

MONTHLY MEETING OF THE COUNCIL – 13TH APRIL 2026

ADDITIONAL SUPPORTING PAPERS (emailed to councillors at 12:00)

Agenda Item 9a – Warren Recreation Ground – To consider the council’s next actions regarding the playing of cricket

Agenda Item 9a

Warren Recreation Ground

Some correspondence has been received as follows:

Mrs Vos, Chairman of the East Preston & Kingston Preservation Society, called the office to apologise for being unable to attend this meeting and submitted the following comments, “As I mentioned, I'm not able to attend tonight's Full Parish Council meeting, so please tender my apologies. I'd be grateful if the Preservation Society's concerns could be conveyed to the meeting. These arise from proposed restrictions on cricket being played on the WRG which might lead to significant harm to an important part of village life. While acknowledging that safety anxieties should be addressed (and indeed have been over the years) this should not be at the expense of healthy, constructive leisure activity shared by all ages, which has been carried out at this ground for over 160 years. Thank you, and I hope the meeting goes well.”

* * *

Sean Rebbetts applied too late to gain admission to the meeting, but wanted to say, “I would like to express my interest to attend the meeting regarding the cricket club this coming Monday. I played there as a junior and we host an annual match there in memory of my Mum, which raises money for Cancer Research each year. I appreciate there will be high demand for this but would love two minutes to speak about what the club has done for us growing up, and continues to do.”

* * *

Dylan Baker, also too late to gain admission to the meeting, asked for the following to be recorded: “As I am unable to attend in person, I would like it placed on record my absolute and complete objection to complaints against the cricket club and my full commitment as a local resident and club member to the cause of fighting for the continued legacy of cricket in East Preston.”

* * *

An anonymous resident asked for the following to be read to the meeting:

12/04/2026

Protection of Long Established Village Cricket Ground

Subject: Protection of East Preston Village Cricket Club and Long - Established Recreational Use

To whom it may concern,

I am writing as a resident for over 40 years and also on behalf of the many residents verbally talking about this recent attempt by a neighbouring property owner to restrict or prevent the continued operation of the East Preston Cricket Club and free Tennis Court. The club has been an established and valued part of our community since **1860** serving as a focal point for the village. The Club has won the Worthing & District KO in 1974, been runners up in 1975 & 1982. Renowned for Charity games. Has youth players, which has produced county-level players and Sussex Junior Cricket Festival Champions. The Club is praised for the up keep of the Warren “Recreation” Ground and holds a crucial and vital place to the community.

Cricket has been played on this ground for generations.

I/we wish to make clear that there is **strong legal precedent and statutory protection** supporting the continued use of this cricket ground, and preventing any attempt by a resident to curtail or eliminate this long-standing community activity.

All of the following apply:-

1. Established Legal Precedent: “Coming to the Nuisance”

UK case law — most notably **Miller v Jackson (1977)** — confirms that a person who moves next to an existing cricket ground **cannot demand that cricket be stopped** on the basis of occasional balls entering their property. The Court of Appeal held that:

- The cricket club’s long-standing presence carries significant public interest
- A new neighbour cannot reasonably expect to alter or extinguish a historic community activity
- Reasonable mitigation, not cessation, is the appropriate remedy

This principle remains good law and is routinely applied in similar disputes.

2. Public Policy and Government Position

The UK Government has repeatedly emphasised the importance of protecting long-established sports facilities. Recent amendments to planning and environmental legislation require local authorities to consider:

- The historic use of the land
- The community value of the sports club
- Whether the complainant moved to the area after the activity was established

This makes it exceptionally difficult for a single resident to force closure of a historic cricket ground.

3. Lawful Established Use

The cricket ground has been in continuous use for well over the 10-year threshold required to establish **lawful use** under planning law. Its long history also makes it eligible for designation as an **Asset of Community Value (ACV)**, which would provide further statutory protection. If this is not in place then East Preston Parish Council on behalf of it's residents should apply for an ACV immediately after the meeting on 13th April 2026.

4. Reasonable Mitigation Already in Place

The cricket club might take, or continue to take, reasonable steps to ensure safety and minimise inconvenience, including:

including:

- [Netting / screens / boundary adjustments]
- [Repairing any accidental damage]
- [Offering dialogue and cooperation]

These measures exceed what the law requires for a club of this age and setting. So are not a requirement.

5. Community Interest

The cricket club is not merely a recreational facility; it is a core part of village life, supporting:

- Youth sport and development
- Community cohesion
- Physical and mental wellbeing

The loss of the club would be a significant and unjustified detriment to the entire village.

Conclusion

Given the long-established use of the cricket ground, the clear legal precedent, and the strong public interest in preserving community sports, I/ We respectfully request that the council:

1. **Formally recognise the cricket ground's established lawful use**
1. **Reject any attempt to restrict or prohibit cricket activities**
2. **Support the club in maintaining reasonable mitigation measures**
3. **Consider listing the ground as an Asset of Community Value**

We trust that the council will uphold the rights of the community and ensure that this historic cricket club continues to thrive for generations to come.

Yours faithfully

A resident of East Preston for over 40 years residing in BN16 1RB

Simon Cross – **Clerk to the Council**

13th April 2026