



Highways Committee

Date Tuesday 15 October 2013
Time 10.00 am.
Venue Committee Room 2, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest, if any
4. Village Green Registration - Land lying to the south of New Row, Eldon (Pages 1 - 4)
5. Application for Village Green Registration - 'The Field', West Lane, High Westwood (Pages 5 - 132)
6. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom

Head of Legal and Democratic Services

County Hall
Durham
7 October 2013

To: **The Members of the Highways Committee**

Councillor G Bleasdale (Chairman)
Councillor C Kay (Vice-Chairman)

Councillors J Allen, B Armstrong, D Bell, H Bennett, I Geldard,
O Gunn, D Hall, D Hicks, K Hopper, O Milburn, S Morrison,
R Ormerod, J Robinson, J Rowlandson, P Stradling, R Todd,
J Turnbull, M Wilkes and R Young

Contact: Michael Turnbull

Tel: 03000 269 714

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Highways Committee

15th October 2013

Village Green Registration – Land lying to the south of New Row, Eldon



Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To update the Committee on the advice provided by Mr David Manley QC relating to the application received to register land lying to the south of New Row, Eldon ('the Land') as town or village green under the provisions of the Commons Act 2006.
2. To obtain this Committee's decision on the application.

Background

3. The Council received an application from Eldon Parish Council ('the applicant') on 18th July 2011 to register the Land as a village green. The application was accompanied by 22 written statements from local residents of Eldon all asserting community use of the land for a range of recreational activities.
4. The Land is not enclosed and comprises of open green space which is freely accessible by the public. It lies to the south of three rows of terraced houses known as Front Row, South Row and New Row. Open countryside lies to the south and west of the Land and to the east there is an adopted highway.
5. Mr D Jefferson ('the objector') acquired the Land with his brother on 17th August 2011.
6. After being supplied with copies of the supporting witness statements the objector contacted some, if not all, of the witnesses who then signed a pro-forma document stating that they wanted to withdraw their statements and no longer wished the Land to be registered as a village green.
7. The Council wrote to all of the witnesses seeking clarification. That resulted in three statements being reinstated. After the objector was advised the application was still being considered, two witnesses, again, withdrew their statements. There is only one remaining statement from a Mr R Hodgson.

Legal position

8. The Council now needs to determine the application. The key question is whether evidence has been submitted which, on a balance of probabilities, satisfies the statutory test contained in section 15(2) of the Commons Act 2006. That section states that a village green has come into existence where:
 - a. a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - b. they continue to do so at the time of the application.
9. In relation to the evidence no potential witness has sought to explain why they wish to withdraw their statement (and in Mr Hodgson's case no explanation is offered as to why he wishes to reinstate his statement). No witness has stated that the content of the original statement was false.
10. The objector's position is that the statements have been withdrawn and should not be taken into account as part of the application. He asserts that the witnesses were misinformed about potential uses of the Land and felt obliged to sign the original witness statements.
11. The applicant is somewhat dismayed by events. It only made the application at the behest of the local community and refutes the above assertion made by the objector. The Parish Council has consistently taken the view that it could not withdraw the application once validly lodged, as it was considered that this was then only a matter which the County Council as Registration Authority could determine. However, it acknowledges that, if a non-statutory public inquiry is held, it will be able to call little or no evidence in support of the application.
12. In order to decide the way forward the Council obtained a legal opinion from Mr David Manley QC. He advised that very little weight should be attached to any of the evidence submitted. To quote from Mr Manley's advice:-

'The Council cannot wholly ignore the evidence as it has been submitted, but by the same token it cannot ignore the fact that the deponents wish it to be withdrawn or effectively ignored. None of the deponents, including Mr Hodgson, has explained their volte face and this, in my view, all goes to weight and entitles the Council to conclude that the application has not been supported by credible evidence that supports the case to the necessary standard of proof'.
13. The Barrister's view is that the evidence submitted can not be considered believable as part of the application due to the change in position.

14. It now falls to the Council as registration authority to determine the application. The options are:-
- a. to reject the application for registration on the basis that the test contained within section 15(2) of the Commons Act 2006 has not been satisfied on the balance of probabilities; or
 - b. to refer the matter to a non-statutory public inquiry before Members or before Counsel to determine the application. A non-statutory public inquiry is usually only necessary where the evidence needs to be tested by cross examination such as where the landowner is opposing the registration or there are inconsistencies with the evidence; or
 - c. to accept the application and register the Land as a village green on the basis that the test contained within section 15(2) of the Commons Act 2006 has been satisfied on the balance of probabilities.
15. The decision on this application is a matter for this Committee. Officers are of the view that as no credible evidence can now be relied upon, the statutory test for registration of the application land as a town or village green has not been met by the applicant.

Recommendation

16. It is **RECOMMENDED** that the Land is not registered as a town or village green and the application be rejected.

Background Paper(s)

None

Contact: Louise Kelly Tel: 03000 269671

Appendix 1: Implications

Finance

The cost of arranging an Inquiry is part of the Council's statutory responsibilities.

Staffing

There are no staffing implications.

Risk

There are no specific risk issues.

Equality and Diversity

The Inquiry process is intended to give all interested parties the opportunity to participate.

Accommodation

Not applicable.

Crime and disorder

Not applicable.

Human rights

The Inquiry will be the fairest way of permitting interested parties to exercise their rights.

Consultation

The application has been publicised by way of Notice in the locality, the local press and posted on the Council's website.

Procurement

Not applicable.

Disability Issues

Not applicable.

Legal Implications

The application must fulfil the requirements of Section 15 of the Commons Act 2006.

Highways Committee**15 October 2013****Application for Village Green
Registration
'The Field', West Lane, High
Westwood**

**Report of Colette Longbottom, Head of Legal and Democratic
Services**

Introduction

1. The Council is the registration authority for town and village greens under the Commons Act 2006. The Council must act impartially in its determination.

Purpose of the Report and Background

2. The purpose of this report is to provide the Committee with advice in order to assist in the determination of an application to register an area of land at West Lane, High Westwood as town or village green under the provisions of the Commons Act 2006.
3. An application dated 17th May 2010 ("the Application") was submitted to the Council by Mrs Lisa Buxton on behalf of High Westwood Residents Association ('the Applicant') to register an area of land known as the Field, West Lane, High Westwood ("the Land") as a town or village green. The Application was allotted reference NL 34.
4. A copy of the Application (without the supporting user evidence) is attached at appendix 2. Thirteen evidence questionnaires (attached at appendix 3) have been submitted together with a letter from the occupants of Astley House. A spreadsheet summary of the supporting evidence prepared by Officers is attached at appendix 4.
5. As required by the Commons Registration (England) Regulations 2008 notice of the Application was published on the Council's website and in the local press.
6. The Council's Access and Rights of Way section has advised that there are no recorded public rights of way over or across the Land. There is a public right of way (footpath no. 7 Consett) that borders the south east corner of the Land.
7. The local Member, Councillor Alan Shield, has expressed his support for the Application. His recollection is that the Land has only been used by the children living in and around the hamlet.

The Law

8. Village greens which were not registered as such by 31st July 1970 ceased to be village greens and can now only gain that status through registration under the current statutory provisions. Registration brings about general recreational rights and other statutory protection which, effectively, precludes further development of the land.
9. The Commons Act 2006 ('the Act') is the statutory regime governing town and village greens, replacing the registration system enacted by the Commons Registration Act 1965. Section 15 of the Act sets out the requirements that must be satisfied if land is to be registered as a new green. The Council, as the commons registration authority, must determine whether a village green has come into existence as a matter of law.
10. Section 15(2) states that a village green has come into existence where:
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of the application.
11. The upon review of the elements of the test:-
 - '...a significant number...'
 - a. It is necessary to show a general use by the local community as opposed to mere occasional use by trespassers. It is not assessed by a simple head count of users.
 - '...of the inhabitants of any locality...'
 - b. This is not defined by any arbitrary margins but there must be a recognized county division such as a borough, parish or manor. An ecclesiastical parish can be a locality. It is acceptable for users to come 'predominately' from the locality.
 - '...or of any neighbourhood within a locality...'
 - c. A neighbourhood must be clearly defined and have sufficient cohesiveness. It must also be within a locality.
 - '...have indulged as of right...'
 - d. Use 'as of right' is without permission, secrecy or force. The key issue in user 'as of right' is not the subjective intentions of the users but how the use of the land would appear, objectively, to the landowner.
 - '...in lawful sports and pastimes on the land...'

- e. This is very broadly interpreted so that general recreational use including walking with or without dogs, children playing etc would be included.

‘..for a period of at least 20 years..’

- f. The fulfilment of the 20 years continuous use must immediately precede the date of the application.

Burden and standard of proof

- 12. For an application to be successful all of the elements of section 15 of the Act have to be strictly proven.
- 13. The Applicant must demonstrate that all of the elements contained within section 15 have been satisfied on ‘the balance of probabilities’. The burden of proof is with the Applicant.

Application Land

- 14. By way of background High Westwood was once a thriving village, due to the local coal mining but is now a collection of a few private houses. The former Westwood County Junior Mixed and Infant School was built in 1879 and a huge centenary celebration was held in 1979. The school was closed in approximately 2003 and is now a housing complex. There is still a popular and regularly used cricket pitch although the football pitch is now relatively unused. The village is surrounded by countryside; the railway line is now part of a country walkway.
- 15. The extent of the Land is as shown edged red on the plan attached at appendix 1. That plan also shows, with a marked ‘x’, the approximate location of the dwellings of a number of the residents that have provided the user evidence.
- 16. To the north of the Land is Lonsdale Court, a residential development of 5 dwellings in a courtyard style. On the west side is an adopted highway then open land consisting of a cricket ground and football ground. The east side consists of open land, with a public footpath and on the south side is an open field.
- 17. The Land is predominately enclosed, with a double metal gate giving access from West Lane and a gate from Lonsdale Court.

Ownership

- 18. The Land (0.64 hectares) is owned by the Council. It was used as a playing field in connection with Westwood County Junior Mixed and Infant School. The school closed in 2003.

Assessment of Applicant’s evidence

- 19. The Council is not in receipt of any evidence that would undermine or contradict the user evidence at appendix 3. It must, unless tested at Inquiry, be taken on face value and afforded significant weight in the assessment of the Application.

20. This Committee must be satisfied, based on the evidence, that each element on the test has been proven on the balance of probabilities. In other words, it must be more likely than not that each element of the test has been satisfied. Upon review of the elements of the Section 15 definition by reference to the facts provided:-

Inhabitants of the locality/neighbourhood within the locality

21. As shown on the plan included in appendix 1 the users are from the locality of High Westwood. This element of the test appears to have been satisfied.

Use as of right (without force, stealth or permission)

22. There is no evidence that any of the users ever sought permission to use the Land from the landowner. In this case there was no question of force or stealth. So the only question is whether the residents' user was by the licence of the landowner.

23. It is clear from R (Beresford) v Sunderland City Council [2004] that a landowner may so conduct himself as to make clear, even in the absence of any express statement, notice or record that the residents use of the land is pursuant to his permission. This may be done, for example, by excluding the residents when the landowner wishes to use the land for his own purposes, or by excluding the inhabitants on occasional days. The landowner in this way asserts his right to exclude and so makes plain that the residents' use on other occasions occurs because he does not choose on those occasions to exercise his right to exclude and so permits such use.

24. In relation to the Application it is not clear whether, during the period the Land formed part of the school playing fields, the general public were excluded from using the Land. The school use ended around 2003. However common sense would dictate that the school would not want people, say, walking their dogs on the Land when it was in use by school children playing. One witness states that the Land was known as 'the playing field' and another as the 'school field'. There is also reference to use for school fairs and school activities until the school closed. This appears to indicate that the Land was used regularly for school activities.

25. The Land is enclosed with two access gates. That seems consistent with the need to keep children safe from traffic when they were using the Land for school activities.

Lawful sports and pastimes

26. The range of activities that have been undertaken on the Land include dog walking, children playing, summer picnics and bonfires. This element of the test appears to have been satisfied.

For at least 20 years and continuing

27. The relevant period for the Application is 1990 to 2010. Out of the 13 witness statements there are 5 statements confirming usage for that period referring,

predominately, to children playing. No distinction has been made between children using the Land as part of the school use and the children using the Land unconnected to the school. After 2003 when the school closed there is no need to make the distinction; it is the period between 1990 and 2003 that is relevant.

28. It now falls to the Council as registration authority to determine the Application. The options are:-
- a. To accept the Application for registration of the Land as a village green on the basis that the test contained within section 15 of the Commons Act 2006 has been satisfied on the balance of probabilities; or
 - b. To refer the matter to a non-statutory public inquiry before Members or before Counsel to determine the Application. A non- statutory public inquiry is usually only necessary where the evidence needs to be tested by cross examination such as where the landowner is opposing the registration or there are inconsistencies with the evidence; or
 - c. To reject the Application for registration of the Land as a village green on the basis that the test contained within section 15 of the Commons Act 2006 has not been satisfied on the balance of probabilities.
29. By way of summary Officers are of the view that the legal test has not been satisfied as:-
- a. The Land appears to have been used regularly for school activities and the school use would have been with permission; and
 - b. Out of the 13 statements 5 relate to the 20 year period and predominately refer to children playing.
30. The decision on this Application is a matter for this Committee. An assessment of the evidence submitted by the Applicant has been undertaken by Officers and for the reasons set out in the this report, Officers are of the view that the statutory test for registration of the application land as a town or village green has not been met by the Applicant. Accordingly, the recommendation is that the Land not be registered as a town or village green

Representations from Interested Parties

31. None

Recommendation:

It is **RECOMMENDED** that the Land is not registered as a town or village green and the application be rejected.

Contact: Louise Kelly Tel: 03000 269671

Implications

Finance

The cost of arranging an Inquiry is part of the Council's statutory responsibilities.

Staffing

There are no staffing implications.

Risk

There are no specific risk issues.

Equality and Diversity

The Inquiry process is intended to give all interested parties the opportunity to participate.

Accommodation

Not applicable.

Crime and disorder

Not applicable.

Human rights

The Inquiry will be the fairest way of permitting interested parties to exercise their rights.

Consultation

The application has been publicised by way of Notice in the locality, the local press and posted on the Council's website.

Procurement

Not applicable.

Disability Issues

Not applicable.

Legal Implications



The application must fulfil the requirements of Section 15 of the Commons Act 2006.

Approximate location of witnesses' residential properties

Durham County Council - IntraMAP

Appendix 1.



