

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:

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

LEGAL & DEMOCRATIC SERVICES,
 WORCESTERSHIRE COUNTY COUNCIL
 COUNTY HALL
 SPETCHLEY ROAD
 WORCESTER
 WR5 2NP

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.

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.

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:

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 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.

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

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 to it to be clearly identified.

Name by which usually known:

FOOTBALL FIELD / PITCH

Location:

Adjacent to the Playing Field on R145 of Byrd Row, opposite the Village Hall

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

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

Common land register unit number (if relevant) *

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.

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:

Northwick Leachworth Parish
including Chadbury & Joyford
Bank.

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).

The land has been used as a football pitch from the 1930's. (see photo. in millennium book). In 1966 the land was bought from the farmer who had allowed it to be used from the 1930's. The Working Men's Club bought this land & the allotment land adjoining. The land continued to be used as a football pitch until purchased by Smith Wadley Developers.

The land is adjacent to the Village Hall, opened in 1997. It would be an asset to the hall for use by the villagers who use the hall for a wide variety of activities including parties. The land has been used by children at parties to play outside. There has been a Boney Castle on the land for children's parties.

Local people use the land for dog walking more than ever since the playing field has been updated in 2007. Dogs are not allowed on the playing field except on a lead.

Dog training is carried out both by the club on training evenings & also by dog owners practising. There is another field beyond the football pitch which extends the open space for use by dog walkers.

When the developers bought the land they installed posts to prevent access by traffic & cut the grass regularly. However in 2008 they stopped mowing the grass which then grew wild. However volunteers now keep a large part well mown & very tidy & have also cut a large wide path around the field.

The development line was moved in 2006 to take in some of the land & allow development.

Outline planning has been applied for & the developers have received outline planning for development of 3 houses plus garages & gardens. This would effectively block any access to the land by the users of the hall & destroy this area as an open space.

The land has never been used for any other purpose than either agriculture or football from the 1930's till 2008. It is for this reason that we would like to use this land as a village green to keep it as a green space.

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

SMITH WADLEY HOMES LTD.,
LIL WORTH FARM,
PERSHORE ROAD,
COMBERTON,
PERSHORE
WORCS.
WR10

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

10. Supporting documentation

LOCATION MAP for Q 5
" " " Q 6
" " " Q 7
Photographs for Q 7, copies of minutes & list of dates for Q 7.
Planning approval for Q 7
Completed questionnaires from villagers who are keen to keep this open space as a village green.

Q7

The land in question has been used as a football pitch from 1930's to 2003. In addition it has also been used by villagers of all ages for games, entertainment, and community fund raising events.

The Parish Hall shown on the map was opened in 1997. Showers and changing rooms were included in the plans so that football teams could use these. They did so until 2003 when the football club disbanded.

Originally the football pitch and the playing field used to be one large space with a rough hedge between.. Villagers used the space. Dog walking was a favourite activity. Children played in both areas. The playing field was not well endowed with play equipment until 2008 and as the football field was kept mown so it was an ideal place for children and adults to play. In the period between 1984 – 1990 non-stop cricket and rounders were played regularly on the pitch. This was organised by the parents who also took part.

Memorable dates were celebrated such as the Queen's Silver Jubilee and Prince Charles' wedding. Sports were organised for the children since they had been granted a holiday on such occasions. Catering for such events was undertaken by volunteers from the ladies in the village.

The area was also used for social and fund raising events such as fetes, 25th anniversary of skittles held in marquee, Country and Western weekend. See attached Documentation list.

The Parish Hall also used this field for fund raising events when the new hall was being built between 1993 and 1997. The Millennium was celebrated with a party in the hall and a fireworks display in the football pitch.

A youth club was formed and the youth club used the land for sports activities.

After the Working Men's Club closed and Smith Wadley bought the land they took on the regular mowing of the grass. They also erected posts to keep vehicles out of the field.

The villagers continued to use the land for walking dogs, football games, children playing and other activities.

