

APPENDIX 1

Letter and Application Form



Hadley and Leegomery Parish Council

Telephone/Fax: (01952) 245501

E-mail: clerk.hlpc@btconnect.com chairman.hlpc@blueyonder.co.uk

Castle Farm Community Centre, High Street, Hadley, Telford TF1 5NL

Legal and Democratic Services
Telford and Wrekin Council
Civic Offices
Telford

7th August 2008

Dear Sir

COMMONS ACT 2006: Section 15
Application for the registration of land in Hadley as a village green

I enclose the Parish Council's application for registration of land in Hadley as a village green. The application on Form 44 is accompanied by

- Statutory declaration
- Map A showing the location of the land
- Map B showing the locality which the claimed green relates to
- Exhibit C – copy of press cutting 22.9.1972
- Exhibit D – supporting statement.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Colin Potts', written over a horizontal line.

Colin Potts
Clerk of the Council

Clerk: Colin Potts

Chairman: Councillor Pat Smart

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

BOROUGH OF TELFORD & WREKIN
REGISTRATION AUTHORITY

RECEIVED

DATE:

08 AUG 2008

Application number:

2/2008

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

TELFORD AND WREKIN 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:

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:

THE GREEN

Location:

OFF HIGH STREET AND MANSE ROAD,
HADLEY, TELFORD

Shown in colour on the map which is marked and attached to the statutory declaration.

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.

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 AREA KNOWN AS HADLEY, AS
MARKED ON THE MAP ATTACHED (MAP 'B')

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.

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).

A SIGNIFICANT NUMBER OF THE INHABITANTS OF HADLEY HAVE USED THE LAND FOR LAWFUL SPORTS AND PASTIMES FOR A PERIOD OF 20 YEARS AS OF RIGHT, AND CONTINUE TO DO SO. THIS IS SUPPORTED BY 29 EVIDENCE QUESTIONNAIRES. A SUPPORTING STATEMENT IS ENCLOSED MARKED AS EXHIBIT 'D'.

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) TELFORD AND WREKIN COUNCIL
CIVIC OFFICES
TELFORD
- 2) METHODIST CHURCH
HIGH STREET
HADLEY
TELFORD

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.

- 1) MAP SHOWING LOCATION AND EXTENT OF LAND TO BE REGISTERED (MAP 'A')
- 2) MAP SHOWING THE LOCALITY TO WHICH THE CLAIMED GREEN RELATES (MAP 'B')
- 3) COPY OF ARTICLE "VILLAGE GREEN PLAN FOR HADLEY SITE" FROM TELFORD JOURNAL 22 SEPT. 1972. (EXHIBIT 'C')
- 4) STATEMENT BY APPLICANT (EXHIBIT 'D').
- 5) 29 (TWENTY-NINE) EVIDENCE QUESTIONNAIRES.

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

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:

5th August 2008

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).


COLIN MICHAEL POTTS,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. *The maps and exhibits masked A, B, C & D now produced as part of this declaration are the maps and exhibits referred to in part 10 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/

~~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 COUN MICHAEL POTTS)
)
at PARLISH OFFICE, HADLEY, TELFORD)
)
this SEVENTH day of AUGUST 2008)

Signature of Declarant

Before me * MALCOLM JOHN SMITH

Signature:

