

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:

COMMONS ACT 2006
WARWICKSHIRE COUNTY COUNCIL

15 JUN 2009

REGISTRATION AUTHORITY

Application number:

289

Register unit No(s):

VG154

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

WARWICKSHIRE 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 applicantName:

Full postal address:

Postcode Telephone number:
(incl. national dialling code)Fax number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if anyName: Firm:

Full postal address:

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.

DURING THE SCHOOL HOLIDAY (SUMMER) 2006

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:

HIGHAM LAKE PLAYING FIELD

Location:

AS PER AREA COLOURED BLUE ON ATTACHED MAP

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:

SEE ATTACHED MAPS (2) IDENTIFYING THE
NEIGHBOURHOOD WITHIN THE LOCALITY TO WHICH
THE GREEN RELATES.

Tick here if map attached: ☒ (2)

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).

INDULGENCE BY A SIGNIFICANT NUMBER OF INHABITANTS LIVING IN THE NEIGHBOURHOOD (AS IDENTIFIED BY THE ATTACHED MAPS) AS OF RIGHT IN LAWFUL SPORTS AND PASTIMES FOR A PERIOD OF AT LEAST 20 YEARS UNDER SECTION 15(4) OF THE COMMONS ACT 2006, AS WITNESSED BY THE 41 ENCLOSED SIGNED STATEMENTS SHOWING USE FOR ACTIVITIES INCLUDING FOOTBALL, CRICKET, WALKING, KITE FLYING ETC BY IN EXCESS OF 100 PEOPLE OVER A PERIOD EXTENDING FROM 1950 UNTIL THE FENCE WAS ERECTED IN THE SCHOOL SUMMER HOLIDAY 2006

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

WARWICKSHIRE COUNTY COUNCIL

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

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

Note 10

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

Please use a separate sheet if necessary.

41 WITNESS STATEMENTS.
2 MAPS IDENTIFYING THE NEIGHBOURHOOD
MARKED APPENDIX 1 & 2
1 ORDNANCE SURVEY MAP AS AN EXHIBIT
TO THE STATUTORY DECLARATION.
THE MINUTES OF A MEETING OF THE
SAVE HIGHAM LAKE FIELD GROUP AUTHORIZING
A. HAMILTON TO ACT IN THIS MATTER ON
THEIR BEHALF

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

MANY PEOPLE WHO HAVE ACCESS TO THE FIELD THROUGH GATES AT THE END OF THEIR GARDENS CONTINUE TO USE THE FIELD FOR RECREATIONAL PURPOSES UP TO THE DATE OF THIS APPLICATION.

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:

8TH JUNE 2009

Signatures:**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).

ANDREW HAMILTON,¹ 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)~~)).

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

ANDREW HAMILTON.

at

NUNEATON.

this

9TH

day of

JUNE 2009.

Signature of Declarant

Before me *

Signature:

Address:

NUNEATON

Qualification:

REGISTERED GENERAL NURSE

AND JUSTICE OF THE PEACE.

