

## 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:

<p>Wiltshire County Council DX 116892 Trowbridge 3</p> <p>RECEIVED - 2 JUL 2007</p>
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Application number:

2007/3.

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

WILTSHIRE COUNTY COUNCIL.  
COUNTY HALL  
TROWBRIDGE BA14 8JN.

## Note 1

Insert name of  
registration  
authority.



**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.

**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:

BEECH GROVE COMMUNITY GARDEN

Location:

BEECH GROVE, TROWBRIDGE, WILTS.  
(MARKED GREEN ON 'MAP A' AND APPENDIX B(i) and (ii))

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:

THE LOCALITY IS THE COLLEGE  
ESTATE IN TROWBRIDGE.  
MARKED RED ON 'MAP A'.

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).

By actual use of the land by local inhabitants for lawful sports and pastimes as of right for not less than twenty years.

Attached are 32 statements in Appendix C.

The site has been "there" since the 1960's and is adjacent to a car park which leads to the entrance to Clarendon School. (Formerly Nelson Hayden School).

Children and adults have used this land for lawful sports and pastimes since the college estate was built in the 1960's.

**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).

**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).

**Note 10**

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

Please use a separate sheet if necessary.

**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**

THE COMMUNITY garden is owned by  
WESTWILTSHIRE DISTRICT COUNCIL  
BRADLEY ROAD  
TROWBRIDGE  
WILTSHIRE BA14 0RD

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

**10. Supporting documentation**

MAP 'A'  
APPENDIX B(i) (ii) Two maps of the area to be registered.  
APPENDIX 'C' 32 Supporting statements.  
APPENDIX D(i)(ii) (ii) THREE LETTERS BY D ADAMS CHAIR OF COLLEGE RD RESIDENTS ASSN. TO CLRS + WWDC.  
APPENDIX 'E' . OPEN LETTER BY CLR. SARAH CONTENT.  
APPENDIX 'F' WWDC CABINET PAPERS - MAKING RECOMMENDATIONS FOR THE COMMUNITY GDN IN BEECH GROVE  
APPENDIX 'G' NEWSPAPER REPORT OF CABINET MEETING.

## 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).*

I, ROGER FELTHAM,<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

*Cont/*

**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.

**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.

**11. Any other information relating to the application**

Appendix D(i)(ii) + (iii), APPENDIX E, F, G.  
ARE ADDED TO EXPLAIN THE BACKGROUND  
- WHAT IS HAPPENING TO THE LAND

Date:

1 July 2007

Signatures:

MR. R. D. Feltham

**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.



<sup>4</sup> 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 **ROGER FELTHAM** )  
)  
)  
at **19. Farleigh Close** )  
**Westbury** )  
)  
this **1** day of **July 2007** )

*MR. R.D. Feltham*

Signature of Declarant

Before me \*

Signature: *Mike Sutt*  
Address: *19 Farleigh Close*  
*Westbury,*  
*Wilts*  
*BA13 3FF*  
Qualification: *Justice of the Peace*

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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*

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# 'MAP A'

The Locality (the College Estate), Marked Red.

Beech Grove Community Garden, Marked Green. 

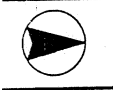


THIS PLAN HAS BEEN REPRODUCED FROM THE ORIGINAL DRAWING BY THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. UNAUTHORISED REPRODUCTIONS IN WHOLE OR IN PART ARE PROHIBITED BY LAW. PROCEEDINGS OF THE DISTRICT COUNCIL.

