

BUCKINGHAMSHIRE COUNCIL
COMMONS ACT 2006 SECTION 15(1)

APPLICATION TO REGISTER LAND AS TOWN OR VILLAGE GREEN IN PRINCES RISBOROUGH

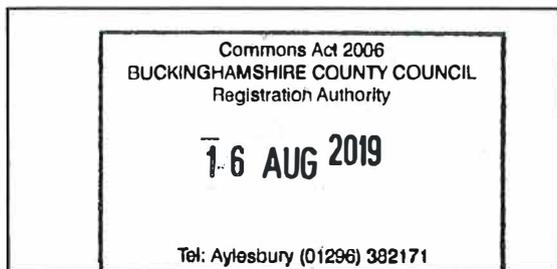
BACKGROUND PAPERS

PAGES

2 - 20	Application with appendices
21 - 75	Evidence questionnaires
76 - 78	Trigger letter (24 September 2019)
79 - 80	Response from The Planning Inspectorate
81 - 82	Response from C Kelham; Planning Officer
83	Response from P Tollitt; Head of Planning and Sustainability WDC Response
84	from A Nyamande; BCC
85 - 89	Response from C Power; Development Management Team Leader WDC
90 - 92	Response from R Beeks; BCC
93	Letter to Mr S Bailey-Kennedy (4 December 2019)
94 - 95	Email from P Evans; Planning Lawyer WDC (11 December 2019) Advertising
96 - 98	notices
99 - 102	Public Highway dedication agreement, receipt and terrier card
103	Highway Extents Plan
104 - 107	Photos of the site
108	Email from P Evans; Planning Lawyer BC (14 September 2021)
109 - 112	Letter from P Evans; Planning Lawyer BC (13 May 2021)
113 - 125	Letter from P Evans on behalf of J Caprio; Planning Lawyer BC (16 April
126 - 127	2020) Authorisation for Mr Hayes to continue application (27 January 2022)
128 - 141	Applicant's response to objections (28 January 2022)
142 - 143	Confirmation email of localities (13 January 2023)
144 - 145	Terrier Reference card
146	Letter from Bledlow Parish Council (21 October 2021)
147	Email from Mr E Nelson (25 May 2023)

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:

138

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

Buckinghamshire County Council
County Hall
Walton Street
Aylesbury
HP20 1UY

Commons Act 2006: Section 15

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

Official stamp of registration authority indicating valid date of receipt:

Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

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

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

Note 1
Insert name of registration authority.

1. Registration Authority

To the

Buckinghamshire County Council
 County Hall
 Walton Street
 Aylesbury
 HP20 1UY

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.

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

Name by which usually known:

The Green

Location:

Land on the eastern side of the junction between Shootacre Lane and Picts Lane in Prince Risborough, Buckinghamshire. The Green extends north-east and south-east between the edge of each lane and the boundary of the agricultural land.

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

Common land register unit number (if relevant) *

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

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

The green relates to a "neighbourhood within a locality".
Please see map in Appendix 2 of the attached document headed "Additional Information for Form 44".

Tick here if map attached:

Note 5

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

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

Note 6

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

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

Note 7

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

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

A summary of the case for registration is set out in the numbered paragraphs in the section "summary of the case for registration" in the attached document headed "Additional Information for Form 44".

Witness statements from [REDACTED] are enclosed.

Multiple questionnaires completed by local inhabitants are also enclosed.

The attached document headed "Additional Information for Form 44" lists all of the supporting evidence.

Note 8

Please use a separate sheet if necessary.

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

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

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

Note 9

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

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

Note 10

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

Please use a separate sheet if necessary.

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

None.

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

None.

10. Supporting documentation

Please see Appendix 4 of the attached document headed "Additional Information for Form 44".

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:

14th AUGUST

Signatures:



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, , 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

)
)
)
)
)
)
)
)
)
)
)



Signature of Declarant

at Kidd Rapinet LLP
The Old Registry, 20 Amersham Hill
High Wycombe
Buckinghamshire
HP13 6NZ

this 14th day of August 2014

Before me *



Signature:

Address: Kidd Rapinet LLP
The Old Registry, 20 Amersham Hill
High Wycombe
Buckinghamshire
HP13 6NZ

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

ADDITIONAL INFORMATION FOR FORM 44

This document contains the additional information referred to in the following sections of Form 44:

- section 5 - a map of the area of land in respect of which the application for registration is made is in Appendix 1 (a separate copy is exhibited to the statutory declaration);
- section 6 - a map of the relevant neighbourhood within a locality is in Appendix 2;
- section 7 - a summary of the case for registration is set out in the numbered paragraphs below; and
- section 10 - a list of the documents and maps accompanying the application is in Appendix 4.

