

SCHEDULE

Regulation 2(2)

Forms

Form 44

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:

Application number:

1359

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 to 6 and 10 and 11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7 and 8 as appropriate. 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 the voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
Insert name of registration authority.

I. Registration Authority

To the

EAST SUSSEX COUNTY
COUNCIL

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 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:

Full postal address:

Postcode

Telephone number:
(incl. national dialling code)

Fax Number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:
Postcode

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 that of a community or town council, 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:

HOLLYCROFT FIELD

Location:

O/S REF TQ 373 751 34 59
HOLLYCROFT, CHAPEL LANE,
EAST CHILTINGTON BN 7 3

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 PARISH OF EAST CHILTINGTON
LEWES DISTRICT

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).

PLEASE SEE ATTACHED
CASE FOR SUPPORT

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

LEWES DISTRICT COUNCIL
SOUTHOVER HOUSE
SOUTHOVER ROAD
LEWES
EAST SUSSEX BN7 1AB

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

10. Supporting documentation

- WITNESS STATEMENTS INCL MAPS
- CASE FOR SUPPORT , 2 PAGES
- SUMMARY OF EVIDENCE , 2 PAGES
- MAPS: 1:25,000 ✓
1:1500

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).

11. Any other information relating to the application

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.

Date:

17-3-2014

Signatures:

A. Toomey

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 the applicant's or applicants' solicitor, or, if the applicant is a body corporate or unincorporated, 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, ^{JENNI} J. TOOMEY, 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) (¹ one of the applicants))).

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 now produced as part of this declaration is the map 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

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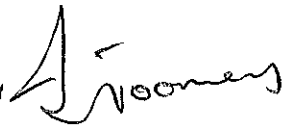
need

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 JENNI TOOMEY
at KEEPERS COTTAGE, NOVINGTON
LANE, EAST CHILTINGTON, LEWES,
BN7 3AU
this 17th day of MARCH 2014

Signature of Declarant 

Before me* CORNELIUS MARCOLM MEYER

Signature: 

Address: KEEPERS COTTAGE, NOVINGTON LANE, EAST
CHILTINGTON, LEWES, EAST SUSSEX, BN7 3AU

Qualification: SOLICITOR OF THE SUPREME COURT

* 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

APPLICATION FOR VILLAGE GREEN STATUS, HOLLYCROFT FIELD

CASE FOR SUPPORT

The land

The application for Village Green Status is for the area of land known as the Hollycroft field, East Chiltington, Sussex. This land constitutes 3.1 acres to the north of Hollycroft, in the rural hamlet of East Chiltington. It is flat, open land, bordered on two sides by hedges, one side by football pitch that borders a wood, and open to Hollycroft on the South side. It is bisected by a 'grasscrete' path to a small sewage works in the north-west corner. This path also provides access to the neighbouring field and adjacent footpaths and appears on some local maps as a footpath. In terms of structures, the land includes a basketball court, all weather table tennis table, and a 'Rotunda', which is a community-built open sided shelter, next to the basketball court.

The Hollycroft field is owned by Lewes District Council, whom, we understand, acquired it at the same time of the construction of the Hollycroft housing during the 1940s. The field is currently listed as an Asset of Community Value. The adjacent football pitch, which is not physically separated from the land, is leased from LDC by East Chiltington Parish Council and is not part of this application.

The locality – East Chiltington

The Hollycroft field is in the centre of the Parish of East Chiltington. East Chiltington is a rural hamlet, with a scattered population which forms a narrow strip, about 6 miles long and two miles wide at its widest point. The southern part of the parish, including the Hollycroft field, is within the South Downs National Park. East Chiltington has two principal clusters of housing; those around the centre (approx 34 houses) which includes Hollycroft, the principal area of social and affordable housing in the parish; and another around Pouchlands, a converted former hospital, which is physically located next to South Chailey, about two miles from the Hollycroft field (around 70 households). The remainder of the houses in the Parish are scattered in the countryside and along its single track lanes (around 65 houses¹).

East Chiltington has a pub and a church, though no shop, school or village hall. It also has a vibrant community, of which the Hollycroft field is an important part. The construction of the Rotunda by community volunteers (with funding support from Veolia), the fact that the basketball court was a result of the Parish Action Plan, and the purchase by the Parish Council of a table tennis table and a marquee in which to hold events, are all indicators of

¹ These figures are approximate because they are derived from the electoral register, which may not cover all households. They do not reflect any formal designation.

the value of the field to the community. The majority of the regular users of the field come from the area immediately adjacent, but it is also used by many others from the within parish.

Use of the field 'as of right'

Our case is that the Hollycroft field has been used 'as of right' for the period from 1993-2013. Our evidence for this also covers periods dating back to the construction of Hollycroft in 1947/8, but this is not the focus of this application.

We are submitting 45 witness forms that cover all or part of this period. Of these, 12 contain additional statements, 15 offer photographs in support of the case, and 25 state a willingness to give evidence in a person at an enquiry should this be required. 25 of the supporting forms cover at least the whole period from 1993. The majority (31) come from people who live, or who lived, in the area closest to the Hollycroft field (within a short walk). However, users have also come from further afield within the parish.

Statements attest that:

1. The Hollycroft field has been used for diverse recreational purposes: sports and games such as cricket, stoolball, rounders, basketball, table tennis, tennis; bike riding; dog walking; blackberry and sloe picking; children's and adults' parties; barbeques; picnics; golf; igloo-building; community events such as parties, fetes, Millennium and Jubilee celebrations; harvest supper, formal meetings in the Rotunda.
2. Use has been without permission, force or secrecy. During the period claimed, the land has never been fenced, nor have any signs ever been in place to restrict access. People access the Hollycroft field simply by walking from Hollycroft, or via a footpath through the woods. There has never been any attempt to prevent use of the land, by the owner, or anyone else. An annual 'parish party', organized by the Parish Council, has taken place over the last five years. On these occasions only, has permission been sought from the owner, Lewes District Council, by the parish clerk, in order to fulfill Parish Council insurance requirements. The users of the field would not have not been aware of such permissions.

In summary, the Hollycroft field is a vital open space for an area that is in other respects not well-endowed with meeting places. Apart from the communal use of the field for events and the day to day use as a recreation ground, this open space affords a safe play ground for children and a meeting place for adults. There is a clear case for its acquisition of village green status.