

RECEIVED

30 APR 2009

10 Verbena Way  
Sutton Hill  
Telford TF7 4DX

Emma Harvey  
Solicitors Office  
Telford & Wrekin Council  
Civic Offices  
Telford TF3 4WZ

Delivered By Hand

30 April 2009

Dear Ms Harvey

Re: Application for Village Green at Sutton Hill, Telford

I am writing on behalf of the Sutton Hill Village Green Community as the representative of residents of Sutton Hill who wish to apply for Village Green status for land at Sutton Way, Sutton Hill, Telford.

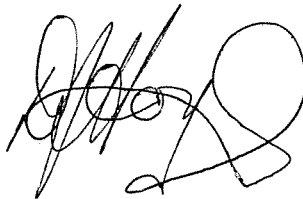
Please find attached:

- 1) Village Green Application Form 44
- 2) Statutory Declaration
- 3) Map A – Village Green / Claimed Land
- 4) Map B – Neighbourhood / Locality Map
- 5) Supporting Statement justifying the application to register the land as a Village Green
- 6) 17 Evidence Questionnaires completed by local residents

I am anticipating forwarding a further two dozen or more additional Evidence Questionnaires to be completed by local residents in the near future. In addition we are preparing a map and details of title deeds from the Land Registry showing ownership of the land claimed as Village Green.

In the meantime I would be grateful if you would register the application.

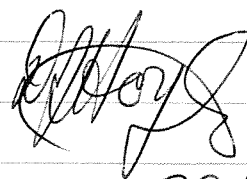
Yours sincerely



Don Hoyle  
Treasurer  
Sutton Hill Village Green Community

## SUTTON HILL VILLAGE GREEN APPLICATION.

THE NEIGHBOURHOOD OF SUTTON HILL IS SHOWN IN BLUE ON THE ACCOMPANYING MAP, LIES WITHIN THE CUCKOO OAK WARD OF MADELEY PARISH COUNCIL AND TELFORD AND WREKIN BOROUGH COUNCIL AND IS ADMINISTERED BY BOTH AUTHORITIES, IN DETAIL THE NEIGHBOURHOOD COMPRISES OF ALL OF THE HOUSING AT SUTTON HILL WITHIN THE RING ROAD OF SUTTON WAY INCLUDING THE RETAIL AND COMMUNAL CENTRE ALSO INCLUDED TO THE SOUTH OF THE MAIN HOUSING AREA MENTIONED ABOVE ARE SEVERAL SMALLER HOUSING AREAS COMPRISING OF 'THE FOXES' WHICH ARE ALONGSIDE REYNARDS COPPICE, PUNTA VERDE ALONGSIDE GREAT HAY DRIVE AND GOLFSIDE HOUSING ON CARNOUSTIE DRIVE, GLENEAGLES, TRCOON WAY, STOKESAY WAY AND STRETTON WAY/CLOSE.



29/3/2010.

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:

COMMONS ACT 2006.....

Register unit No(s):

**BOROUGH OF TELFORD & WREKIN  
REGISTRATION AUTHORITY**

VG number allocated at registration:

RECEIVED

DATE: 30 APR 2009

(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.

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

**1. Registration Authority**

To the

Telford + Wrekin Council  
Civic Offices  
Telford TF3 4WZ

**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:

Postcode

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:

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.

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

Name by which usually known:

Known by various names including Sutton Hill Farm, The Green, Woods Green, Chelford Park, Great Hay and Sutton Way

Location:

Land either side of Sutton Way, Telford - located on one side between Southfield and Southgate underpass and on the other side between Stokesay footpath and Southgate underpass and incorporating

the woodland walk between Punta Verde and Roxes/Shown in colour on the map which is marked and attached to the statutory declaration. Reynolds' Coppice housing estates.

map A - green shaded area

Common land register unit number (if relevant) \*

**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.

**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:

Locality of Sutton Hill  
Neighbourhood map with blue boundary  
attached map B

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).*

See separate sheets (attached)

## APPLICATION FOR VILLAGE GREEN AT SUTTON HILL, TELFORD

Form 44 Section 7

Justification for application to register the land as a Village Green

The application is for land at Sutton Way, Sutton Hill, Telford to be classified as a Village Green. The 'claimed land' is located either side of Sutton Way – between Southfield and Southgate underpass on one side and between Stokesay Way footpath and Southgate underpass on the other incorporating the woodland walk between the Foxes/Reynards Coppice and Punte Verde housing estates.