Summary of the case for registration

A summary of the case for registration referred to in section 7 of Form 44 is set out below.

1. The application is for registration of the area of land known locally as "The Green" ("The Green") on the eastern side of the junction between Shootacre Lane and Picts Lane in Prince Risborough, Buckinghamshire. The Green extends north-east and south-east between the edge of each lane and the boundary of the agricultural land. The Green is shown on the map accompanying the application.

2. The application is made under section 15(2) of the Commons Act 2006. That section provides the following test for registration of land as a town or village green:

*"(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."*

3. In summary, the case for registration of The Green is that it is well-established recreational land which has been used by the local community in Shootacre Lane and Picts Lane as of right for well in excess of 20 years.
4. The legal interpretations of each element of the test for registration are described below. For each element this is followed by a summary of the reasons why the test has been met in relation to the application for registration of The Green.

...a significant number...

5. "Significant" does not mean a considerable or substantial number. What is relevant is that the land was used by the inhabitants generally rather than a few individuals so that their use of the land signifies that it is in general use by the local community for informal recreation, rather than occasional use by individuals as trespassers.¹
6. This element of the test for registration is met because The Green is used regularly by the local community generally. This is evidenced by the witness statements and the questionnaires which support the application (these are listed in paragraph 22 below). The individuals who completed each questionnaire live in different locations along [REDACTED]. Each individual also indicates in their questionnaire that they have observed many other local inhabitants using the land on a regular basis.

...of the inhabitants of any locality or of any neighbourhood within a locality...

7. The legislation provides for the recreational users of the application land to be a significant number of the inhabitants of either:

¹ [REDACTED] [2002] EWHC 76 (Admin) at para. 77

- a. "any locality" or
 - b. "any neighbourhood within a locality".
8. A locality means an administrative district or an area with legally significant boundaries. It must be more than an arbitrary area drawn on a plan. See the *Paddico* case at first instance.² When the *Paddico* case went to the Court of Appeal, it was said that a locality also had to have some community of interest on the part of its inhabitants.³
9. A neighbourhood within a locality is less rigid so that the requirement to identify a recognised administrative unit does not apply but the area must have a sufficient degree of cohesiveness to show that the users have a common link.
10. In this case, a "neighbourhood within a locality" has instead been identified. This neighbourhood is shown on the map at Appendix 2. It comprises the following areas:
- a. Shootacre Lane;
 - b. the south-western part of Picts Lane, from the Pyrtle stream to the junction of Picts Lane with Shootacre Lane; and
 - c. Chairmakers Close.
11. This neighbourhood is within the localities of the Princes Risborough civil parish and the Bledlow-cum-Saunderton civil parish. Alternatively, the neighbourhood is wholly within the single locality of the Wycombe District council area as shown on the ordnance survey mapping.
12. This is a "neighbourhood" for the following reasons:
- a. The Green is the closest area of open green space to each of the inhabitants of this area.
 - b. The Green is in an approximately central position in the neighbourhood and is one of the main features of this area.
 - c. The neighbourhood has a distinct and consistent character - these are rural or semi-rural lanes bordered by ancient hedgerow and green belt land, situated near or on the boundary of the built-up area of Princes Risborough. Closer towards Princes Risborough, the character of Picts Lane becomes more urban and built-up, with buildings on both sides of the road.
 - d. The neighbourhood is long established – for example Shootacre Lane and Picts Lane and The Green are shown on the Ordnance Survey map SP70SE – A from 1960 (surveyed pre-1930 and revised 1959)(see Appendix 3). Chairmakers Close is more recent but this is simply a cul-de-sac addition to Picts Lane.
 - e. Each of the inhabitants in this neighbourhood has a common link in that they need to cross over The Green to make local pedestrian trips (for example to access the post box at the north-west end of Shootacre Lane or to access the public footpath to the railway station at the southern end of Picts Lane). This is because there are no pavements on the section of Picts Lane which runs next to The Green.

- f. The inhabitants of this area share a set of common interests and displays a sense of cohesiveness. This is demonstrated by the various community activities that take place on The Green.
13. Note that this neighbourhood does not include Goodearl Place. This is a new residential cul-de-sac which is situated off the south-western part of Picts Lane relevant to the application. At this time much of Goodearl Place is still under construction and many of the houses which have been built are still unoccupied. As such it cannot be said to form part of the relevant neighbourhood at this time. In the future Goodearl Place may become part of the relevant neighbourhood in relation to the Green, as it will share many of the factors identified in the previous paragraph.

