meet at the willow tree with the swing and then disperse. They are hard to miss because of the constant shouting. It calms down for a few hours at teatime, and then they come back for an hour or two before bedtime. In mid-summer it can get very late.
18. Some of the children who used to be out there every day have grown up a little and spend less time there now. But they still use the Pen – either for football or for relaxing and spending time outdoors.
19. Families with small children use the Pen very regularly in the same way as my family does. In the short time I have been there, I would say at least 8 families have spent time on the Pen in this way two or three times a week. The flatter areas, the swing, the pond and the paths through the woods are the main attraction. I imagine that when the other kids in the area were young, they did the same.
20. There are also grandchildren: currently Angela Sutcliffe's, Liz Stansfield's, Maria Howarth's and Clare Blakey's grandchildren make a regular appearance on the Pen with their grandparents.
21. A number of people have parties on the Pen. I have witnessed at least five parties taking place in the time I have been here. The flatter parts of the Pen are usually used for these. They frequently involve the erection of gazebos and the use of barbeques. They are both children's birthday parties (including two with my own children) and adults' parties.
22. Dog walking takes place on the Pen every day. During the time I have lived here I can think of 13 dogs from the neighbourhood (six from Oakville Road, six from Turret Royd and one from Stony Lane) that were walked on the Pen twice daily. We now also have a dog and walk it on the Pen. Other households in the neighbourhood have had dogs in the past and used the

Pen in the same way. A few people also come from Calderside and other areas to walk dogs.

23. Dog walkers generally make a circuit of the Pen, particularly the western wooded part. There is a clear path and before the railway fence was built there was a nice loop you could walk around the very end before it dropped off steeply. The loop is still clearly visible on the ground.

Neighbourhood activities

24. The annual Guy Fawkes bonfire has taken place on (or on a weekend before or after) bonfire night every year that I have lived here. We moved into our house on bonfire night and met all our neighbours on the first evening.
25. The date is set by the Residents' Association in advance, a flyer delivered to letterboxes and posters in the neighbourhood and put up on the telegraph poles on Oakville Road and Stony Lane (the noticeboard was erected in 2010). Since 2007 notification is also made by email.
26. Bonfire wood is brought onto the Pen by residents of the neighbourhood and supplemented by the older children of the neighbourhood who scour the woods for fallen branches, raid skips and knock on doors. The children also normally bring a guy. On the day, tables, food and fireworks are brought out by people in the neighbourhood. Attendance has varied in my experience from just people living in the neighbourhood (the lowest I have experienced was around 30 people in 2010, due to bad weather) to people coming from other parts of Charlestown, friends and schoolfriends (the highest in my experience was in 2005 where I guess there might have been about 60 people attending). It is a well known event locally. My wife recalls knowing about it when she was growing up in Hebden Bridge.
27. In many years there is also some sort of summer event. Since I lived here we have had a Mayday party (including a maypole and a band), and several Summer Fetes (or Fayre) – usually around midsummer's day in June. The date and time for this was set each time by the Residents' Association, who also advertised the event by flyer to residents, posters and occasionally notifying the local newspaper. The Residents' Association also organised various stalls (refreshments, plants, bric-a-brac), competitions (guess the number of sweets in a jar), games (football target practice, welly wanging, etc), a band, and the notorious water slide. The fetes have each year raised money for the Residents' Association.
28. In addition to formal events, the Pen is often used as a venue for impromptu gatherings. On a fine day, many people can be out at the same time and there have been many occasions where I have ended up sitting and chatting with a group of neighbours – watching the children out of the corner of my eye.

Looking after the Pen

29. The Pen is a well cared for area of land, and almost all the maintenance of it has been carried out by the people living in the neighbourhood. In carrying out any maintenance to my knowledge nobody has ever asked for permission

from the owner of the land or from anyone – they just got on and did it. British Rail never did any maintenance of the Pen. The general approach has been to maintain it as a communal open space: a slightly tamed wilderness with different areas fulfilling different purposes. To keep it this way involves a fair amount of work.

