

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 REGISTRATION ACT, 1965
NOTTINGHAMSHIRE COUNTY COUNCIL
REGISTRATION AUTHORITY

- 2 NOV 2020

Application number:

366 NVG

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

NOTTINGHAMSHIRE COUNTY 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: SOUTH SCARLE PARISH MEETING

Full postal address:

c/o PARISH CLERK ;
JAYDEE , MAIN STREET , SOUTH SCARLE ,
NEWARK , NOTTS

Postcode NG23 7JH

Telephone number:
(incl. national dialling code)Fax number:
(incl. national dialling code)

N/A

E-mail address:

drdparishclerk-sscarle@outlook.com

3. Name and address of solicitor, if any

Name: N/A

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.

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:

UNPAVED EXTENSION OF MAIN STREET (N923 7JH)
AT NORTH END. HISTORICALLY KNOWN AS
BLACKSMITHS LANE

Location:

LAND EXTENDS FROM JUNCTION OF MAIN STREET + SWINDERBY
ROAD IN A NORTHERLY DIRECTION TO THE WEST OF
PUBLIC FOOTPATH N°9. COLOURED PINK ON MAPS
ATTACHED

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 LAND IS WITHIN SOUTH SCARLE PARISH
MEETING

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).

THIS SECTION OF LAND IS UNTITLED, SEE ATTACHED SIM 1 SIMR. IT HAS BEEN REFERRED TO LOCALLY AS "COMMON LAND" ALTHOUGH IT IS NOT. THERE HAS ALWAYS BEEN UNRESTRICTED ACCESS TO THE PROPERTIES ABUTTING THIS SECTION OF LAND AND FOR FARM VEHICLES TO ACCESS FIELDS AT THE NORTH END OF THIS LAND. THE SMITHY USED THE LAND TO RAISE PIGS UP TO 1956. THE FIELD (SEE NT 426720) HAS STABLES, HORSES AND A MONTAGE, IT ABUTS THIS LAND.

THE AREA HAS PUBLIC FOOTPATH NO 9 RUNNING ADJACENT ON THE EAST SIDE. IT IS USED IN CONJUNCTION WITH THE LAND (SHOWN IN PINK) AS A BRIDGEWAY, FOOTPATH FOR VILLAGERS, DOG WALKERS & RAMBLERS. IN ADDITION IT IS AN ACCESS FOR FARM MACHINERY TO FIELDS AT THE NORTH END.

SECTIONS OF THIS LAND HAS BEEN TENDED BY "SOUTH SCARLE NATURE GROUP" TO PLANT INDIGENOUS FLOWERS / FAUNA. THIS HAS TEMPORARILY CEASED. SEE SECTION 11.

OVERALL THE JUSTIFICATION IS TO MAINTAIN FREE ACCESS TO AND OVER THIS AREA OF LAND FOR RECREATION, ENVIRONMENTAL IMPROVEMENT AND UNRESTRICTED PROPERTY ACCESS.

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

NONE

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.

SSPM SIM RE UNTITLED LAND + SIMR RESPONSE 30.07.2020
REF 082/853YPMB.
LR TITLE N° NT516163 BLACKSMITHS FORGE
LR TITLE N° NT416524 GREENFIELD COTTAGE
LR TITLE N° NT319759 WILLOW TREE Paddock
LR TITLE N° NT426720 Paddock, STABLES, MONTAGE
LR TITLE N° NT485063 CORNER FIELD COTTAGE
LR TITLE N° NT486745 NORTHEND OF LAND NOMINATED
FOR REGISTRY AS VILLAGE GREEN
E-MAIL FROM VIA INCC HIGHWAYS CONFIRMING EXISTENCE
OF FOOTPATH N° 9
9x LETTERS FROM RESIDENTS

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

MR LEO SMALLEY OWNER OF THE BLACKSMITHS FORGE, SEE NT 516163 & OWNER OF WILLOW TREE Paddock, SEE NT 319759 BELIEVES THE LAND SHOWN ON MAPS IN PINK, TO BE "ATTACHED" TO THE BLACKSMITHS FORGE AND THEREFORE, HIS LAND. HE HAS SUGGESTED TO PEOPLE THAT HE MAY RESTRICT ACCESS ACROSS THIS LAND. HE HAS OBJECTED TO "SOUTH SCARLE NATURE GROUP" FROM TENDING A SMALL PATCH OF THIS LAND WITH TREES & BRAMBLE ETC, AND PLANTING INDIGINOUS WILD FLOWERS. HE HAS STATED THAT HE WISHES TO REMOVE TREES & CLEAR THIS WILD PATCH. IT IS NOTED THAT MR. SMALLEY HAS IMPROVED THIS AREA, INCLUDING DRAINAGE. THIS HOWEVER, IS IN SELF INTEREST AND NOT AT THE BEHEST OF ANY OFFICIAL BODY, NOR WAS THERE ANY PRIOR CONSULTATION WITH THE SS. PARISH MEETING.