...have indulged as of right...

14. As of right means that the use has been carried out without force, secrecy or permission. The key legal points with each element here are that:
- a. "Force" does not just mean physical force. Use is by force in law if it involves climbing or breaking down fences or gates or if it is contentious or under protest.
 - b. Use that is secret or by stealth will not be use "as of right" because it would not come to the attention of the landowner. Use must be open so that the landowner can see that it is taking place and can resist it if he or she wishes.
 - c. "Permission" can be express, e.g. by erecting notices which in terms grant temporary permission to local people to use the land. Or permission can be implied, but not by inaction or acts of encouragement by the landowner.⁴ It was held in the *Beresford* case that permission must be revocable or time limited: permission that is unlimited and irrevocable amounts to acquiescence.
15. This element of the test for registration of The Green is met because:
- a. The use of The Green has been carried out without force. There are no fences or gates enclosing The Green and the use has at all times been non-contentious and without protest.
 - b. The use of The Green has not been carried out openly, without secrecy or stealth.
 - c. The use of The Green has been carried out without express or implied permission from the landowner. There are no signs prohibiting public entry onto the land. The position is that the landowner has acquiesced in the use of his or her land by local people for recreation.

...in lawful sports and pastimes on the land...

16. The words "lawful sports and pastimes" form a composite expression which includes informal recreation such as walking, with or without dogs, and children's play.⁵ It does not include walking of such a character as would give rise to a presumption of dedication as a public right of way.⁶ There is no need to establish that at least one sport and one pastime was taking place on the land.
17. This element of the test for registration of The Green is met because the witness statements and questionnaires provide evidence that a wide range of lawful sports and pastimes take place on The Green. These include walking and running, dog walking, children's play and recreation, cycling,

⁴ R v Sunderland City Council ex parte Beresford [2003] UKHL 60

⁵ R v Oxfordshire County Council ex parte Sunningwell Parish Council [1999] UKHL 28 at pp 356F-357E

⁶ Oxfordshire County Council v Oxford City Council [2004] Ch 253 (the Trap Grounds case) at paras 96-105

community events, bonfires, drawing and painting and so on. Photographs have been supplied which show recent and historic use of The Green for these purposes.

...for a period of at least twenty years...

18. In an application under section 15(2) the Commons Act 2006, the use of the land as of right must have been carried out for at least 20 years up to the date of the application.
19. This element of the test for registration of The Green is met because all of the evidence in the witness statements and the questionnaires is from inhabitants who have each lived in the local area for more than twenty years. They each confirm that the relevant use of The Green has taken place for at least twenty years. In fact, many of the inhabitants have lived here for substantially longer.
20. It is also clear from historic maps that The Green has been a feature of the local area for many years. The Green is shown on Ordnance Survey map SP70SE – A from 1960 (surveyed pre-1930 and revised 1959) (see Appendix 3). It appears to be substantially the same as shown on the current Ordnance Survey map.