Address: 21 POOL MEADOW
HADLEY
TELFORD TF15 6J

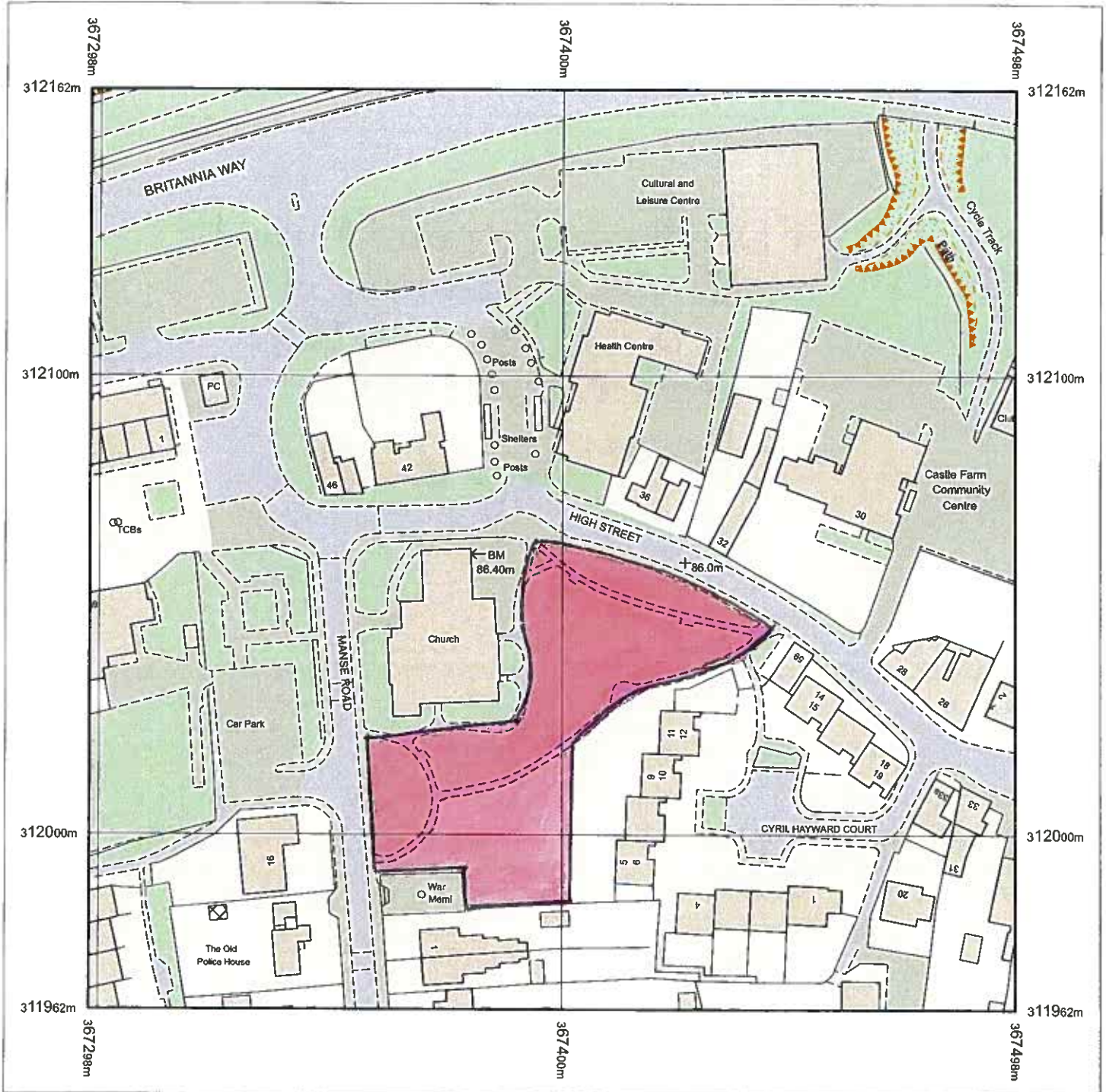
Qualification: JUSTICE OF PEACE

* 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



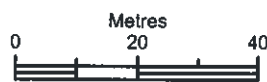
Produced 11.10.2007 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2007.

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Ordnance Survey and the OS Symbol are registered trademarks and OS Sitemap is a trademark 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.