The new owners continued to mow the grass until 2008 after which it became very long and untidy. Since then volunteers have kept it mown in front of the hall. There is a well-worn path round the pitch where dog walkers regularly exercise their pets. The Dog Training Club, which hires the hall, uses the space in front of the hall. The organiser did ask permission and this was granted. None of the other regular users have asked for permission nor have they been stopped from using the field at any time.

When Smith Wadley stopped cutting the grass regularly in 2008 in addition to the Dog Club cutting it regularly other volunteers from the village keep it mown and also the path around the perimeter is also kept mown. Some villagers who had stopped using the football field while the grass was long returned to their normal usage when the volunteers started cutting it.

The Wychavon District Plan, drawn up in 2006, shows that the development line has been moved to include an area of Protection of Open Space. This is shown on Inset 79 Norton & Lenchwick. Originally the development line was as shown on Inset 71. The new Norton & Lenchwick Village Hall is built on land previously owned by The Working Men's Club. When the planning application was submitted to Wychavon District Council Planning Authority the planning officer said that as it was a Community Building then permission would be granted. He also inferred that it was unlikely for any building to be allowed on the protected open space. However 8 years later the line was moved and since then Smith Wadley have applied for and received outline planning permission for 3 houses plus garage and parking spaces as shown on Location Map10/00936. Strong objections were raised and a request for it to go before the Planning Committee was rejected.

This development would completely block off access to the green space in front of the hall. The planning authority stated that: the proposed development would be constructed on previously developed land and in a location within a settlement

boundary where facilities exist so as to reduce reliance upon the private car: and the proposed development would not have an adverse impact on the amenities of other residences to justify refusal of planning permission.

I would suggest that the first is at odds with the history of the land and the second is at odds with the villagers usage of the land.

However there is a possibility that an agreement may be reached with the developers, if our application is successful.

A handwritten signature in cursive script, appearing to read "A. J. Clouton". The signature is written in dark ink and is positioned above a horizontal line.

SOLICITOR

11th November 2010

11. Any other information relating to the application

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.

Owner has outline planning permission for a small portion of the land.

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:

11th November, 2010

Signatures:

Barbara McChasen

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.

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

I BARBARA.....¹ solemnly and sincerely declare as follows:—
McLAREN

² Delete and adapt as necessary.

1.² I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ((the solicitor to (the applicant) (³ one of the applicants)).

³ 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.

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

4.⁴ I hereby apply under section 15(8) 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/

4 Continued

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

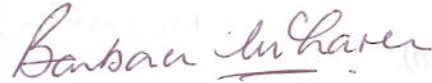
And I make this solemn declaration, conscientiously believing the
same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

BARBARA McLAREN)

at 4 ABBEY LANE)
COURT, ABBEY LANE)
EVESHAM, WORCS.)

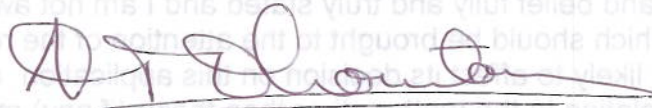
this 11th day of NOVEMBER)
2010)



Signature of Declarant

Before me *

Signature:



ALISON J THORNTON, SOLICITOR

Address:

4 ABBEY LANE COURT
ABBEEY LANE
EVESHAM, WORCESTERSHIRE

Qualification:

SOLICITOR.