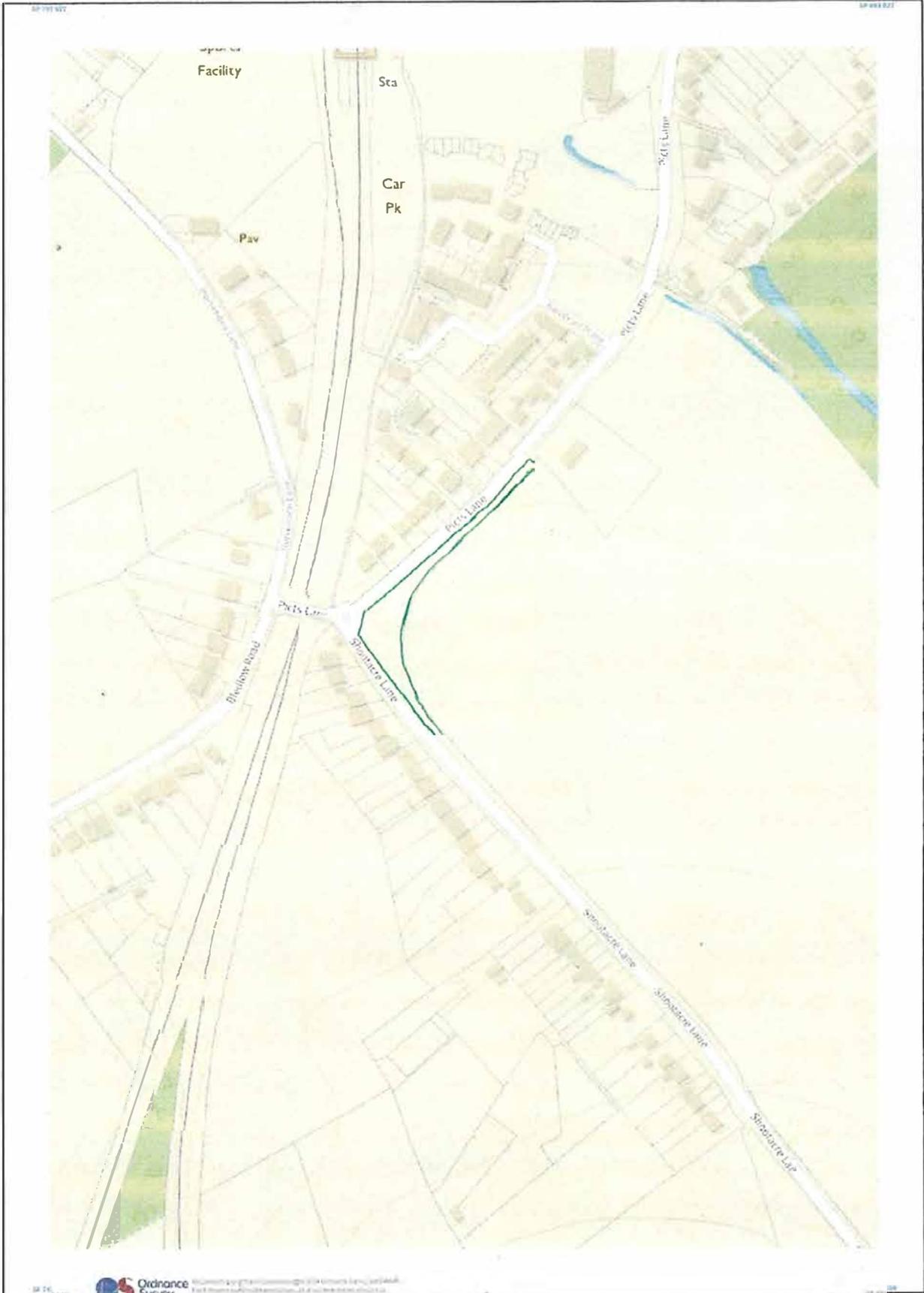
Summary

21. For the reasons above, each element of the test for registration of The Green as a town or village green has been met.
22. The supporting evidence accompanying the application is listed in Appendix 4. This includes witness statements from local residents [REDACTED] and multiple questionnaires completed by the local inhabitants. Each of the individuals who has completed a questionnaire would also complete a witness statement if requested.
23. This is a very good response rate, as there are only approximately 50 households in the relevant neighbourhood, and residents who did not have at least 20 years' knowledge of The Green were not asked to complete a questionnaire.
24. It is believed that almost all of the people who have lived in the neighbourhood for 20 years or more have completed a questionnaire – the only exceptions are those who were unavailable at the time the application was being prepared, due to holidays, illness and so on.