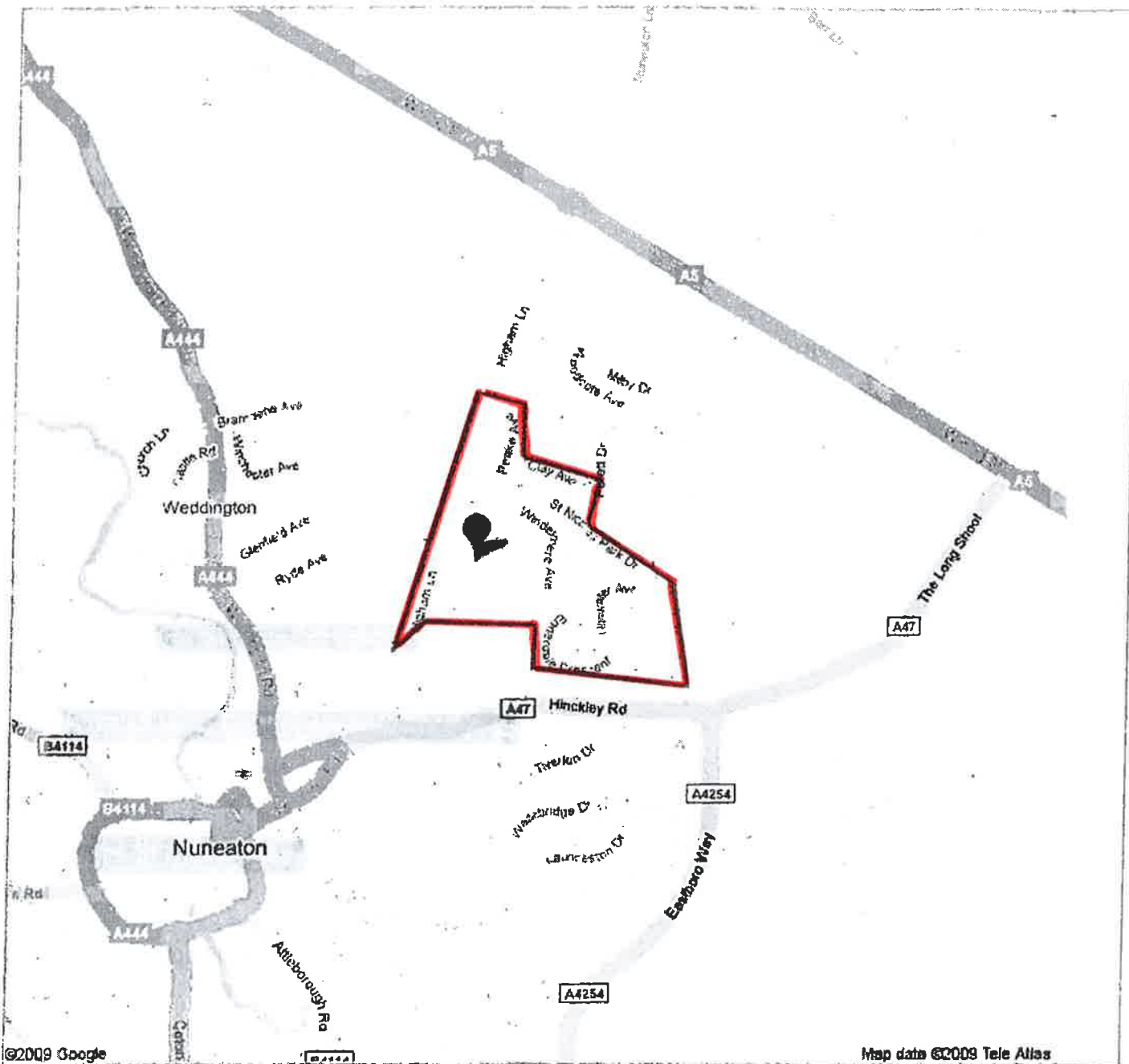
CRG.N-1
J.P.

