

Part 2

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

N/A

Part 3

Particulars of the land to be registered, ie. the land claimed to have become a town or village green

Name by which usually known Bourne Hill Park, The Greencroft, St Edmunds Arts Centre graveyard, College St Car Park, Wyddham Park

Locality North East of Salisbury Centre within the ring road

Colour on plan herewith

Red

Part 4

On what date did the land become a town or village green?

More than 20 years ago

Part 5

How did the land become a town or village green?

28th FEBRUARY 2007 C.B.

By usage of the public/local inhabitants for leisure, walking, games, lawful sports and pastimes

Part 6

Name and address of every person the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to have become a town or village green. (If none are known, write none.)

Salisbury District Council

Part 7

For application to register substituted land (see Note 5); to be disregarded in other cases.

Particulars of the "taken land", ie. the land which ceased to be a town or village green (or part thereof) when the land described in part 3 became a town or village green (or part).

Name by which usually known

Locality

N/A

Colour on plan herewith (if any)

If registered under the 1965 Act, register unit No(s).

Part 8

List of supporting documents sent herewith, if any. (if none are sent, write "none".)

14 letters (more to follow)
Letters from SDC to Tony West 4/1/05
" " St. Eds Community Ass re access
" Mrs S. Bane Mrs J. Barnes
Mrs Senior Mrs K. Nouse
Mrs J Burden Mr ADWOOD MINTON
Mrs Sparks Mr R.B. Dunny
Christine Bell Mr. J.R. Davis
C. Duller
Mrs Grace
Mrs Cox
Miss Bell

contd.

Katie Price
R MacCall
Mary Smith
J. Truckle
Hilary Mauro

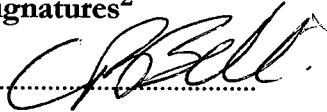
Mary Stephens
Sara Reeve - Tucker
Yvonne Watts
Graham Turner

Part 9

If there are any other facts relating to the application which ought to be brought to the attention of the registration authority (in particular if any person interested in the land is believed to dispute the claim that it has become a town or village green) full particulars should be given here.

²The application must be signed by or on behalf of each individual applicant, and by the Secretary of some other duly authorised officer of any applicant which is a body corporate or unincorporate.

Signatures²

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.....

.....

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STATUTORY DECLARATION IN SUPPORT

(see note 9)

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.

<p>¹Insert full name (and address if not given in the application form)</p> <p>²Delete and adapt as necessary.</p> <p>³Insert name if applicable</p> <p> </p> <p>⁴Insert marking as on plan.</p> <p>⁵Delete this paragraph if there is no plans referred to in part 7.</p>	<p>I, CHRISTINE RUTH BELL solemnly and sincerely declare as follows:-</p> <p>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)).</p> <p>2. I have read the Notes to the application form.</p> <p>3. 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 fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any other document relating to the matter other than those (if any) mentioned in parts 8 and 9 of the application.</p> <p>4. The plan now produced and shown to me marked ⁴ is the plan referred to in part 3 of the application.</p> <p>5. ⁵ The plan now produced and shown to me marked ⁴ the plan referred to in part 7 of the application.</p> <p>And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.</p>
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Declared by the said CHRISTINE RUTH BELL
..... } CR Bell

at WILSONS STEVENAGE HOUSE } Signature of Declarant
SMILSBURG

in the COUNTY of WILTSHIRE }

this 7th day of March 2007 }

Signature before me
[Signature]

Address STEVENAGE HOUSE,
SMILSBURG, WILTSHIRE

Qualification SOLICITOR

REMINDER TO OFFICERS TAKING DECLARATION:
Please initial all alterations and mark any plans as an exhibit.