MAP A

27/06/2019

OS Maps: online mapping and walking, running and cycling routes

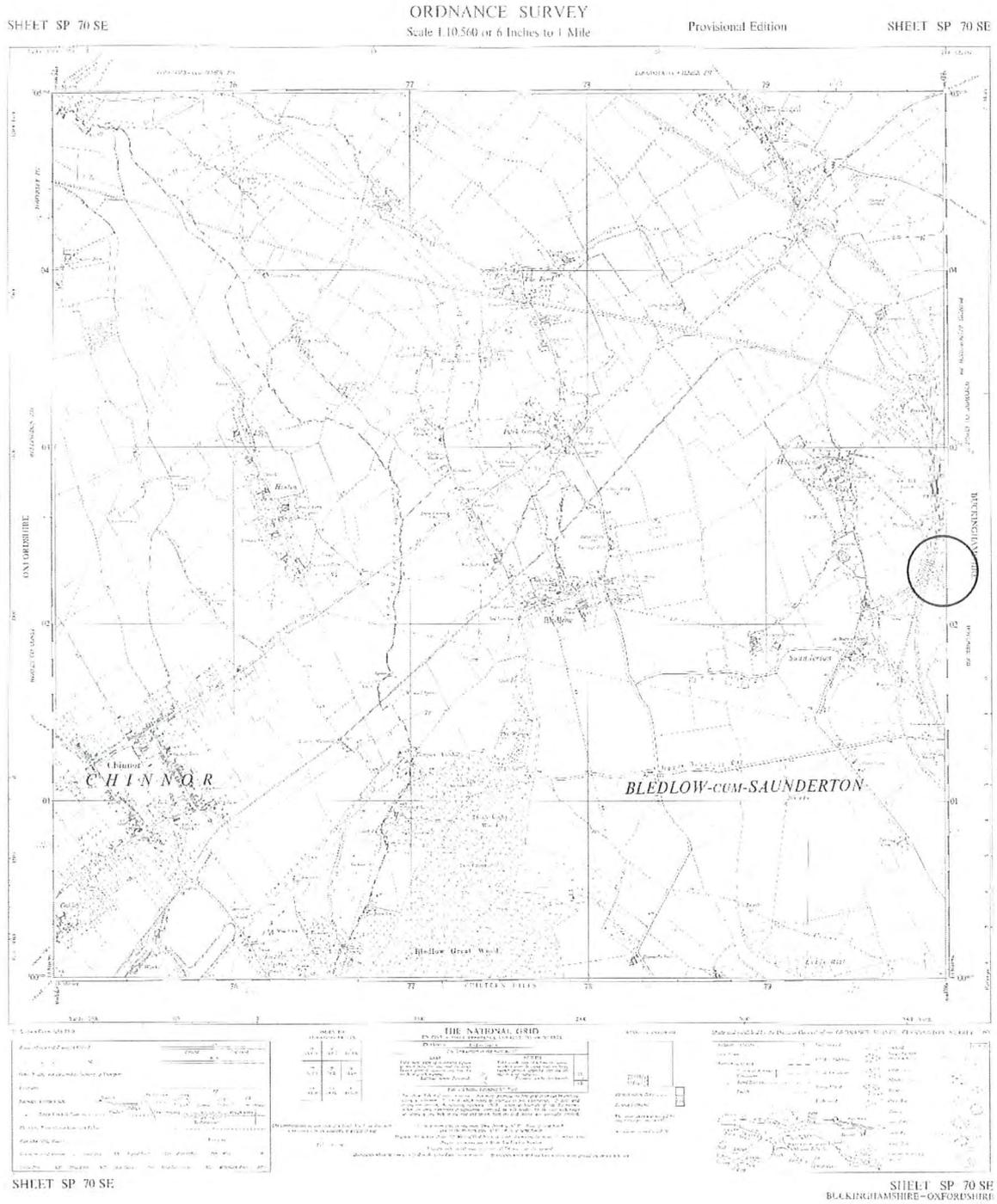


<https://osmaps.ordnancesurvey.co.uk/51.71380,-0.84304,17>



Appendix 3 - Ordnance Survey map SP70SE – A from 1960 (surveyed pre-1930 and revised 1959)

See following page for detail.



Detail from map SP70SE showing The Green



MSHIRE

Appendix 4 – list of documents and maps accompanying the application

The application is accompanied by the following documents and maps:

1. this document headed "Additional Information for Form 44";
2. map of the area of land in respect of which the application for registration is made, marked "Map A" (included as Appendix 1 to this document and a separate copy is exhibited to the statutory declaration);
3. map showing the relevant neighbourhood within a locality, included as Appendix 2 to this document;
4. Ordnance Survey map SP70SE – A from 1960, included as Appendix 3 to this document;
5. witness statement of [REDACTED]
6. witness statement of [REDACTED]
7. multiple questionnaires and accompanying maps completed by local inhabitants, together with photographs as listed in the table below.

	Name	Address	Years as a local resident	Photos provided
[REDACTED]				Yes
				Yes
				Yes

[REDACTED]

Exhibits: None

Date: 31 July 2019

**IN THE MATTER OF AN APPLICATION FOR REGISTRATION OF TOWN OR VILLAGE GREEN
STATUS OF LAND AT THE CORNER OF SHOOTACRE LANE AND PICTS LANE IN PRINCES
RISBOROUGH, BUCKINGHAMSHIRE UNDER SECTION 15 OF THE COMMONS ACT 2006**

WITNESS STATEMENT OF
[REDACTED]

[REDACTED] state as follows:

