

## REGULATORY COMMITTEE

### COMMONS AND VILLAGE GREEN REGISTRATION PANEL

MINUTES of a meeting of the Commons and Village Green Registration Panel held at County Hall, Lewes, on 6 April 2009.

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PRESENT- Councillors Field, Stogdon and Tunwell

#### 7. REPORTS

7.1 Copies of the reports and documents referred to below are contained in the minute book.

#### 8. CHAIRMAN

8.1 Councillor Tunwell was elected as Chairman.

#### 9. APPLICATION FOR LAND AT THE HOE, PIDDINGHOE TO BE REGISTERED AS A TOWN OR VILLAGE GREEN

9.1 The Panel considered a report by the Director of Law and Personnel.

9.2 The local member, Councillor Rogers, wrote to the Panel members confirming his full support of the application by Piddinghoe Parish Council.

Reason for decision

9.3 The Panel concluded that all necessary criteria had been met with regard to the voluntary registration of the land as a village green.

9.4 RESOLVED to accept the application pursuant to section 15(8) of the Commons Act 2006 of Piddinghoe Parish Council to have land at The Hoe, Piddinghoe registered as a village green.

#### 10. APPLICATION FOR LAND AT SANDROCK PARK, THE RIDGE TO BE REGISTERED AS A TOWN OR VILLAGE GREEN

10.1 The Panel considered a report by the Director of Law and Personnel.

10.2 The local member, Councillor Lock advised the officers prior to the meeting that he fully supported the recommendation, and suggested that Borough Council work with the Parchment Trust to encourage the community to find a use for the land that will encourage the development of the community spirit.

Reason for decision

10.3 The Panel concluded that the application did not define a locality and that there was insufficient supporting evidence of qualifying use by a significant number of local inhabitants.

10.4 RESOLVED to (1) reject the application pursuant to section 13 of the Commons Registration Act 1965 of Mr A Potterton to have land at Sandrock Park, The Ridge, Hastings registered as a town or village green; and

(2) encourage the community to develop their community spirit, with a recommendation to the Borough Council that they try and find a use for the land in their ownership that will support this.

11. APPLICATION FOR LAND AT THE PUB FIELD, NETTLESWORTH LANE, VINES CROSS TO BE REGISTERED AS A TOWN OR VILLAGE GREEN

11.1 The Panel considered a report by the Director of Law and Personnel and was advised that in addition to the options stated in the report, the Panel could also reject the officer's recommendations in the report.

11.2 The Local Member, Councillor Dowling, spoke in support of the application made by Mrs Thompson, drawing the Panel Members attention to the supplementary representations submitted since the report was published. Councillor Dowling requested that the application be adjourned to consider the evidence further.

Reason for decision

11.3 The Panel voted and concluded by majority that there was insufficient supporting evidence to satisfy the statutory test. The Panel agreed that there was not evidence of use by a significant number of people, and use as of right ceased in January 2001 (therefore 5 years short of the required 20 year period), from which time use was with permission or with force. Furthermore, the application should have been made within 5 years of the date use 'as of right' ceased. This application was made on 18 June 2007; consequently, the requirements of section (15(4) had not been met.

11.4 RESOLVED to reject the application made pursuant to section 15 of the Commons Act 2006 by Mrs Thompson to have land at The Pub Field, Nettlesworth Lane, Vines Cross registered as a town or village green.