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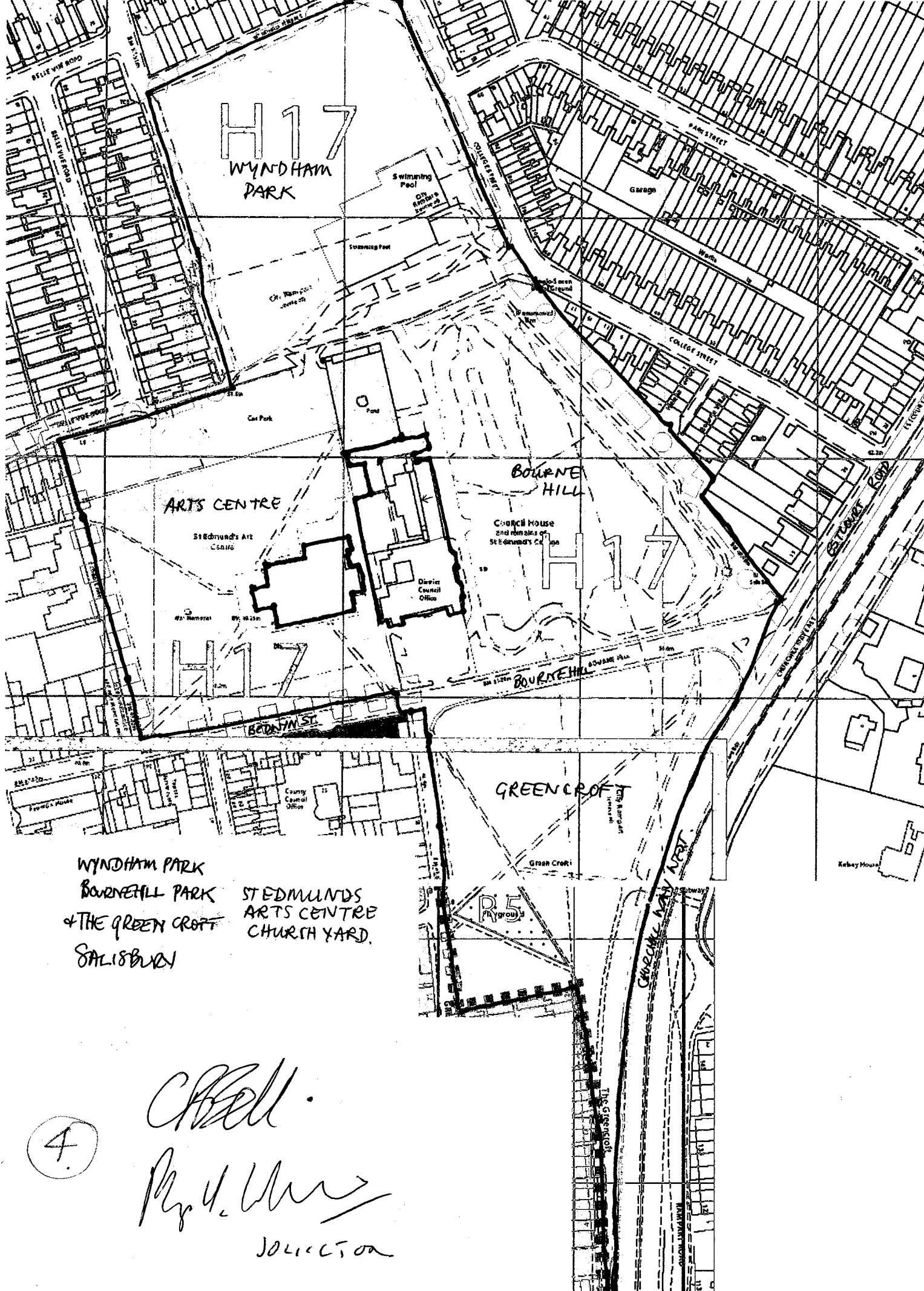
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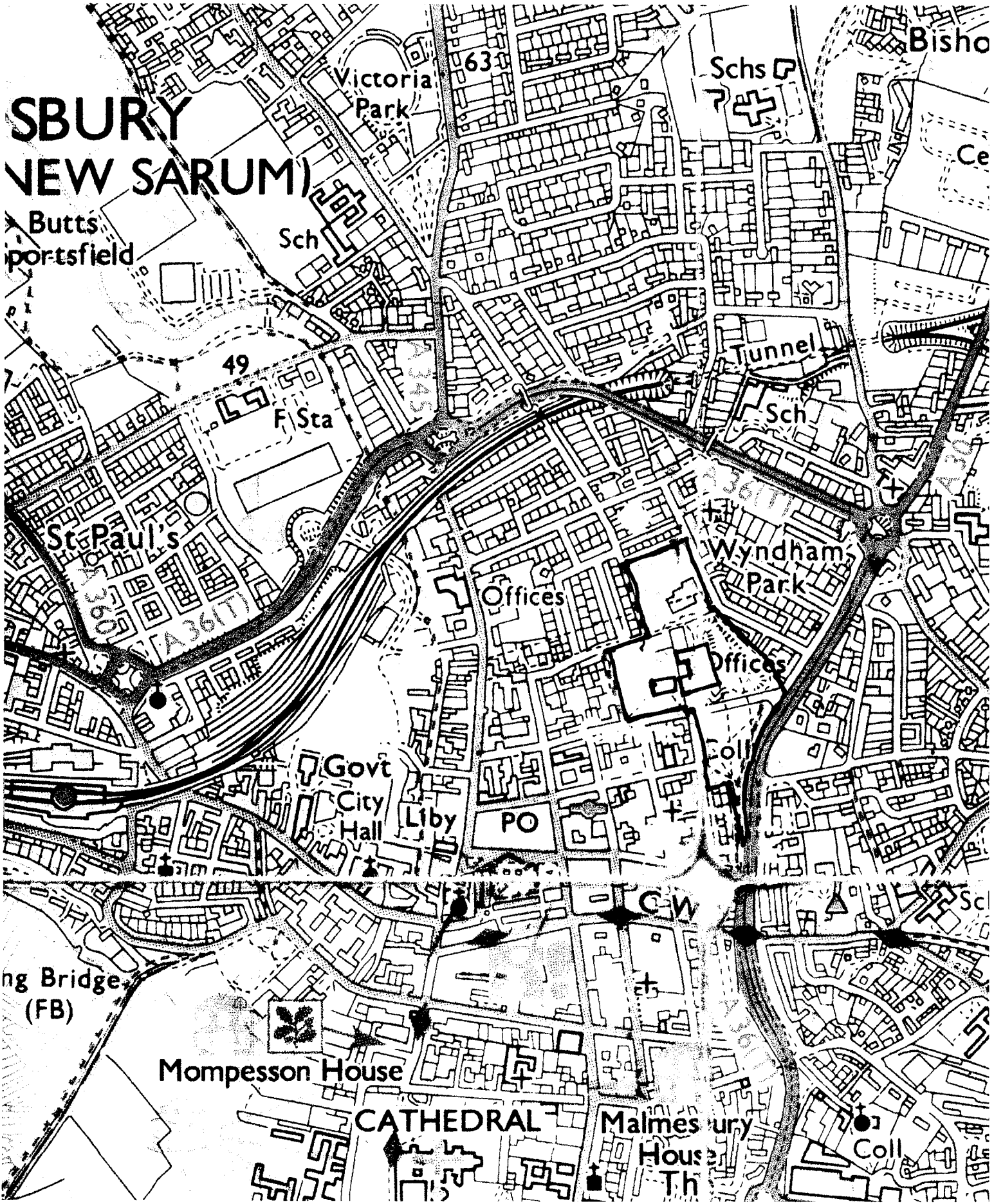
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Th