30. The lower levels are kept free of trees and the grass is kept relatively under control. The lowest level is strimmed a few times a year, and football boots take care of the rest. Part of it has flower beds looked after by the residents of the nearest houses with paths through them.
31. The next level up is mown regularly (by John Sutcliffe), strimmed in other parts (generally by Clare Blakey or Louise Woollet, by Richard Peters of Undercrag before he moved away and I have also strimmed there). The upper level is strimmed once or twice a year and Richard Wincer at number 4 Beechwood View mows, and has recently re-sown, the grass in front of Beechwood View. The wooded area is also managed a little. The paths are usually strimmed back in high summer (a number of people have done this, including me), and the clearings are strimmed back a bit. There would be a lot more brambles if these areas weren't cleared every now and then.
32. In 2008, after the railway fence was built, the Residents' Association bought some wild roses, hawthorn and other plants and planted them along the fence. They took a while to take off but are now developing nicely. This was partly to help disguise the fence, but also to provide a greater disincentive for children to venture onto the railway embankment.
33. I have seen children carrying water to the pond to try to save the frogspawn after the edge of the pond suffered damage a few years ago. I and a number of other neighbours have done this as well.
34. We have a litter pick at once or twice a year, and litter is cleared after the bonfire and any parties. Many residents pick litter regularly – Angela Sutcliffe in particular.
35. Fallen branches need to be cleared occasionally, I remember in 2007 a branch was cleared from the path opposite 8 Beechwood View. The apple tree opposite 8 Beechwood View was planted by John Sutcliffe's brother.
36. In early 2008 Network Rail announced plans to carry out tree clearance on the railway embankment. The Residents' Association met and discussed the issue and agreed that we should try to avoid trees being cleared from the Pen itself, as we enjoyed having them here. Network Rail engaged with the Residents' Association and the Parish Council, held a meeting and accompanied representatives from the Residents' Association on a site visit. None of these discussions involved the landowner of the Pen which at that time was British Rail Residuary (not Network Rail). As far as we know Network Rail did not engage with the landowner BRB at all but accepted the Residents' Association as having a bona fide interest in the land. In the end we reached a compromise with Network Rail in which key trees were marked by the Residents' Association and they were left standing.

37. All of these management activities were carried out without the permission, or indeed knowledge of, the Pen's then owner British Rail Residuary. They were all done to improve the recreational amenity of the site for the neighbourhood.

The neighbourhood

38. When I moved here in 2005 I very quickly became aware that this is an area with a very strong sense of community. This neighbourhood has a clear core area centred around Oakville Road, Stony Lane, Turret Royd and Undercrag. This is what I believed was my neighbourhood when I moved here in 2005 and what I still perceive to be my immediate neighbourhood.
39. In those streets, I know about 80% of households by name. These are the people we see regularly walking or driving down the street on their way into town. There are various links between the households in this core area, and a surprising number of people have lived in different houses in this relatively small area. This is the neighbourhood where parents will let their younger children visit friends unaccompanied – they will know the other parents well, and visits do not involve crossing the main road.
40. The neighbourhood has a post box at the junction. It does not have any other facilities any more, although this is not unusual these days.
41. The Pen is an important feature in this neighbourhood. It is a shared area which allows us get to know each other better. However, if the Pen were not available to us Oakville Road, Stony Lane, Turret Royd and Undercrag would still be a separate area, surrounded by the woods on three sides and the railway on the fourth.
42. During the last two hard winters the roads became impassable exactly at the bottom of Stony Lane and just beyond Calderside leaving our neighbourhood completely cut off.
43. This neighbourhood also forms the core membership of the Oakville Residents' Association. The membership of the organisation is all residents of Stony Lane, Oakville Road (including Calderside), Turret Royd (including Turret Royd Road) and Undercrag (including Throstle Bower). In the past we have also had people joining us from Knott Hall. Officers of the Association (Chair, Secretary & Treasurer) have been drawn from each of these roads in the past.
44. Residents' Association meetings were advertised in the past by flyers to these addresses. In the last couple of years meetings have been announced by a notice on the noticeboard and by email. Meetings take place in the Stubbing Wharf pub, in people's houses or very occasionally on the Pen. There is no regular meeting schedule, but in my experience, there are at least two or three meetings a year, more if there is something going on in particular.