 Residential visit
 Application site

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Ordnance Survey LA 100049055
Copyright © 2013
Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.
Map produced by Durham County Council - IntraMAP on 16/5/2013 at a scale of 1:1250

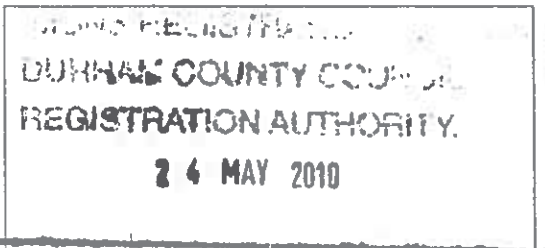
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FORM 44

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:

NL 34

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

DURHAM COUNTY COUNCIL
COUNTY WALL
DURHAM
DN1 5UL

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:

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.

** 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:

Playing field or "the field"

Location:

WEST LANE, HIGH WESTWOOD.

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:

HIGH WESTWOOD

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).

See attached sheet

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

DURHAM COUNTY COUNCIL
 COUNTY HALL
 DURHAM
 DN1 5UL

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

none

10. Supporting documentation

see attached sheet.

7. Justification for application to register the land as a town or village green

“The Field” at High Westwood, Ebchester formerly the school playing field has been used ‘as a right’ for recreational purposes by the local residents of the Village of High Westwood for over 20 years. No permission was ever sought, there was no secrecy or force used.

The evidence collected goes back to 1945 where residents have stated that they used the field and witnessed others using the field for recreational purposes everyday since 1945 to date. It is likely that the field was used by residents prior to this date, possibly since 1879. They never asked any permission as it was land that the village used ‘as a right’ for Village recreational purposes. There was never any force used as the gate is easily accessible and there was never any secrecy. There are further statements going back to 1956, 1965, 1970 and 1979 and there are also more recent statements of local residents of High Westwood using it within the last 20 years.

The activities which have taken place on the field by the local residents are children playing, football, cricket, rounders, dog walking, drawing and painting, team games, blackberry picking, summer fetes, bird watching, bonfire night parties, new years eve parties, walking, picnics, kite flying, bicycle riding, summer BBQ’s, sledging.

The statements show that the field has been used by the local residents everyday for at least the last 65 years. The number of residents involved in the activities range from 2 people to around 50 people.

The residents believe that they have the use of this land ‘as a right’ as it has always been used by the local people for community activities.

The field is now the only safe area available for the children to play in High Westwood. Over the years each communal facility that the Village had the use of, has been taken away,

If this is taken away the Village will be left with nothing. The field allows the community to get together and enjoy recreational pastimes. There is not other area suitable to be able to do this in High Westwood.

We are not aware of anyone who would object to registering this land as Village Green as this application is supported by all of the residents of High Westwood.

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

None

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:

17/5/2010

Signatures:

A Buxton

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.

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

I, H.S.G. Buxton,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))~~) (³ 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~~

Cont/

⁴ 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 LISA Buxton)
)
)
at)
)
)
this 17th day of May 2010)

L Buxton

Signature of Declarant

Before me *

Signature: [Signature]

Address: GERALD MASKERY
MASKERY & CO.
69c MEDOMSLEY ROAD
CONSETT
CO. DURHAM, DH8 5HQ

Qualification: Commissioner for oaths

* 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

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10. Supporting Documentation

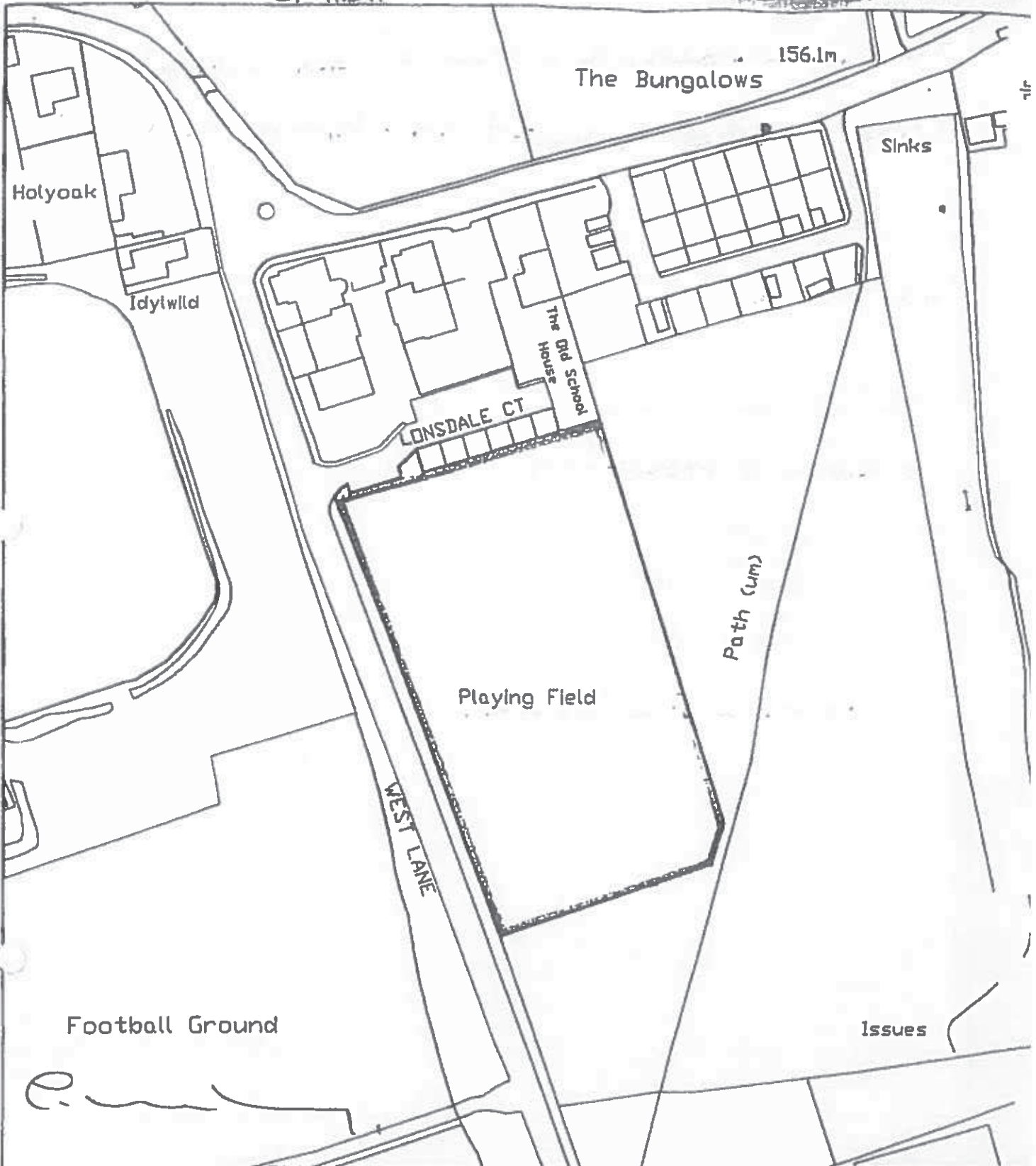
Exhibit A - Map of the Village of High Westwood with the field outlined in red.

The following is a list of Evidence Questionnaires with accompanying maps completed by the residents of High Westwood.

1. Peter Featherstone, Allendale Farm
2. Ralph William Coxon, Acorn Cottage
3. Mrs Lorraine Coxon, Acorn Cottage
4. Mr & Mrs S P Hindmarsh, Astley Cottage
5. Mark Featherstone, Hawthorn Cottage
6. Rhonda Anderson, Croft House
7. Kenneth Bainbridge, 2 The Bungalows
8. Mrs Victoria Parkinson, 3 Lonsdale Court
9. Lisa & Mark Buxton, 5 Lonsdale Court
10. Lynne and Derek Heron, 3 The Bungalows
11. Alan & Sandra Charlton, 1 Lonsdale Court
12. Katie & Paul Skinner, 4 Lonsdale Court
13. Alison, John and Hedley Windows, 2 Lonsdale Court

There is a further letter from P Hindmarsh.

EXHIBIT A



WESTWOOD PRIMARY SCHOOL

Scale 1/1250



STUART CROWE
 CORPORATE RESOURCES
 COUNTY HALL, DURHAM DH1
 TEL 0191 3833000
 ASSET MANAGEMENT DIVISION


Plan Ref: DG-09-195 Date: 17/08/2009

Based upon D.S. Map NZ1155 Crown copyright. All rights reserved
 Durham County Council. LA 100049055. 2009.

This is the exhibit marked 'A' referred to in the
Statutory Declaration of Lisa Buxton made this

• 17/5/2010. —

before me


GERALD MASKERY

GERALD MASKERY
M. JEFFY & CO.
67 WEDOMSLEY ROAD
CUMMERTON
CO. DURHAM, DH8 5HQ

Commissioner for oaths.

EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS A NEW GREEN

NAME	PETER FEATHERSTONE		
ADDRESS	ALLENDALE FARM HIGH WESTWOOD		
POSTCODE	NE17 4RE	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	AS ABOVE ALLENDALE FARM	
2. Address when you knew the land was used by the local inhabitants.	AS ABOVE	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No	
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in (state the colour)	RED	
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	PLAY FIELD	
6. Has it ever to your knowledge been known by any other name? If so, what name?	SCHOOL PLAY FIELD	
7. For how many years have you known the land?	From 1945 to 2010	
8. Between which years did you use it?	From to	
	Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?	YES
10. During the time you have used the land, has the general pattern of use remained basically the same?	
11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.	

- | | |
|---|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?	NO
13. How do/did you gain access to the land?	VIA ROADSIDE GATE
14. Why do you go on to this piece of land?	GAMES
15. How often do/did you use the land (apart from the public paths)?	
16. What activities do/did you take part in?	FOOTBALL
17. Does your immediate family use the land?	YES

18. If so, what for?

19. Do you know of any community activities that take place or have taken place on the land?
YES

19a. Please list them and state when and for how long they have taken place.
MEDONSLEY FAIR

20. Do you participate in any of them?
YES

21. Do any organisations use the land for sports or pastimes? If so please specify.

22. Do any seasonal activities take place on the land?

23. Please tick all the activities that you have seen taking place on the land.
FOOTBALL, KITE FLYING, BALL GAMES

- | | |
|--|---|
| <input type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?
DURHAM COUNTY COUNCIL (EDUCATION DEPT)

25. Do you know who is the occupier of the land?
DURHAM COUNTY COUNCIL CUTS GRASS

26. Has the owner or occupier seen you on the land?
DONT KNOW

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	n/o
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	No
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	No
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes /No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.
36. I have carried on the activities referred to in this questionnaire for years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.
37. <i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i>
38. <i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i>

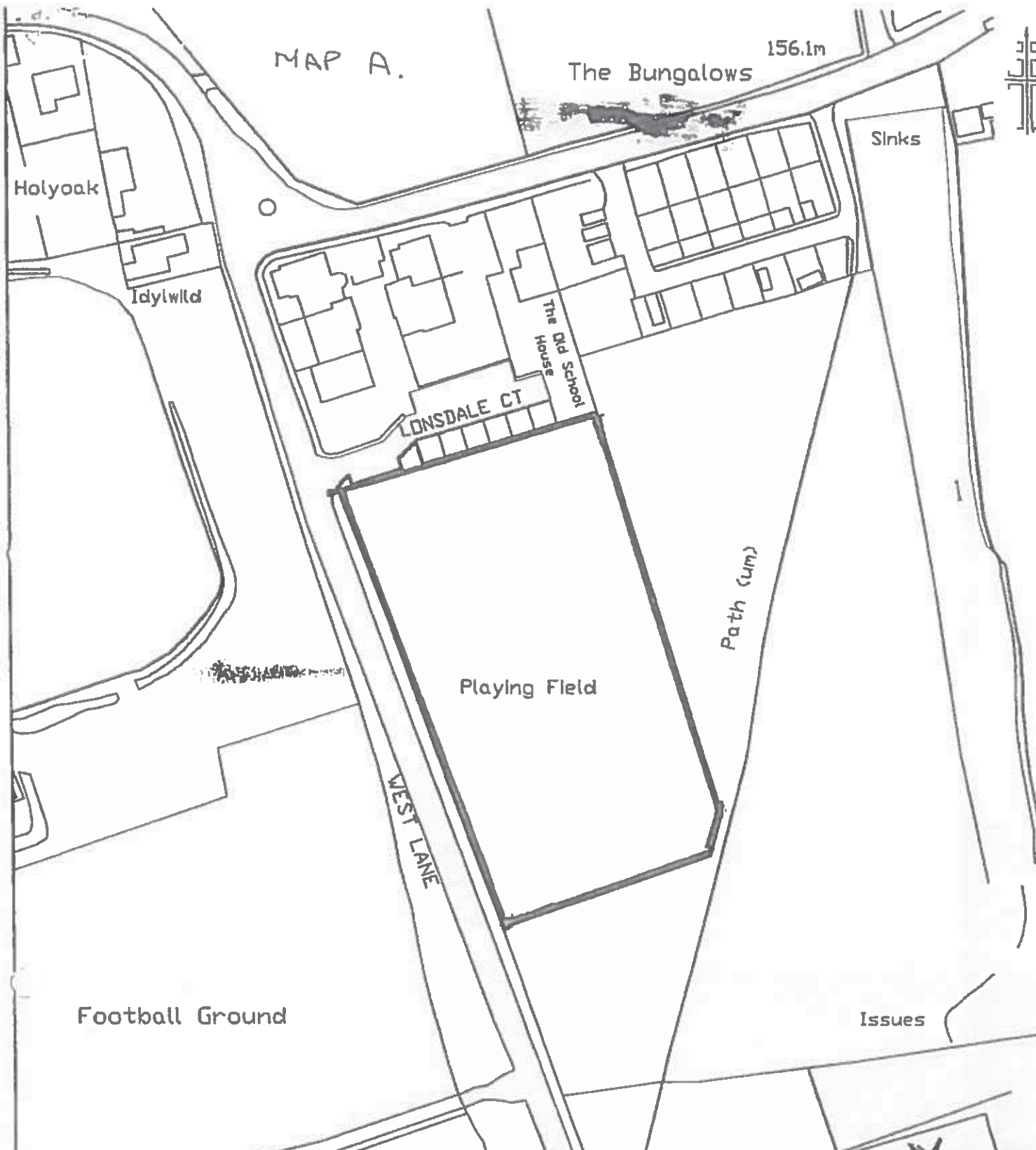
Signed  Date 6-5-2010

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where --
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where --
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where --
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref: DD-09-195 Date: 17/08/2009.

