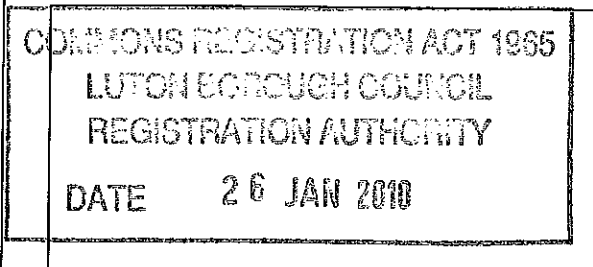


Commons Act 2006: Section 15

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

Official stamp of registration authority
indicating valid date of receipt:



Application number:

2010 | 1

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1

Insert name of
registration
authority.

1. Registration Authority

To the

LUTON BOROUGH COUNCIL
TOWN HALL
GEORGE STREET
LUTON, LU1 2BQ

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:

KEITH WATSON MASON

Full postal address:

32 BUZZARD ROAD
LUTON

Postcode

LU4 0UF

Telephone number:

(incl. national dialling code)

07731370939

Fax number:

(incl. national dialling code)

E-mail address:

Keith.w.mason@gmail.com

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:

(incl. national dialling code)

Fax number:

(incl. national dialling code)

E-mail address:

Note 4

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

** Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**: ☐

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

☒

Section 15(3) applies:

☐

Section 15(4) applies:

☐

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

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

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

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

Note 6

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

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

Name by which usually known:

"The Field"

Location:

Land Adjacent to Kestrel Way and Postures Way (excluding the existing cycle path)

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:

LEWSEY ELECTORAL WARD.

Tick here if map attached:

☐

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).

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

The land has been used by inhabitants of the locality as described in section 6 above for at least 20 years (and continues to be used) for lawful sports and pastimes which are set out in the accompanying statements, as of right and in the belief that the land was and is a village green.

A significant number of the inhabitants both past and present have used the village green for a range of sports and pastimes.

The applicant and others will and do aver that they have used the land as a village green as of right without let or hindrance,

As such the Applicant believes that all relevant criteria ~~has~~ required to be demonstrated in order for the land to be entered in the register of village greens has been met.

Note 8

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

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

Note 9

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

Note 10

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

LUTON BOROUGH COUNCIL,
TOWN HALL,
GEORGE STREET,
LUTON
LU1 2BQ.

ALDWYCK HOUSING GROUP
6 HAUGHTON HALL BUSINESS PARK
HAUGHTON REGIS

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

10. Supporting documentation

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

The Council have agreed to dispose of this land subject to planning to Aldwyck Housing Group.

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:

25 JANUARY 2010

Signatures:

K Mason

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... ^W KEITH MAZAL

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)

^W
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

^{MS}
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

at **KEITH W. MASON**
Ross & Craig Solicitors
12A Upper Berkeley St
London W1H 7QE
DX 44416 Marble Arch

