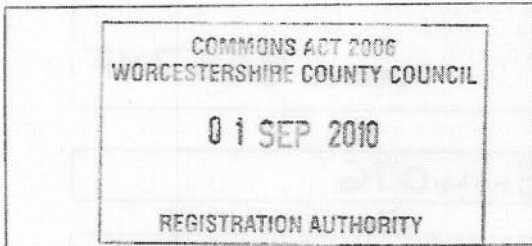


## Commons Act 2006: Section 15

## Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:



Application number:

273/75

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

### 1. Registration Authority

To the

Worcestershire County Council

**Note 1**  
insert name of  
registration  
authority.

**Note 2**

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

**2. Name and address of the applicant**

Name:

Full postal address:

Telephone number:   
(incl. national dialling code)

Fax number:   
(incl. national dialling code)

E-mail address:

**3. Name and address of solicitor, if any**

Name:

Firm:

Full postal address:

Telephone number:   
(incl. national dialling code)

Fax number:   
(incl. national dialling code)

E-mail address:

**Note 3**

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

**Note 4**

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

\* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

**4. Basis of application for registration and qualifying criteria**

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under section 15(8):

If the application is made under section 15(1) of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If section 15(3) or (4) applies please indicate the date on which you consider that use as of right ended.

If section 15(6)\* applies please indicate the period of statutory closure (if any) which needs to be disregarded.

**Note 5**

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

\* Only complete if the and is already registered as common land.

**Note 6**

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

**5. Description and particulars of the area of land in respect of which application for registration is made**

Name by which usually known:

Land in Peterbrook Close, Oakenshaw, Redditch outlined and hatched red on Map 'A'

Location:

Oakenshaw, Redditch  
Part of HMLR title no. HW162825

Shown in colour on the map which is marked and attached to the statutory declaration.

Common land register unit number (if relevant) \*

**6. Locality or neighbourhood within a locality in respect of which the application is made**

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

As outlined in blue on Map 'A' being Peterbrook Close, and Outwood Close, Oakenshaw, Redditch

Tick here if map attached:

**7. Justification for application to register the land as a town or village green**

**Note 7**

*Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

1. Since Peterbrook Close was developed in 1980/81 there have been no restrictions from the local Borough Council for its use. Accordingly local residents, particularly children, have enjoyed and had full use of the land as a play area and general enjoyment of the open space at all times of the year.
2. The area offers a safe play environment for children as it is surrounded by houses and has a screened hedging along the roadway boundary.
3. Other neighbouring open space areas are unsafe and unsuitable for children to play – out of sight of parents, subject to dog fouling, broken bottles and other rubbish, including drug related.
4. The area has been regularly maintained by the Redditch Borough Council which has created an obvious and matured “village green” facility.
5. The mature hedging along the roadway boundary provides a natural environment for birds and other small wildlife.
6. It is the belief of some residents that it is the site of a natural pond.
7. The area gives a centrepiece to the close.
8. Any development could never be in keeping with the style and appearance of what is a mature and established close and would be an infringement on the residents of Peterbrook Close.

**Note 8**

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

**Note 9**

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

**Note 10**

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

Redditch Borough Council  
Town Hall  
Alcester Street  
Redditch

9. Voluntary registration – declarations of consent from 'relevant leaseholder', and of the proprietor of any 'relevant charge' over the land

None

10. Supporting documentation

1. Evidence Questionnaires
2. Map 'A'
3. Statement of Dawn Southwell

**Note 11**

*if there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.*

**11. Any other information relating to the application**

The Redditch Borough Council's Planning Committee granted outline planning permission in November 2008 for the erection of five houses.

**Note 12**

*The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.*

Date:

25<sup>th</sup> August 2009

Signatures:

D. Sathwell

**REMINDER TO APPLICANT**

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

**Data Protection Act 1998**

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

# Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

<sup>1</sup> Insert full name (and address if not given in the application form).

