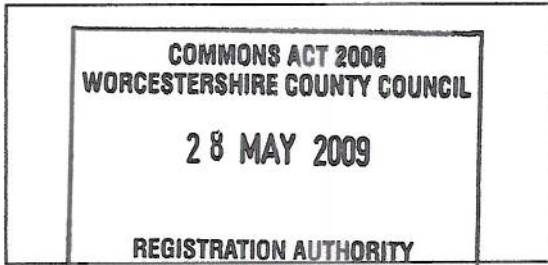


Commons Act 2006: Section 15

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

Official stamp of registration authority
indicating valid date of receipt:



Application number:

273/74

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

Village Green Registrar
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.

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:

<input type="text" value="Earls Common House
Earls Common
Himbleton
WR9 7LD"/>	<input type="text" value="The Well House
Earls Common
Himbleton
Postcode WR9 7LB"/>
--	---

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:

<input type="text"/>
Post code

Telephone number: (incl. national dialling code)

Fax number: (incl. national dialling code)

E-mail address:

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:

Hornhill Meadow

Location:

Stoney Lane, Earls Common

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:

Map attached (Map A – the same map as those accompanying evidence forms)

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).

Hornhill Meadow is an open field, bounded by hedges, trees and a fence. It has been used continuously for informal recreation by a significant number of inhabitants of Earls Common, without force, secrecy or permission for over 20 years, and is still so used today. One elderly resident mentioned in her Evidence Form that there were a few allotments located in the meadow 75 years ago – these were discontinued at least 30 years ago.

Earls Common is a hamlet through which runs the parish boundary between Himbleton and Hanbury, and is separated by open countryside from the neighbouring villages of Himbleton and Stock Green. It consists of 39 dwellings, which form a particularly cohesive community. An example of this cohesion could be seen when there was a heavy snowfall some years ago. Earls Common was completely cut off and there was no electrical power. An electrician living in the hamlet went round with a generator, offering to boost people's freezers and everyone made sure neighbours had food and means of keeping warm. Many people met outdoors to laugh and chat and a spontaneous party was thrown that evening to which everyone present was invited. Similar neighbourly care is evident when, as happens from time to time, the hamlet is cut off at both ends by floods after heavy rain.

Two years ago a dedicated foul water drainage system was installed in Earls Common to which the great majority of the dwellings have been connected.

Earls Common has its own dedicated Neighbourhood Watch Scheme.

In 2002 a committee of Earls Common residents was formed to support Acorns Childrens' Hospice and four large fundraising events have been held in Earls Common.

The 31 Evidence Forms that are submitted with this application indicate how much residents of Earls Common, past and present, have valued using the open space of Hornhill Meadow for informal recreation for well over 20 years. It is hoped that this application can enable present and future generations to do so for many years to come.

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

We believe the owner is:

Mrs K.R. Hartle
84 Vines Lane
Droitwich
Worcestershire WR9 8LT

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

Not applicable

10. Supporting documentation

31 Evidence Forms including 31 Maps marked 'Map A'

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

Not applicable.

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:

6th May, 2009

Signatures:

Peer Barber
RHS Nilsson

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).

DA

I, ^{HILLARY} PETER BARLEY, solemnly and sincerely declare as follows:—

² Delete and adapt
as necessary.

1.² I am (~~the person~~ (one of the persons) who (~~is~~) (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

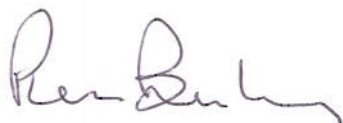
Cont/

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 PETER HILARY BAZLEY)
)
)
at 3-5 Sansone Place)
Worcester.)
)
this 18th day of May 2009)


Signature of Declarant

Before me *

Signature: 

Address: Worcester

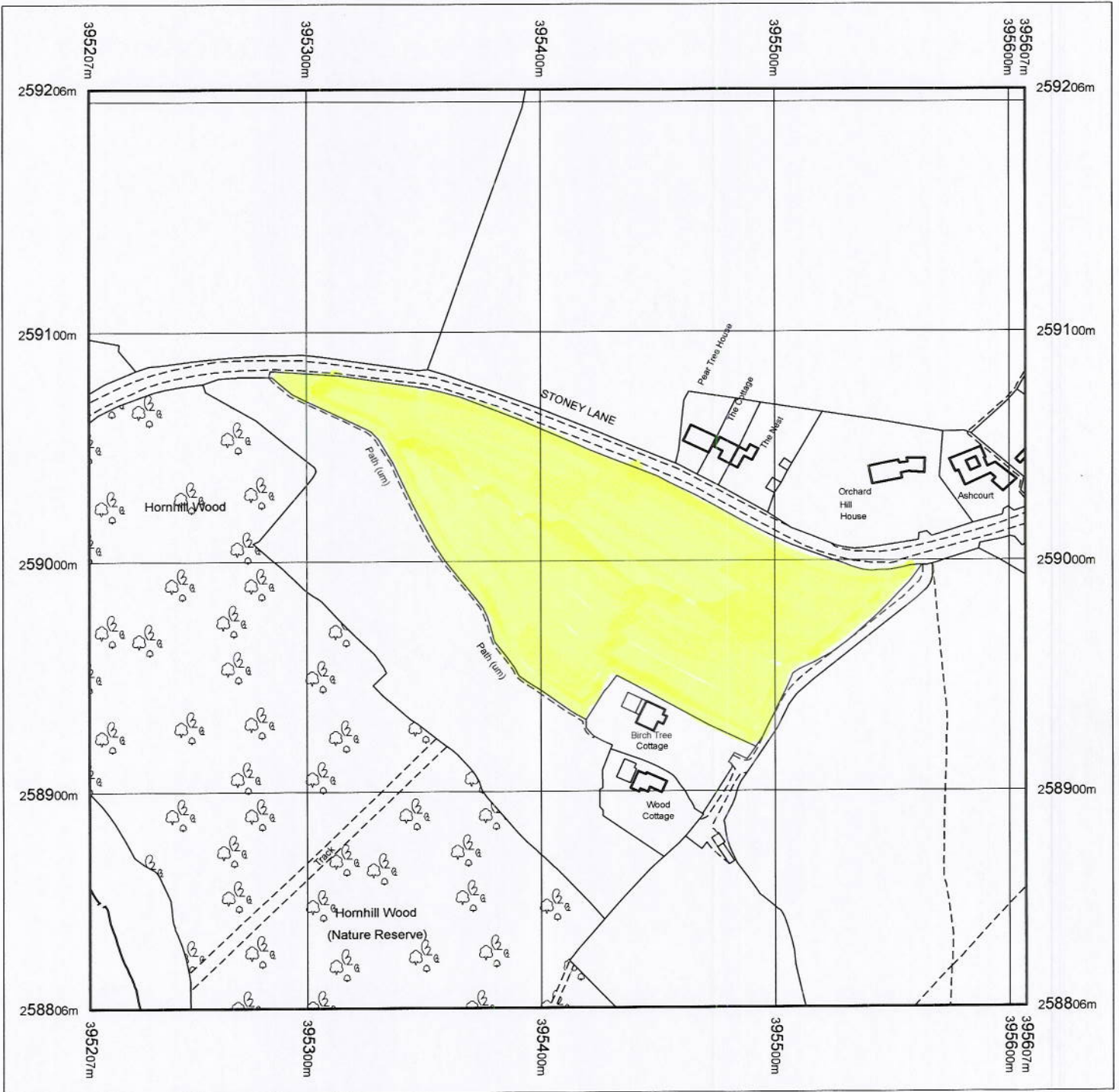
Qualification: Solicitor

* 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



Produced 08.09.2008 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2008.

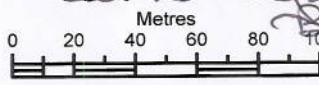
Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey, the OS Symbol and OS Sitemap are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

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.

This is Exhibit A referred to in the statutory declaration of Peter Hilbert Bailey made this 18th May 2009 before me



Scale 1:2500

Supplied by: **The Map Shop**
 Serial number: 00472800
 Centre coordinates: 395407 259005.5

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

This is Exhibit A referred to in the statutory declaration of Peter Bailey made this

EXHIBIT A referred to in the statutory declaration of Peter Bailey made this 28th October 2008 before me
Waled Kellerman
 Solicitor