R Mason

Signature of Declarant

this **28th** day of **January 2010**

Before me * **James A. Orloff**

Signature: *[Signature]*

Address: **12 A UPPER BERKELEY ST.**
London
W1H 7QE

Qualification: **Solicitor**

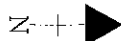
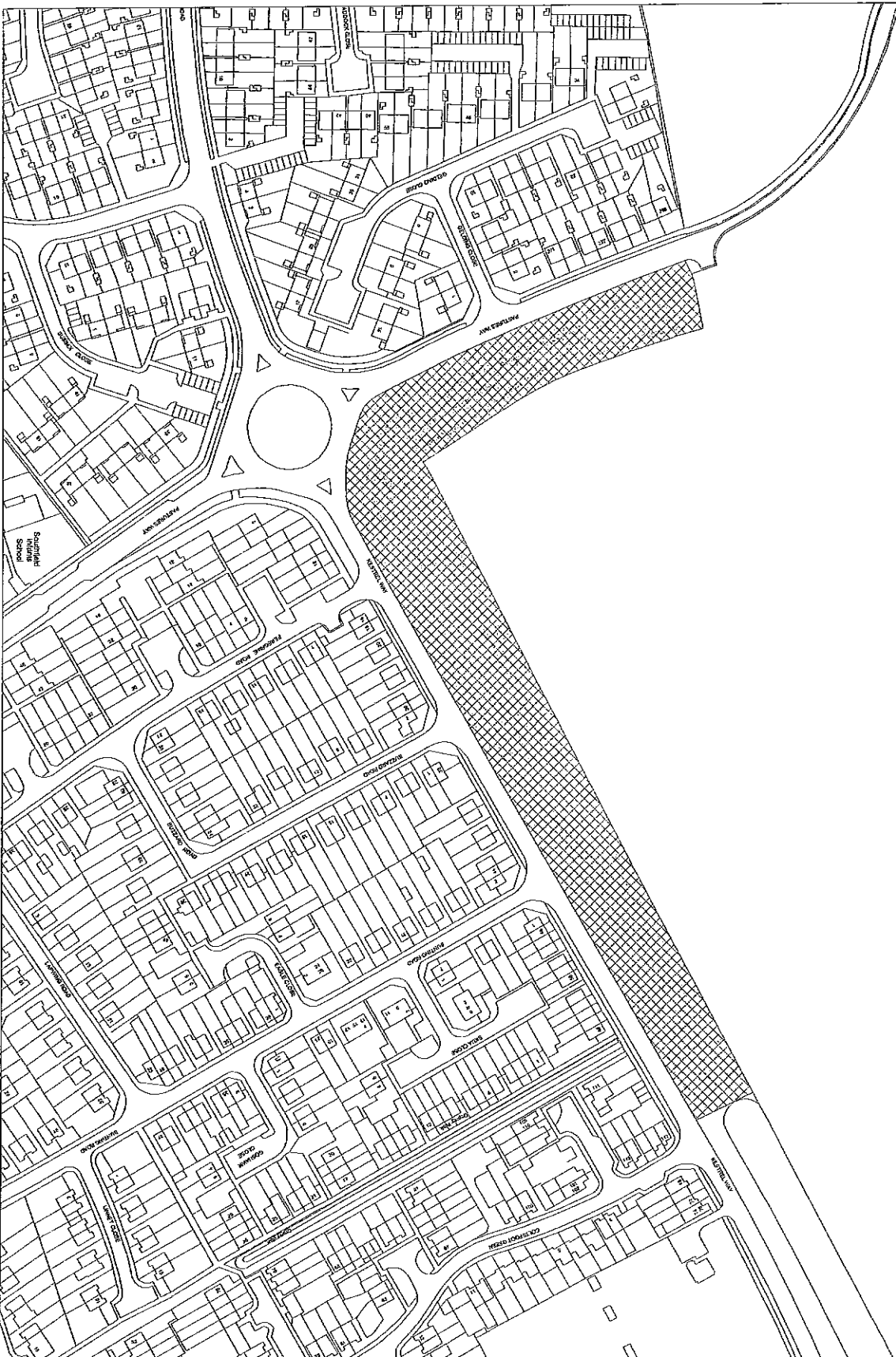
* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

EXHIBIT TO APPLICATION FOR THE REGISTRATION OF LAND AS A VILLAGE GREEN



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Stationery Office & Crown
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infringes Crown copyright and may
lead to prosecution or civil
proceedings. Luton Borough Council.
Licence No. 10002325 (2007).

Drawing description
LAND AT KESTREL WAY,
LUTON

Drawing title

Plan No.

License No.

Rev

Scale

1:2500 @ A4

Drawn by

DJM

Date

2/7/2009

LUTON
BOROUGH COUNCIL

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Controller of the Stationery Office & Crown
Copyright.

Handwritten signature/initials

Applicant's Statement in Support of Application, on Form 44 for the registration of land
as a Town or Village Green, Commons Act 2006, Section 15.

I have used the land adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes:-

1. Walking with my dog
2. Exercise

in the period from 2006 to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically a resident of the Birds Estate and to be local to the Land.

During the course of drafting this application, I have spoken to many other current users of the Land who's statements follow this and also over the years have witnessed a number of other people using the Land for sports and pastimes such as:-

1. Children's play
2. Berry picking from the hedgerow
3. Exercise
4. Dog Walking
5. Cricket and Football

I exclude the cycle path that exists upon the Land from this application as I believe a right of way by prescription exists over the same.

Keith Mason
32 Buzzard Road
Luton
LU4 0UF

Signature.....

Dated this [25] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

.....EXERCISES - DOG WALKING.....

in the period from 19[89] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

NameMR. K. SMITH..... M Smith

Address34 BIZZARDS LANE.....
.....Luton.....

.....104 OUF.....
SignatureK. Smith.....

Dated this [23] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

Exercising - Day walking + feed birds that nest in the Hedgerow (never depleting)

in the period from 19[38] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name S. Bowen

Address 5 Bunting RD
Birds est
Luton

Signature L. L. C. C.

Dated this [23] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

frequent walks, dog walking & bird watching

in the period from 19[87] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name Diana Mead

Address 10 Buzzard Rd.

LUTON

LU4 0UF

Signature [Signature]

Dated this [23rd] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

WALKING

in the period from 19[86] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name A. TADD
.....

Address 16 KESTREL WAY
.....

LUTON

Beds

Signature 
.....

Dated this [2nd] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

.....Dog walking..... playing baseball with grand children.....

in the period from 19[84] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

NameL. BUZZARD.....

Address39 BUZZARD RD.....

.....LUTON..... BED.....

.....LU4 0UF.....

SignatureL. Buzzard.....

Dated this [23] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

SPORT, FETES, DOG WALKING, PLAYING WITH KIDS

in the period from 19[95] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

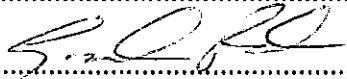
I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

NameGraham Ford.....

Address2, GELDING CL.....

.....LUTON.....

.....LU4 0TZ.....

Signature.....