I... Dawn.....<sup>1</sup> Southwell solemnly and sincerely declare as follows:—

<sup>2</sup> Delete and adapt as necessary.

~~74~~ ~~JS~~ 1.<sup>2</sup> I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ~~((the solicitor to (the applicant) (one of the applicants))~~.

<sup>3</sup> Insert name if Applicable

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

<sup>4</sup> Complete only in the case of voluntary registration (strike through if this is not relevant)

~~74~~ ~~JS~~ ~~4.<sup>4</sup> I hereby apply under section 15(6) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:~~

- ~~(i) a declaration of ownership of the land;~~
- ~~(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have~~

Cont/



<sup>4</sup> Continued

~~70~~  
~~88~~ been received and are exhibited with this declaration; or  
(iii) where no such consents are required, a declaration to that effect.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

Dawn Southwell  
at 1 Mason Road  
Headless Cross, Redditch  
this 25<sup>th</sup> day of August 2009

D Southwell  
Signature of Declarant

Before me \*

Signature:

T Woods  
THOMAS WARTER

**TAYLORS SOLICITORS**  
MERCURY HOUSE, 1 MASON ROAD,  
HEADLESS CROSS CENTRE,  
REDDITCH, WORCS. B97 5DA  
TELEPHONE: (01527) 544221  
FACSIMILE: (01527) 544419  
DX 12501 HEADLESS CROSS

Address:

Qualification:

SOLICITOR

\* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

This is the exhibit marked Map A  
referred to in the statutory declaration  
of Dawn Southwell made this 25<sup>th</sup>  
day of August 2009 before me,