Hebden Bridge, Blackshaw Parish and Charlestown

45. The administrative boundaries in this area are complicated and aren't necessarily the same as the areas people identify with. We are in the parish of Blackshaw, although most of that parish is up a steep hill, centred around

the hilltop village of Blackshaw Head. Having said that, the parish council is very active and take a keen interest in what goes on at the bottom of the hill, frequently encouraging someone from the area to step forward as a parish councillor.

46. Our postal address is Hebden Bridge and that is also where the nearest shops are nowadays. However, we are not in Hebden Royd Parish. The parish boundary cuts across Oakville Road just west of Calderside. To people who don't know the area I normally say I live in Hebden Bridge, or 'just outside'. To people who do know the area I say that I live in Charlestown.
47. Locally, people know what you mean when you say Charlestown, and people used to put it on their postal addresses: its the long spread-out area between Calderside and Eastwood. It is partly in Blackshaw, Hebden Royd and Erringden Parishes. Old Charlestown was a little settlement at the bottom of Stony Lane that was demolished centuries ago, but that's not so well known.
48. Charlestown Northeast is the 'village envelope' defined in the Calderdale Unitary Development Plan. I don't think anyone calls this area 'Charlestown Northeast', but the village envelope does make sense. It shows two separate areas which I would describe as neighbourhoods. The part of the envelope to the north of the railway is my neighbourhood.
49. I have friends in the southern part of the village envelope, and some of my neighbours have family links to that area. I know that people from there also use the Pen. I also know that people from adjoining areas use the Pen, e.g. from Calderside, particularly people walking dogs and some children.
50. In the past, the main Halifax Road (A646) is where most of the shops used to be, including a butcher, grocers and co-op, and in the past the links would have been stronger for this reason. Until the mid 1990s the Woodman Inn was still open. In that time, links between the two halves of the 'envelope' would have been stronger.
51. Nowadays it is true that Northeast Charlestown is two distinct neighbourhoods.

Changes to the application neighbourhood

52. When we made our application, we did our best to understand the meaning of the words 'locality' and 'neighbourhood' in the Commons Act 2006 and showed on the map an area that was approximately the Charlestown Northeast village envelope, but also included houses in Calderside and Winters.
53. Almost all people who use the Pen live in this area. Most of this area is in the Charlestown Northeast village envelope, and those houses that are not are also close by. So I think it was reasonable at the time to define this as the 'neighbourhood'. In fact, we mistakenly defined that area as the 'locality'. We now know that 'locality' means something like a parish.
54. Since the application we looked into the matter and found that the area is not a 'locality'. There has also been recent case law defining what

'neighbourhood' means. It is clear to me that the 'neighbourhood' is the area shown on the Revised Application Map 2010, which is approximately the northern part of the village envelope.

Ownership and sale of the Pen

55. Since I have lived here I have always known, and I believe it was general knowledge, that the Pen was owned by 'the railway' until it was sold in 2008. I eventually learned that it belonged to British Rail (Residuary).
56. In late 2007 contractors came on site to put up the railway fence. I spoke to them about it and they told me it was for safety. I saw them on the day that they were working opposite my house. I asked them whether they couldn't put the fence a little closer to the railway but they said it was too difficult because of the slope. I was not around when they built the end sections. They did not challenge my use of the site.
57. In the spring of 2008 surveyors started coming onto the Pen. I spoke to them a few times and it emerged that they were going to sell the Pen at auction. At no stage did they ask me to leave the land and I didn't ask their permission.
58. We asked them to withdraw the land from the auction so that the Residents' Association could raise money to purchase it. British Rail did not agree to this. It was at this stage that we decided to put in the application for TVG.
59. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
60. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 30/6/2011