Dated this [23] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

..... Dog walking

in the period from 19[85] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name A J DUNN

Address 6 PEARLINS CH

..... Luton

..... BGAS H44072

Signature 

Dated this [25] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

..... DOG WALKING

in the period from 19[84] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name KARI MACHAY

Address 14 BUZZARD ROAD

..... LUTON LU40UF

.....
Signature 

Dated this [13] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

Running with Kids.....

in the period from 19[82] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

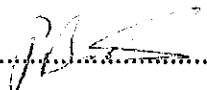
I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name Peter Bowke.....

Address 57 Butterley Road.....

.....

.....

Signature .....

Dated this [22] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

.....WALKING, EXERCISE, ENTERTAINING KIDS..... INFORMAL PARTY'S

in the period from 19[71] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

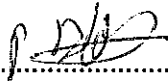
I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

NamePRU HILL

Address271 PASTURES WAY

.....LUTON

.....BEPS

Signature

Dated this [] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

.....walking, & children play on it.....

in the period from 19[67] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

NameM. Scower.....

Address283 Pastures Way.....

.....Luton.....

.....Beeds.....

SignatureM. Scower.....

Dated this [23] day of January 2010

I have used the Land Adjacent to Kestrel Way and Pastures Way, Luton excluding the cycle path ("the Land") for the following sports and pastimes

..... DOG WALKING

in the period from 19[65] to date in the belief that the Land was and is a village green.

I have used the Land as of right without let or hindrance. I have not been prevented from using the Land by its owner during this period and thus perceive that I have the right to so use it.

I consider myself to be an inhabitant of the Lewsey Electoral Ward, specifically, as a resident of either the Lewsey Farm Estate or Birds Estate and to be local to the Land.

Name B. DIMMOCK

Address 281 PASTURES WAY

..... LUTON

..... LU4 0UB

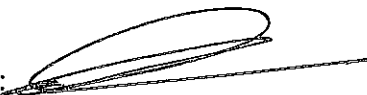
Signature B. Dimmock

Dated this [13] day of January 2010

I Lee Robins of 42 Kestrel way
LUTON, LU4 0UD. hereby confirm in support of the


application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely walking, Nature watching
for a period of 20 years.

Date: 19 January 2010

Signed: 

Print Name: L. ROBINS.

Witness' details

Signature: 

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I Mrs G Hort of 26 Kestrel Way
Luton, LU4 0UB hereby confirm in support of the
application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely walking my dog
for a period of 17 years.

Date: 19 January 2010

Signed: G Hort
Print Name: S. HORT

Witness' details
Signature: Nicola Irons
Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I GILL HUGHES ⁴⁰ of KESTREL WAY.

_____ hereby confirm in support of the

application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and

Pastures Way as a village green that I have used the said land for the purpose of pastimes

namely Children playing / riding bikes & walking.

for a period of 16 years.

Date: 19 January 2010

Signed: G.K. Hughes
Print Name: G.K. HUGHES.

Witness' details

Signature: Nicola Irons

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I MRS BROWN of 34 KESTREL
WAY LUTON hereby confirm in support of the

application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely DOG WALKING
for a period of 11 years.

Date: 19 January 2010

Signed: S Brown

Print Name: S BROWN

Witness' details

Signature: Nicola Irons

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I Donna Presland of 22 Kestrel
Way hereby confirm in support of the
application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely dog walking
for a period of 10 years.

Date: 19 January 2010

Signed: D Presland
Print Name: Donna Presland

Witness' details

Signature: Nicola Irons

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I Jacqueline Tyler of 22 Kestrel
Way hereby confirm in support of the
application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely walking my guide dog
for a period of 10 years.

Date: 19 January 2010

Signed:

Print Name:

Witness' details

Signature:



Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF


I Sue Feakes of 36 Kestrel
Way, Luton LU4 0UO hereby confirm in support of the

application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and

Pastures Way as a village green that I have used the said land for the purpose of pastimes

namely Dog walking and supervising childrens play
for a period of 6 1/2 years.

Date: 19 January 2010

Signed: 

Print Name: S. Feakes

Witness' details

Signature: 

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I Tyson Brezinski of 32 Kestrel Way
_____ hereby confirm in support of the
application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely Exercise (running)
for a period of 2 1/2 years.

Date: 19 January 2010

Signed:



Print Name:

T BREZINSKI

Witness' details

Signature:



Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I Nicholas Smith of 28 Kestrel Way,
Luton hereby confirm in support of the

application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes

namely Walking, Playing Ball games

for a period of 2 years.

Date: 19 January 2010

Signed:



Print Name:

Nicholas A Smith.

Witness' details

Signature:



Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF

I MICHAEL MARCHIONE of 30 KESTREL
WAY, LUTON LU4 0UD hereby confirm in support of the
application for registration by Mr Keith Mason of the Land Adjacent to Kestrel Way and
Pastures Way as a village green that I have used the said land for the purpose of pastimes
namely WALKING AND EXERCISE
for a period of 1 years.

Date: 19 January 2010

Signed: M. Marchione

Print Name:

MICHAEL MARCHIONE

Witness' details

Signature: Nicola Irons

Name: Nicola Irons

Address: 36 Buzzard Road, Luton, Beds LU4 0UF