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

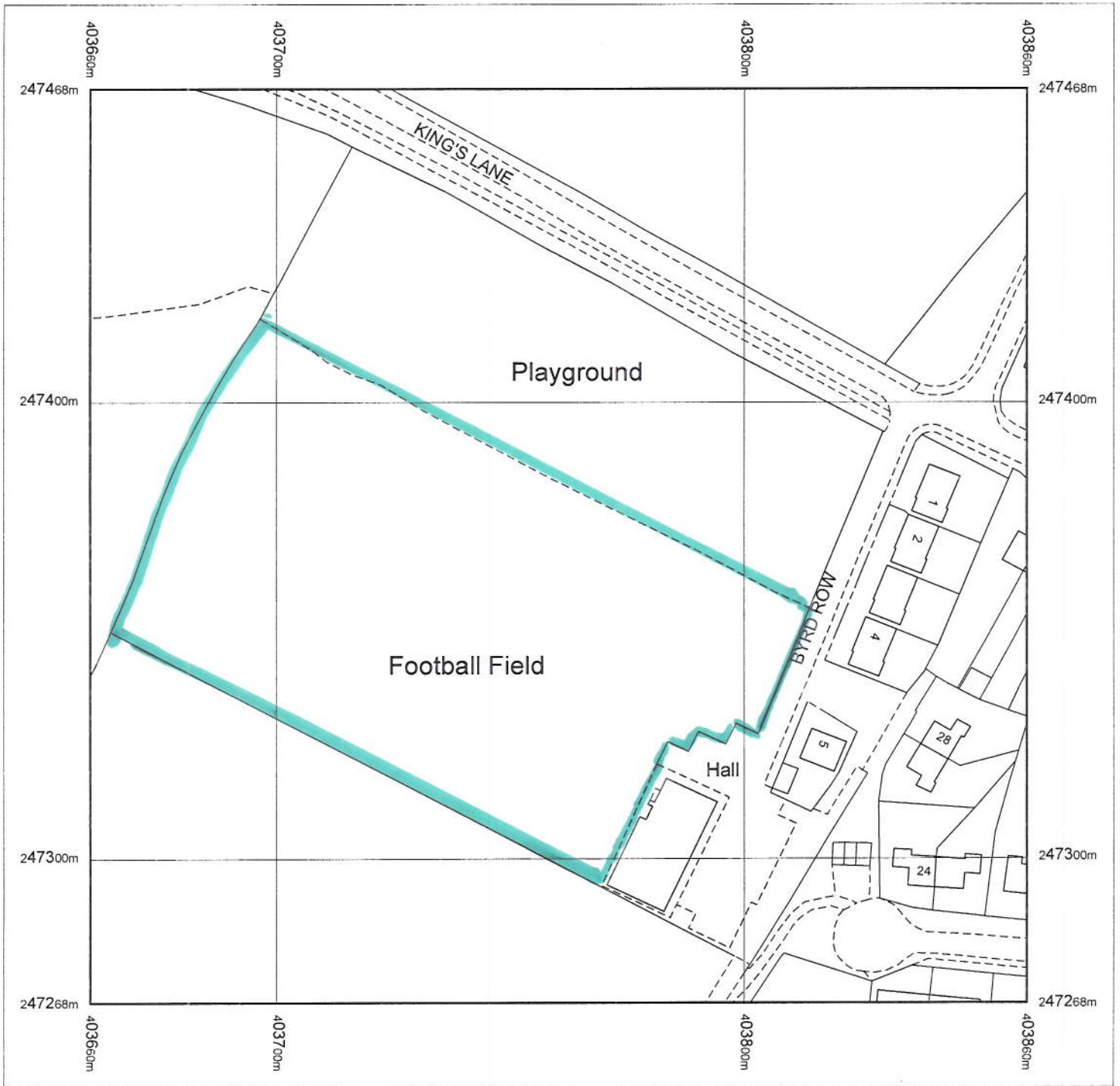
Signature of the statutory declaration is a sworn statement of truth in presenting the
application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit



Map for Q. 5



Produced 01.10.2010 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2010.

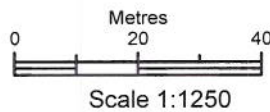
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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

Part or all of this OS Sitemap is enlarged from mapping produced at one or more of the following scales: 1:1250, 1:2500, 1:10000.