1. I am [REDACTED]
2. I make this witness statement in support of the application by [REDACTED] for registration of town or village green status of land known as "The Green" ("**The Green**") on the eastern side of the junction between Shootacre Lane and Picts Lane in Prince Risborough, Buckinghamshire. The Green extends north-east and south-east between the edge of each lane and the boundary of the agricultural land. The Green is shown on the map accompanying the application.
3. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe

them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

4. I have lived at the above address [REDACTED] and so I am very familiar with how the land is and has been used over that period.
5. Throughout the time I have lived at the above address, I have used The Green for informal recreation as described below. I have also seen a significant number of the other inhabitants of the local area use The Green for informal recreation as described below throughout this period. The Green is in widespread, general use by the local community for informal recreation.
6. The Green is used primarily by the inhabitants of the local neighbourhood. I agree with the description of this neighbourhood as including Shootacre Lane, the south-western part of Picts Lane from the Pyrtle stream and Chairmakers Close.
7. Throughout the time I have lived at the above address:
 - a. there have never been any fences or gates enclosing The Green;
 - b. there have never been any signs prohibiting public entry onto The Green;
 - c. there have never been any signs or any other indication that use of The Green was only by permission of the landowner;
 - d. no objection or protest has ever been raised by anyone about the use of The Green by the local inhabitants; and
 - e. The Green has always been used by the local inhabitants openly, without secrecy or stealth.
8. I have used The Green for a number of lawful sports and pastimes throughout the time I have lived at the above address.
 - a. I have cycled and walked over The Green on a regular basis over the years.
 - b. I recall standing on The Green, as part of a crowd, on many occasions watching the 5K road race which forms part of the Princes Risborough town festival. This was an annual event for many years. A crowd gathered here to watch the race for perhaps 20 or more years.
 - c. Similarly, I remember watching the Tour of Britain cycle race pass along Picts Lane in 2014, again as part of a crowd.
 - d. I took part in a [REDACTED] against the [REDACTED] plan in January 2016; and I attended a fund-raising community event [REDACTED]. In each case, a crowd of 50 or more local residents gathered on The Green.
 - e. I recall having bonfire night parties on The Green with my husband and children. A small bonfire was lit on The Green.
9. In addition, I have regularly seen other local inhabitants use The Green for a number of lawful sports and pastimes throughout the time I have lived at the above address. For example:
 - a. I have seen local inhabitants use The Green for running, walking and dog-walking, families using pushchairs; and cycling. I have seen people use the whole of The Green for these purposes, not just the footpaths.

This happens on a very regular basis. The most common activity is dog walking and each day I will see many people walking their dogs on The Green.

- b. My children grew up during the time I have lived at the address above. Over the years I have seen my children, and other local children, playing and taking part in recreation on The Green. This includes running, cycling and playing games, including football, rounders and cricket. The children also collect flowers, berries, leaves and so on. I have seen children flying kites on The Green. I have also seen children playing in the snow on The Green each year in winter-time, often building snowmen.
- c. I recall that a cow grazed on The Green in the 1960s, one of my family photographs shows my three daughters standing on The Green next to the cow. My children named the cow "Daisy".
- d. I recall one of my neighbours exercising his horse on The Green.
- e. I have seen people having picnics on The Green during the warmer months.
- f. I have seen people drawing and painting on The Green.
- g. I can recall seeing bonfire night parties taking place on The Green.
- h. I have also seen and participated in community events taking place on The Green as mentioned in paragraph 8 above.

10. The use of The Green described above has taken place throughout the period of 58 years that I have lived at the above address.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed ... 


Date 

QUESTIONNAIRE IN SUPPORT OF CLAIM FOR REGISTRATION AS A NEW GREEN

Name: [REDACTED]
 Address: [REDACTED] Postcode: [REDACTED] Telephone: [REDACTED]

1. Address when you used and/or knew the land to be used by the local inhabitants:
 AS ABOVE

2. Have you marked your house name/number and signed Map A showing the land edged in green confirming that it relates to the following evidence provided by you? YES

3. Please confirm whether you agree with the boundaries of the locality/neighbourhood as described in the application and/or shown on the map. YES

4. By what name is the land on Map A known? NONE

5. Has it ever to your knowledge been known by any other name? If so, what name? N/A

6. How many years have you known the land?
 From [REDACTED] To 2019

7. Between which years did you use it?
 From [REDACTED] To 2019 then From To

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

9. During the time you have known or used the land, have you observed others using it? YES

10. During the time you have known or used the land has the general pattern of use changed? NO

11. What facilities are available within walking distance of your locality? Please tick:
 Sports Facilities Neighbourhood Watch A Central Feature ...
 Local Shops ... Community Activities Other POST BOX
 RAILWAY STATION

12. To your knowledge are there any public paths crossing the land? YES

13. How do/did you gain access to the land? FROM PILTS LANE

14. Why do/did you go to this piece of land? FOR ACCESS FOR ALL PEDESTRIAN JOURNEYS

15. How often do/did you use the land (apart from public paths)? SEVERAL TIMES A WEEK

16. How often do/did you observe others using the land? EVERY DAY, MANY PEOPLE

17. What activities do/did you take part in? WALKING AND CYCLING.

18. Does your immediate family use the land? If so, what for? IN THE PAST USED BY MY [REDACTED] AND THEIR FRIENDS FOR PLAYING AS CHILDREN. THIS INCLUDES CYCLING.