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PETER FEATHERSTONE
ALLENDALE FARM,



- 0210.11.57A

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	RALPH WILLIAM COXON		
ADDRESS	ACORN COTTAGE HIGH WOOD NCHETYLE		
POSTCODE	NE17 7UT	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	HGRANGE TERR MEDONLEY CONS AT WESTWOOD SECONDARY SCHOOL	
2. Address when you knew the land was used by the local inhabitants.	HGRANGE TERRACE MEDONLEY CONSETI	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No	<input checked="" type="checkbox"/>
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ... <u>PINK</u> ... (state the colour)	YES	<input checked="" type="checkbox"/>
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	RECREATION FIELD	
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO	
7. For how many years have you known the land?	From <u>1945</u> to <u>1952</u> <u>1970-1978</u> <u>1986 TO PRESENT DATE</u>	
8. Between which years did you use it?	From <u>1945</u> to <u>1952</u> <u>1976 - 1978</u> <u>1986 PRESENT TIME</u> Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?
 YES

10. During the time you have used the land, has the general pattern of use remained basically the same?
 YES

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input checked="" type="checkbox"/> A CENTRAL FEATURE |
| <input checked="" type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
 NO

13. How do/did you gain access to the land?
 FROM THE ROADSIDE/OR FROM GATE IN SCHOOL GARDEN

14. Why do you go on to this piece of land?
 BIRD WATCHING, EXERCISE DOGS, TAKING PHOTOGRAPHS OF DOGS RACING EACH OTHER ETC

15. How often do/did you use the land (apart from the public paths)?
 ALMOST EVERY DAY AS MENTIONED ABOVE

16. What activities do/did you take part in?
 BIRD WATCHING, PHOTOGRAPHS OF DOGS

17. Does your immediate family use the land?
 YES

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



18. If so, what for?
SAME AS MYSELF

19. Do you know of any community activities that take place or have taken place on the land?

19a. Please list them and state when and for how long they have taken place.

20. Do you participate in any of them?

21. Do any organisations use the land for sports or pastimes? If so please specify.

22. Do any seasonal activities take place on the land?

23. Please tick all the activities that you have seen taking place on the land.

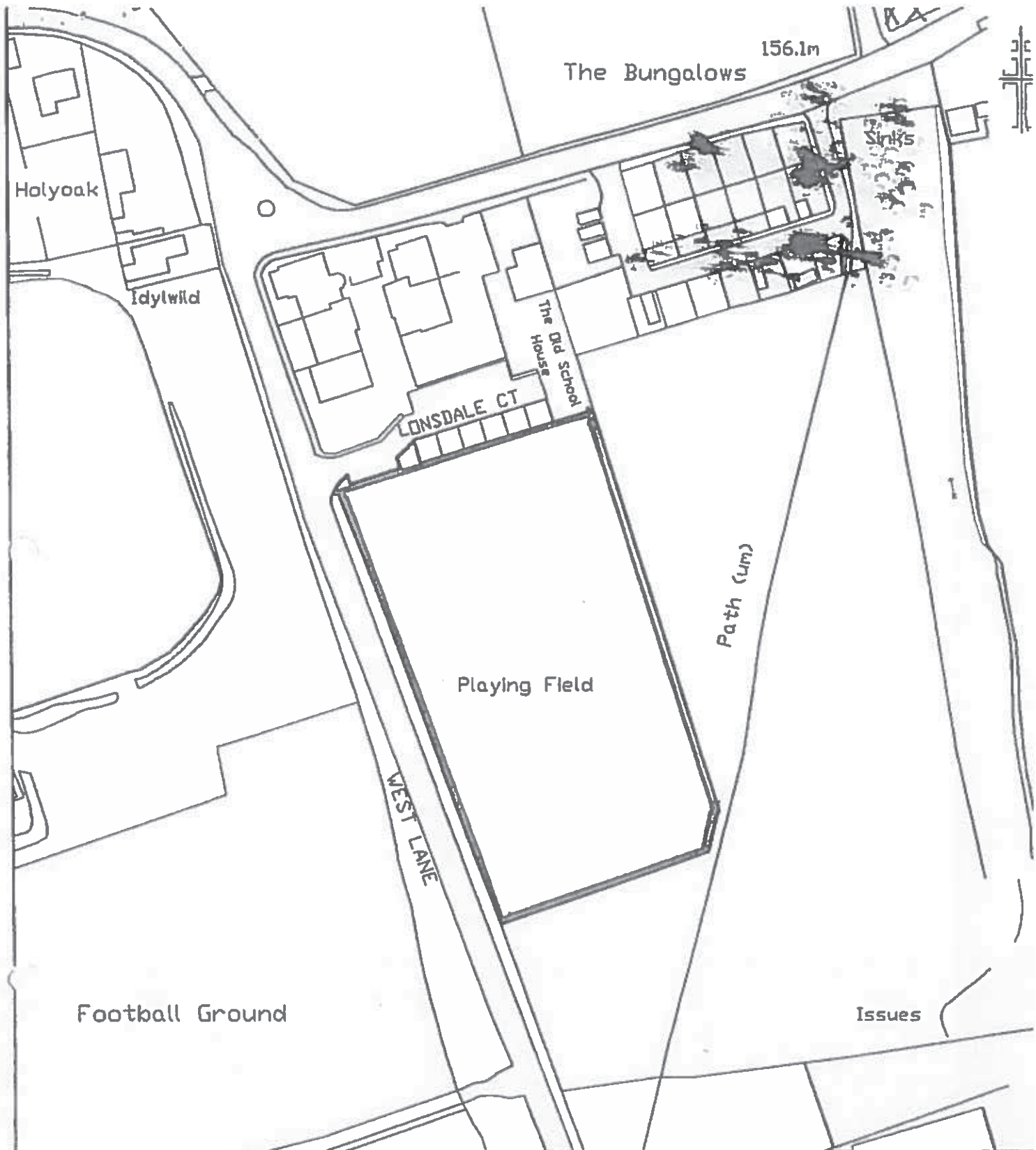
- | | |
|---|--|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input checked="" type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input type="checkbox"/> COMMUNITY CELEBRATIONS | <input checked="" type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) <i>PICKNICKS.</i> | |

24. Do you know who is the owner of the land? *NO*

25. Do you know who is the occupier of the land?
MEMBERS OF LOCAL COMMUNITY

26. Has the owner or occupier seen you on the land?
NOT KNOWN

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	NO
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	NO
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	NO
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250

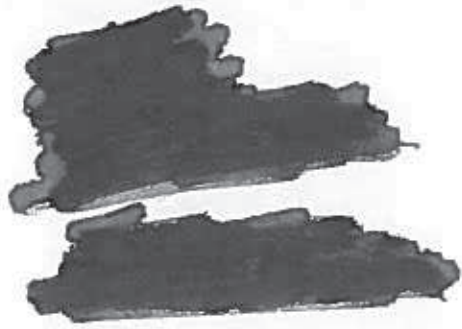


STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref. DQ-09-195 Date: 17/08/2009.

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. ACORN COTTAGE
acorn cottage



**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	MRS. LOVAINÉ COXON		
ADDRESS	ACORN COTTAGE, HIGH WESTWOOD		
POSTCODE	NE17 7QT	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	ACORN COTTAGE HIGH WESTWOOD	
2. Address when you knew the land was used by the local inhabitants.	AS ABOVE	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)		Yes/No YES
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ... <u>RED</u> (state the colour)		YES
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	SCHOOL SPORTS FIELD LOCAL RECREATIONAL FIELD	
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO	
7. For how many years have you known the land?	From <u>1956</u> to <u>TODAY</u>	
8. Between which years did you use it?	From <u>1976</u> to <u>1978</u>	
	Then from <u>1986</u> to <u>TODAY</u> .	

9. Do you consider yourself to be a local inhabitant in respect of the land?
 YES

10. During the time you have used the land, has the general pattern of use remained basically the same?
 YES

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input checked="" type="checkbox"/> A CENTRAL FEATURE |
| <input checked="" type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
 NO

13. How do/did you gain access to the land?
 FROM THE ROAD AS THERE WAS NO BOUNDARY FENCE

14. Why do you go on to this piece of land?
 WALK MY DOGS, USED IT TO TAKE PHOTOS OF MY DOGS

15. How often do/did you use the land (apart from the public paths)?
 REGULARLY.

16. What activities do/did you take part in?
 WALKING MY DOGS & TAKING PHOTOS

17. Does your immediate family use the land?
 YES

18. If so, what for?
 WALKING OUR DOGS
 TAKING PHOTOS OF OUR DOGS

19. Do you know of any community activities that take place or have taken place on the land?

19a. Please list them and state when and for how long they have taken place.

20. Do you participate in any of them?
 YES

21. Do any organisations use the land for sports or pastimes? If so please specify.

22. Do any seasonal activities take place on the land?

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|--|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input checked="" type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input type="checkbox"/> COMMUNITY CELEBRATIONS | <input checked="" type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?
 NO

25. Do you know who is the occupier of the land?
 MEMBERS OF THE LOCAL COMMUNITY.

26. Has the owner or occupier seen you on the land?
 DO NOT KNOW

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	
	NO
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	
	NO
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	
	NO
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 2.7 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed

A large, irregular black redaction mark covers the signature area.

Date

5.5.10

4

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	MR & MRS. S P HINDMARCH
ADDRESS	RETLEY HOUSE, HIGH WATWOOD
POSTCODE NE17 7LJ	TELEPHONE NO [REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	HIGH WATWOOD SCHOOL FIELD
2. Address when you knew the land was used by the local inhabitants.	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/ No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ... <u>RED</u> ... (state the colour)	X
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	SCHOOL PLAYING FIELD
6. Has it ever to your knowledge been known by any other name? If so, what name?	No.
7. For how many years have you known the land?	From <u>1765</u> to <u>1910</u>
8. Between which years did you use it? MY CHILDREN USED IT.	From <u>1970</u> to <u>1976/7</u> Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land? *yes.*

10. During the time you have used the land, has the general pattern of use remained basically the same? *yes.*

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|---|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land? *No.*

13. How do/did you gain access to the land? *SIDE GATES FROM BOTH THE SCHOOL AND SIDE GATE FROM THE MAIN ROAD.*

14. Why do you go on to this piece of land?
MY CHILDREN ALONG WITH OTHER VILLAGES CHILDREN USED IT TO PLAY ON. THE ONLY OTHER PLACE WERE AN OLD QUARRY WHICH WAS TOO DANGEROUS.

15. How often do/did you use the land (apart from the public paths)?
VERY OFTEN.

16. What activities do/did you take part in?
OUR CHILDREN USED TO PLAY CRICKET, FOOTBALL AND OTHER CHILDREN'S GAMES.

17. Does your immediate family use the land?
NOT NOW, THEY HAVE GROWN UP AND LONG SINCE LEFT THIS AREA BUT OTHER CHILDREN IN THE VILLAGES STILL USE IT. THERE WAS QUITS A HOUSE NOW.

18. If so, what for?
IT IS USED AS IT ALWAYS WAS FOR CHILDREN TO PLAY IN.

19. Do you know of any community activities that take place or have taken place on the land?
FAIRS BOTH SCHOOL AND COMMUNITY ONE.

19a. Please list them and state when and for how long they have taken place.
SCHOOL FAIRS HAVE TAKEN PLACE HERE SINCE BEFORE 1965 UP TO THE SCHOOL CLOSURE. THERE HAVE BEEN A FEW COMMUNITY FAIRS SINCE.

20. Do you participate in any of them?
WE HAVE PARTICIPATED TO A REASONABLE EXTENT.

21. Do any organisations use the land for sports or pastimes? If so please specify.

22. Do any seasonal activities take place on the land?

23. Please tick all the activities that you have seen taking place on the land.

- | | | |
|--|-----------------|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <i>CHILDREN</i> | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <i>CHILDREN</i> | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | | <input type="checkbox"/> PICNICKING |
| <input type="checkbox"/> DOG WALKING | <i>CHILDREN</i> | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | | <input type="checkbox"/> PEOPLE WALKING |
| <input type="checkbox"/> PICKING BLACKBERRIES | | <input type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | | |

24. Do you know who is the owner of the land?
NO

25. Do you know who is the occupier of the land?
NO

26. Has the owner or occupier seen you on the land?
NO

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	<i>No</i>
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	<i>No</i>
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	<i>No</i>
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	<i>Yes/No</i>
33. Are you willing to lend them to us?	<i>Yes/No</i>
34. If you have additional information please attach a separate statement.	<i>Yes/No</i>
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	<i>Yes/No</i>

WE ARE THE LONGEST INHABITANTS LIVING IN THIS VILLAGE

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 4 1/2 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed



Date

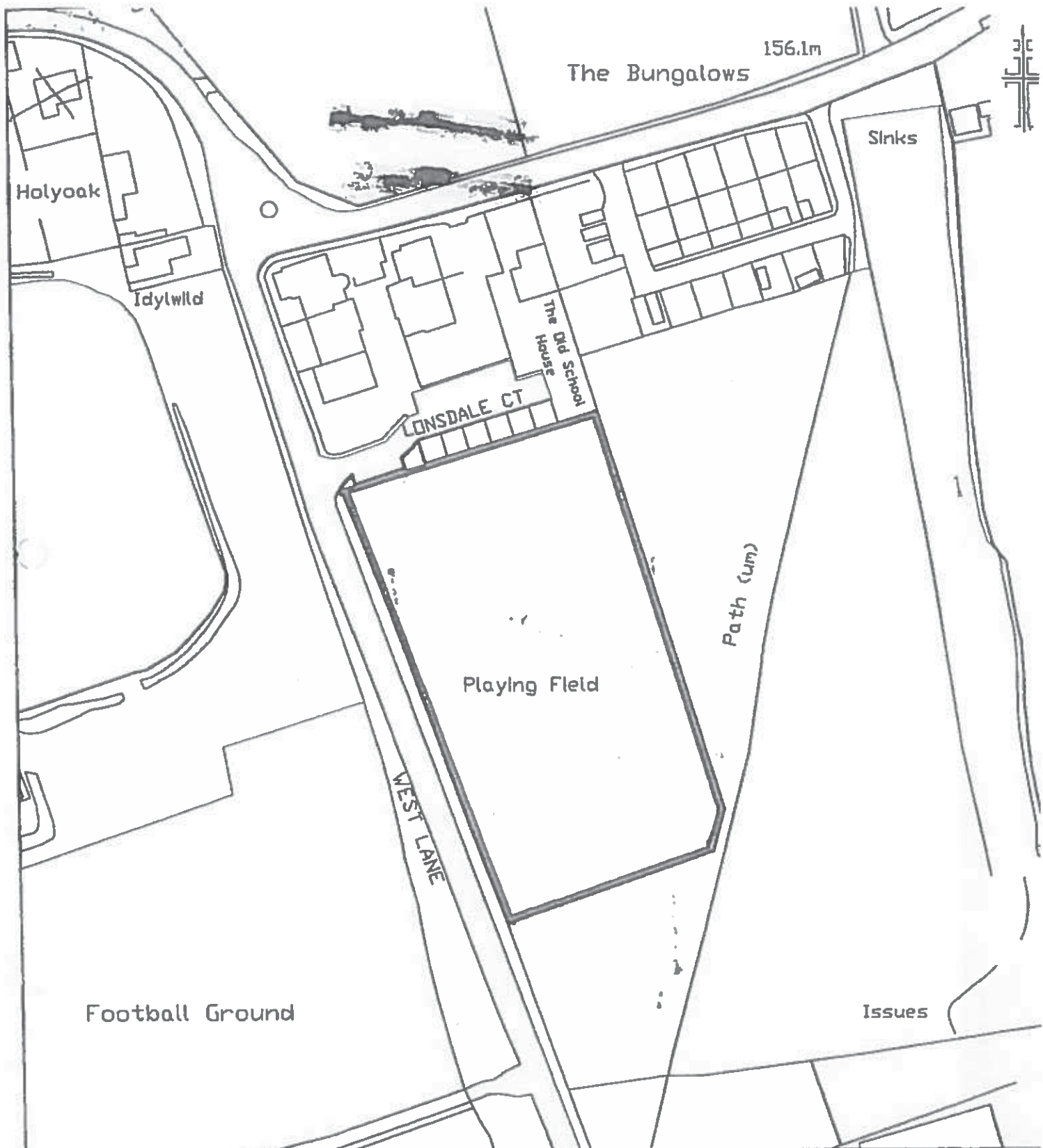
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NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

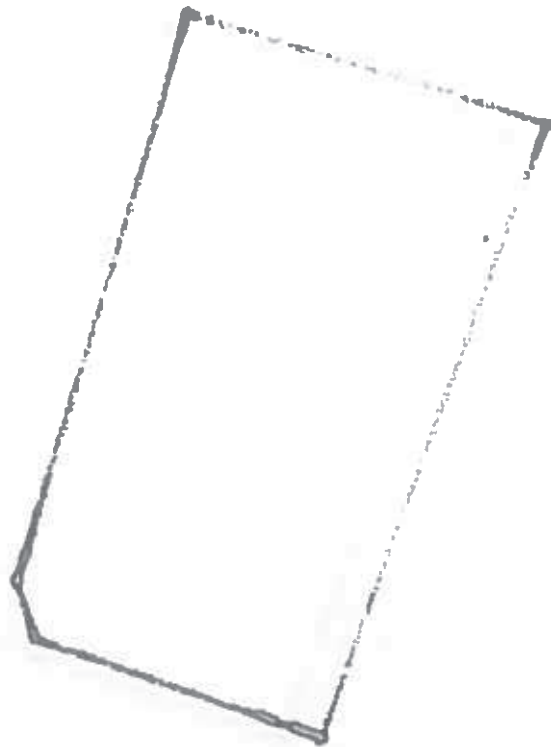
Plan Ref: DD-09-195 Date: 17/08/2009.

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ASTLEY HOUSE

X [REDACTED]
X [REDACTED]



9. Do you consider yourself to be a local inhabitant in respect of the land?
Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
Yes

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
No

13. How do/did you gain access to the land?
Through Gateway

14. Why do you go on to this piece of land? *As a child I played there with my friends. Now a parent I have used it to play with my children.*

15. How often do/did you use the land (apart from the public paths)?
At least once a week.

16. What activities do/did you take part in?
Ball Games. hide & seek. flying Kite.

17. Does your immediate family use the land?
Yes

18. If so, what for?	Same as previous.
19. Do you know of any community activities that take place or have taken place on the land?	Medonley Village Fete Summer 2000
19a. Please list them and state when and for how long they have taken place.	Family gatherings - easter egg hunts
20. Do you participate in any of them?	Yes
21. Do any organisations use the land for sports or pastimes? If so please specify.	Not to my knowledge
22. Do any seasonal activities take place on the land?	No
23. Please tick all the activities that you have seen taking place on the land.	

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDEERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?	Durham County Council
25. Do you know who is the occupier of the land?	Durham County Council
26. Has the owner or occupier seen you on the land?	Un-Sure

27. What did he or she say?	N/A
28. Was permission ever sought by you for activities on the land?	No
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	We weren't aware that permission was required on council land.
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	No
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	No
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 40... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

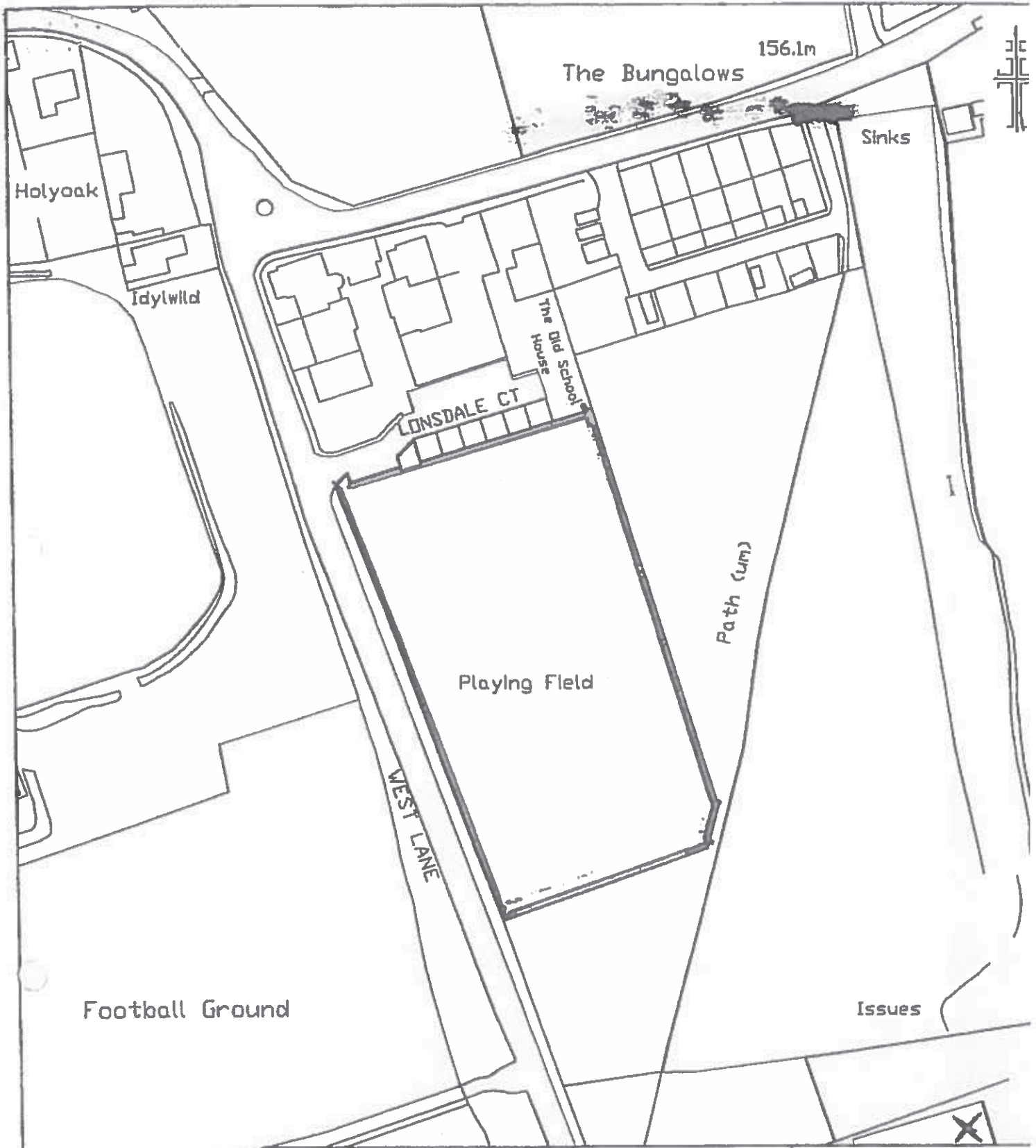
38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed



Date

6-5-2010



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref: DD-09-195 Date: 17/08/2009.

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X = Allendale Farm.



b

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	RHONDA ANDERSON		
ADDRESS	CROFT HOUSE	HIGH WESWOOD	
POSTCODE	NE7 7QT	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	CROFT HOUSE
2. Address when you knew the land was used by the local inhabitants.	CROFT HOUSE
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No <input checked="" type="radio"/> Yes
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in <u>RED</u> (state the colour)	YES
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	SCHOOL FIELD
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO
7. For how many years have you known the land?	From <u>1979</u> to <u>2010</u>
8. Between which years did you use it?	From <u>1979</u> to <u>DATE</u> Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land?
 YES

10. During the time you have used the land, has the general pattern of use remained basically the same?
 YES

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
 NO

13. How do/did you gain access to the land?
 THROUGH THE GATE

14. Why do you go on to this piece of land? LOCAL CHILDREN HAVE USED THE LAND FOR PLAYING GAMES SINCE I CAME TO THE VILLAGE IN 1979.

15. How often do/did you use the land (apart from the public paths)?
 EVERY WEEKEND + SOME EVENINGS
 WHEN CHILDREN WERE YOUNG

16. What activities do/did you take part in?
 FOOTBALL | CRICKET | GAMES

17. Does your immediate family use the land?
 WHEN THE CHILDREN WERE YOUNG

18. If so, what for?	PLAYING GAMES .
19. Do you know of any community activities that take place or have taken place on the land?	WILDOMSLEY VILLAGE CEILIDH.
19a. Please list them and state when and for how long they have taken place.	CHILDREN PLAYING - OVER 30 YEARS SCHOOL TEAM GAMES - UNTIL SCHOOL CLOSED
20. Do you participate in any of them?	FROM TIME TO TIME
21. Do any organisations use the land for sports or pastimes? If so please specify.	NO .
22. Do any seasonal activities take place on the land?	PICNICKING FIREWORKS BUILDING SNOWMEN
23. Please tick all the activities that you have seen taking place on the land.	

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?	NO
25. Do you know who is the occupier of the land?	NO
26. Has the owner or occupier seen you on the land?	I DONT KNOW

27. What did he or she say?	N/A
28. Was permission ever sought by you for activities on the land?	NO
28a. If so, from whom and when.	N/A
29. Did anyone ever give you permission to go onto the land?	NO
29a. If yes, when and the reason.	N/A .
30. Have you ever been prevented from using the land?	NO
30a. If yes, when and the reason.	N/A
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	NO
31a. If yes, give examples and dates.	N/A
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 31 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed 

Date 30/4/2010

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

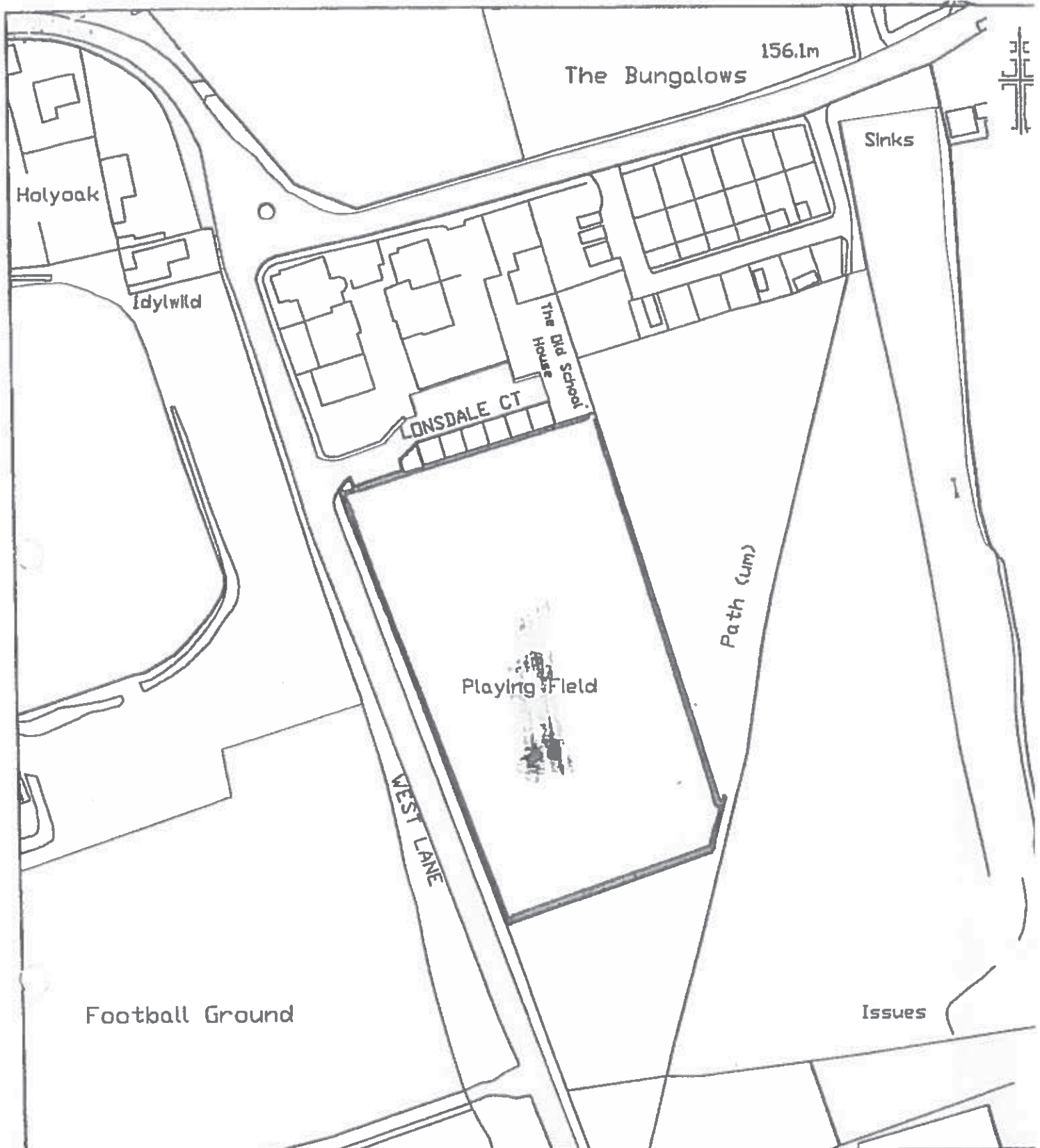
Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –

 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –

 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –

 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250

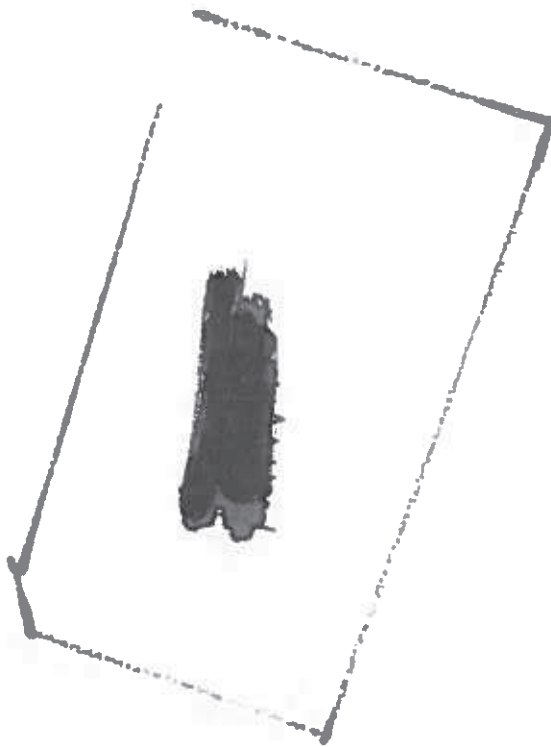


STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref. DD-09-195 Date: 17/08/2009.