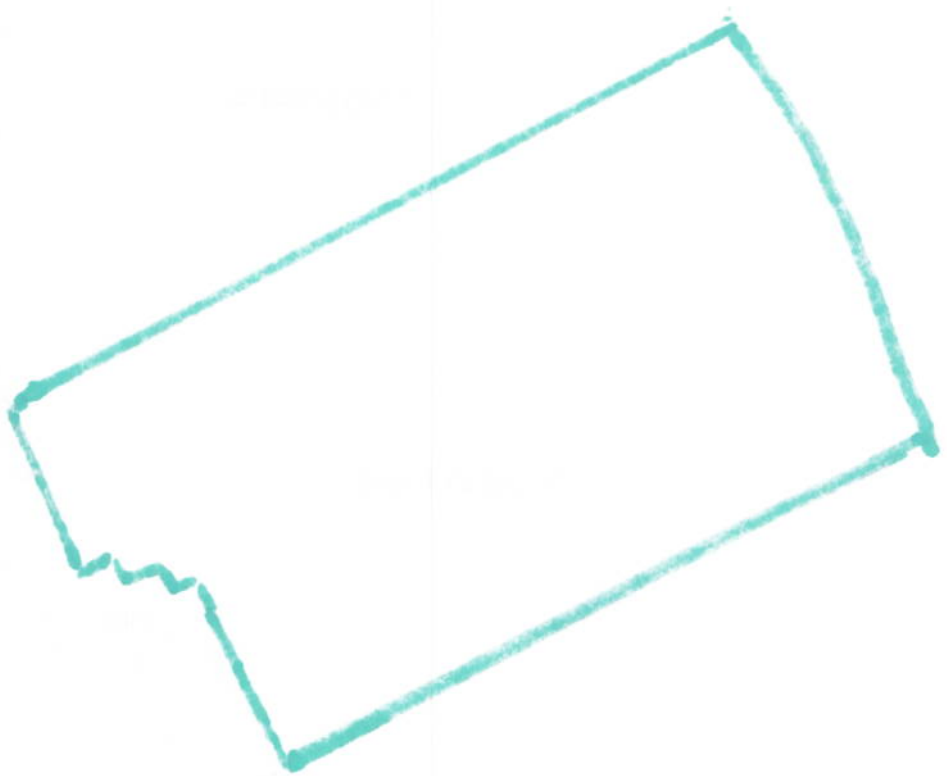
Supplied by: **PSW Paper and Print Ltd**
 Serial number: 00019400
 Centre coordinates: 403760.25 247368.5

Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site:
www.ordnancesurvey.co.uk

Proposed Village Green outlined in green.

[Handwritten signature]