19. Do you know of any community activities that take place or have taken place on the land? Please list them and state when and for how long they have taken place:
 GYPSY CARAVANS CAMPED FOR A FEW DAYS IN THE 1990S.
 INFORMAL GAMES OF CRICKET AND ROUNDERS.

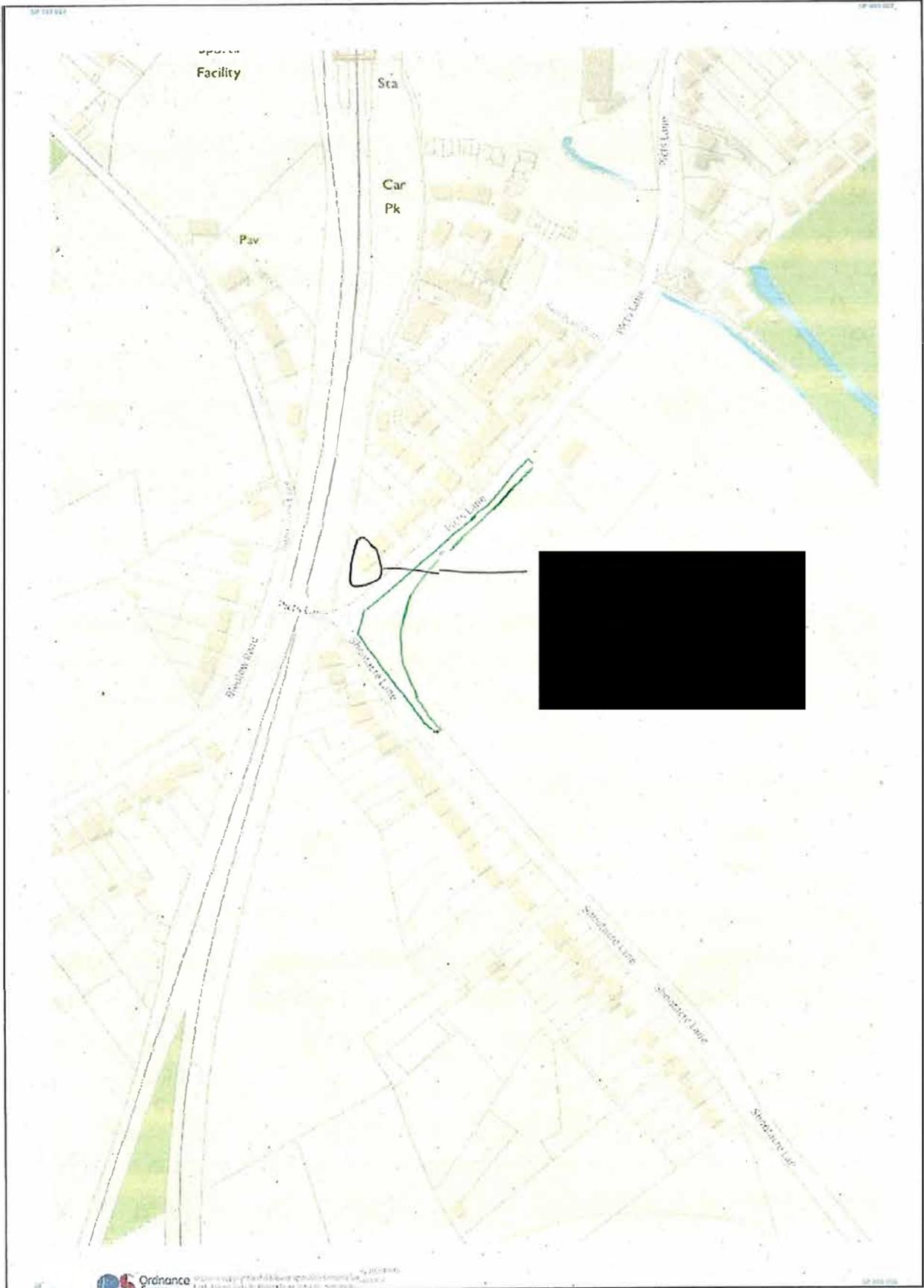
20. Do/did you participate in any of them?

BONFIRE NIGHTS ON OCCASION. CROWDS GATHER TO WATCH SPORTING EVENT E.G. 5K RUN, CYCLE RACES, THE 5K RUN DURING PRINCES BRISBOROUGH FESTIVAL PASSES BY. ALSO THE RECENT COMMUNITY PROJECTS AND FUND RAISING EVENT.