→ *Handwritten signature*

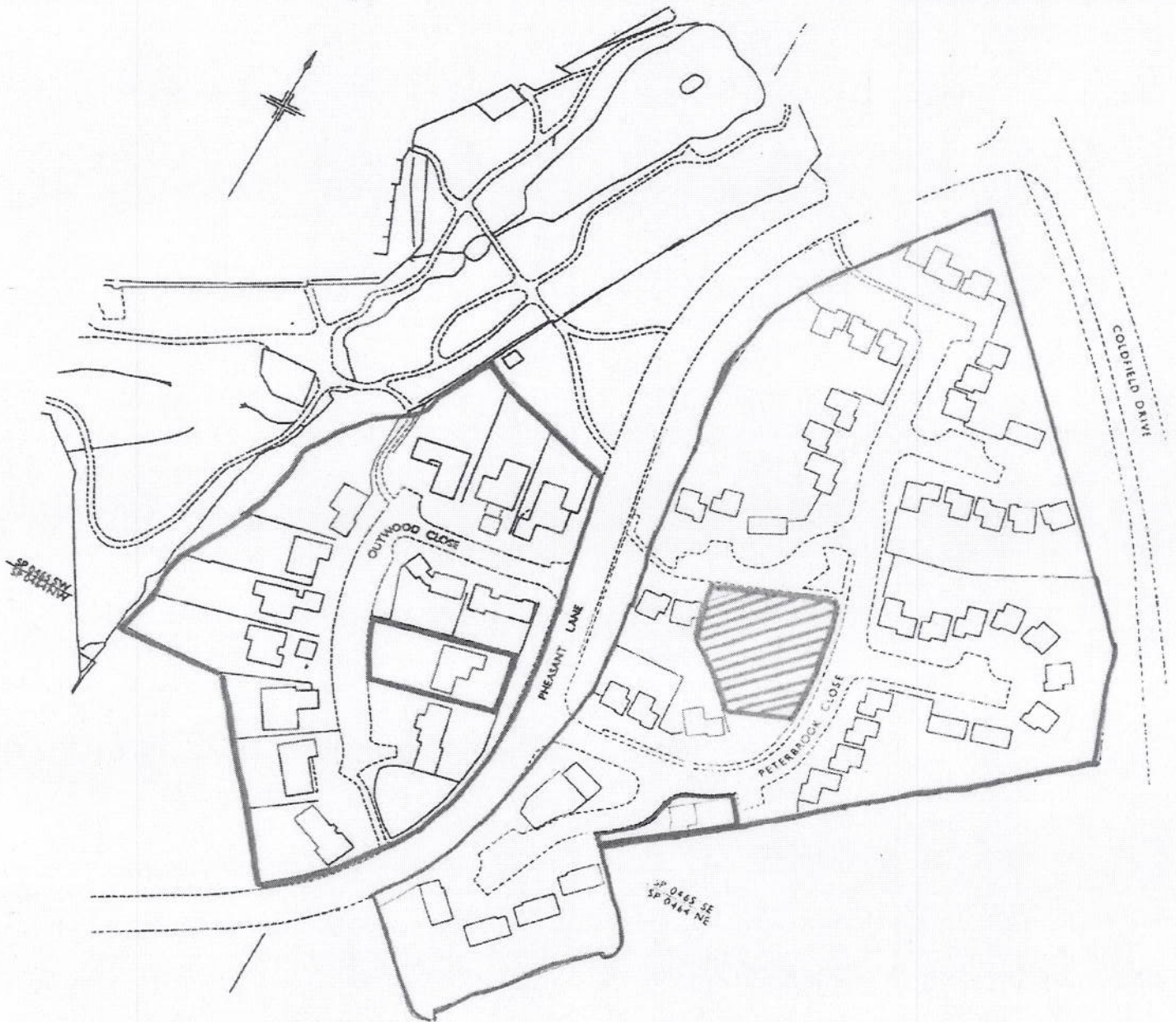
THOMAS HAYDEN

Solicitor

ORDNANCE SURVEY PLAN REFERENCE	SP 0465	SECTION J	Scale 1/1250
COUNTY HEREFORD AND WORCESTER DISTRICT REDDITCH		© Crown copyright 1987	

# MAP A

ADMINISTRATIVE AREA WORCESTERSHIRE





# WORCESTERSHIRE COUNTY COUNCIL

## COMMONS ACT 2006 — SECTION 15(1)

### NOTICE OF AN APPLICATION FOR THE REGISTRATION OF LAND AS A TOWN OR VILLAGE GREEN

To: every reputed owner, lessee, tenant or occupier of any part of the land described below, and to all others whom it may concern.

Application has been made to Worcestershire County Council by **DAWN SOUTHWELL** under section 15(1) of the Commons Act 2006 and in accordance with the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007. The application seeks the inclusion in the register of town and village greens of the land described in the Schedule below which is claimed to have qualified for registration as a town or village green on 6<sup>th</sup> May 2009 by virtue of the use of the land by the local inhabitants for lawful sports and pastimes as of right for not less than 20 years.

The application, which includes a plan of the land proposed for registration may be inspected at the following office : Worcestershire County Council County Hall Spetchley Road Worcester WR5 2NP between the hours of 9am to 5pm or by visiting [www.worcestershire.gov.uk](http://www.worcestershire.gov.uk). Copies of the documents may also be inspected at the following local authority offices:  
Redditch Borough Council Town Hall Walter Stranz Square Redditch B98 8AH

If the Registration Authority is satisfied that the land described below qualifies for registration as a town or village green, it will so register the land.

Any person wishing to object to the registration of the land as a town or village green should send a statement of the facts on which the objection is based to (Head of Legal and Democratic Services Worcestershire County Council County Hall Spetchley Road Worcester WR5 2NP (quoting reference FM/273/75) on or before 3<sup>rd</sup> November 2010. Any representations that are to be taken into account by the Authority in reaching a decision on the application cannot be treated as confidential and will be copied to the applicant for comment and may be disclosed to other interested parties.

Dated 22nd September 2010

Signed:



S P Mallinson

Head of Legal and Democratic Services on behalf of the Registration Authority

#### **Schedule**

Land at Peterbrook Close Oakenshaw Redditch