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**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	KENNETH RAINBLORE		
ADDRESS	9 THE BUNGALOWS HIGH WESTWOOD N/C - ODN - TYNE		
POSTCODE	NE 17 7QY	TELEPHONE NO	

1. Address when you used the land. (The land in this form means 'the claimed land'.)	2000
2. Address when you knew the land was used by the local inhabitants.	1996
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/ No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged inRED..... (state the colour)	YES
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	PLAYING FIELD
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO
7. For how many years have you known the land? 15	From 1995... to 2010...
8. Between which years did you use it?	From 2000... to 2003... Then from 2006... to 2010...

9. Do you consider yourself to be a local inhabitant in respect of the land?	YES
10. During the time you have used the land, has the general pattern of use remained basically the same?	YES
11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.	

- | | |
|---|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input checked="" type="checkbox"/> OTHER (Please state) |
| <input type="checkbox"/> LOCAL SHOPS | |

THERE IS NO RECOGNISABLE FACILITIES AVAILABLE TO THE LOCAL INHABITANTS.

12. To your knowledge are there any public paths crossing the land?	NO
13. How do/did you gain access to the land?	BY A OPEN GATE / GAPS IN THE FENCE.
14. Why do you go on to this piece of land?	TO PLAY CRICKET . ETC.
15. How often do/did you use the land (apart from the public paths)?	2-3 TIMES PER MONTH
16. What activities do/did you take part in?	FOOTBALL, GOLF, ECT.
17. Does your immediate family use the land?	YES

18. If so, what for? <i>To Play GAMES</i>
19. Do you know of any community activities that take place or have taken place on the land? <i>YES</i>
19a. Please list them and state when and for how long they have taken place. <i>MILLENNIUM CELEBRATIONS YEAR 2000</i>
20. Do you participate in any of them?
21. Do any organisations use the land for sports or pastimes? If so please specify.
22. Do any seasonal activities take place on the land?
23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|--|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land? <i>YES</i>
25. Do you know who is the occupier of the land?
26. Has the owner or occupier seen you on the land?

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	<i>No</i>
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	<i>No</i>
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	<i>No</i>
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	<i>No</i>
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes /No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for ...7... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed



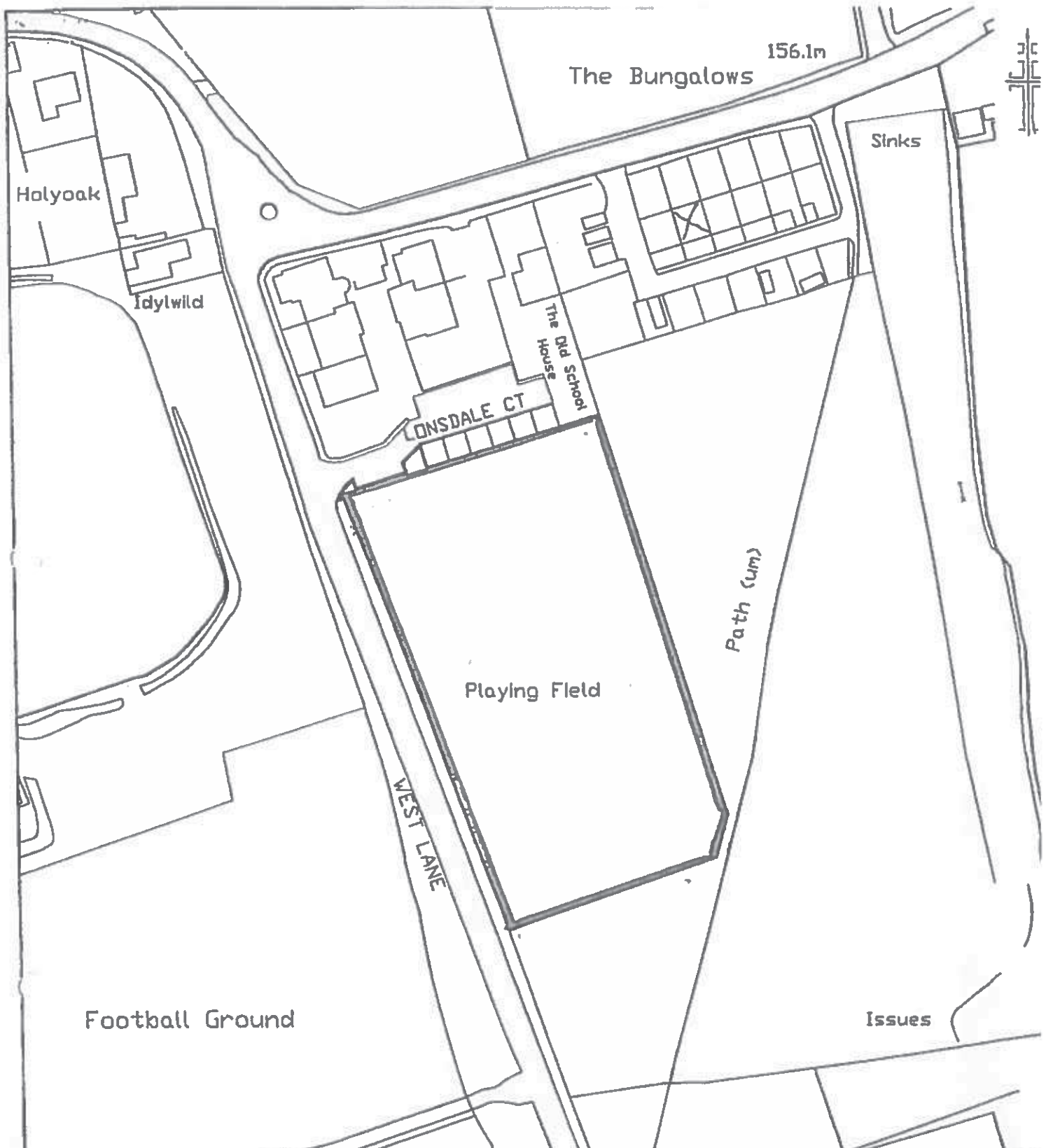
Date ...5/5/10...

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref: DD-09-195 Date: 17/08/2009.

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**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	MRS VICTORIA PARKINSON		
ADDRESS	3 LONSDALE COURT, HIGH WESTWOOD		
POSTCODE	NE17 7RG	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	AS ABOVE	
2. Address when you knew the land was used by the local inhabitants.	AS ABOVE	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No	
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in <u>.RED.</u> (state the colour)		
4. Please mark the location of your house on 'Map A' with an X. ✓		
5. By what, if any, name is the land shown on 'Map A' known?	"PLAYING FIELD" or "THE FIELD"	
6. Has it ever to your knowledge been known by any other name? If so, what name?		
7. For how many years have you known the land?	From <u>MAR 02</u> to <u>PRESENT</u>	
8. Between which years did you use it?	From <u>MAR 02</u> to <u>PRESENT</u>	
	Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?
 YES

10. During the time you have used the land, has the general pattern of use remained basically the same?
 YES

11. What ~~recognisable facilities~~ are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input checked="" type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input checked="" type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input checked="" type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input checked="" type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

* But these are in neighbouring villages - NOT ON

12. To your knowledge are there any public paths crossing the land?
 No

13. How do/did you gain access to the land?
 THROUGH GATE

14. Why do you go on to this piece of land? TO JOIN IN ACTIVITIES WITH CHILDREN AND/OR NEIGHBOURS IN VILLAGE WALK THE DOG OR RUN.

15. How often do/did you use the land (apart from the public paths)?
 DAILY

16. What activities do/did you take part in? FOOTBALL, TENNIS, SUPERVISION OF CHILDREN, KITE FLYING, RUNNING, SKIPPING, BBQs, RUNNING SUMMER VILLAGE PARTIES, PICNICS, TENTS/CAMPING, WALKING T

17. Does your immediate family use the land?
 YES

DCE

18. If so, what for? FOOTBALL, TREE CLIMBING, CRICKET, KITE FLYING, FRISBEE, HANDSTANDS + CARTWHEELS, BBQS, BLACKBERRYING, ROUNDERS, BIKE RIDING, SKIPPING, PICKNICS

19. Do you know of any community activities that take place or have taken place on the land?
SUMMER BBQ/FETES, CRICKET, FIREWORKS NEW YR + BONFIRE NIGHT

19a. Please list them and state when and for how long they have taken place.
SEE ABOVE - AS LONG AS I HAVE LIVED IN THE VILLAGE AT LEAST - 8 YEARS

20. Do you participate in any of them?
YES, ALL OF THEM

21. Do any organisations use the land for sports or pastimes? If so please specify.
NO JUST THE LOCAL COMMUNITY.

22. Do any seasonal activities take place on the land?
SUMMER BBQ, BONFIRE NIGHT + SLEDGING

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input checked="" type="checkbox"/> BIRD WATCHING |
| <input checked="" type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input checked="" type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?
COUNCIL

25. Do you know who is the occupier of the land?
THE COMMUNITY USE IT CURRENTLY

26. Has the owner or occupier seen you on the land?
N/A

27. What did he or she say?	
28. Was permission ever sought by you for activities on the land?	NO
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	WEVE NEVER NEEDED IT - IT IS COMMUNITY LAND.
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	NO
30a. If yes, when and the reason.	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	NO.
31a. If yes, give examples and dates.	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/ No SOME OF SUMMER PARTIES / FETE
33. Are you willing to lend them to us?	Yes/ No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 8 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed ..



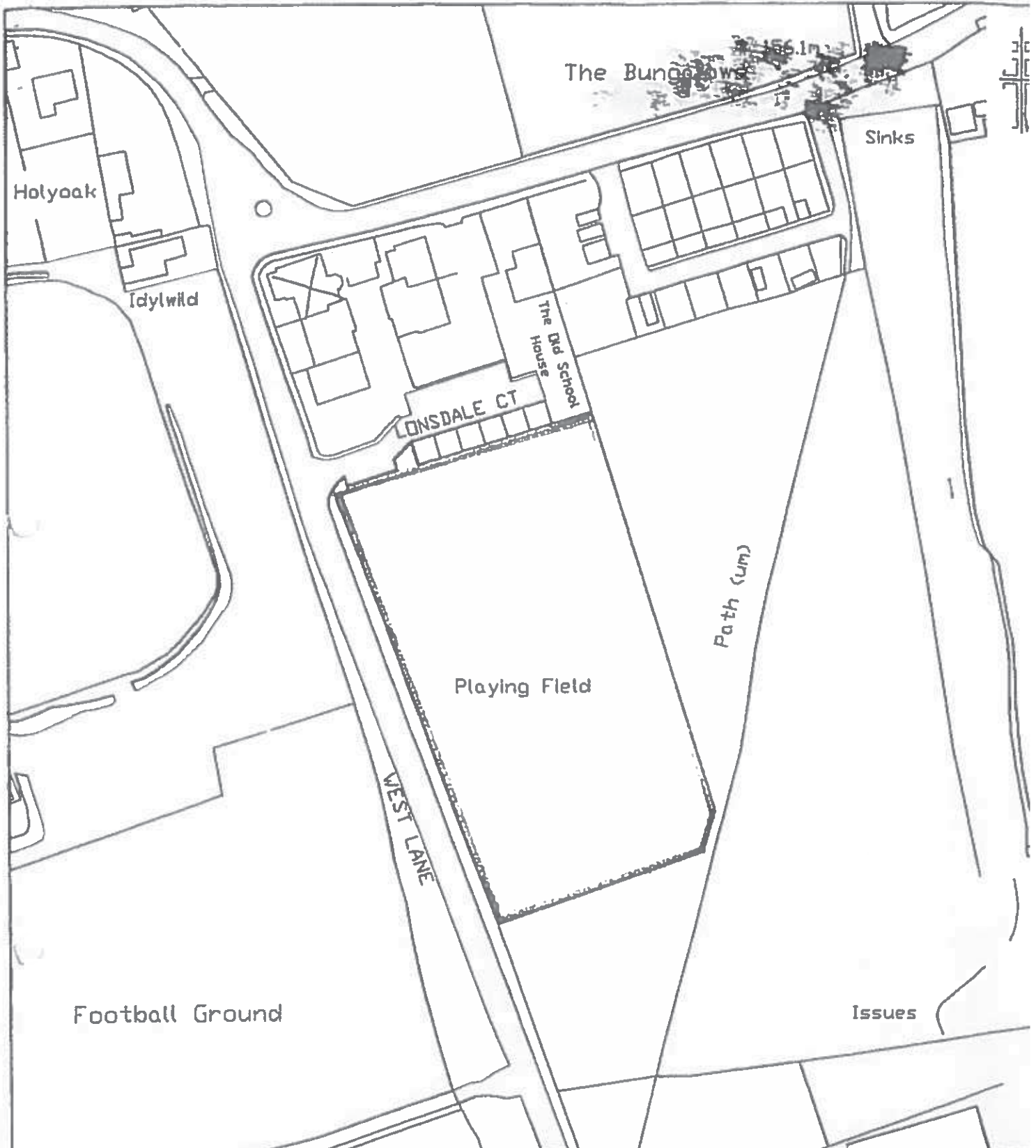
Date 1/5/10

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
 CORPORATE RESOURCES
 COUNTY HALL, DURHAM DH1
 TEL 0191 3833000
 ASSET MANAGEMENT DIVISION

Plan Ref: DD-09-195 Date: 17/08/2009.