* 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



Neighbourhood Within The Locality To Which The Green Relates

1 views - Unlisted

Created on May 12 - Updated 47 minutes ago

By hamilton130444

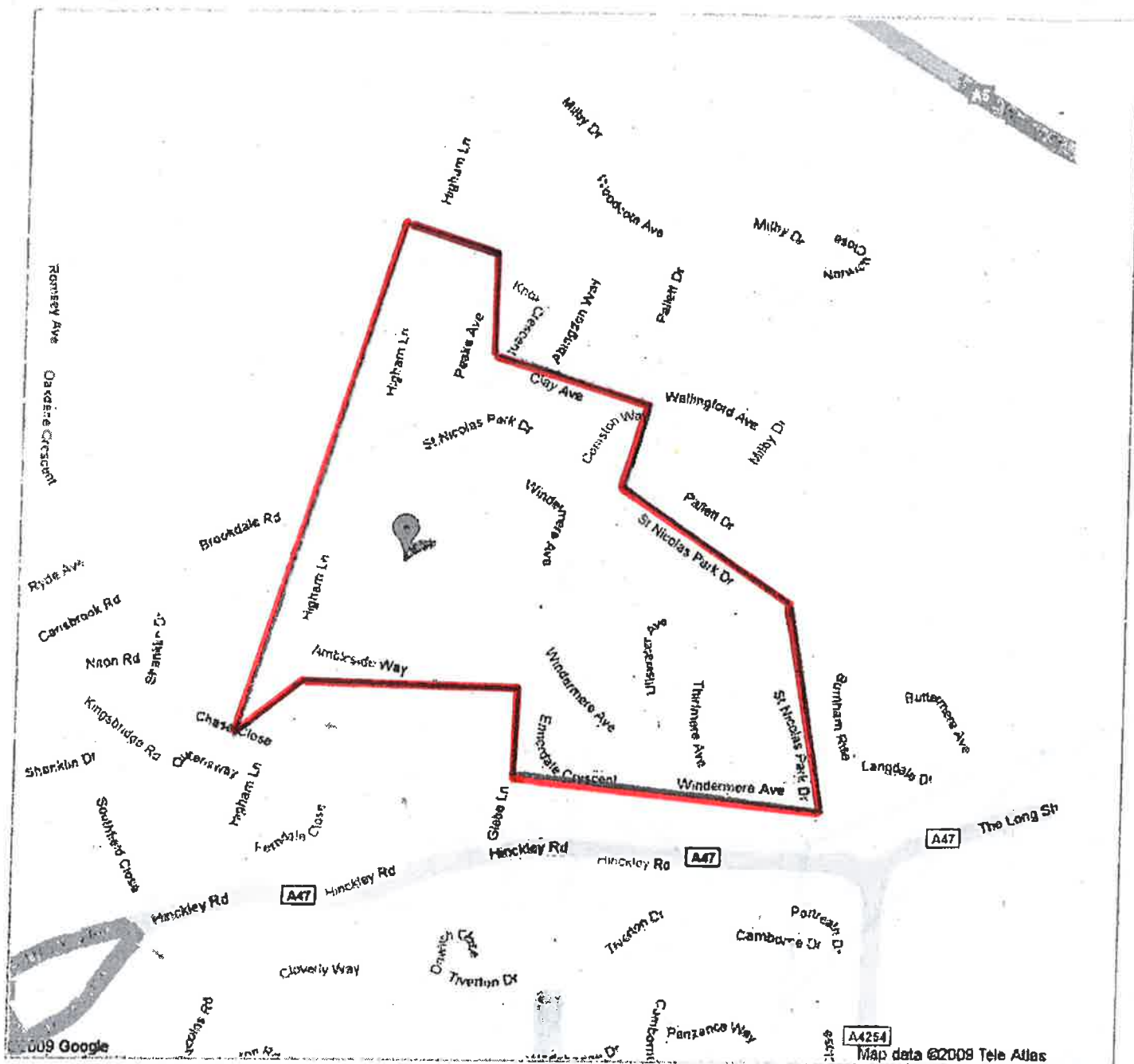
Rate this map - Write a comment



Higham Lane Playing Field



Neighbourhood



Neighbourhood Within The Locality To Which The Green Relates

1 views - Unlisted

Created on May 12 - Updated 47 minutes ago

By hamilton130444

Rate this map - Write a comment



