

# HARCOURT HILL ESTATE RESIDENTS ASSOCIATION

Ardmore, Stanton Road, Oxford, OX2 9AY

Tel: [REDACTED] Email: [REDACTED]

19 March 2012

**BY HAND**

Oxfordshire County Council  
Countryside Service  
Signal Court  
Old Station Way  
Eynsham  
Oxford  
OX29 4TL

For the attention of Lisa Gray-Wright

Dear Ms Gray-Wright

## **APPLICATION FOR REGISTRATION OF LAND AS A VILLAGE GREEN**

I enclose a completed Form 44 applying to register land at North Hinksey as a village green, with attachments and supporting documents as follows:

### **Attachments to Form 44**

Map A: map referred to in Part 5  
Map B: map referred to in Part 6  
Statement attached to Part 6  
Statement attached to Part 7  
List of supporting documents referred to in Part 10  
Annex 1

### **Enclosures**

Full statement referred to in Part 7  
44 witness statements  
Supporting documents:  
a. Local Plan, Policy GS3  
b. Local Plan, para 7.65 and Policy NE8  
c. Extract from Planning Appeal Decision  
d. Section 106 agreement, 22 October 1993 (extract)  
e. Nature Park 1994 Management Plan  
f. Nature Park 2002 Management Plan (extracts)  
g. Section 106 agreement, 4 March 2002 (extracts)  
Photographs (3 pages).

I look forward to receiving acknowledgement of receipt.

Yours sincerely

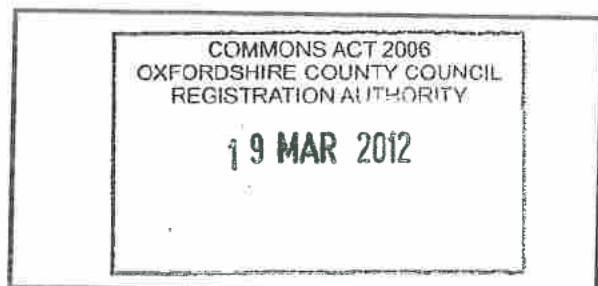
[REDACTED]

Martin C Hockey

## 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:

NL e t S 30

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

OXFORDSHIRE COUNTY COUNCIL  
COUNTRYSIDE SERVICE  
SIGNAL COURT  
OLD STATION WAY  
EYNSHAM, OXFORD, OX29 4TL

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.

**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:

Post code

Telephone number:   
(incl. national dialling code)

Fax number:   
(incl. national dialling code)

E-mail address:

**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.

**Note 4**

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

**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.

15 SEPTEMBER 2010

If section 15(6)\* applies please indicate the period of statutory closure (if any) which needs to be disregarded.

\* 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.

**5. Description and particulars of the area of land in respect of which application for registration is made**

Name by which usually known:

HARCOURT HILL FIELD

Location:

ADJOINING GROSVENOR ROAD AND  
VERNON AVENUE IN NORTH HINKSEY PARISH

Shown in colour on the map which is marked and attached to the statutory declaration. MAP A

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:

HARCOURT HILL IN NORTH HINKSEY  
PARISH

SEE ATTACHED STATEMENT

Tick here if map attached:  MAP B

**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.



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).

SEE SUMMARY ATTACHED  
SEE FULL STATEMENT ENCLOSED,  
WITH WITNESS STATEMENTS

**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

ACCORDING TO A SECTION 106 AGREEMENT DATED 4 MARCH 2002 THE OWNERS ARE:  
ANTHONY PETER GRESSWELL, TIMOTHY JULIAN GRESSWELL AND JUDITH ANN BRIMBLE, ALL OF HINKSEY HILL FARM, SOUTH HINKSEY, OXFORDSHIRE.  
WELLISTER INVESTMENTS LIMITED OF THE OLD RECTORY, WYTHAM, OXFORD OX2 8QA IS BELIEVED TO HAVE AN INTEREST

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

10. Supporting documentation

SEE ATTACHED LIST

**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.

**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**

Date:

19 March 2012

Signatures:



**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.*

**MINDER 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.

<sup>1</sup> Insert full name (and address if not given in the application form).

I MARTIN COLSTON HOCKEY<sup>1</sup> solemnly and sincerely declare as follows:—

<sup>2</sup> Delete and adapt as necessary.