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metres



29.6.10

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	LISA & MARK BUXTON		
ADDRESS	5 LANSDALE COURT, HIGH WESTWOOD		
POSTCODE	NE17 7BA	TELEPHONE NO.	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	as above	
2. Address when you knew the land was used by the local inhabitants.	as above	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	<input checked="" type="radio"/> Yes <input type="radio"/> No	
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in <u>Red</u> (state the colour)	YES	
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	The playing field or "the field"	
6. Has it ever to your knowledge been known by any other name? If so, what name?	School field	
7. For how many years have you known the land?	From <u>2003</u> to <u>current date</u>	
8. Between which years did you use it?	From <u>2003</u> to <u>Current date</u>	
	Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?
 Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
 Yes

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
 No

13. How do/did you gain access to the land?
 Gate

14. Why do you go on to this piece of land?
 For community activities re children meeting together to play, Annual festivities events.
 Recreation

15. How often do/did you use the land (apart from the public paths)?
 Every day

16. What activities do/did you take part in?
 Football, Cricket, climbing trees, blackberry picking, walking, games, running, sledging, parties, fireworks, picnics

17. Does your immediate family use the land?
 Yes

18. If so, what for?
 Same as 16

19. Do you know of any community activities that take place or have taken place on the land?
 New Years fireworks, Summer BBQ's, Bonfire night fireworks, sledging

19a. Please list them and state when and for how long they have taken place.
 as above, every year certainly since we moved here and we believe before then as well.

20. Do you participate in any of them?
 Yes, all of them

21. Do any organisations use the land for sports or pastimes? If so please specify.
 No

22. Do any seasonal activities take place on the land?
 Bonfire night & New Year fireworks, blackberry picking.

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input checked="" type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input checked="" type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?
 The land was a gift by the coal board to the school. Therefore it either belongs to the school or

25. Do you know who is the occupier of the land?
 No one occupies the land, but the local residents use it for community use.

26. Has the owner or occupier seen you on the land?
 I believe the only person from Durham Council to see us on it would be the grass cutter.

Durham
 County
 Council

27. What did he or she say? nothing	
28. Was permission ever sought by you for activities on the land? No	
28a. If so, from whom and when. N/A	
29. Did anyone ever give you permission to go onto the land? No	
29a. If yes, when and the reason. N/A	
30. Have you ever been prevented from using the land? No	
30a. If yes, when and the reason. N/A	
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants? No	
31a. If yes, give examples and dates. N/A	
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	<input checked="" type="radio"/> Yes <input type="radio"/> No
33. Are you willing to lend them to us?	<input checked="" type="radio"/> Yes <input type="radio"/> No
34. If you have additional information please attach a separate statement.	<input checked="" type="radio"/> Yes <input type="radio"/> No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	<input checked="" type="radio"/> Yes <input type="radio"/> No

addresses upon the reverse of this form.	
36.	I have carried on the activities referred to in this questionnaire for ... <u>7</u> ... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.
37.	<i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i>
38.	<i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i>

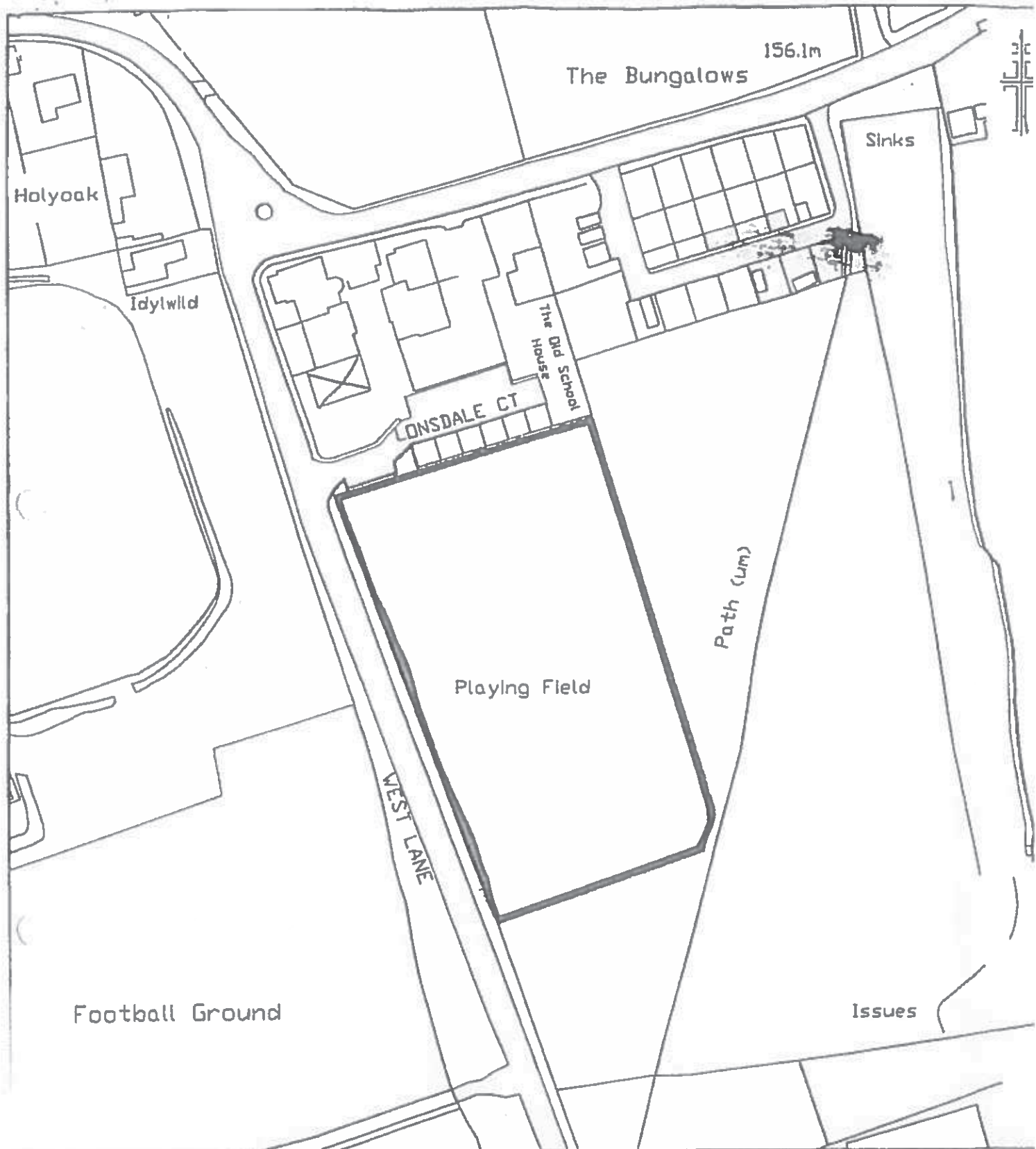
Signed  Date 14/5/10

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where —
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where —
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where —
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1 5
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref: DC-09-195 Date: 17/08/2009.

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S Lonsdale ct.

29.6.10.

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	LYNNE + DEREK HERON	
ADDRESS	3 THE BUNGLOWS, 17911 WESTWOOD	
POSTCODE	NE17 7QY.	TELEPHONE NO [REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	AS ABOVE
2. Address when you knew the land was used by the local inhabitants.	AS ABOVE
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	<input checked="" type="radio"/> Yes / <input type="radio"/> No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged inRed..... (state the colour)	Agree
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	Village green .
6. Has it ever to your knowledge been known by any other name? If so, what name?	No .
7. For how many years have you known the land?	From 2002 to date .
8. Between which years did you use it?	From 2002 to date . Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land?
Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
Yes

11. What ~~recognisable facilities~~ are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
No

13. How do/did you gain access to the land?
by the gate.

14. Why do you go on to this piece of land?
for recreation purposes.

15. How often do/did you use the land (apart from the public paths)?
fortnightly / monthly.

16. What activities do/did you take part in?
*sports and games with family children
 dog walking and training.
 Summer picnics & parties.*

17. Does your immediate family use the land?
yes

18. If so, what for?
As previously stated - children's games; rounders, football etc. Picnics + parties

19. Do you know of any community activities that take place or have taken place on the land?
Summer parties.

19a. Please list them and state when and for how long they have taken place.
Summer parties + get together - have taken place as long as I have lived here

20. Do you participate in any of them?
Yes

21. Do any organisations use the land for sports or pastimes? If so please specify.

22. Do any seasonal activities take place on the land?
As above - summer games, sports + parties.

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land?
Derwent side council.

25. Do you know who is the occupier of the land?
The village?

26. Has the owner or occupier seen you on the land?
N/A.

27. What did he or she say?	N/A .
28. Was permission ever sought by you for activities on the land?	N/A .
28a. If so, from whom and when.	N/A .
29. Did anyone ever give you permission to go onto the land?	Derwent side council .
29a. If yes, when and the reason.	it has always been known as the village green .
30. Have you ever been prevented from using the land?	No .
30a. If yes, when and the reason.	N/A .
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	No .
31a. If yes, give examples and dates.	No .
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.	
36.	I have carried on the activities referred to in this questionnaire for ..8..... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.
37.	<i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i>
38.	<i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i>

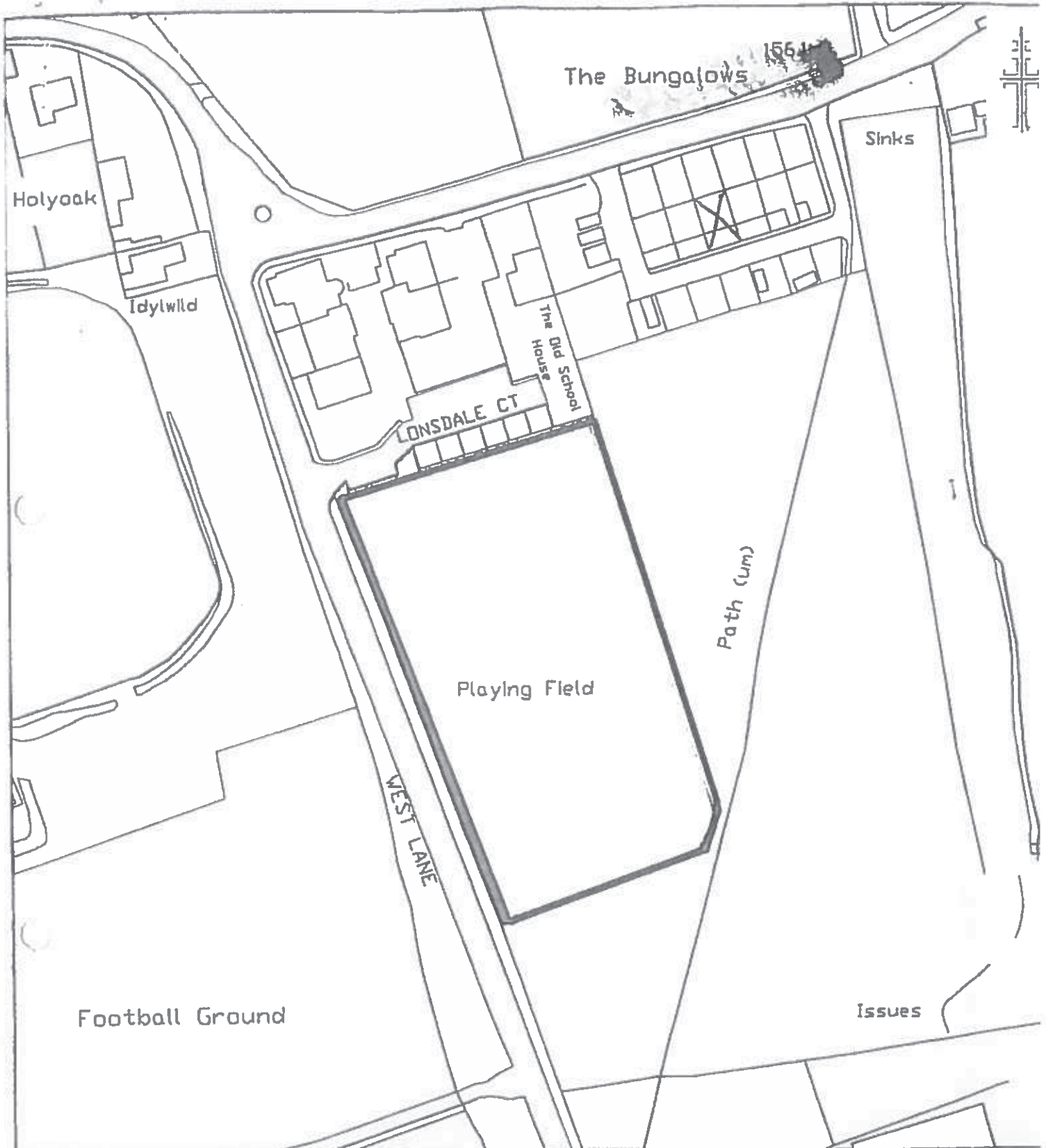
Signed  Date ...5/5/10...

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1 5
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref. **DD-09-195** Date **17/08/2009.**

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Durham County Council LA 100049055, 2009.



Derrek Hendon

29.6.10

11

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	Alan & Sandra Charlton		
ADDRESS	1 Leasdale Court, High Westwood Newcastle		
POSTCODE	NE 17 7RG	TELEPHONE NO	[REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	As Above
2. Address when you knew the land was used by the local inhabitants.	As Above
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	<input checked="" type="radio"/> Yes <input type="radio"/> No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ... <i>Red</i> (state the colour)	
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	School Playing Field
6. Has it ever to your knowledge been known by any other name? If so, what name?	No.
7. For how many years have you known the land?	From 1/5/02 to present day
8. Between which years did you use it?	From 1/5/02 to present day Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land?
Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
Yes

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|--|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
No

13. How do/did you gain access to the land? There is a double metal gate giving access to land from West Lane. Mainly use a gate that gives access to field from Lonsdale Court.