Coll




St Edmund's Community Association

40 7 GUILDER LANE
SALISBURY

WILTS SP1 1HW

01722 322333.

To whom it may concern, I can confirm that the above Association has been using the 'Secret Garden' as a composting demonstration site with full Council support for four years, during that period until Council staff moved from Bovens Hill the garden was opened Mon - Fri 9 AM - 5 PM by Parks Dept staff in the adjoining Portacabin. Members of the public regularly viewed the demonstration and enjoyed the peaceful space. It was tended by the Parks Dept and when requested improved the positioning of benches for users to enjoy the pond.

When the Council were inspected by the Government, along with the recycling facilities it was held up as a shining example of community cooperation and partnership, and with the Council Chief Executive as guide a lengthy visit was made.



SALISBURY
District Council

Mr Tony West
St Edmund's Community Association
C/o 7 Guilder Lane
Salisbury
Wiltshire
SP1 1HW

**Parks Section
Environmental Services**

The Council House
Bourne Hill
Salisbury
Wiltshire SP1 3UZ

Direct Line: (01722) 434628

Fax: (01722) 434643

DX: 58026 Salisbury

e-mail: parks@salisbury.gov.uk

Date: 4th January 2005

Our Ref: EG/113/west.01

Your Ref:

Dear Tony

Re: Composting Display

Further to your letter received on 31st December, I can confirm that we have no objection to a small display of composting information in the Secret Garden. I assume the willow / hazel panel you have in mind will be appropriately sited, near the existing compost facilities.

In the meantime please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely

Esther Gilligan
Parks Officer



To whom it may concern.

