

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:

<p>COMMONS ACT 2006 WORCESTERSHIRE COUNTY COUNCIL</p> <p>MAY 10 MAY 2012</p> <p>REGISTRATION AUTHORITY</p>
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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

Note 1

Insert name of registration authority.

To the

Worcestershire County Council
County Hall
Spetchley Road
Worcester
WR5 2NP

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: Ms I P Frazer Chair of Catshill Marshes Action Group
Mr Michael Dobbins Treasurer of Catshill Marshes Action Group
Mrs Judith Sturgess Secretary of Catshill Marshes Action Group

Full postal address:

310 Stourbridge Road Catshill Bromsgrove Worcestershire	Postcode B61 9LH
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Telephone number:
(incl. national dialling code)

01527 759238

Fax number:
(incl. national dialling code)

E-mail address:

cmactiongroup@gmail.com

3. Name and address of solicitor, if any

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.

Name:

Firm:

Full postal address:

	Post code
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Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Addresses for Applicants shown on Page 2

Mr M Dobbins
17, Woodrow Close
Catshill
Bromsgrove
Worcs
B61 0NY

Mobile: 07790 020089

cmactiongroup@gmail.com

CMAG Treasurer

Mrs J Sturgess
50 Bourne Avenue
Catshill
Bromsgrove
Worcs
B61 0NX

Tel 01527 875295
Mobile 07914902190

cmactiongroup@gmail.com

CMAG Secretary

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 land 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:

Catshill Marshes – Land off Church Road / East of Stourbridge Road
EXHIBIT 1A

Location:

Catshill – Bound by: -
M5 on north, Chadcote Way, Bourne Ave & Mayfield Close on east
Stourbridge Road on west, Church Road & Marsh Way on south

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:

The land is located within
The village of Catshill,
In the Parish of Catshill and North Marlbrook,
Within the District Council of Bromsgrove
Within the County Council of Worcestershire

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).

This land has been used by the local neighbourhood for:-

Dog walking,
Blackberrying,
Bird watching,
Playing (with children building dens, BMX riding, playing games)
Nature walks for families,
Recreational walking,
Wildlife watching,
Ball games,
Exploring,
Winter sledging,
Easter Egg hunts,
Fun days,
Community Treasure Hunt,
Horse riding,
Net fishing,
Photography and subject inspiration for a local artists,
Camping,
Growing vegetables.

All these activities have taken place by the neighbouring community over at least 45 years and most have continued to date.

Our submission is to preserve the rights to use the land

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).

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

- 1) Small parcel of land at the rear of Christ Church (Listed building) Unregistered
- 2) Garth Riley, 2 Wildmoor Lane, Catshill, Bromsgrove, Worcs., B61 0NS – Eastern side of the Battlefield Brook
- 3) Severn Trent – white area of map contains culverts for run off from M5 motorway to north of site
- 4) Land & Leisure Limited, 55 Newhall Street, Birmingham B3 3QF
Remainder of site on western side of the Battlefield Brook

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

(This area contains faint, illegible text and signatures, likely representing the required declarations for voluntary registration.)

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).

10. Supporting documentation

- Site Maps
- Flood plain maps
- Questionnaires and signed maps
- Statutory declarations
- Photographs, past & present
- A list of who has the photographs and where they can be seen

Note 10

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

Please use a separate sheet if necessary.

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.

Land & Leisure, 55 Newhall Street, Birmingham B3 3QF

Garth Riley, 2 Wildmoor Lane, Catshill, Bromsgrove, Worcs.B61 0NP

Cala Homes,
Outline planning permission granted 10th October 2011

Unregistered land at rear of Christ Church

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:

9th May 2012

Signatures:

Imir Frazer.
as J. Robbins.
[Signature]

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... Ms Imir Patricia Frazer solemnly and sincerely declare as follows:—

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))~~. Of Catshill Marshes Action Group

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

at *Thomas Horton, Bransgrove*

this *9th* day of *May 2012*

Tina Brazier

Signature of Declarant

Before me * *TINA K. CIRCUS*

Signature:

T. Circus

Address:

Thomas Horton LLP
Solicitors
Strand House
70 The Strand
Bromsgrove
Worcs. B61 8DQ

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.

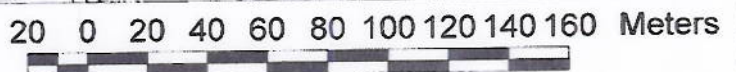
REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit




worcestershire
 county council
 County Hall,
 Spetchley Road,
 Worcester
 WR5 2NP

Scale: 1:2,500



Village Green application site
 273/2012/02 - Catshill
 Marshes to north of Church
 Road Catshill Brounsgrove

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**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 **IMIR PATRICIA FRAZER, MICHAEL DOBBINS and JUDITH STURGESS** 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 9th May 2012 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 Copies of the documents may also be inspected at the following local authority offices:
Bromsgrove District Council The Council House Burcot Lane Bromsgrove B60 1AA and Catshill and North Marlbrook Parish Council Catshill Village Hall Golden Cross Lane Catshill Bromsgrove B61 0JZ

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/273/2012/02) on or before 6th July 2012. 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 23rd May 2012

Signed:



S P Mallinson

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

Schedule

Land known as Catshill Marshes to the north of Church Road Catshill Bromsgrove
Worcestershire