Scale 1:1250

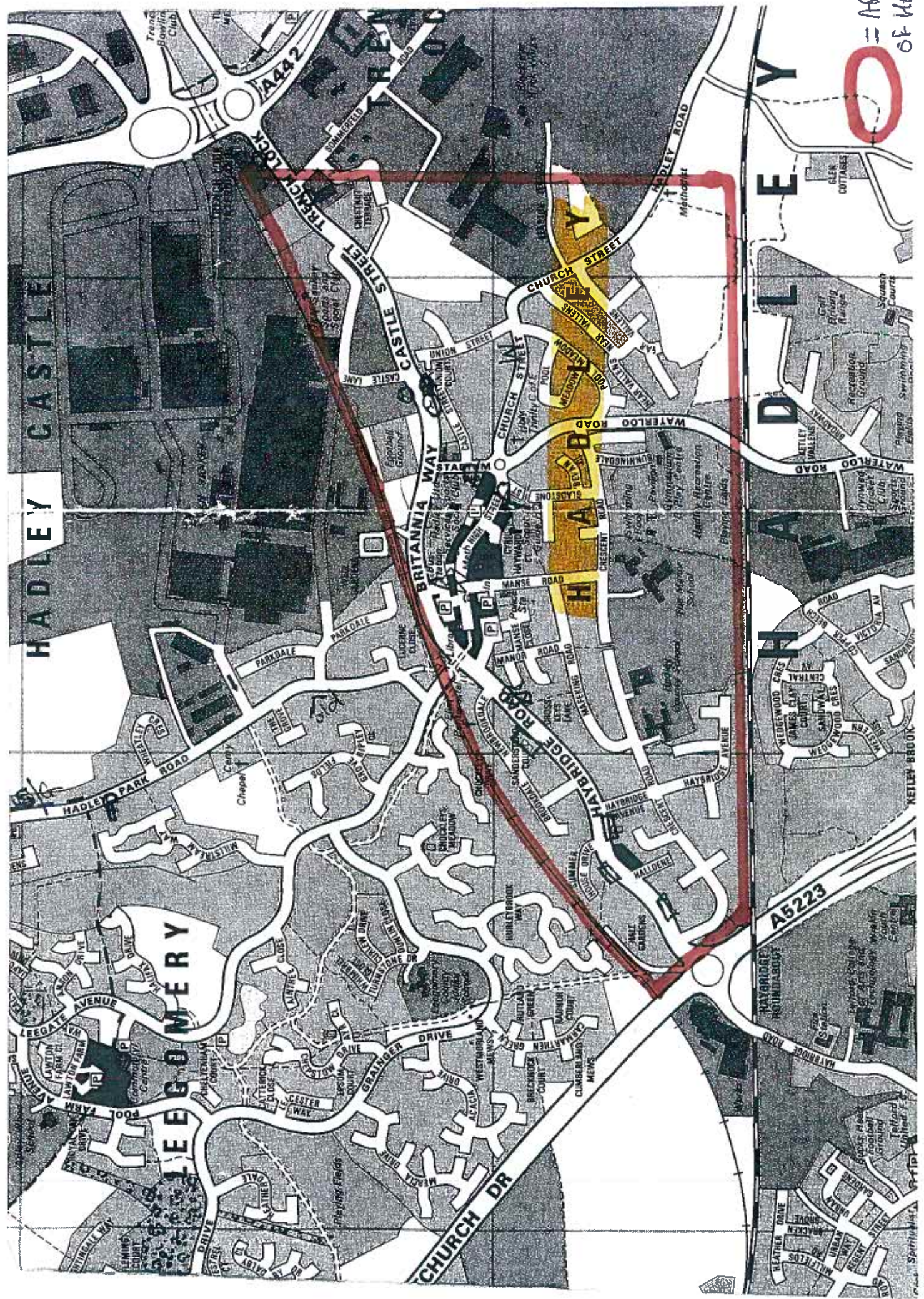
Supplied by: **Mailboxes Etc Shrewsbury**
 Serial number: 00006400
 Centre coordinates: 367398 312062