Date:

27 OCTOBER 2020

Signatures:

SSPM - CLERK

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, DAVID ROBIN DUFFIELD,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))). on behalf of South Scarle as clerk to South Scarle Parish Meeting

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^s now produced as part of this declaration ^{are} ~~is~~ the map~~s~~ referred to in part 5 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

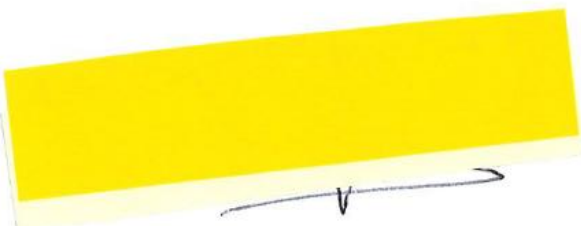
Cont/

⁴ 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 DAVID ROBIN DUFFIELD)
TALLENTS)
SOLICITORS)
at 3 MIDDLEGATE)
NEWARK, NOTTS)
NG24 1AQ)
this 27th day of OCTOBER 2020)


Signature of Declarant

Before me * Hargit Saran

Signature 

Address:

TALLENTS
SOLICITORS
3 MIDDLEGATE
NEWARK, NOTTS
NG24 1AQ

Qualification:

Solicitor (SRA 501877)

* 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.

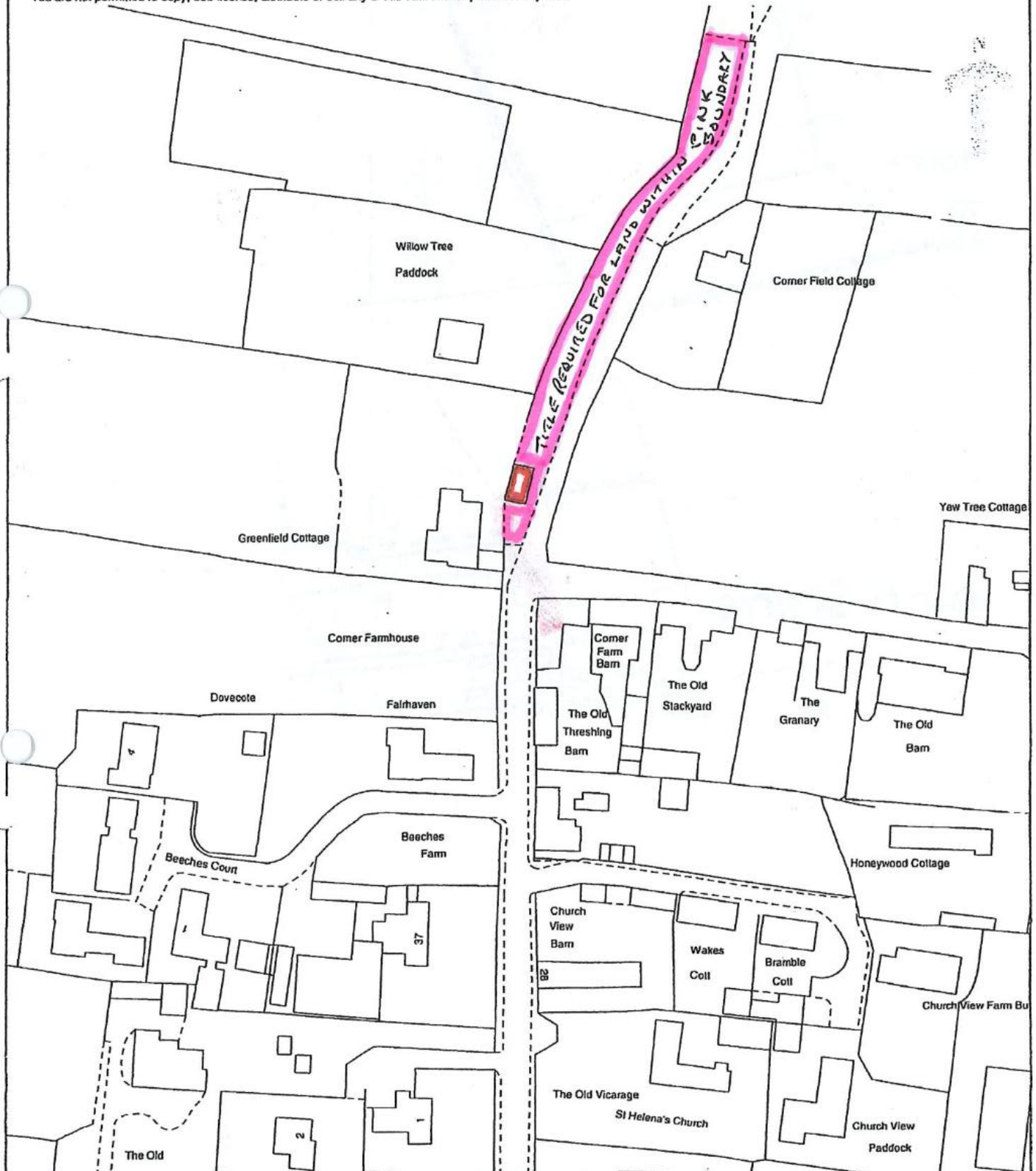
REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

Land Registry
Official copy of
title plan

Title number NT516163
Ordnance Survey map reference
Scale 1:1250 enlarged from 1:2500
Administrative area Nottinghamshire: Newark and
Sherwood

© Crown copyright and database rights 2016 Ordnance Survey 100026316.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



This official copy issued on 23 March 2016 shows the state of this title plan on 23 March 2016 at 15:04:48. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by Land Registry, Nottingham Office.