1.<sup>2</sup> I am ((the person ~~(one of the persons)~~ who (has) ~~(have)~~ signed the foregoing application)) ~~((the solicitor to (the applicant) (<sup>3</sup> one of the applicants))):~~

<sup>3</sup> 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.

Complete only in the case of voluntary registration (strike through if this is not relevant)

4.<sup>4</sup> 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/

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

at   
Seacourt Tower, West Way,  
Oxford OX2 0FB

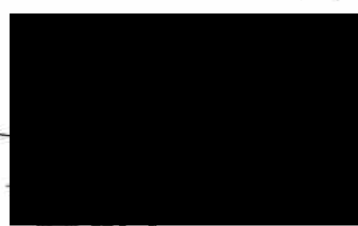


Signature of Declarant

this 19<sup>th</sup> day of MARCH 2012

Before me \* HAMISH GRAY

Signature:



Address:

  
Seacourt Tower, West Way,  
Oxford OX2 0FB

Qualification:

SOLICITOR

\* 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

MAP A

EXHIBIT MARKED MAP A REFERRED TO IN THE  
STATUTORY DECLARATION OF MARTIN COLSTON HOCKEY  
MADE THIS 19<sup>th</sup> Day of March 2012 EXHIBIT TO FORM 44  
BEFORE ME HANISH GRAY at.