# LSVT-10 Trowbridge Layout Plan

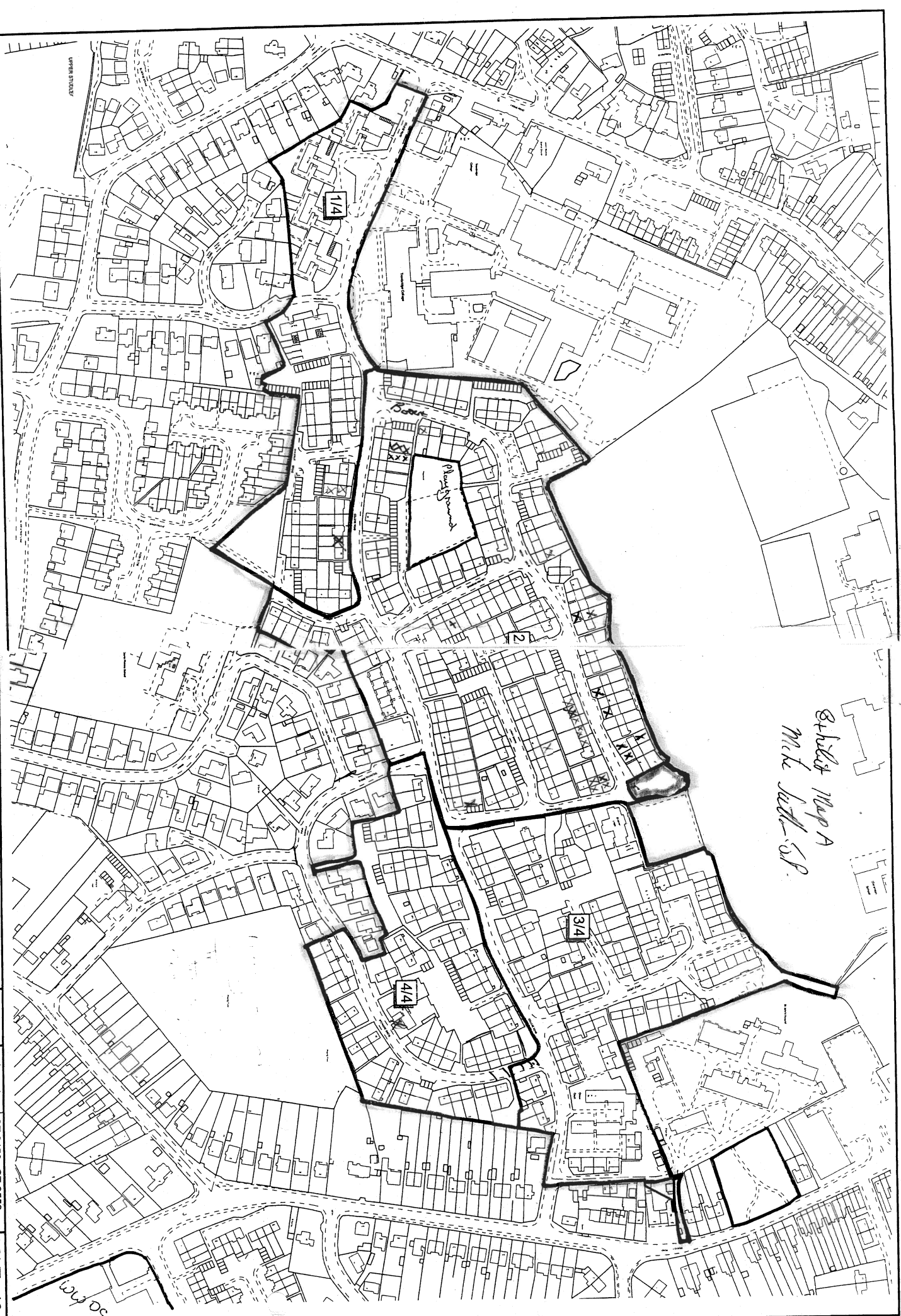
WWDc  
H.S.

LEGEND  
 TRANSFER BOUNDARY  
 SOLD LAND  
 RETAINED LAND



O.S. Ref.	ST 8456	ST 8556
SCALE	1:2500	
DATE	12-09-00	

LSVT - 10  
 PLAN No. Layout  
 PAGE No. Ref.



D Adams

D. Miller

W. H. S.

W. H. S.

W. H. S.

W. H. S.

W. H. S.

M. D. reaction

D J W. H. S.

Shane Atbury

MR. R. D. EDWARDS

MR. R. D. EDWARDS

Mrs S. T. H. S.

MRS. K. S. S.