Christoph Kratz

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

ANDREA JOHNSON-RENSHAW

1. I **Andrea Johnson-Renshaw** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **4, Under Cragg, Hebden Bridge, HX7 6NX**, since December 2009. Previously I lived at **7, Beechwood View** on Oakville Road since 28th May 2005.
3. Whilst living at Beechwood View we had a dog and I would take my dog on The Pen at least once a day and often twice. We would walk the circular route through the woods (including beyond where the fence is now) and back to the hill and down to the football net every day. As our house faced onto The Pen we would also access it for picnics, sociable cups of tea with neighbours, and for the children to play on a regular basis.
4. When we first moved to the area, my son was four years old. He has played on The Pen every weekend and in the summer probably every day since. He is now ten years old and has provided his own evidence for the application. I cannot overstate how important The Pen is to my son and his friends. A group of 5 to 8 children come together regularly to play, build dens, play football, play badminton and rounders, explore in the woods at least every weekend and during the week after school when it is light. This inclusive community play between neighbours could not be as safe or exciting without The Pen to play on.
5. When we wanted to move to a different house, we didn't want to move away from The Pen or the community that surrounds it. This area is special for its close connections between neighbours and it is The Pen that allows this natural coming together to be maintained. I now live around the corner from The Pen and access it at least twice a week for walking and playing and meeting up with neighbours. Our daughter is three years old so The Pen provides a safe place for her to explore and become independent in her play whilst we can sit and keep an eye. This way, all the little children can meet up to play without anything being formally organised.
6. Since 2005 I have also accessed The Pen for the annual bonfire event; annual easter egg hunt (even when it snowed); sledging every time there is any snow; village green summer fayre; looking at tadpoles; learning to ride children's bikes and hunts for birthday parties.
7. At no time between 1988 and 2008 has anyone asked me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in

the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.

8. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

9. Signed: Andrea Johnson-Renshaw Dated: 26.6.11

Andrea Johnson-Renshaw

Commons Act 2006, Section 15**The Pen, Charlestown, Hebden Bridge****Application to register land as a Town or Village Green****Proof of Evidence on behalf of the Applicant by****LEWIS JOHNSON-RENSHAW**

1. I **Lewis Johnson-Renshaw** make this statement to support The Pen becoming a Village Green.
2. I have lived at **4 Under Cragg, Hebden Bridge** since December 2009. Before that we lived at 7 Beechwood View since May 2005.
3. I am ten years old. When I moved to Beechwood View I was only four years old and when I first saw it, it looked fun to play on. Over the years I have enjoyed playing football, rounders, badminton, building dens, climbing trees, practising to ride my bike and more. I have also been to HUGE bonfires, easter egg hunts and picnics.
4. It is also a good place for little children because it is so big and wide so it is safe for them to play. The Pen is also great for sledging because of the small and big hills.
5. Since 2005, I would say I have played out on The Pen every weekend, most evenings when it is light and in school holidays, pretty much all day every day. I play out with a group of other children who live around here and also love The Pen.
6. I believe that this statement is true to the best of my knowledge.

Signed: Lewis J-R Dated: 29.6.11

Lewis Johnson-Renshaw

Commons Act 2006, Section 15


The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

JANET SMETHURST

1. I **Janet Smethurst** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **9 Turret Royd Road, Hebden Bridge**, since August 2006. I previously, since May 2000 lived at 8 Oakville Road.
3. I have used the Pen with my children for the past 11 years. I have 4 children and they have grown up playing freely and safely there. We regularly have picnics and the children play games on all areas of the Pen. The children initially played supervised by myself when they were toddlers, as we found we used the Pen in preference to our steep garden. They now play independently on the Pen after school and every weekend with each other and our neighbours' children. They use the flat area to play football. They use and explore the woodland area collecting frog spawn each year from the pond, watching it develop from tadpoles into frogs and sharing this with their schools. They also ride their bikes on the path in the woodland area of the Pen. They regularly enjoy den-making in the areas where the trees provide suitable shelter and hiding places.
4. We attend the annual Fete as a family and join in organised games with our neighbours and we also contribute to the yearly firework event in November.
5. We have 3 dogs and walk them on the Pen every day along the track that leads to the pond.
6. At no time between 1988 and 2008 did anyone ask me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
7. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:  Dated: 26.6.2011

Janet Smethurst

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

Application to register land as a Town or Village Green)

