

Mark McGillion
43, Maidenhall
Highnam, GL2 8DJ

Highnam Parish Council

26th May 2026

Dear council

On 21st May 2026 I acquired the land known as “Land lying to the south of Maidenhall, Highnam” (HM Land Registry title GR332142) from the previous owners Norville Brothers Limited. The purpose of my letter is to provide assurances about my ownership and to request that Highnam Parish Council withdraws its application for village green status on this land.

The previous owners acquired this land at auction in October 2023 and shortly after erected a large fence without any planning approval or communication with neighbours, parish council or Tewkesbury Borough Council planning department. During the fence installation, and subsequent removal, the owners were aggressive, secretive and lied about their intentions both to neighbours and passers-by. This behaviour triggered my reaction, and that of others, to engage with the parish council to initiate a village green application and supporting petition to ensure that the trees and land remained protected from development. During the more than 2 years since the acquisition by the Norvilles, both my neighbours and I became extremely anxious about the previous owners intentions for this land, which were exacerbated by a total lack of communication. My purchase of the land has brought to an end this period of anxiety.

My acquisition in May 2026 came about through an accidental meeting with a member of the Norville family on the site in late April. I entered a conversation with the owner about the trees and land at the end of which I offered to buy the land from them. Over the following month we proceeded to contract and completion.

I have purchased the land for several reasons. The primary reason is to ensure that the trees on the land remain protected and that the visual amenity of the trees continues to benefit the community and that the land remains undeveloped. I am aware that the pending village green application for this land removes rights and places additional constraints on the owner. For example, I would no longer be able to deny access to any member of the public that could cause nuisance or use the land in an unsociable manner. As such I would now like to challenge this application and respectfully request that the parish council withdraws that application.

I have paid £10,000 to purchase this land (plus legal fees). There will be additional costs to maintain the trees, restore the land to its former state and maintain it going forward. I am fully prepared to do that but with these liabilities I would also like to retain the right, as owner, to maintain the land as private property and thus enable me to ensure that the land is used according to my wishes and within the existing constraints already placed upon the land. Further, since I have purchased the land, I have had support to cancel the village green application from multiple local neighbours and other residents including members of groups such as the Highnam Parish Council Environmental Working Group (EWG).

The village green application has now passed stage 2 and the consultation period closed in January 2025 during which the previous owners did not submit any objections. This lack of engagement with that process is consistent with their lack of active management of this land. I feel that it would be unfair for the application to now continue as I will be unable to object as part of the formal process.

My commitments as owner of this land –

- I am fully prepared to maintain the land including grass cutting and tree maintenance at my own cost. Indeed, in the few days since I completed the purchase I have done exactly this, including making safe and removed the fallen cherry tree, mowed the grass and reinstated the pollinator patch. Further I have also made contact with TBC regarding the fallen tree, provisionally enquired about maintenance of the two oak trees onsite and also started to obtain quotes for pollarding the oak trees.
- I am happy and willing to permit community access to this land as an open space. Established groups such as Highnam Parish Council EWG may continue to use the land to plant pollinator patches if they so wish.
- I will not use this land for any housing or business development.
- The land will never be sold as a separate property from the property at 43, Maidenhall thus ensuring that land will be maintained by a local resident.

My family and I have lived in Highnam for over 20 years, and I have lived at my current property adjacent to this land since 2013. During my time in Highnam I have contributed to the well-being of the community such as co-organising the funding and installation of the play equipment at Highnam playing fields, and I am currently, and have been previously, a councillor on Highnam Parish Council.

I hope that you consider my request to be of good intent and I look forward to your response.

Kind regards

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Appendix

Reasons to challenge the village green application -

- The land has never been used as a village green according to the Gloucestershire County Councils own definition (below). The land itself has not been used as a meeting place as stated in the application – this only applies irregularly to the adjacent footpath and dog bin where dog owners occasionally congregate.
- The village green application contains many exaggerated statements about usage of the land. Whilst it is true that the land has occasionally been used by dog walkers and other residents from time to time, this is actually a very rare occurrence. The land is adjacent to a public footpath which is heavily used and it is rare that members of the public stray onto the land. The main uses of this land as for adjoined property owners, such as myself, to their boundary fences.
- The Highnam Parish Council Environmental Working Group have used the land to plant a pollinator patch only since 2020, which is well short of the 20-year duration required for village green status.
- The petition supporting this application was a reaction to an aggressive new owner that failed to engage with the community in any way and erected a large fence without any planning permission. As I am the new owner, the community and parish council can now be assured that the land will be maintained properly in the future as private land of an adjoining property owner.
- The land already has sufficient protected status and assets. There are 3 trees with TPOs and the land itself has been identified as by Tewkesbury Borough Council as a locally important open space within their borough local plans (LND5 1991-2011 and LAN4 2011-2031). There are several existing covenants that cover this land and requires it be maintained as an open space.

What is a village green?

Village greens are usually areas of land within defined settlements or geographical areas which local inhabitants can go onto for the exercise of lawful sports and pastimes. These include organised or ad-hoc games, picnics, fetes and other similar activities. **Whilst land forming town or village greens may be privately owned, many greens are owned and maintained by local Parish or Community Councils. Some greens may also have rights of common (i.e. grazing of livestock) over them.**

Source : <https://www.gloucestershire.gov.uk/business-property-and-economy/land-and-property/common-land-and-village-greens>

Applying to register land as a town or village green.

Town and village greens developed under customary law as areas of land where local people indulged in lawful sports and pastimes. These might include organised or ad-hoc games, picnics, fetes and similar activities. Most greens were registered in the late 1960s under the Commons Registration Act 1965. Provided the right to apply has not been excluded (see overview above), anyone can apply under section 15(1) of the Commons Act 2006 to register land as a green **if it has been used by local people for lawful sports and pastimes ‘as of right’ (ie without permission, force or secrecy) for at least 20 years.”**

Source : <https://www.gov.uk/guidance/town-and-village-greens-how-to-register>