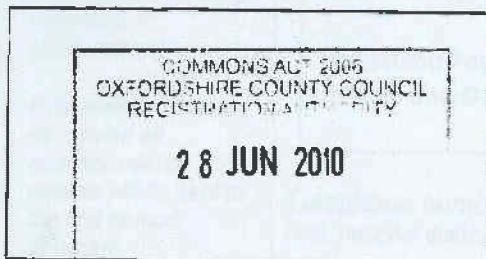


Commons Act 2006: Section 15

# Application for the registration of land as a Town or Village Green

Official stamp of registration authority  
indicating valid date of receipt:



Application number:

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.

**Note 1**  
Insert name of  
registration  
authority.

## 1. Registration Authority

To the

Oxfordshire County Council  
County Hall, OX1 1ND

**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.

**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: Norman Boardman, Simon John Davis, Susan Daenke

Full postal address:

Normandy, North Lane, Weston on the Green OX25 3RG (Boardman)  
Westfield Farm Cottage, North Lane, Weston on the Green OX25 3RG  
(Davis and Daenke) Postcode

Telephone number: 01869350533(Boardman); 01869350426(Davis & Daenke)  
(incl. national dialling code)

Fax number: none  
(incl. national dialling code)

E-mail address: cyberblogg@aol.com(Boardman) simon.davis@ndm.ox.ac.uk(Davis)

**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 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 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.

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

Name by which usually known:

Weston on the Green Duck Pond (land and pond on the north side of North Lane, Weston on the Green – Exhibit A)

Location:

The land is located between the properties known as Normandy and Sunnyside, bordered by North Lane to the south and a field to the north. The physical boundaries to the land are described by reference to the lettered points in the plan marked Exhibit A. Grid ref. 453153.125, 218927.812; OS plan ref SP5318 SP5319

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 Weston on the Green (Exhibit B)

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).*

The land has not been in ownership since the dissolution of the Weston Manor estate in Weston on the Green in 1918. It has been a village amenity area since that time used as of right by the villagers; firstly as a stock watering hole for dairy cattle, secondly by the village wainwright in the construction of wooden cartwheels. Over time, the land became choked with weeds and unsightly, and the use of it dwindled.

In 1986, the land was dredged and landscaped by villagers working voluntarily to establish a recreational area – namely a pond for ducks and other wildlife (e.g. moorhens) – that could be maintained for aesthetic and recreational purposes for the village. Many villagers donated time and funds to establish this area and since then upkeep of the pond and surrounding land has been undertaken by Norman Boardman (since 1986) and Simon Davis and Susan Daenke (since 1994), using funds donated by villagers.

A detailed record of the establishment of the pond and its subsequent upkeep and use by villagers is found in the Statutory Declaration of Norman Boardman (Exhibit C) and the Statutory Declaration of Simon John Davis and Susan Daenke (Exhibit D). A register of caution title was made in 1993 by the Parish Council (Exhibit E; Statutory Declaration to follow). A record has been kept since 1986 of donations by villagers of the maintenance of the pond and surrounding land, including the purchase of trees etc, ducks, fencing, and including a donation of fish by the Thames Conservancy Board. A bank account in the name of "Western [sic] Village Pond People" has been used to manage the donations from villagers for upkeep of the site. The site has featured prominently in the news media as a village "treasure" (see documents in Exhibits C and D to this application); the innovative use of a toy hovercraft to shepherd the ducks into the duck-house at night was featured on both BBC1 local news television and Oxford Central News television. Documentation of this is also in Exhibits C and D. A statement that confirms the foregoing account of the history of the Pond and supports the application for Village Green registration from the Weston on the Green Parish Council is in Exhibit F. Other witness statements to this effect, from villagers of Weston on the Green, are included in Exhibit G.

The area is used daily by a significant number of the inhabitants of the village of Weston on the Green. It is a popular area for families and children to feed the ducks, enjoy picnics, and enjoy the wildlife (e.g. fish, newts, wild birds). It is also used by a significant number of the inhabitants of Weston on the Green as a village meeting place and for village community celebrations including pond re-opening ceremonies, birthday and summer parties. The area is also used by visitors walking the public footpath which crosses immediately adjacent to the pond area. A survey of the uses of the pond by villagers and visitors conducted in June 2010 is in Exhibit H.

The pond and surrounding land have been in continuous use recreationally by a significant number of the inhabitants of the village of Weston on the Green since its regeneration in 1986 and is a valued amenity in the village. The pond and surrounding land is an open, publicly accessible space (with provision for disabled access and pushchairs) on a 24 hour basis. The Applicants and supporters state and will confirm that they have and continue to use this land as a village green as of right and without let or hindrance. As such the Applicants believe that all relevant criteria required to be demonstrated in order for the land to be entered into the Register of Village Greens have been met.