The application is made by the Sutton Hill Village Green Community which was established on 1 March 2009. The Sutton Hill Village Green Community is a voluntary body with officers elected at a public meeting. Its aims and objectives are: 'To safeguard and promote the land at the junction of Sutton Way and Great Hay Drive, Telford as a community asset and apply to have the site classified as a Village Green for the benefit of local residents and future generations.'

The 'claimed land' has been called by various names over the years including Sutton Hill Farm, The Green, Woods Green, Chelford Park, Great Hay and Sutton Way. It has been used by several generations as public land without restriction. Residents have used different parts of the land and for purposes of clarification the land has therefore been subdivided into six main areas in order that residents can identify which areas they have used most frequently.

As the closest amenity space to several residential areas in Sutton Hill (Sutton Hill, Foxes/Reynards Coppice, Punte Verde, Great Hay, Shakespeare Way and Stokesay/Sutton Heights housing estates) the land has been used for a wide variety of activities over many years. In the 1970's and 1980's bonfires and firework parties were held regularly held here. There are open spaces surrounded by trees and bushes used by children for informal games such as football, cricket, rounders and other ball games, kite-flying, conkers, frisbees, making dens, bike-riding, hide and seek and in winter snowballing, sledging etc. There is also a playground for younger children incorporating a slide, swings etc – in all dozens of children use the area on a daily basis.

Adults tend to use the area for walking/rambling and dog walking in particular. The 'claimed land' is criss-crossed by both formal and informal footpaths and includes a woodland walk between the Foxes/Reynards Coppice and Punte Verde housing estates. Several dozen people use the area for walking/dog walking daily.

Other activities undertaken on the site include bird watching, investigation of flora and fauna, wild fruit picking (particularly blackberries), and family nature walks. More formal nature studies are undertaken twice weekly by classes at the local Alexander Fleming School and part of the area has recently been classified as a Forest School.

## Conclusion

The area is in constant daily use by dozens of local residents for a wide variety of activities and has been for well in excess of 30 years. There is no record of people being required to seek permission for use of the land. There is no record of the land being fenced.

Local residents are concerned about the possibility of unsympathetic development on the 'claimed land' and wish to register it as a Village Green. It is felt that this would not only help to protect this special environment but provide greater opportunity to encourage development of the site for local residents such as establishing a children's forest, additional local planting, the creation of a bird hide and other schemes and events sympathetic with a Village Green location.

End

**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 Homes + Communities  
② Telford + Wrekin Council  
③ Q Hotels

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

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**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**

A number of evidence questionnaires are to be submitted to support the application

**Note 10**

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

Please use a separate sheet if necessary.

**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**

This application is made on behalf of the local community by the Sutton Hill Village Green Community, a voluntary body set up for this purpose of which I am treasurer


**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:

29 April 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.*

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

Donald Joseph  
Hayle, <sup>1</sup> solemnly and sincerely declare as follows:—

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

1.<sup>2</sup> I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ((the solicitor to (the applicant) (<sup>3</sup> 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)

~~4.<sup>4</sup> 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~~

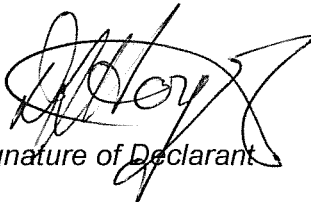
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~~been received and are exhibited with this declaration; or  
(iii) where no such consents are required, a declaration to that effect.~~

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 )  
Don Hoyle. )  
at 7 Stokesay Fore )  
Sutton Heights )  
Telford )  
this 29th day of April 2009.)

  
Signature of Declarant

Before me \* ROBERT WOLSTENHOLME

Signature: 

Address: As above.

Qualification: Justice of the Peace.  
Telford - South Shropshire.

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\* 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