 Blake  
Laphorn

Seacourt Tower, West Way,  
Oxford OX2 0FB

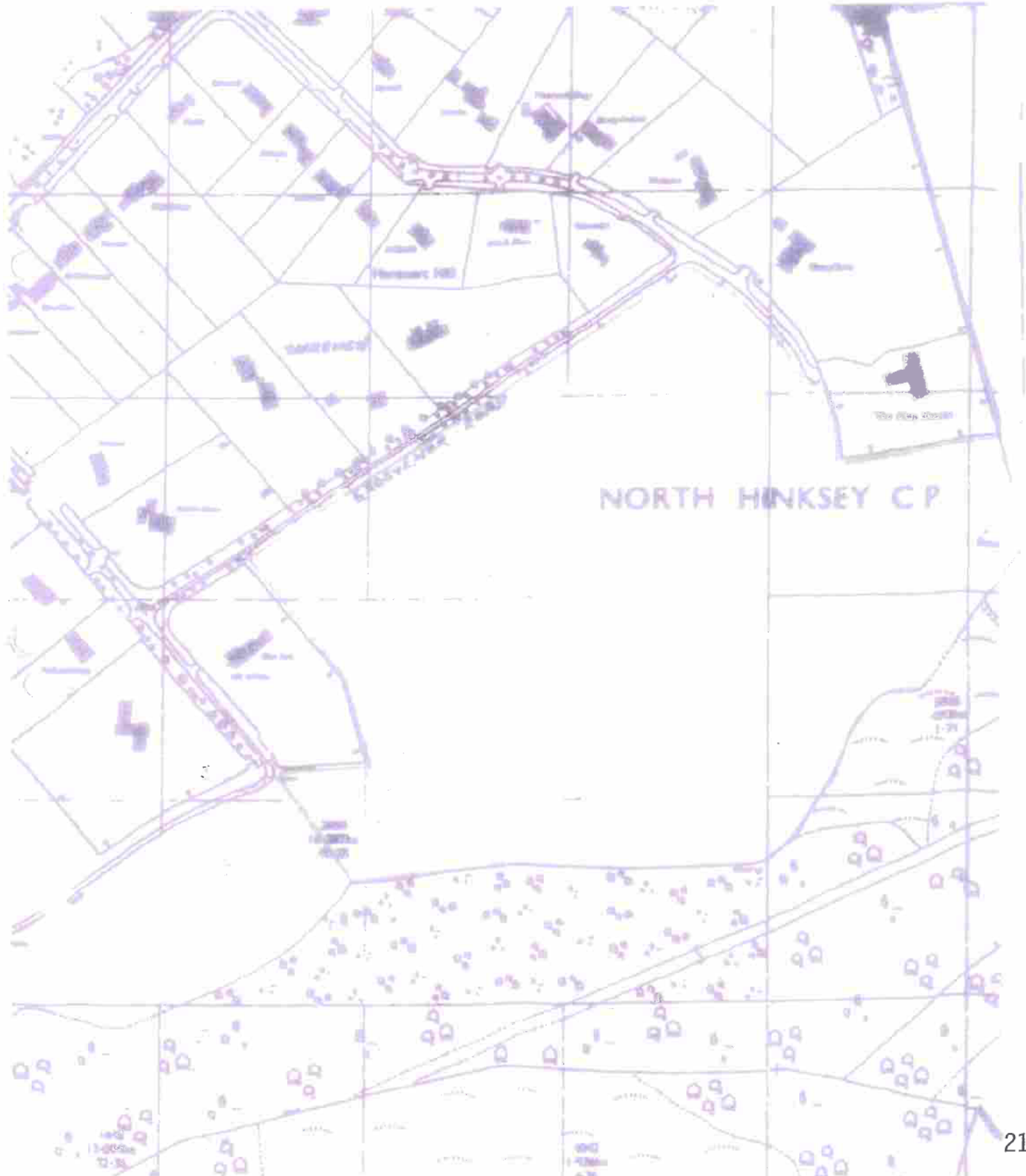
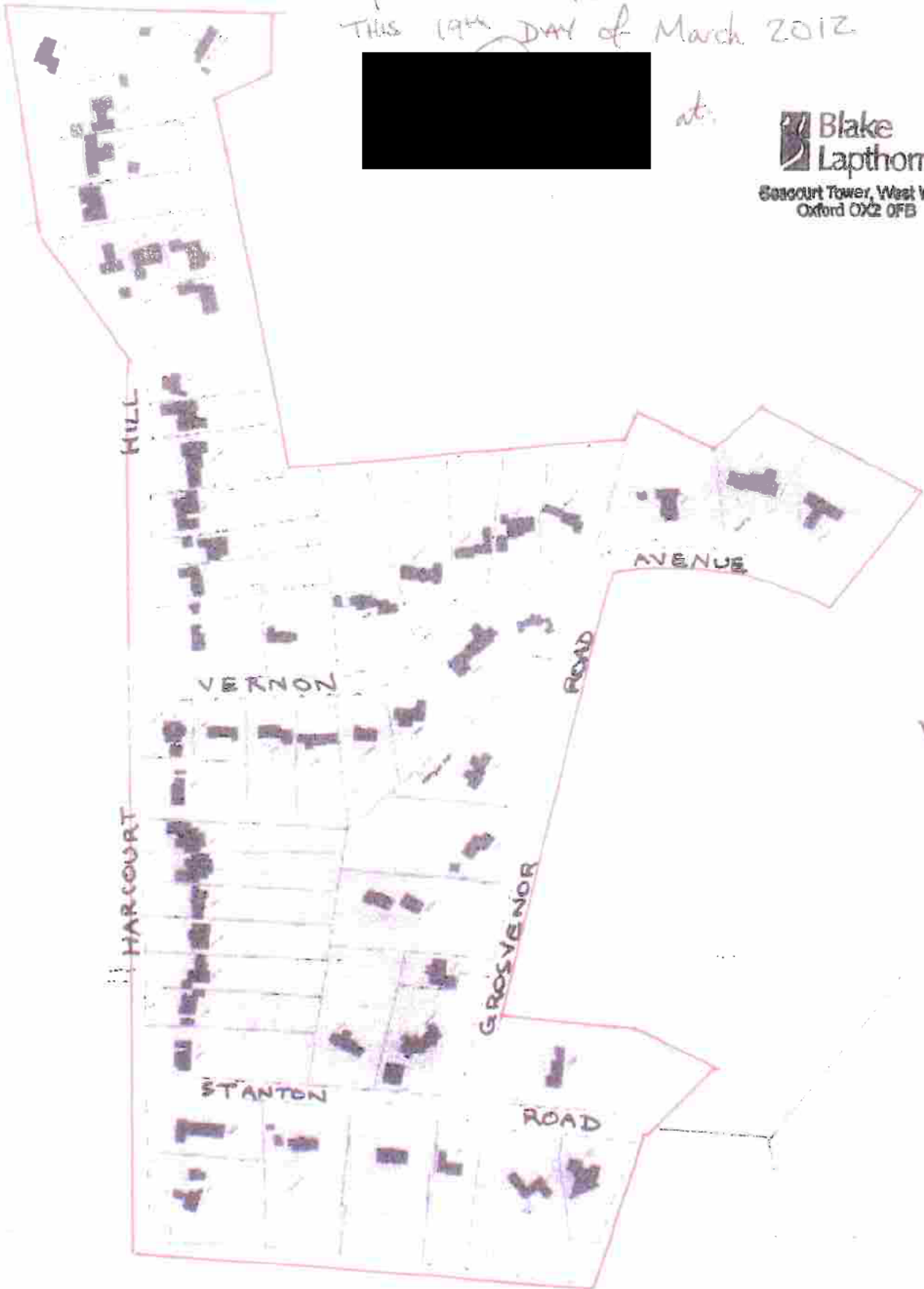