**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**

None

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

Not applicable

**10. Supporting documentation**

Please see Appendix 1 – List of supporting documents



**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**

Planning Application 10/00359/F requires the use of land which forms part of the land in respect of which application for registration is made, even though this land is not owned by the planning applicant.

**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:

20/6/10

Signatures:

M. Boardman  
*[Signature]*  
*[Signature]*

**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 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..Norman.Boardman.,<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) (~~not~~) signed the foregoing application)) (~~the solicitor to (the applicant) / 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.

<sup>4</sup> 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(6) of the Commons Act 2006 to register as a owner the land indicated on the map and that is in my ownership. I have provided the following necessary declarations (if 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/



4 Continued

~~been received and are exhibited with this declaration~~  
~~where no such reports are required a declaration to have 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 *M BOARDMAN* )  
*N. Boardman* )

at *JULIAN TAYLOR SOLICITORS* )  
*HAZEL COTTAGE STUDIO* )  
*WESTON ON THE GREEN, OX25 3QX.* )

Signature of Declarant

this *28* day of *JUNE 2010.* )

Before me \* (*NICOLA DRYBELL*).

Signature:

*N. Drybell.*

Address:

*JULIAN TAYLOR SOLICITORS*  
*HAZEL COTTAGE STUDIO*  
*WESTON ON THE GREEN.*  
*OX25 3QX*

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*

**APPENDIX 1 – list of supporting documents (scanned documents; originals available on request)**

**Exhibit A** – Map of the Village Green Site; area bounded in red

**Exhibit B** – Map of locality: Parish of Weston on the Green (WOTG), boundaries marked in blue

**Exhibit C** – Statutory Declaration of Norman Boardman

- NB1: OS map of land and pond at 1:2500 scale; area bounded in red
- NB2: hand-drawn map of planned restoration of pond area (around 1986)
- NB3: copy photographs of restoration of the pond area
- NB4: copy of restoration records starting 1986
- NB5: copy photograph of plaque reopening 1987
- NB6: hand-written record of restoration action taken and further plans 1988
- NB7: copy of 1988 June-July issue of Village News with account of pond
- NB8: draft copy of Village News report of pond area, after October 1993
- NB9: photographs of re-thatching the duck-house, dredging and road signs
- NB10: copy photograph of plaque re desilting the pond 2004
- NB11: location of plaques on stone wall on northern boundary
- NB12: copy document of bank statement Western Village Pond People July 1999
- NB13: copy document of bank statement Western Village Pond People April 2010
- NB14: a view of the pond and surrounding land in 2010
- NB15: official copy register ON163309 - caution from WOTG Parish Council
- NB16: copy photograph of seating bench donated by WOTG Horticultural Society
- NB17: copy photograph of access gate to the pond area
- NB18: images from Television and newspaper media coverage of the pond area as a "Village treasure"
- NB19: poster displayed at Village Hall Summer Fete 2006

**Exhibit D** – Statutory Declaration of Simon John Davis and Susan Daenke

- SJD & SD1: OS map of land and pond at 1:2500 scale; area bounded in red
- SJD & SD2: copy photographs of re-thatching the duck house, dredging and roads signs
- SJD & SD3: copy photograph of plaque re desilting the pond 2004
- SJD & SD4: location of plaques on stone wall on northern boundary
- SJD & SD5: a view of the pond and surrounding land in 2010
- SJD & SD6: official copy register ON163309 - caution from WOTG Parish Council
- SJD & SD7 : copy photograph of seating bench donated by WOTG Horticultural Society
- SJD & SD8 : copy photograph of access gate to the pond area

**Exhibit E** – Official copy register ON163309 - caution from WOTG Parish Council

**Exhibit F** – Statement of support for registration of the WOTG Village Pond as a Village Green from the WOTG Parish Council

**Exhibit G** – Witness Statements by villagers of WOTG:

John Roper	Rebecca Seymour
Dr. And Mrs WMG Tunbridge	Anthony John Shirley Henman and Susan
Drs R and A Evans	Jane Henman
John and Molly Strafford	R and M Fischer
Margaret Fissenden	Brian Wilson
JM Brown and Mrs A Brown	Charles Sturt
Mr Ian and Mrs Julia White	Ed Bentley
Tony and Diane Liddiard	John and Pat Cavan
Norman Machin	Huw and Fiona Warren
Allison Aldred	Graham and Lyn Barnett
Alison Townsend	
Mr and Mrs R. Hessian	
John Mair	

**Exhibit H** – Survey of the uses of the WOTG Village Pond and surrounding land, June 2010