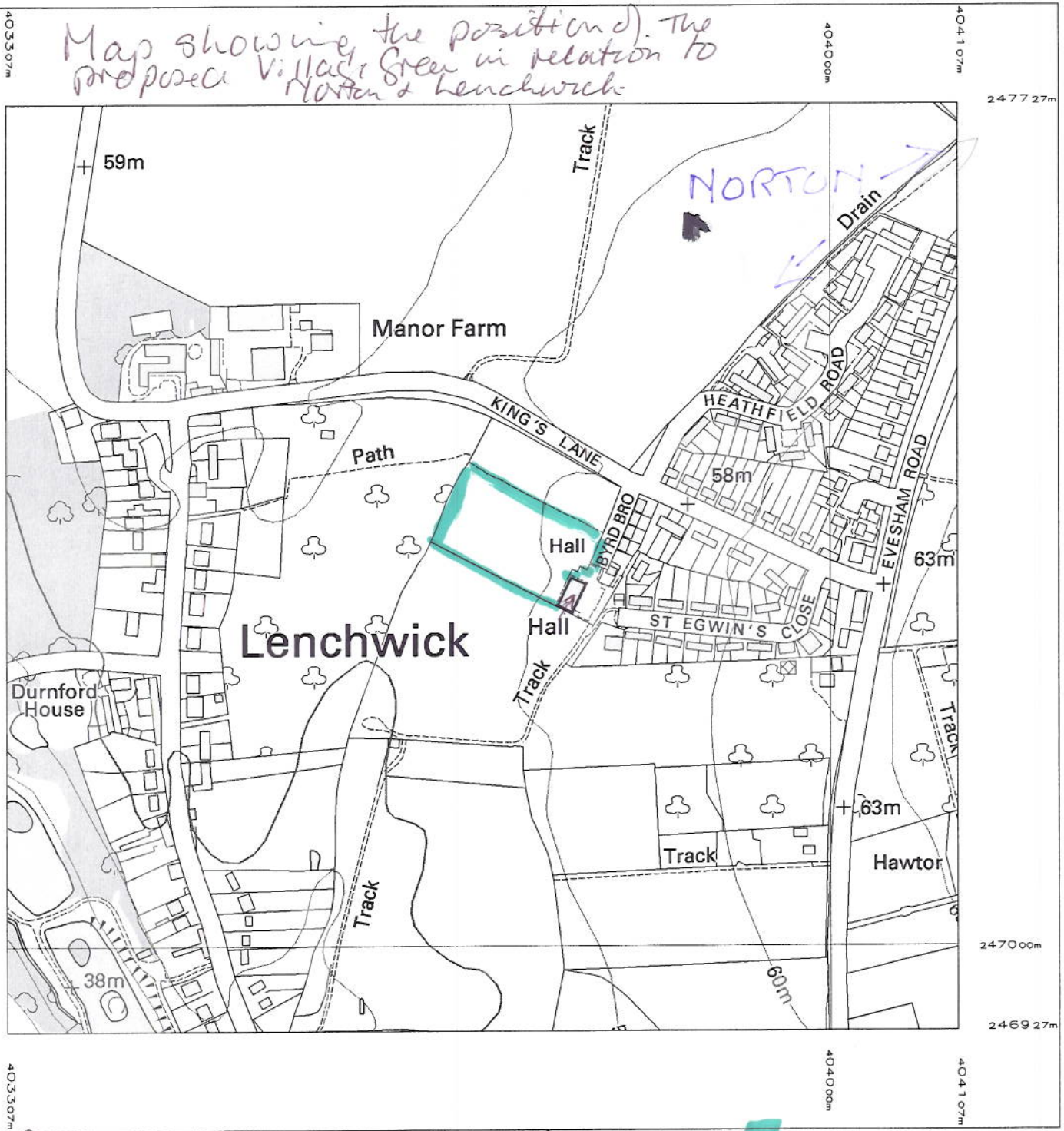
11.11 November 2010



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Handwritten text at the bottom of the page, which is mostly illegible due to blurring.

Map showing the position of the proposed Village Green in relation to Norton & Lenchwick



Proposed Village Green outlined in green

Produced 01 Oct 2010 from Ordnance Survey
 Digitally derived data.

Produced using significant survey information
 from Ordnance Survey large scale digital data,
 incorporated into OS Landplan Jul 2009.

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 prior written permission of Ordnance Survey.

Administrative boundaries revised to May 2009.

Additional boundaries information:



This OS Landplan plot is enlarged from derived
 mapping produced at 1:10000 scale

Contours are at 5 metre intervals.

Heights are given in metres above Newlyn Datum.
 The representation of a road, track or
 path is no evidence of a right of way.

The alignment of tunnels is approximate.

An OS Landplan symbols leaflet is available
 on request from Ordnance Survey Mapping and
 Data Centres.

Ordnance Survey, the OS Symbol and OS Landplan
 are registered trade marks of Ordnance Survey,
 the national mapping agency of Great Britain.

[Signature] Scale 1:5000
 11th November 2010

Plot centre coordinates: 403707 247327
 Supplied by: PSW Paper and Print Ltd
 Plot serial number: 00019500

1000

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**Inset 7(i)
Norton & Lenchwick**

Map for AG/07

General Strategy

Location Strategy for New Development (GD1)

Strategic Maps (SR10)

Protecting the Environment

Conservation Areas (ENV12)

Social Progress

Gypsy Sites - Existing Provision (COM5)

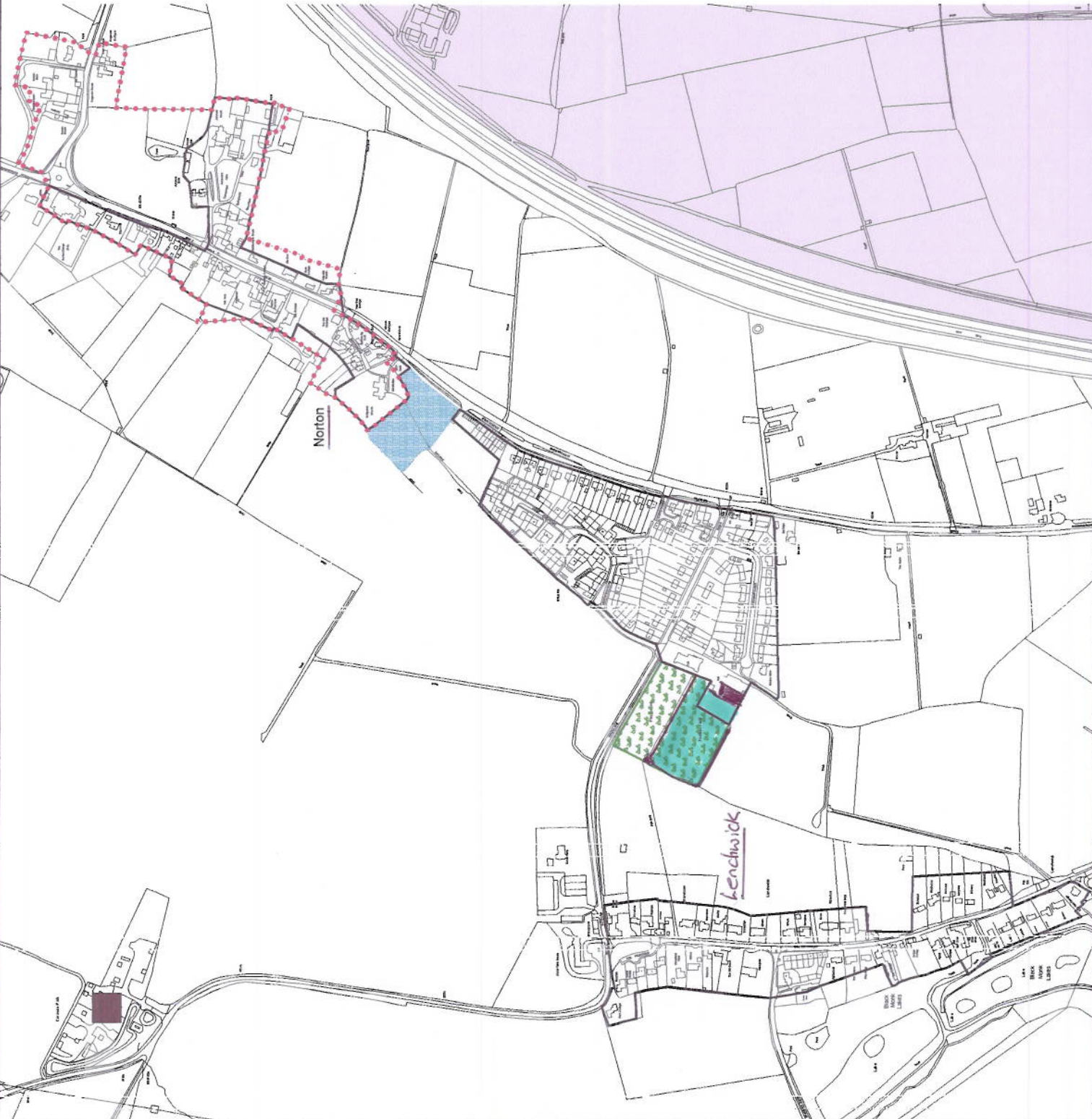
Protector of Open Space (COO 13)

Economic Opportunity

B8 "Exceptions" Policy (ECON3)
B8 Relocation (ECON4)
Employment Development within the Vale of Evesham HGV control zone (ECON6)

*Proposed Village Green
Norton & Lenchwick Village Hall*

This map shows the proposed Village Green in relation to the settlements of Norton & Lenchwick



Wychavon District Local Plan
Scale: 1:500 June 2006

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Atchout 11/2/07