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

 = AREA OF LAND CLAIMED AS A GREEN

MTH D

O = AREA OF ROAD



HADLEY CASTLE

LEY

DEY

ALY

HAY

BRIDGE

ROAD

LEEGOMERY

CHURCH DR

HAYBRIDGE ROUNDABOUT

WATERLOO ROAD

BRITANNIA WAY

CASTLE STREET

CHURCH STREET

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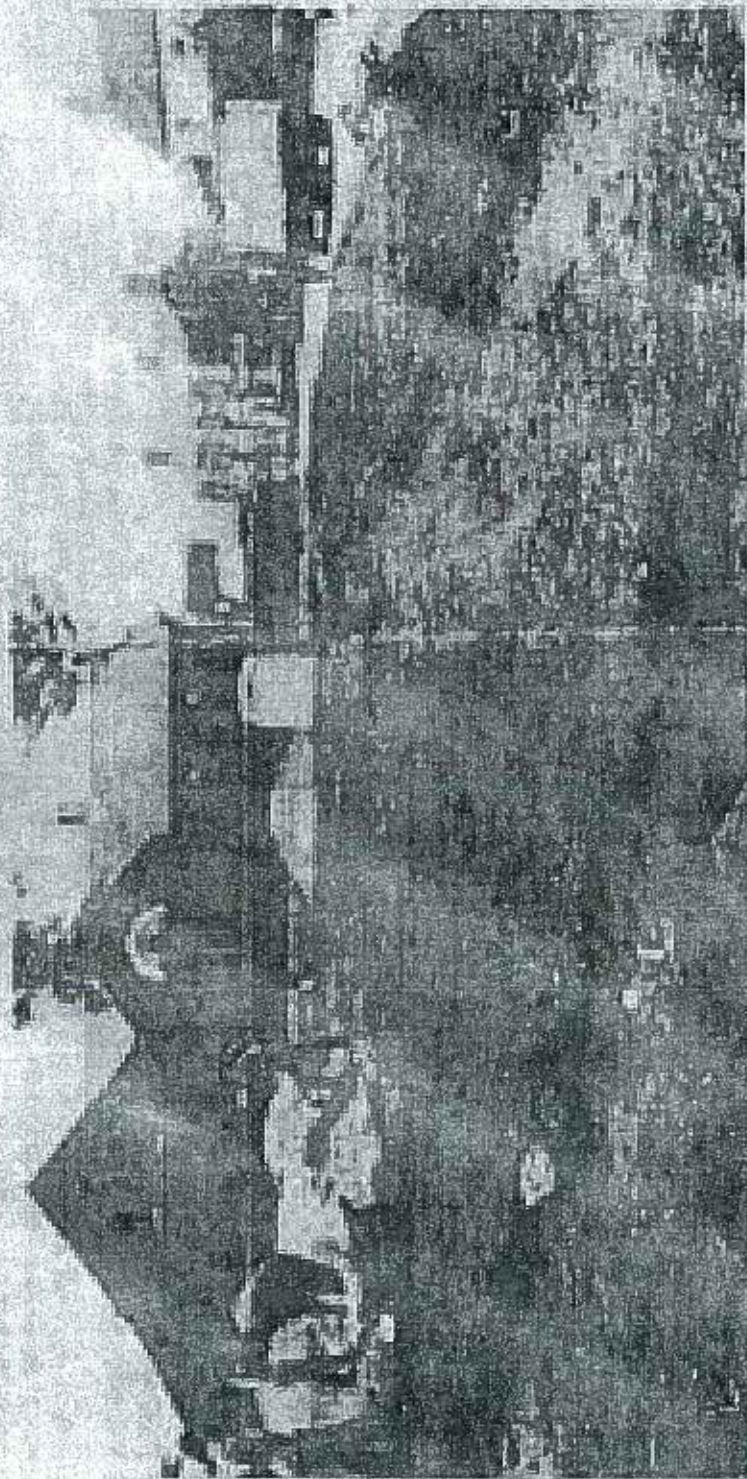
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Village green plan for Hadley site



Washington Rural District Council workers on the Hadley High Street site which is being landscaped. At the rear is Hadley Methodist Church.

barber's shop and a Methodist Church will soon become part of the
cape in the village of Hadley.

1572
12 Sept
1972

**APPLICATION UNDER SECTION 15(1) OF THE COMMONS ACT 2006
FOR THE REGISTRATION OF LAND AT HADLEY, TELFORD AS A VILLAGE GREEN**

Statement supporting claim

Hadley and Leegomery Parish Council is submitting this claim for registration of the land know as The Green, High Street, Hadley, Telford as a village green. The Council claims that the land as shown on Map A enclosed with the application has been used by a significant number of the inhabitants of the area that has always been known as Hadley (outlined on Map B enclosed) for lawful sports and pastimes as of right for a period of more than 20 years.