Exhibit marked MAP B referred to in the Statutory Declaration of:  
MARTINI COLSTON HOCKEY  
Before Me: HANUSH GRAY  
THIS 19th DAY of March 2012



at:

**Blake  
Lapthorn**  
Seacourt Tower, West Way,  
Oxford OX2 0FB





**HARCOURT HILL FIELD  
APPLICATION FOR REGISTRATION AS A VILLAGE GREEN**

**Form 44, Part 6**

The neighbourhood of Harcourt Hill consists of 56 houses in the parish of North Hinksey, mostly built in the first half of the 20<sup>th</sup> century and the 1950s and 1960s. It is separated from the rest of the parish by the A34 (a fast dual carriageway road), a public open space known as Raleigh Park (managed by Oxford City Council, although it is outside the city limits) and the Harcourt Hill campus of Oxford Brookes University. It consists of four roads: Harcourt Hill itself, Vernon Avenue, Stanton Road and Grosvenor Road.

Harcourt Hill was developed in the early 20<sup>th</sup> century on land owned by the Harcourt family. The Harcourt family trustees sold land for two houses built on the lower part of Harcourt Hill in 1909 and 1910, and in 1924 published a plan to develop the rest of hill. The plan was not implemented in full, but the houses built under the plan, mostly in the 1930s, 1950s and 1960s, were formally known as the "Harcourt Hill Estate", which therefore excluded the houses on the lower part of the hill (where 13 houses now stand). However, all 56 houses on the hill are regarded as a single community, and their residents are all eligible for membership of the Harcourt Hill Estate Residents Association.

The Harcourt Hill Estate Residents Association has been active since 1982. It has formal meetings twice a year, and also organises social events such as an annual summer garden party. There is an annual subscription per household. In the last full year (2011) there were 43 households paying subscriptions, plus the 3 households of the Association's officers (who are exempted from paying subscriptions), so that 46 of the 54 occupied houses were active members of the Association. There is also a Neighbourhood Watch scheme covering Harcourt Hill.

In the 1924 plan an area on the west side of Harcourt Hill was designated as the village green. However, houses were never built on the west side of Harcourt Hill, and that area was sold in 1955 for the construction of Westminster College (now a campus of Oxford Brookes University).<sup>1</sup>

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<sup>1</sup> See map in Hanson, J and Harris, M.J. (1999) *The Changing Faces of Botley and North Hinksey, Part Two*, page 18, reproduced as Map D attached to the witness statement of Richard Jeffery



**HARCOURT HILL FIELD  
APPLICATION FOR REGISTRATION AS A VILLAGE GREEN**

**Form 44, Part 7**

**SUMMARY OF THE CASE FOR REGISTRATION AS A VILLAGE GREEN**

A significant number of inhabitants of Harcourt Hill have indulged as of right in lawful sports and pastimes for a period of at least 20 years under Section 15(2) of the Commons Act 2006, as witnessed by the enclosed 44 signed statements showing use for activities including walking, admiring the exceptional views of the dreaming spires of Oxford from the site, walking dogs, bird watching and model aircraft flying, by a total of 51 people over a period extending from before 1990 to September 2010.

HARCOURT HILL FIELD  
APPLICATION FOR REGISTRATION AS A VILLAGE GREEN

Form 44, Part 10

Supporting documents

1. Maps

- A . Harcourt Hill Field
- B . The neighbourhood of Harcourt Hill

2. Witness statements

### **3. Documents**

- a. Local Plan, Policy GS3
- b. Local Plan, para 7.65, Policy NE8
- c. Extract from Appeal Decision, Ref: APP/V3120/A/03/1123328 Land to the rear of Bladon House, Grosvenor Road, Harcourt Hill, Oxford OX2 9AY
- d. Section 106 agreement dated 22 October 1993, extract
- e. Nature Park: 1994 Management Plan
- f. Nature Park: 2002 Management Plan, extracts
- g. Section 106 agreement dated 4 March 2002, extracts

### **4. Photographs**