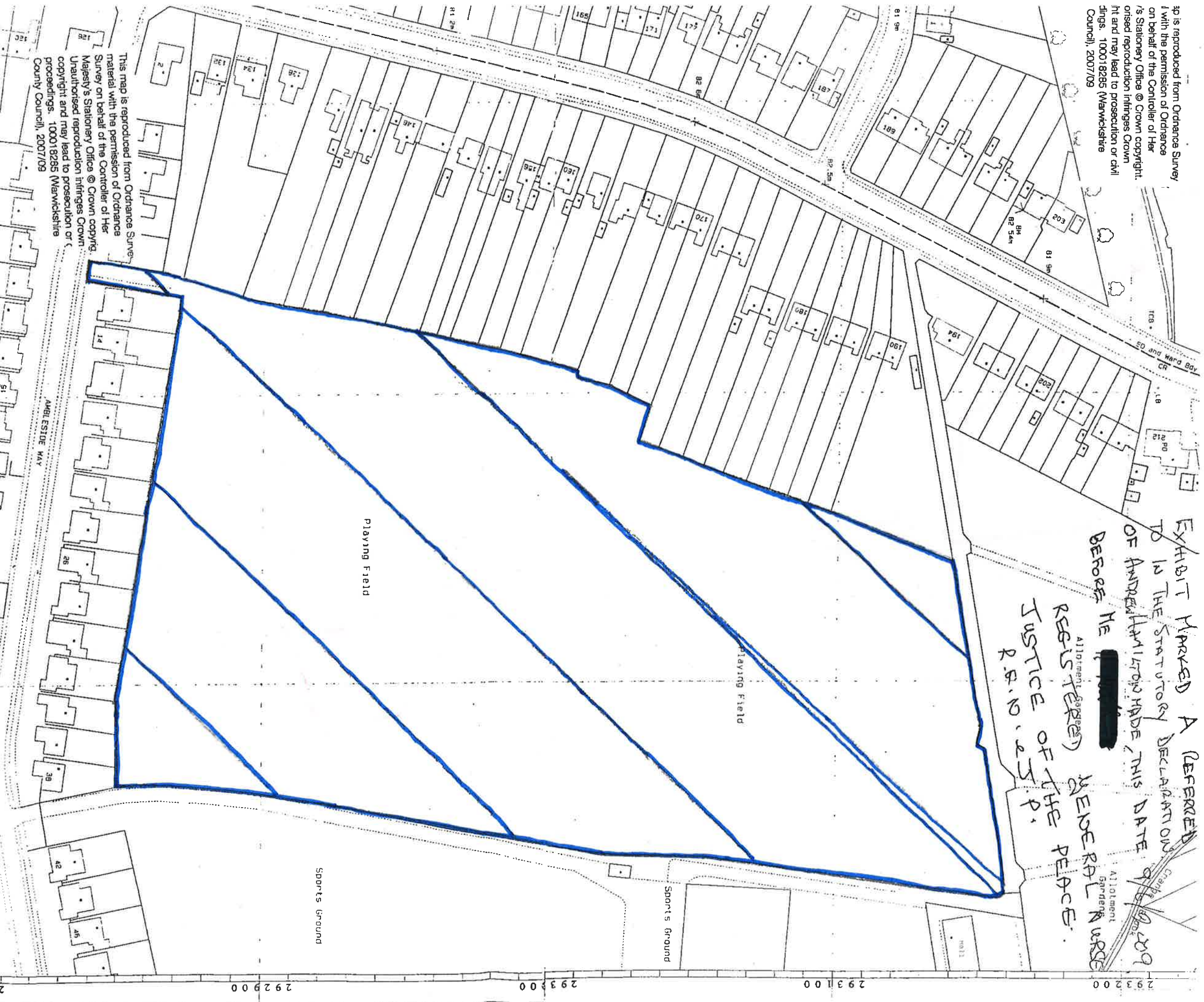
Higham Lane Playing Field



Neighbourhood

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proceedings. 100018285 (Warwickshire
Council), 2007/09

EXHIBIT MARKED A REFERRED
TO IN THE STATUTORY DECLARATION
OF AMENDMENT MADE, THIS DATE 9/10/09
BEFORE ME [REDACTED] GENERAL NURSE
REGISTERED
JUSTICE OF THE PEACE.
P.S.N. 25.P.



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proceedings. 100018285 (Warwickshire
County Council), 2007/09