

Raymond Rapacchi sworn at Sharnau Law beside this 4/8/10

Before me Janet Brown FLSH

Sharman Law  
1 Harpur Street  
Bedford  
MK40 1PP

APPENDIX C

Commons Act 2006: Section 15

FORM 44

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

Official stamp of registration authority indicating valid date of receipt:

Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

**COMMONS ACT 2006  
CENTRAL BEDFORDSHIRE COUNCIL  
REGISTRATION AUTHORITY**

DATE..... 4th August 2010 .....

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 Orders and Commons Registration Officer

CENTRAL BEDFORDSHIRE UA

**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.

**Note 3**

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

**2. Name and address of the applicant**

Name:

Full postal address:

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 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.

11th MAY 2009

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

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

Name by which usually known:

TOWN FARM ORCHARD

Location:

LAND COLOURED YELLOW

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

Common land register unit number (if relevant) \*

**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 to it to be clearly identified.

\* Only complete if the land is already registered as common land.

**6. Locality or neighbourhood within a locality in respect of which the application is made**

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

THE NEIGHBOURHOOD OF TOWN FARM,  
SITUATED TO THE WEST SIDE OF HENLOW  
HIGH STREET IN THE CONSERVATION AREA  
AND WITHIN THE PARISH OF HENLOW, BEDS.

Tick here if map attached:

**Note 6**

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

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

### Note 7

*Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

Town Farm Orchard is an area used as of right without permission, force or secrecy for over 20 years. Used by local residents in particular and in general by residents of Henlow parish.

The land has been used for fruit production and gathering, herbage, games, walking, bird watching, sketching, caravanning, firework displays, wedding receptions, picnics, agricultural and catering storage, private allotments, recycling, waste disposal, children's play and ad hoc games and research.

The leisure activities listed above have been available to Henlow residents over many years and are evidenced by the Town Farm Residents Association, STATEMENT A and Mrs. Spencer's Statement A(i).

No notices limiting access have ever been displayed on the site.

During the history of the site alternations to the site, the removal of a berm(1999) fencing of part of a boundary (2009) changes to the lock on the orchard gate and trenching of the site (between 11<sup>th</sup> May2009-and 1<sup>st</sup> February 2010) have impeded access for **some users** and the trenched sections of the orchard are currently not suitable for the leisure activities they once supported, as of right.

This application is made under section 15 1 subsection 3 and a detailed history of land ownership, use and rights of common passage and way are set out in STATEMENT B.

The field was given PLANNING APPROVAL, Change of Use to Agricultural Land in February 2010.