Application for the registration of land as a town or village green

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

To the Westmoreland County Council.

Application is hereby made for the registration as a town or village green of the land described below.

Part 1. Name and address of the applicant.

Hatton Parish Council

Part 2. Name and address of solicitor, if any.

Part 3. Particulars of the land to be registered, i.e. the land claimed to be a town or village green.

Name by which usually known Hatton Village Green.

Locality Centre of the village of Hatton.

Colour on plan hereafter Red shading. It is.

Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 3.
For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 6, and give the appropriate particulars required by that note.

Signature of applicant or of person on applicant's behalf: 

[Signature]

Date: 20/5/67.
Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

I, LawrencE Hicks, solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

2. I am the applicant and am duly authorised by the applicant to make the foregoing application.

3. I have read Note 2 on the back of the application form and believe that the land described in the application is a town or village green.

4. The plan now produced and shown to me marked "A" is the plan referred to in the application.

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

[Signature]

at [Address]
in the [Place] of [Place]
this [Date] day of [Month] 1967

Before me,

Signature

Address

Qualification

Reminder to officer taking declaration:
Please initial all alterations and mark any plan as an exhibit.
1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be a town or village green. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "town or village green"

"Town or village green" is defined in the Commons Registration Act 1965 as land which has been allotted by or under any Act for recreation or recreation the inhabitants of any locality or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes or on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than twenty years.

3. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 5), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 4).

Where the land has already been registered and comprises the whole of the land in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 5). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, a river or railway, so that the description might, for example, read "The land in register unit No. ... lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropria
t references to a plan should be deleted.

4. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter "A". On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date) 19 before me.

(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

5. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as a town or village green it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as common land, registration as a town or village green will take effect as an objection to the earlier registration as common land and the latter will take effect as an objection to the later registration as a town or village green. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

6. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice on C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as a town or village green until after 30th April 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became a town or village green.

7. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as a town or village green, it will be provisionally registered as such, or

(b) if it is already registered as a town or village green, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land"); available free from local authorities.)

8. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.)
WESTMORELAND COUNTY COUNCIL

COMMONS REGISTRATION ACT 1965

Notification of Disposal of an Application for Registration (Rights)

Application No. 22

Register COMMON LAND

Short description of land over which right exercised Burton Wetton

To (name of applicant) Miss N. Wright, Steelcliff

Lone, Hawkhurst, Tunbridge Wells

(or his Solicitor)

Your reference

----------------------------------------

1. The right of common described in the application has been provisionally registered under the following No(s):

Register unit No. CL 1b

Entry No. 1

(A register unit number with the prefix CL indicates a registration in the Register of Common Land. If the prefix is VG the registration is in the Register of Town or Village Greens.)

2. The right of common described in the application has already been provisionally registered under the following No(s):

Register unit No.

Entry No.

Your application has accordingly been noted on the register. This means you will receive notice of any objection to the registration, and that the registration may not be cancelled or modified, except by direction of a Commons Commissioner, without your written consent.

(And the registrations conflict. Each, therefore, has to be treated as an objection to the other, and the registers have been so noted. If you consider that the registration(s) made pursuant to your application should be cancelled or modified, you may make a request to this effect to the Council as registration authority, and the Council may, if it thinks fit, and subject to any necessary consents, cancel or modify (it) (them)* accordingly. Unless (this) (these)* registration(s), or (the one) (these)* with which (it) (they)* conflict(s), (is) (are)* cancelled, the matter will be referred to a Commons Commissioner for decision, and you will be entitled to appear at the hearing before him. You will be notified of the time and place of the hearing, which will not in any case take place before 1st January, 1971. If there are registrations during the second registration period affecting the land the hearing will not take place before 1st July, 1972).

24 AUG 1967
WESTMORELAND COUNTY COUNCIL
REGISTRATION AUTHORITY

* Delete as necessary.
This is the exhibit marked 'A' referred to in the statutory declaration of 22nd June, 1918, by the w. Daniel Johnson.