The use of the land for recreational purposes began in 1972 when the Wellington Rural District Council landscaped the site with the intention that it would become a village green for Hadley. This is supported by a feature which appeared in the Telford Journal of the 22nd September 1972 titled "Village green plan for Hadley site" which included a photograph of the landscaping work in progress and clearly shows the land bordering High Street. A copy of the newspaper picture is enclosed with the application marked "exhibit C".

Since that time inhabitants of Hadley have used the land as of right for recreational activities which include:

- Walking and taking of air and exercise
- Playing of games such as football and cricket
- Children playing generally
- Dog walking
- Community Events
- Dancing
- Sketching/drawing/painting
- Picnicking

The Parish Council has itself arranged three major community events in recent years which have taken place on the land. On the 10th July 2005 as part of the national celebrations of the 60th anniversary of the end of the Second World War the Council arranged a celebration event called Home Front Recall. Part of the event took place on the Green consisting of a mock battle which was enjoyed by many inhabitants of the area. On the 2nd July 2006 and again on the 6th July 2008 the Parish Council arranged a Parish Fete which took place on The Green. Activities included dancing, children's play activities, football penalty shoot out, wildlife displays, martial arts and traditional village fete attractions. For the events in 2005 and 2006 permission was given by Telford and Wrekin Council in respect of the use of the land owned by it, but none was sought or received in respect of the area of the land owned by the Methodist Church. In respect of the 2008 event no permission was sought or received.

The Parish Council submits this application in the interests of the inhabitants of Hadley in order to ensure its protection from alternative uses in the future, preserving what is now the only significant area of open space in Hadley.

On behalf of Hadley and Leegomery Parish Council



Colin Potts
Clerk to the Council
5th August 2008.

APPENDIX 2

Evidence of Use (Available in Members Room And Main Reception)

APPENDIX 3

**Copy of Notice placed in
Shropshire Star**

BOROUGH OF TELFORD & WREKIN COMMONS ACT 2006 SECTION 15(1)

NOTICE OF APPLICATION FOR REGISTRATION OF LAND AS A 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 the Borough of Telford & Wrekin, PO Box 215, Civic Offices, Telford, Shropshire TF3 4LF by Hadley and Leegomery Parish Council of Castle Farm Community Centre, High Street, Hadley, Telford 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 8 August 2008 by virtue of a significant number of local residents having used this land for recreational activities for 20 years as of right. This is supported by 29 evidence questionnaires. The application, which includes a plan of the land proposed for registration may be inspected at Civic Offices, Malinsgate, Telford, Shropshire between the hours of 9.30 am and 4 pm Monday to Friday. Copies may also be inspected at the offices of Hadley and Leegomery Parish Council, Castle Farm Community Centre, High Street, Hadley, Telford TF1 5NL between the hours of 9am and 4pm Monday to Thursday and 9am to 12pm on Fridays.

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 facts on which the objection is based to Emma Harvey, Legal Services, Borough of Telford & Wrekin, Civic Offices, PO Box 215, Telford TF3 4LF on or before 9 January 2009. Any representations that are 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: 28 November 2008.

Signed: Roger Woliter, Interim Head of Legal Services

Schedule

Description of the land claimed to have qualified for registration as a town or village green.

Land known as The Green, off High Street and Manse Road, Hadley, Telford, Shropshire.

APPENDIX 4

Copy of Letter sent to Nearby properties

Roger Woliter

Solicitor
Interim Head of Legal Services

HAND DELIVERED
5 Cyril Hayward Court
Hadley
Telford & Wrekin
TF1 5NB

Resources
Civic Offices, PO Box 215
Telford TF3 4LF
DX : 712120 Telford 5

Tel: +44 (0)1952 383200
Fax: +44 (0)1952 383253

e-mail: roger.woliter@telford.gov.uk

Contact: Emma Harvey
Our Ref: EXH/EXH/CLL001.5447

Telephone: (01952) 383255
Your Ref:

E-mail: emma.harvey@telford.gov.uk
Date: 28 November 2008

Dear Sir/Madam

Village Green Application – Land off High Street and Manse Road, Hadley

I write with reference to the above and enclose by way of service a Notice, in Form 45, as prescribed by the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2006 in view of your proximity to the application site.

Should you wish to make a representation in respect of this application please send it to me to arrive no later than 9th January 2009.

