

Bluesky Properties Estates Ltd  
Winston House  
349 Regents Park Road  
London  
N3 1DH

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Thursday 29 June 2023

When responding please contact  
Stephen Kisko  
[REDACTED]; 0345 6080193  
stephen.kisko@eastsussex.gov.uk

our ref:  
RWO/TVG/1363

Your ref:

Dear Sir/Madam

In respect of Land Registry title number: ESX408380  
Being land at Charlwood Gardens, Burgess Hill

**Commons Act 2006**

**Application to register land as a new town or village green  
Land near to Charlwood Gardens, known as The Green & The Woods, RH15 0RD**

The County Council as registration authority has received an application to register land as a Town or Village Green (TVG) pursuant to s15 Commons Act 2006 and the Commons (Registration of Town or Village Greens (England) Regulations 2014.

It has come to my attention since the application was made in 2019 that you have subsequently become a landowner of part of the affected land, in respect of the Land Registry details given above. It appears to me that you are now the current landowner of the part of the application referred to as 'The Green'.

Pursuant to regulation 5(1)(a) the registration authority is obliged to give notice to every person whom the registration authority has a reason to believe to be an owner, lessee, tenant or occupier of the land affected by the application. Accordingly, as the registered landowner (copy enclosed for your ease of reference) I hereby serve Notice of the Application, please find enclosed a copy of the Notice which was advertised in the local press on 13 March 2020.

A copy of the application and supporting evidence for your consideration can be found online on our website at the following webpage:

<https://www.eastsussex.gov.uk/community/local-information/towns-villages-local-land/town-and-village-greens/current-applications>

If you have problems with finding or viewing this information or require it in a different format, please let me know.

However, for ease of reference I enclose a copy of the application form and map.

As landowner you have the opportunity to register the land as a TVG, below I set out the Law:

The Commons Act 2006 ('the Act') has a provision under Section 15(8) which allows for a landowner to apply to voluntarily register land as a town or village green without having to show that the land has met the usual qualifying criteria. Any land that is registered under Section 15(8)

benefits from the same level of statutory protection as other registered village greens. Specifically, Section 15(8) states:

*(8) The owner of any land may apply to the commons registration authority to register land as a town or village green.*

This is subject to the caveat contained in Section 15(9):

*(9) An application made under subsection (8) may only be made with the consent of any relevant leaseholder of, and the proprietor of any relevant charge over, the land.*

The effect of registering land as TVG means that the residents of the locality will have the right to use the land for lawful sports and pastimes and the piece of land would be recorded in the legal document known as the Register of Town and Village Greens. There is no provision in law regarding maintenance of Village Greens and there is no obligation on the landowner to maintain the village green. When land is registered as a TVG, the ownership of the land does not change as it is solely for the recording of recreational rights over the land in question. Further information can be found on DEFRA website at:

[www.gov.uk/common-land-management-protection-and-registering-to-use#commons-registration](http://www.gov.uk/common-land-management-protection-and-registering-to-use#commons-registration)

Should you not wish to voluntarily register the land as a TVG the Council is obliged to process the Application as it stands. The application is nearing the end of the process, but I need to consult with you as you are one of the current landowners, before I finalise my report.

This process has involved so far:

- An advert in the local press and on site allowing a period of six weeks for any objections/representations to be made.
- Any objections/representations will be sent to the applicant for comment.
- The Application will be carefully considered by the Council and legal advice may be sought if needed.
- A Report will be produced and presented to the Council's Town and Village Green Panel.

There would be three possible outcomes of the Panel;

1. Application accepted and land registered as a TVG.
2. Application referred to a Public Inquiry for further consideration, where an independent Inspector will make a recommendation which would then go back to the Council's TVG Panel for a determination to be made: or
3. Application rejected and not registered as a TVG.

I would be grateful if you could respond with 28 days of this letter. Should no response be forthcoming then the Application will be processed as described above.

Should you wish to discuss any of the above please do not hesitate to contact me.

Yours faithfully



Stephen Kisko

Senior Definitive Map Officer

 0345 6080193

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## **Rights of Way Map**

An online Rights of Way Map showing footpaths and bridleways across the County is available on the East Sussex website at the following address:

<https://www.eastsussex.gov.uk/leisureandtourism/countryside/rightsofway/map/>

The map can be used to plan walks and rides on the Rights of Way network. It also provides the location and reference number of stiles, gates and bridges, as well as path numbers.

## **Privacy**

Please visit our website for information on how we can manage personal information:

[www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside](http://www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside)