

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:

2011 / + 2

Register unit No(s):

G number allocated at registration:

(CRA to complete only if application is successful)

COMMONS ACT 2006

BOROUGH OF TELFORD & WREKIN
REGISTRATION AUTHORITY

DATE: 02/02/11

RECEIVED
02 FEB 2011
RECEIVED
15 FEB 2011

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

TELFORD & WREKIN COUNCIL
(LAND CHARGES DEPARTMENT)

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:

Postcode TF10 7BF

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:

LAND AT STATION ROAD
(SEE ENCLOSED MAP - EXHIBIT A)

Location:

STATION ROAD, NEWPORT, SHROPSHIRE

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:

LAND AT STATION ROAD, NEWPORT, SHROPSHIRE
(SEE ENCLOSED MAP - EXHIBIT A)

Tick here if map attached:

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.

* 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.

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 AREA OF GREEN LAND REFERRED UPON EXHIBIT A AND DENOTED AS FIG. (A) THROUGH (D) UPON THE ENCLOSED MAP 1 SHOULD BE REGISTERED TO HAVE 'VILLAGE GREEN STATUS' AS IN PART THIS IS STRATEGIC IN THAT IT PLAYS AN IMPORTANT ROLE AS PART OF THE ENTRANCE TO A PUBLIC RIGHT OF WAY KNOWN AS 'THE HUTCHINSON WAY' AND PROVIDES AN AREA OF VALUABLE OPEN COUNTRYSIDE BETWEEN THE BUILT ENVIRONMENT AND THE A5108 BYPASS UPON WHICH THE GENERAL PUBLIC HAVE BEEN ABLE TO PARTICIPATE IN RECREATIONAL ACTIVITIES FOR OVER 20 YEARS.

THIS AREA OF OPEN 'GREEN LAND' PROVIDES A NATURAL HABITAT AND SANCTUARY TO A PLETHORA OF WILDLIFE AND WILDFLOWERS WHICH INTERN HAVE PROVIDED AN OPPORTUNITY FOR THE LOCAL AND GREATER COMMUNITY TO EXPERIENCE THE NATURAL HABITAT AT CLOSE QUARTER.

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

Telford AND WREKIN COUNCIL
 LAND REGISTRY TITLE REF - SL172126

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

- MAP OF AREA IN QUESTION - EXHIBIT A
 - WITNESS STATEMENTS
 - PHOTOGRAPHS
 - STATEMENT

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 LAND IS CURRENTLY SUBJECT TO TWO CURRENT PLANNING APPLICATIONS (COUNCIL REF TWC/2011/0871 AND TWC/2011/0916) TO DEVELOP A SUPERMARKET AND PETROL FILLING STATION.

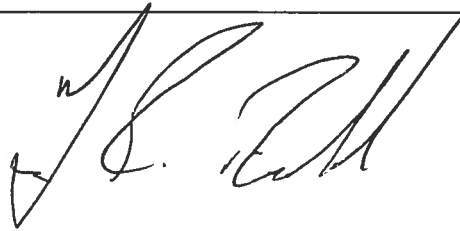
Note 12

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:

30.11.2011.

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).

I, JOHN RUDOLPH,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) (~~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. - EXHIBIT A

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

~~4.⁴ I hereby apply under section 15(2) 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/

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 JOHN WOOD)
)
)
)
at 21 HIGH STREET)
NEWCASTLE, SHROPSHIRE)
)
this 30th day of NOVEMBER)
2011)


Signature of Declarant

Before me *

Signature: 
C. J. W. WASSALL

Address: 21 HIGH STREET, NEWCASTLE SHROPSHIRE
TF10 7AT

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

Village Green Application – Station Road, Newport, Shropshire

Evidence & Statement Log

Reference	Description
A	Ordnance Survey Map SJ418SE
B	Title Deeds SL172126
C	Map of Hutchison Way Leaflet
D	Hutchison Way Path Leaflet
E	Email from Trevor Peacock
F	Email from John Tomlinson
G	Email & Picture from Luke Yarrington
H	Save Newport Campaign Presentation
I	Email & Pictures from Steve Davies
J	Email from Amanda Walker
K	Email from Christine Birch
L	Email from John Glttus M.B.E.
M	Email & Pictures from Marion Horrocks
N	Email from Ian Ellison
O	Email from Vicki Bristow
P	Email from Luke Yarrington
Q	Email from Tom Watts
R	Email from Loui Daragos
S	Email from Mr & Mrs Stevens
T	Email from M Allworth
U	Email from Phil Walker
V	Email from Linda Fletcher
W	Email from Colin Murphy
X	Email from Marion Horricks
Y	Letter from John Rudd
Z	Email from John Gallagher
Map 1	Map of area



Crown Copyright 2007. All rights reserved. Licence number 100020449
Location Plan
Scale: 1-2500

A - Open Space (Green land)

B - Black Butts Field

C - Public Right Of Way

D - Pond



Land off Station Road, Newport

MAP 1

Mr & Mrs J Rudd
11 Town Wells Mews
Newport
Shropshire
TF10 7BF

Your ref; **COU002**: 005379
22TH December 2011

For the Attention of Mr Ian Ross

Dear Mr Ross,

Thank you for your letter dated 20th December 2011.

Requirement of Section 6 of the application form.

I note your further comments and now write further so as to confirm the administrative area to which I am referring. The area in question to which the Village Green application refers to is the Church Aston and Lilleshall ward.

I thank you for this opportunity to confirm this formally and trust this additional information deals with your concerns in this instance.

Kind regards



John Rudd

Mr & Mrs J Rudd
11 Town Wells Mews
Newport
Shropshire
TF10 7BF

Your ref; COU002: GP
14TH December 2011

Dear Mr Eatough

Thank you for your letter dated 8 December 2011 regarding my application for a village green at land at Station Road. I write to respond to the two points set out in your letter.

Requirement of Section 15(2)

I have reviewed Section 15(2) of the Commons Act and note your reference to Section 6 of Form 44 regarding the 'locality or neighbourhood within the locality'. The evidence submitted in support of this application was prepared by local people as will be clear by the addresses set out in the various enclosed letters and emails. I myself am also a local resident, residing at Town Wells Mews, which is about 200 metres from the subject land. I perhaps have incorrectly referred to the locality/neighbourhood of the site in my application but to confirm the evidence submitted has been prepared by people who reside in the subject area (although obviously not on the subject site). In putting together my application, I reviewed the relevant guidance documents including Note 6 of Form 44 which states:

'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.'

Given this, I assumed my reference to the land in question as 'Land at Station Road, Newport, Shropshire', with enclosed map, was sufficient. However, to clarify the land in question is within 'Chetwynd Aston and Woodcote Parish Council' and within 'Church Aston and Lilleshall Ward'.

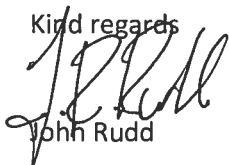
Site Plan

I have enclosed a revised site plan at a scale of 1:2500. This also provides details of the relevant Parish Council and Ward.

I trust this additional information deals with your concerns and that my application can now be given further consideration.

I look forward to hearing for you on this.

Kind regards


John Rudd