Yours faithfully

E.H.

Emma Harvey
Solicitor

CLL001.5447.26141.doc

Victor Brownlees, Corporate Director: Resources



APPENDIX 5

Copy of Letters sent to Landowners

sent by special delivery
to arrive by 1pm
28/11/08

Roger Woliter Solicitor
Interim Head of Legal Services

**The Trustees For Methodist Church
Purposes
Central Buildings
Oldham Street
Manchester
M1 1JQ**

Resources
Civic Offices, PO Box 215
Telford TF3 4LF
DX : 712120 Telford 5

Tel: +44 (0)1952 383200
Fax: +44 (0)1952 383253

e-mail: roger.woliter@telford.gov.uk

Contact: Emma Harvey
Our Ref: EXH/EXH/CLL001.5447

Telephone: (01952) 383255
Your Ref:

E-mail: emma.harvey@telford.gov.uk
Date: 27 November 2008

Dear Sirs

Village Green Application – Land off High Street and Manse Road, Hadley

I write with reference to the above and enclose by way of service a Notice, in Form 45, as prescribed by the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2006 as I understand you have an interest in the application land.

Should you wish to make a representation in respect of this application please send it to me to arrive no later than 9th January 2009.

Yours faithfully

E.H.

**Emma Harvey
Solicitor**

CLL001.5447.26138.doc

Victor Brownlees, Corporate Director: Resources



BOROUGH OF TELFORD & WREKIN

COMMONS ACT 2006 SECTION 15(1)

**Notice of application for registration
of land as a 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 the Borough of Telford & Wrekin, PO Box 215, Civic Offices, Telford, Shropshire TF3 4LF by Hadley and Leegomery Parish Council of Castle Farm Community Centre, High Street, Hadley, Telford 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 8 August 2008 by virtue of a significant number of local residents having used this land for recreational activities for 20 years as of right. This is supported by 29 evidence questionnaires.

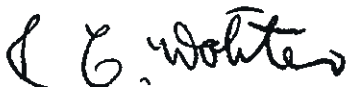
The application, which includes a plan of the land proposed for registration may be inspected at Civic Offices, Malinsgate, Telford, Shropshire between the hours of 9.30 am and 4 pm Monday to Friday. Copies may also be inspected at the offices of Hadley & Leegomery Parish Council, Castle Farm Community Centre, High Street, Hadley, Telford, TF1 5NL between the hours of 9am and 4pm Monday to Thursday and 9am to 12pm on Fridays.

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 facts on which the objection is based to Emma Harvey, Legal Services, Borough of Telford & Wrekin, Civic Offices, PO Box 215, Telford TF3 4LF on or before 9 January 2009. Any representations that are 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: 28 November 2008

Signed:



Roger Woliter
Interim Head of Legal Services

Schedule

Description of the land claimed to have qualified for registration as a town or village green

Land known as The Green, off High Street and Manse Road, Hadley, Telford, Shropshire

sent by email



Telford & Wrekin
COUNCIL

Roger Woliter

Solicitor
Interim Head of Legal Services

Resources
Civic Offices, PO Box 215
Telford TF3 4LF
DX : 712120 Telford 5

Tel: +44 (0)1952 383200
Fax: +44 (0)1952 383253

e-mail: roger.woliter@telford.gov.uk

Mr D Sidaway
Head of Asset & Property Management
Darby House
Telford

Contact: Emma Harvey
Our Ref: EXH/EXH/CLL001.5447

Telephone: (01952) 383255
Your Ref:

E-mail: emma.harvey@telford.gov.uk
Date: 28 November 2008

Dear David

Village Green Application – Land off High Street and Manse Road, Hadley

I write with reference to the above and enclose by way of service a Notice, in Form 45, as prescribed by the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2006 as I understand the Council has an interest in the application land.

Should you wish to make a representation in respect of this application please send it to me to arrive no later than 9th January 2009.

Yours sincerely

E. L. Harvey

Emma Harvey
Solicitor

CLL001.5447.26139.doc

Victor Brownlee, Corporate Director: Resources



Telford – Home of the
Ironbridge Gorge
World Heritage Site



www.telford.gov.uk