Proof of Evidence on behalf of the Applicant by

CHRIS SUGDEN-SMITH

1. I **Chris Sugden-Smith** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at **2 Oak Villas, Oakville Road, Hebden Bridge, HX7 6NP** since May 2006. I have lived in Hebden Bridge since November 2000, previously living at 34 Old Lees Road, Hebden Bridge, HX7 8HW, and 31 Lee Mill Road, Hebden Bridge, HX7 8LJ.
3. I first took ownership of 2 Oak Villas on January 9th 1998; moving-in came eight years later, May 12th 2006. This period of eight years slowly developing what is a very small, mid-terrace, stone house, dating from the 1880's, was a continuation of my experience of Oakville Road, the Pen, and its immediate, and neighbouring community, that began in the Spring of 1993.
4. My first direct experience of using the Pen was sitting on it, on a bench, opposite 8 Oak Villas, much as one might 'sit in a park', to relax and enjoy one's surroundings, especially early, on a quiet, beautiful Sunday morning. Staying as a guest, with new friends, John and Jan Pearson, the owners of 8 Oak Villas, on that Spring weekend of 1993, was the beginning of my 'coming home', emotionally, spiritually, and physically.
5. This period of eighteen years, from age fifty, to now age sixty eight, has become the experience of 'making sense', of who I am, where I live, and the scale and nature of the community I want to be a part of. The Pen has been, and is, central to this community, its habits, and my sense and experience of 'being home'.
6. From that first Spring weekend of 1993, to the present, I've always understood the Pen to be the place where, traditionally, the residents of our area went for sitting out, socializing, recreation and exercise. This was not something given, but rather a facility, 'taken openly', in the absence of a landlord/owner being present, or bothering in any form, to say, "Keep Off".
7. The earlier visits, from 1993 to 1997, through my good friends in 8 Oak Villas included getting to the Pen Bonfire Nights, as well as birthday parties, and other more impromptu gatherings sitting out on the Pen, or going for circular walks, some of which would route down and out, or back up, through the woods between the open part of the Pen and Stony Lane.
8. By the summer of 1997 I knew Oakville Road, edging the Pen, was where I wanted to live and settle. Autumn 1997 brought the chance to buy 2 Oak Villas and begin the process of converting it to make better use of its small

space. My first, immediate uphill neighbour, Joe Hartley, in 3 Oak Villas, had lived there for some forty years, living on alone after his wife died, Joe continued to look after a small area of flowers, as well as a washing line and a bird-table on the Pen, all directly opposite his home. Jo and I got on well, and by the time I moved into my house (12 May 2006) we shared the washing line, and together provided food for the bird-table.

9. From my first, committed, relationship with Oakville Road and the Pen, through the purchase of 2 Oak Villas in January 1998, I've looked directly out on to the stone boundary wall at the lower end, of the open part, of the Pen. The wall has a well-established 'footing' of grasses and wild plants, seemingly undaunted by the tires of local, passing vehicles. To my delight I felt I was living in 'y country lane'. My view beyond the wall, to my right, was of flowers and the bird table. More directly in front of me, and edging down to the left, peaked a sprawl of long established brambles, a seasonal source of blackberries, harvested, I noticed, by neighbours I was yet to get to know, living further up Oakville Road, John and Angela Sutcliffe.
10. Being directly opposite the brambles evoked early childhood memories of a shared, 'wild garden', dominated by a large growth of blackberry bushes. This 'wildness' I rather enjoy, yet, through seeing how other neighbours cultivated parts of the Pen, eventually, had me thinking of how the brambles might also be 'shaped' into a circular boundary with a grass centre, much as long grass can be complimented by a narrow path cut through it. 'Contained wildness', that would still yield both fruit, and allow greater access to it. Being a newcomer, my 'vision' remained private, though eventually shared with Clare Blakey, from 5 Oak Villas, whose gardening of the Pen included general strimming and clearing of pathways through the ever-encroaching grasses, as well as maintaining flowers and a washing line.
11. I had eventually 'let go of builders' during the time from January 1998, to May 2006. 'Homebuilding' had taken on a much more literal and direct expression of my own creativity and energy. Because my professional work had always involved travel, earlier bursts of tougher intense physical work at my home made good use of the chance to 'sit out' on the Pen for breaks, clearing mouth and eyes of dust, enjoying a coffee. Sometimes, watching local children playing football on the well-worn pitch, or simply sitting, feeling, and enjoying the stillness, the way the light changed this 'sense of place' I now thought of as home.
12. Slowly I'd begun to understand more of the scale of my home, its surroundings, and the gift of the Pen as a varied, shared space, enabling both spontaneous public encounters, as well as solitary walks. 'Organized parties', safe, and exciting, play areas, neighbours being taken for walks by their dogs.
13. A tree-line, framing the open part of the Pen, screening and greening the view across, and downwards towards this narrow part of the Calder valley, where railway, river, road and canal, squeezed together, claim their rights-of-way, more heard than seen. The steep climb of wooded slopes a short distance across to the opposite valley side allows the visual illusion, from Oakville Road and the Pen itself, of a 'visual oasis', a quiet 'backwater', from the push of metal, swaying trains, and impatient traffic running below. Yet another