14. Why do you go on to this piece of land? It is adjacent to where we live & it is not the only open space now available in the village for recreational purposes.

15. How often do/did you use the land (apart from the public paths)?
On a daily basis

16. What activities do/did you take part in? Walking, exercise, walking the dog, relaxing, football, camping out, BBQ's, village parties

17. Does your immediate family use the land? Yes. When family come to visit

18. If so, what for? *playing outdoor sports, walking the dog*

19. Do you know of any community activities that take place or have taken place on the land?
Yes

19a. Please list them and state when and for how long they have taken place. *Since living here there have been annual village parties on the field*

20. Do you participate in any of them?
Yes

21. Do any organisations use the land for sports or pastimes? If so please specify.
No.

22. Do any seasonal activities take place on the land? *Fireworks at Xmas, Summer BBQ's, Bonfire Night*

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDEBS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input checked="" type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land? *Yes I believe the local council*

25. Do you know who is the occupier of the land? *Nobody at present*

26. Has the owner or occupier seen you on the land? *I'm not sure but the grass is cut regularly by the council & the workmen may have seen me.*

27. What did he or she say?	<i>Nothing</i>
28. Was permission ever sought by you for activities on the land?	<i>No.</i>
28a. If so, from whom and when.	
29. Did anyone ever give you permission to go onto the land?	<i>No.</i>
29a. If yes, when and the reason.	
30. Have you ever been prevented from using the land?	<i>No.</i>
30a. If yes, when and the reason.	<i>-</i>
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	<i>No.</i>
31a. If yes, give examples and dates.	<i>-</i>
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/ <input checked="" type="radio"/> No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.

36. I have carried on the activities referred to in this questionnaire for 8 years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

37. *I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.*

38. *I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.*

Signed



Date 2/25/10

A K Chandra

2/25/10

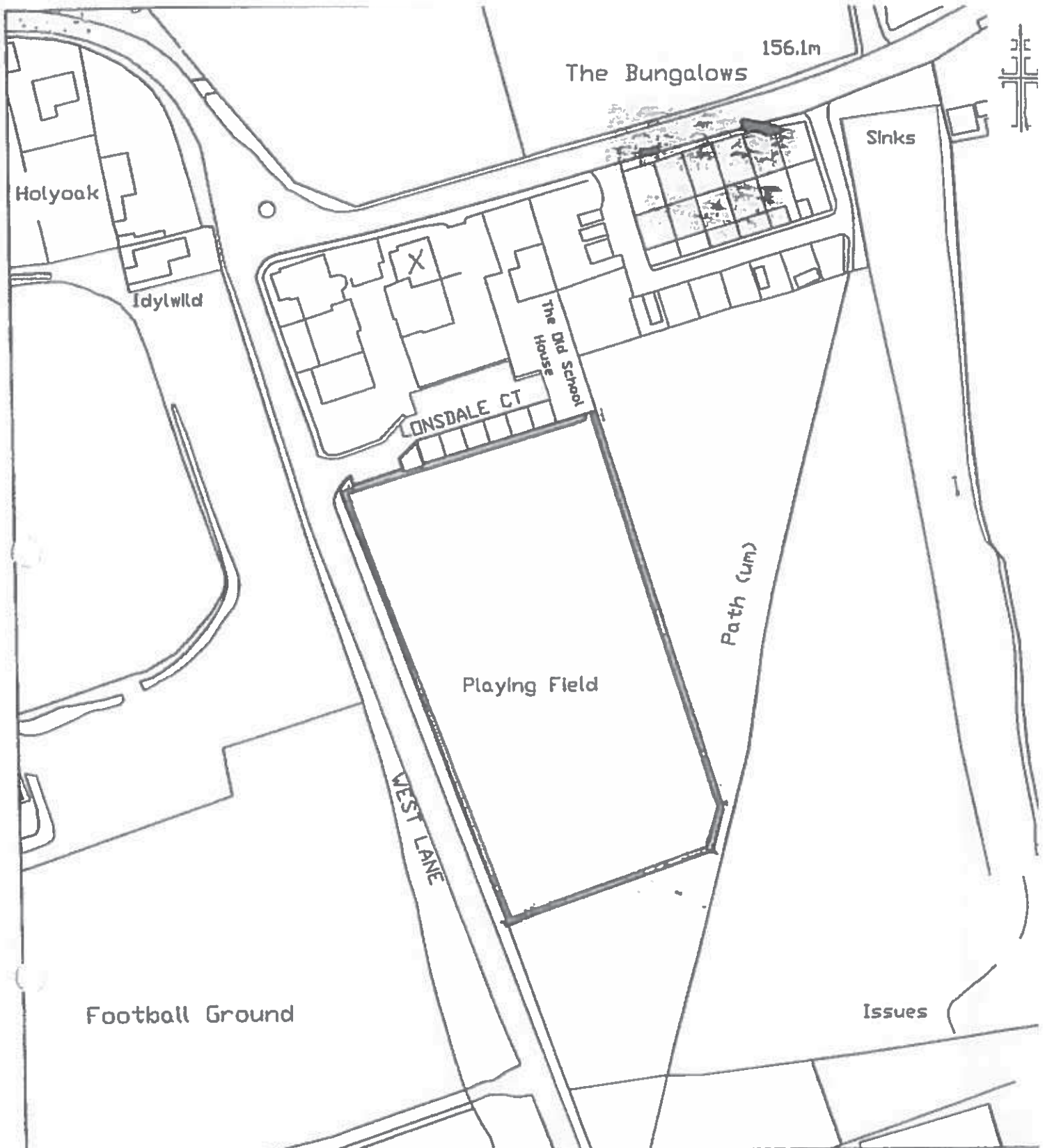
NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).

Date 14 2007



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref: DD-09-195 Date: 17/08/2009

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Durham County Council. LA 100049055. 2009. Page 109



1 Lonsdale Court.



**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	PAUL + KATIE SKINNER	
ADDRESS	4 LONSDALE COURT HIGH WESTWOOD	
POSTCODE	NE17 7RG	TELEPHONE NO: [REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	as above	
2. Address when you knew the land was used by the local inhabitants.	as above	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No <input checked="" type="radio"/> Yes <input type="radio"/> No	
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ..Red..... (state the colour)	Yes	
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	SCHOOL FIELD	
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO	
7. For how many years have you known the land?	From 2002 to 2010..	
8. Between which years did you use it?	From 2002 to 2010... Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?
Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
Yes

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|--|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
NO

13. How do/did you gain access to the land?
TWO WAYS - FROM PATHWAY FROM OUR PROPERTY AND PUBLIC PATHWAY THROUGH GATE

14. Why do you go on to this piece of land?
The children of High Westwood play on this remaining piece of field on a daily basis

15. How often do/did you use the land (apart from the public paths)?
Every day

16. What activities do/did you take part in?
Football, rounders, picnics, birthday parties, winter sports, summer fairs, fireworks

17. Does your immediate family use the land?
Yes

18. If so, what for?
As question 16

19. Do you know of any community activities that take place or have taken place on the land?
Fetes, BBQ's, Fireworks, dog walking

19a. Please list them and state when and for how long they have taken place.
Summer Fete } annually since 2002
BBQ Fireworks }

20. Do you participate in any of them?
Yes

21. Do any organisations use the land for sports or pastimes? If so please specify.
NO

22. Do any seasonal activities take place on the land?

23. Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input checked="" type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input checked="" type="checkbox"/> OTHER (Please state)
Birthday Parties | |

24. Do you know who is the owner of the land?
NO

25. Do you know who is the occupier of the land?
NO

26. Has the owner or occupier seen you on the land?
NO

27. What did he or she say?	✓
28. Was permission ever sought by you for activities on the land?	NO
28a. If so, from whom and when.	—
29. Did anyone ever give you permission to go onto the land?	when we bought the property the land was for "community use"
29a. If yes, when and the reason.	✓
30. Have you ever been prevented from using the land?	NO
30a. If yes, when and the reason.	✓
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	NO
31a. If yes, give examples and dates.	—
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.	
36.	I have carried on the activities referred to in this questionnaire for ...8... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.
37.	<i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i>
38.	<i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i>

Signed ..



Date

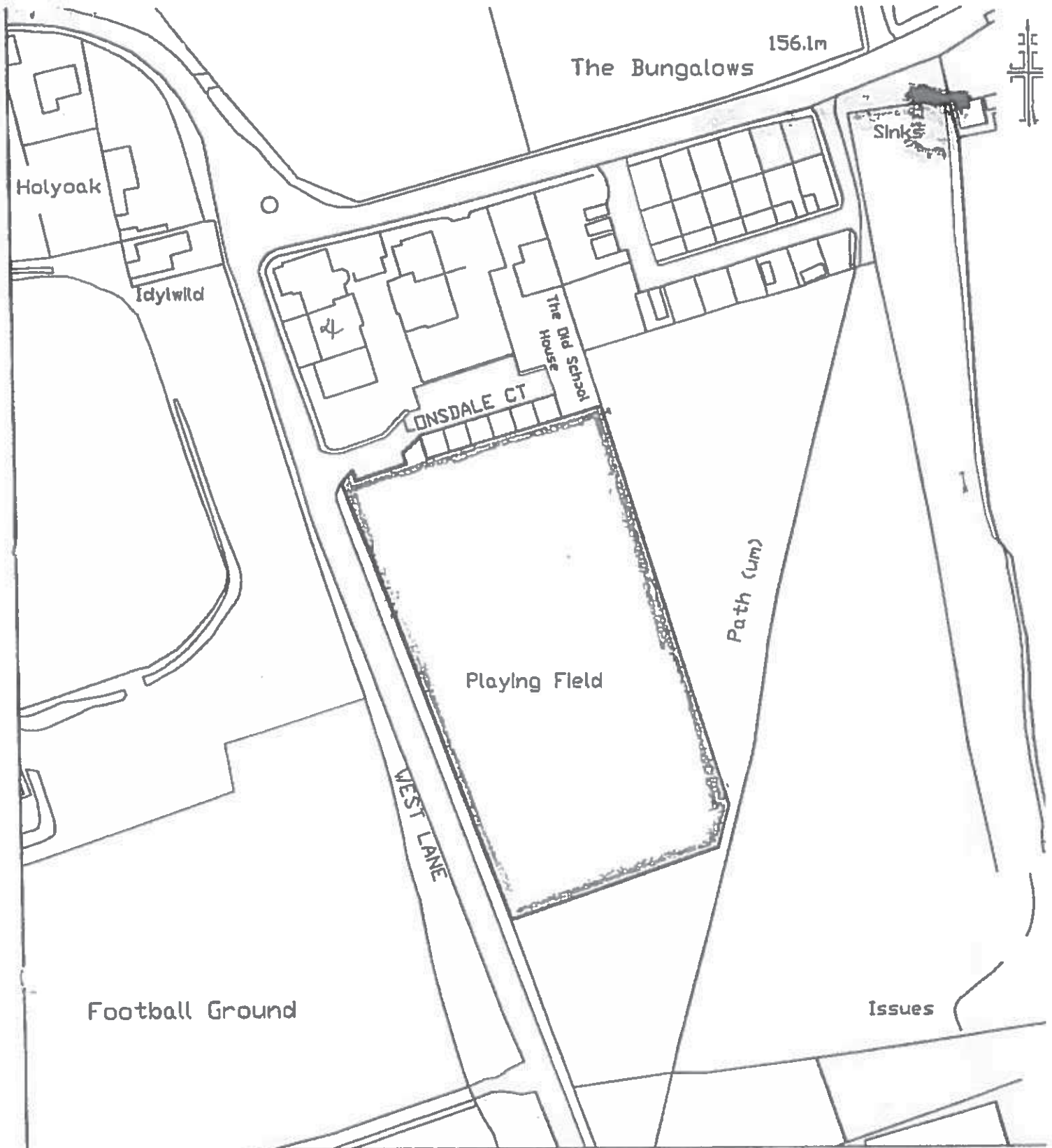
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NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part I of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref. DD-09-195 Date: 17/08/2009.

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Katie Skinner
4 Lonsdale Court
High Westwood
NE17 7RG

13

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	ALISON WINDOWS / JOHN WINDOWS / HEDLEY WINDOWS	
ADDRESS	2 LANSDALE COURT NE17 7RG	
POSTCODE	NE17 7RG	TELEPHONE NO. [REDACTED]

1. Address when you used the land. (The land in this form means 'the claimed land'.)	As above
2. Address when you knew the land was used by the local inhabitants.	As above
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No <input checked="" type="radio"/> Yes <input type="radio"/> No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in ..red..... (state the colour)	✓ Yes
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	
6. Has it ever to your knowledge been known by any other name? If so, what name?	
7. For how many years have you known the land?	From 2005... to ...DATE...
8. Between which years did you use it?	As above From 2005... to ...DATE... Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land?	Yes
10. During the time you have used the land, has the general pattern of use remained basically the same?	Yes
11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.	

- | | |
|---|---|
| <input type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input type="checkbox"/> RESIDENTS' ASSOCIATION | <input type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?	No
13. How do/did you gain access to the land?	Gate
14. Why do you go on to this piece of land?	To play
15. How often do/did you use the land (apart from the public paths)?	Daily
16. What activities do/did you take part in?	Take part in football, games, sledging etc
17. Does your immediate family use the land?	All

18.	If so, what for? <i>As above</i>
19.	Do you know of any community activities that take place or have taken place on the land? <i>Summer parties / fireworks @ New year @ SNA</i>
19a.	Please list them and state when and for how long they have taken place. <i>To my knowledge certainly since we have lived here</i>
20.	Do you participate in any of them? <i>Yes</i>
21.	Do any organisations use the land for sports or pastimes? If so please specify.
22.	Do any seasonal activities take place on the land? <i>As above (19)</i>
23.	Please tick all the activities that you have seen taking place on the land.