MRS. F. LAWSON

MRS. F. LAWSON

MRS. F. LAWSON

MRS. F. LAWSON

MRS. F. LAWSON

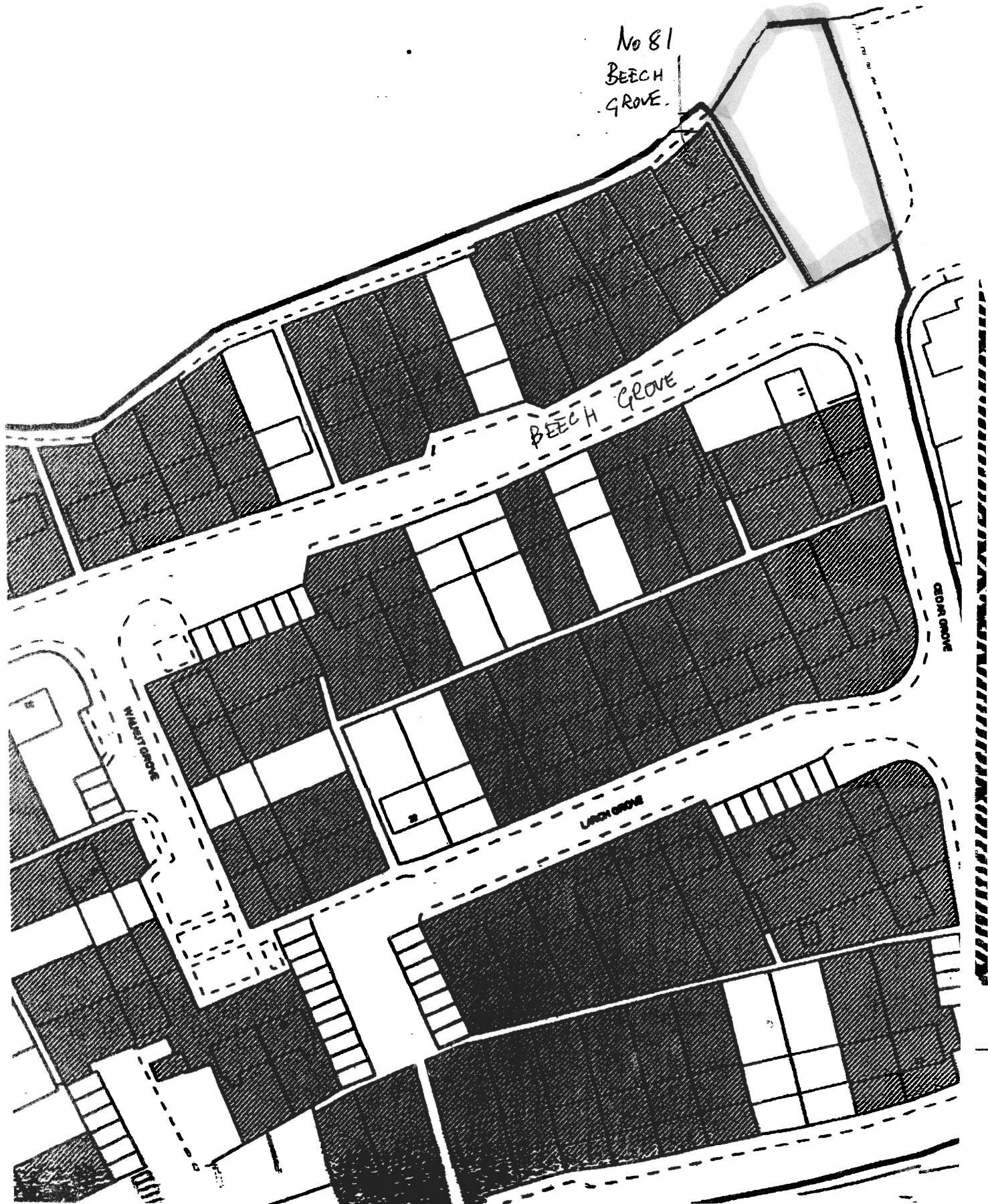
MRS. F. LAWSON

MRS. F. LAWSON

MRS. F. LAWSON

APPENDIX B(L)

Exhibit Map B  
Mt. Sub. S.P.



2x better Map B(ii)  
Mile with S.P.