Along with so many other local residents, this is to register my anger and dismay at the proposed destruction of the secret garden.

Having been born in Salisbury sixty years ago, originally living in Greencroft Street and attending St Marks school, this special garden is fondly remembered as being exactly as titled and in which I and my friends spent many hours enjoying the natural pleasures it offered - and of course, that it still does to subsequent generations.

It must be preserved for now and forever.

This inheritance is one of the many reasons for me never leaving Salisbury. If this desecration is allowed to go ahead, what next. I might as well live in Peckham!

Mrs. S. Bone.
68 Belle Vue Road
Salisbury.

11. Belle Vue Road,

Subsbrary

WIKIS S.P. 3YD

27. 2. 07

To Whom it may Concern

Dear Sirs

I am writing to object most sincerely to the Secret Garden being destroyed. I have lived in Belle Vue Road for the past 44 years, have brought up 2 Children here and we have always had access to the Secret Garden. To think this Historical Place, which has been enjoyed by many; a quiet Place just to think sometimes, will be gone forever is a right here.

Please Please Think again.

Yours faithfully

P. Dever (Mrs)

55 St. Marks Road.

Salisbury Wilts

SP1 3AY

28-2-07

To

Salisbury District Council.

I am writing in support of the Campaign to save the "Secret Garden" and its surroundings.

I am now 71 years of age and can remember being taken there as a child to play, and see the goldfish in the pond. In following years, I would see my loved and meet friends there, whilst I was working in the Council House.

Later on my children used to visit the garden, which was always very quiet and peaceful.

I understood a local dancing school was to put on shows there.

My husband was one of the Councillors remembered in the re-furbished "Secret Garden" (the job of a visiting student worker in the Council House at the time).

I have spoken to friends who have lived in this area, and all of them remember visiting the garden as a child, and later by taking grandchildren there.

This has always been a garden visited by the public for 70 years, and more, which is what I aim to point out in this letter.

Yours faithfully,

Jean Borden (Mrs)
(MRS J. BORDEN)

Feb 29th

46, Belle Vue Road.

Sahibganj

Dith

SP1 347.

Please think again about the Secret Garden.

I have lived around this part of it many years, since I was a child and am now 85 years.

To sit in the Secret Garden was like in another world.

My Grandchildren when small.

Please lets go to the Secret Garden, they loved it.

But to see some of the Tree's cut down, is very upsetting.

So please think again

M. J. Spinks.

11 Swaynes Close

Salisbury

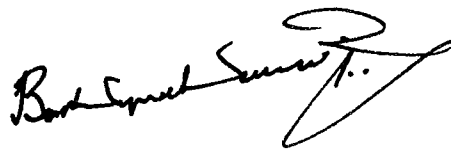
Wilt's

SPI 3AE

20 March 007

To whom it may concern

I wish to confirm that I have lived here for 39 years + have regularly used St Edmunds Park, the adjoining grassed area including the Secret Garden + the Greencroft. I have always valued these open green spaces + the trees which should be retained for future generations.



B. Wynn-Werninck.

COMMONS REGISTRATION ACT 1965, SECTION 13

From accompanying notes

4. Meaning of "town or village green"

"Town or village green" is defined in the Common Registration Act 1965 as land:-

- (a) which has been allotted by or under any Act for the exercise or recreation of the inhabitants of any locality, or
- (b) on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes, or
- (c) on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than twenty years.

While a town or village green can be subject to rights of common, it does not include land which is registered as common land in the separate Register of Common Land maintained under the Act. (There is a separate form available for applying for the registration under the Act of land which became common land after 2nd January 1970.) "Land" includes land covered with water so that a town or village green can., for instance, include a pond.

5. How land can become a town or village green

Land can become a town or village green after 2nd January 1970 in one of the following ways:-

- (1) By or under an Act of Parliament otherwise than as substituted land (as to substituted land, see category (4) below).
- (2) By customary right established by judicial decision.
- (3) By the actual use of the land by the local inhabitants for lawful sports and pastimes as of right for not less than 20 years.
- (4) By substitution or exchange for other land which has ceased to be a town or village green under -
 - (a) sections 147 and 148 of the Inclosure Act 1845; or
 - (b) paragraph 11 of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946; or
 - (c) any other enactment providing, on the exchange of land, for the transfer of rights, trusts or incidents attaching to the land given in exchange from that land to the land taken in exchange and vice versa.