- | | |
|--|---|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input checked="" type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input checked="" type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input type="checkbox"/> DOG WALKING | <input checked="" type="checkbox"/> KITE FLYING |
| <input type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input checked="" type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input type="checkbox"/> FETES | <input type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24.	Do you know who is the owner of the land? <i>Council</i>
25.	Do you know who is the occupier of the land? <i>N/A</i>
26.	Has the owner or occupier seen you on the land? <i>The grass cutter</i>

27. What did he or she say?	N/A
28. Was permission ever sought by you for activities on the land?	No
28a. If so, from whom and when.	N/A
29. Did anyone ever give you permission to go onto the land?	N/A No
29a. If yes, when and the reason.	N/A
30. Have you ever been prevented from using the land?	No
30a. If yes, when and the reason.	N/A
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	No
31a. If yes, give examples and dates.	N/A
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No
33. Are you willing to lend them to us?	Yes/No
34. If you have additional information please attach a separate statement.	Yes/No
35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and	Yes/No

addresses upon the reverse of this form.	
36.	I have carried on the activities referred to in this questionnaire for <u>4 1/2</u> years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.
37.	<i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i>
38.	<i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i>

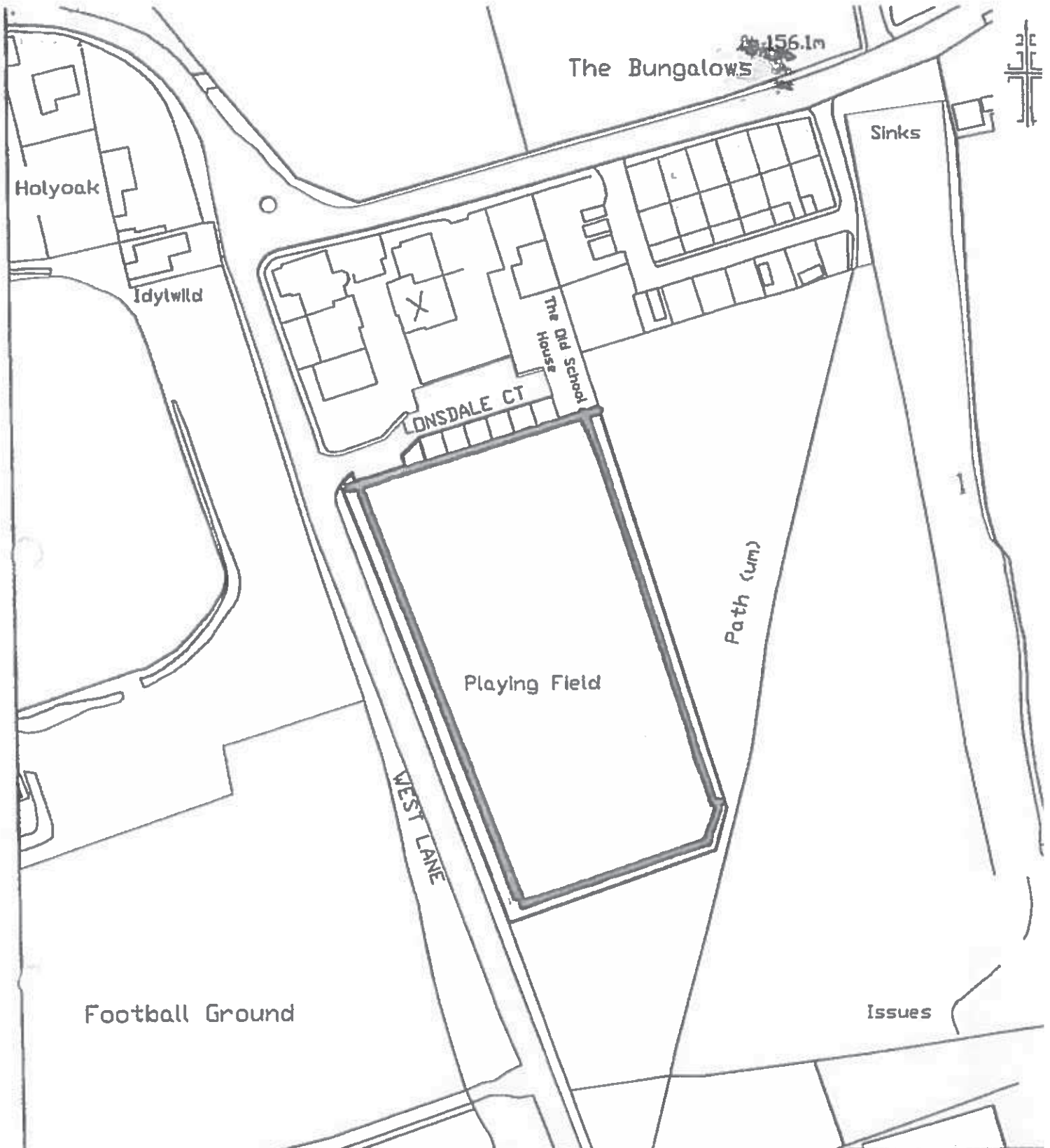
Signed  Date 8 5-10

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

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 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



WESTWOOD PRIMARY SCHOOL

Scale : 1/1250



STUART CROWE
CORPORATE RESOURCES
COUNTY HALL, DURHAM DH1
TEL 0191 3833000
ASSET MANAGEMENT DIVISION

Plan Ref. DD-09-195 Date 17/08/2009.

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8-5-10

R.E.

HIGH WESTWOOD SCHOOL PLAYING FIELD

REGISTRATION OF VILLAGE GREEN.

DEAR SIRS,

THIS FIELD HAS BEEN IN ALMOST CONSTANT USE AS BOTH A SCHOOL PLAYING FIELD AND AFTER SCHOOL ACTIVITIES, MOST CHILDREN'S GAMES SUCH AS BASKET BALL, TENNIS, FOOTBALL, RUGBY-FOOTY ETC WERE PLAYED.

I HAVE LIVED IN THIS VILLAGE SINCE 1965, MY CHILDREN WENT TO SCHOOL HERE AND HAVE PLAYED ON THIS FIELD ON SUMMER EVENINGS AND WEEK-ENDS, THEY HAVE ALSO SLEPT, PLAYED SNOWBALLS AND BUILT SNOWMEN IN WINTER TOGETHER WITH OTHER VILLAGE CHILDREN. AND ONE HAS NEVER STOPPED ANY OF THESE ACTIVITIES THIS WINTER FROM 1970 ONWARDS. FOR OUR CHILDREN AND OTHER CHILDREN OF THE VILLAGE OF THE TIME.

AS THIS WAS THE ONLY LOCAL COUNCIL RUN SCHOOL IN THE AREA, HIGH WESTWOOD SCHOOL ALSO SERVED OUR NEIGHBOURING VILLAGES OF LOW WESTWOOD, HANSTEADLY COLLEGEY, ECHOSTER, ALLENDALE CUTTING, THE DENN AND SOME FROM REDEWELL. THIS FIELD WAS THE ONLY LOCAL PLAYING FIELD IN THIS AREA, (AND STILL IS), WHERE CHILDREN FROM THESE COMMUNITIES ~~AND~~ CAN MEET UP AND PLAY TOGETHER. THESE ACTIVITIES, TO THE BEST OF MY KNOWLEDGE WENT ON LONG BEFORE WE CAME HERE.

IN THE 1920s MEYONSLEY HALL SERVED ANNUAL FETTES ON THIS FIELD AND SCHOOL ANNUAL FETTES, SPORTS DAYS AND OTHER ORGANISED GAMES, OFTEN ON SATURDAY MORNING WHICH WE ATTENDED.

THIS FIELD IS THE ONLY FIELD AVAILABLE FOR CHILDREN TO PLAY ON IN THIS AREA WHICH COVERS FROM HIGH WESTWOOD TO MEDONSLEY IN THE SOUTH AND LOW WESTWOOD IN THE NORTH.

I WOULD CONSIDER THIS AS A VILLAGE GREEN, IT IS POSSIBLE IT HAS BEEN A RECREATION AREA SINCE THE SCHOOL WAS OPENED IN 1879

IF THIS VILLAGE WAS A VIBRANT VILLAGE COMMUNITY WHEN WE FIRST CAME HERE, IT WAS MADE UP OF 3 ROWS OF HOUSES SIMILAR TO THOSE IN EXISTENCE IN LOW WESTWOOD AND OF COURSE THE EXISTING HOUSES THAT MAKE UP THE VILLAGE NOW. THERE WAS THE FOOTBALL FIELD, (JUST SOLD TO THE FARMER), BOWLS GREEN, TENNIS COURTS AND THE CRICKET FIELD WITH A CORNER WITH CHILDREN'S SWINGS AND ROUNDABOUTS. ALL HAVE GONE WITH THE EXCEPTION OF THE CRICKET FIELD WHICH IS STILL IN VERY REGULAR USE. THE ONLY PLACE FOR CHILDREN TO PLAY NOW IS THIS PLAYING FIELD

WITH THE SCHOOL BUILDING NOW CONVERTED INTO HOUSES, THIS HAS RE-INVOICED THE VILLAGE WITH NEW AND YOUNG FAMILIES AND THEIR FAMILIES. THE MAIN DRAWBACK WITH THIS KIND OF CONVERSION IS THERE IS VERY LITTLE SPACE FOR CHILDREN IF ANY AT ALL, NO PLAY AREAS ARE JUST NOW EXISTANT. THIS WILL INEVITABLY CAUSE THESE YOUNG FAMILIES TO MOVE OUT, THIS WOULD RESTRICT THE MARKET TO UNEMPLOYED PEOPLE AND THE VALUE OF THEIR PROPERTY WOULD DROP. THE ATTRACTION OF THESE HOUSES AND OTHER ACCOMMODATIONS IN THE VILLAGE WOULD ALSO SUFFER.

THE VILLAGE COMMUNITY RECENTLY GOT TOGETHER AND WITH A SMALL GRANT FROM THE COUNCIL AND THE AID OF OUR FRIENDLY FARMER, REFINISHED THE FENCE AROUND THE NO. TO PREVENT THE YOUNG CHILDREN PLAYING IN THE FIELD, RUNNING OUT ONTO THE ROAD, WAS THIS EXPENSE ANY GOOD WILL OF THE FARMER WASTED AND SOMEONE ELSE OUTSIDE THE VILLAGE WOULD BENEFIT BY IT?

Yours sincerely

[Redacted signature]

Jill Errington

From: Jill Errington
Sent: 08 April 2010 12:15
To: Alan Shield
Subject: RE: Village Green Status
Attachments: form 44 .pdf, evidence form .pdf, guidance notes .pdf

Hello Councillor Shield

In accordance with Section 15 of the Commons Act 2006 anyone can apply to have land registered as a village green if it has been used

- by a significant number of inhabitants of any locality (or neighbourhood within a locality);
- and they have indulged as of right (ie without permission, force or secrecy) in lawful sports and pastimes on the land for a period of at least 20 years

To make application form 44 must be completed (copy attached) which must be completed and signed by every applicant or authorised Officer and supported by any relevant documentation/evidence such as witness statements and photographs. An evidence questionnaire should also be completed to assist with this and a copy is attached to this e-mail

Once we receive the application we will check it for errors and allow the applicant an opportunity to amend the form

A formal notice is then sent to the owner, lessee, tenant or occupier and Parish Council (if any), together with a Notice in the local newspaper and on site - a period of 6 weeks is then allowed for any objections to the application

If objections are received a copy of these is sent to the applicant allowing 3 weeks to respond

The relevant officer of the registration authority would need to decide then whether a Public Inquiry was necessary or if it could be dealt with by Committee

I also attach a copy of guidance issued by DEFRA.

Thanks
Jill

Jill Errington
Senior Committee Services Officer
Tel: 01383 824363

From: Alan Shield
Sent: 08 April 2010 10:46
To: Jill Errington
Cc: Watts Stelling
Subject: Village Green Status

Jill :
Cllr Watts Stelling & I have been asked by residents of High Westwood (small hamlet in North Derbyshire) how they can apply for 'village green status' for the former school playing fields.

This land (approx 0.64 hectares) is now surplus to DCC requirements & is subject to sealed bids from prospective purchasers - final date of submission 26.04.2010.

Can you please advise :

What is the procedure for any application, & what information is req'd?

Any pitfalls the residents need to be aware of ?

Anticipated time to complete the application?

Any other relevant information

We have been asked to visit the residents tonight so any help you can provide would be much appreciated.

Best Regards

Clr Alan Shield
Leadgate & Medomsley Division

APPENDIX 4

PERSON	YEARS	PROPERTY	EVIDENCE
Alan and Sandra Charlton	8 (2002 – 2010)	1 Lonsdale Court	Access via a double metal gate from West Lane. Also a gate from Lonsdale Court Used daily Used for dog walking and sports
Alison, John and Hedley Windows	5 (2005 – 2010)	2 Lonsdale Court	Access is via a gate Used daily Football/sports/sledging
Victoria Parkinson	8 (2002 – 2010)	3 Lonsdale Court	Dog walking Children playing sports, tree climbing etc Access via the gate Used daily
Paul and Katie Skinner	8 (2002 – 2010)	4 Lonsdale Court	Access is via two gates; from Lonsdale Court and via public pathway through the gate Children play on the site Used daily Used for sports, summer fairs and fireworks
Lisa and Mark Buxton (applicant)	7 (2003 – 2010)	5 Lonsdale Court	Accessed the site via the gate Used site daily Site used for sports, climbing trees, blackberry picking, sledging, fireworks, picnics etc 'Community activities'
Lynne and Derek Heron	8 (2002 – 2010)	3 The Bungalows	Access via the gate Used monthly/fortnightly Used for sports and games with family children Dog walking Summer picnics and parties
Kenneth Bainbridge	10 (2000 – 2003) (2006 - 2010)	2 The Bungalows	Access via open gate/gaps in the fence Used 2/3 times per month Sports

Peter Featherstone	65 (1945 – 2010)	Allendale Farm	Access via roadside gate Site used for games/football No details of frequency
Mark Featherstone	40 (1970 – 2010)	Allendale Farm	Known as 'playing field' Access through the gateway As a child played on site with friends. Used at least weekly
Mr G and Mrs S P Hindmarsh	17 (1970 – 1987)	Astley House	Access via side gates from the school and side gate from main road Children used land Used very often for sports School fairs been on the land until school closed then after been community fairs Evidence in letter: Used a school playing field and for after school activities
Lovaine Coxon	24 (plus) (1976 – 1978) (1986 – 2010)	Acorn Cottage	Access from the road as there was no boundary fence Used regularly Used for dog walking
Ralph William Colon	24 (plus) (1945 – 1952) (1976 – 1978) (1986 – 2010)	Acorn Cottage	Access from gate in the roadside or from the gate in the school garden Used site for dog walking, bird watching Used daily
Rhonda Anderson	31 (1979 – 2010)	Croft House	School field Access through the gate Local children used site for playing since 1979 School team games until the school closed

Supported by Councillor Alan Shield who has known the area for 37 years. He can only recollect the field being used as children playing.