feeling to value the Pen, for being such a rich border, from the past, still holding and nourishing the present.

14. From 2004 to 2006 I had the use of an old wooden garage in Stony Lane, owned by Gertie and Arthur Howarth. They lived at 3 Turret Royd, so getting to know them better allowed me to understand more about Oakville Road and the Pen. Gertie had actually been born in 3 Oak Villas, (Joe, my neighbour's house) during 1920. It was her childhood home, and again the Pen, her playground. As the family grew bigger, with seven children, they moved to the larger house, 7 Oak Villas. The Pen, as ever was the nearest playground.
15. In my use of the garage in Stony Lane, I saw, and heard, more of the use of the wooded area by local children. I remember thinking what a great place in which to grow up and play. Such a varied playground, yet always close to the houses, to home.
16. To be part of any community, is to know things change. People move away, new people move in. Some simply pass away. In the way that familiar faces and strong characters help hold a sense of place together, so also the Pen as a physical presence, open to anyone caring to stop long enough, and give their time to experience and understand it, gives a focus, a sense of order and continuity to being part of this community, this run of Oakville Road, Stony Lane, Turret Royd, Turret Hall Road and Undercragg. This place, my home.
17. At no time between 1988 and 2008 anyone asked me [, or any member of my family,] to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
18. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed: Dated:

Chris Sugden-Smith

Commons Act 2006, Section 15

The Pen, Charlestown, Hebden Bridge

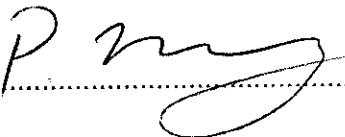
Application to register land as a Town or Village Green

Proof of Evidence on behalf of the Applicant by

PAUL MURPHY

1. I **Paul Murphy** make the following statement in support of the application to register the land known as **The Pen, Charlestown** as a Village Green.
2. I have lived at 1 Turret Royd with my wife Amanda and our 3 children, Luke (13 years old), Ben (11) and Sam (9) since June 2004.
3. We have used the Pen with our children for the past 8 years. They have grown up playing freely and safely there. We regularly have picnics and the children play games on all areas of the Pen. The children initially played supervised by myself when they were toddlers, as we found we used the Pen in preference to our steep garden. They now play independently on the Pen after school and every weekend with each other and our neighbours' children.
4. They use the flat area to play football. They use and explore the woodland area collecting frog spawn each year from the pond, watching it develop from tadpoles into frogs and sharing this with their schools. They also ride their bikes on the paths in the woodland area of the Pen. They regularly enjoy Den making in the areas where the trees provide suitable shelter and hiding places.
5. We attend the annual Fete as a family and join in organised games with our neighbours and we also contribute to the yearly firework event in November.
6. We have a dog and walk him on the Pen every day along the tracks where the pond is.
7. At no time between 1988 and 2008 has anyone asked me or any member of my family to leave the Pen. I have never been given permission to use the land or asked for permission. I have used the land in the way I described above in the belief that I have a right to use the land as a village green. I have always used the Pen openly and without secrecy and still do so.
8. I believe that the contents of this statement are to the best of my knowledge and belief a true statement of the facts it contains.

Signed:



Dated:

4/7/2011

Paul Murphy