MAP A

27/06/2019

OS Maps: online mapping and walking, running and cycling routes







Witness: [REDACTED]

Exhibits: None

Date: 5 August 2019

**IN THE MATTER OF AN APPLICATION FOR REGISTRATION OF TOWN OR VILLAGE GREEN
STATUS OF LAND AT THE CORNER OF SHOOTACRE LANE AND PICTS LANE IN PRINCES
RISBOROUGH, BUCKINGHAMSHIRE UNDER SECTION 15 OF THE COMMONS ACT 2006**

[REDACTED]

[REDACTED] state as follows:

1. I am [REDACTED] a Fellow of the [REDACTED] I am the applicant for registration of town or village green status of land under section 15 of the Commons Act 2006.
2. I make this witness statement in support of my application for registration of town or village green status of land known as "The Green" ("The Green") on the eastern side of the junction between Shootacre Lane and Picts Lane in Prince Risborough, Buckinghamshire. The Green extends north-east and south-east between the edge of each lane and the boundary of the agricultural land. The Green is shown on the map accompanying the application.
3. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe

them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

4. I have lived at the above address since [REDACTED] a period of almost [REDACTED]
5. Throughout this period, I have used The Green for informal recreation as described below. I have also seen a significant number of the other inhabitants of the local area use The Green for informal recreation as described below throughout this period. The Green is in widespread, general use by the local community for informal recreation.
6. The Green is used primarily by the inhabitants of the local neighbourhood. I would describe this neighbourhood as including Shootacre Lane, the south-western part of Picts Lane from the Pyrtle stream and Chairmakers Close. This is an identifiable neighbourhood or community which shares a number of common links:
 - a. in each case, The Green is the closest area of open green space to them;
 - b. The Green is in an approximately central position in this community;
 - c. this neighbourhood has a distinct character - these are rural or semi-rural lanes bordered by ancient hedgerow and green belt land, situated on the boundary of the built-up area of Princes Risborough; and
 - d. as there are no pavements on parts of this section of Picts Lane, each of the inhabitants in this neighbourhood needs to cross over The Green to make local pedestrian trips (for example to access the post box at the north-west end of Shootacre Lane or to access the public footpath to the railway station at the end of Picts Lane).
7. Throughout the time I have lived at the above address:
 - a. there have never been any fences or gates enclosing The Green;
 - b. there have never been any signs prohibiting public entry onto The Green;
 - c. there have never been any signs or any other indication that use of The Green was only by permission of the landowner;
 - d. no objection or protest has ever been raised by anyone about the use of The Green by the local inhabitants; and
 - e. The Green has always been used by the local inhabitants openly, without secrecy or stealth.
8. I have used The Green for a number of lawful sports and pastimes throughout the time I have lived at the above address.
 - a. Over the years I have cycled and walked over The Green on a regular basis. More recently I have pushed [REDACTED] and in the last few months I have walked with him when he has cycled home.
 - b. I have participated in community events on The Green. For example, I recall standing on The Green watching the Tour of Britain cycle race pass along Picts Lane in 2014; I took part in a community protest against the draft Wycombe District Council local plan in January 2016; and I attended a fund-raising community event "Tea on The Green" in July 2019. In each case, a crowd of 50 or more local residents gathered there.
9. In addition, I have regularly seen other local inhabitants use The Green for a number of lawful sports and pastimes

throughout the time I have lived at the above address. For example:

- a. I have seen local inhabitants use The Green for strolling and dog-walking, families using pushchairs; and cycling. I have seen people use the whole of The Green for walking and exercising their dogs, not just the footpaths. I have also seen The Green used by horse riders. I have seen people drawing and painting on The Green.
 - b. My children grew up during the time I have lived at the address above and my grandson is now a regular visitor to my home. Over the years I have seen my children and my grandson, and other local children, playing and taking part in recreation on The Green. This includes running, cycling and games, and activities such as collecting blackberries. It also includes playing in the snow in winter-time, when quite often a 'communal' snowman has been built.
 - c. I have also seen and participated in community events taking place on The Green as mentioned in paragraph 8 above. I am aware from my local knowledge that a crowd gathered on The Green for many years to watch the 5K road race which forms part of the annual Princes Risborough town festival.
10. The use of The Green described above has taken place throughout the period of almost 30 years that I have lived at the above address.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed



Date



21. Do any organisations use the land for sports and pastimes? If so please specify:	NO
22. Do any seasonal activities take place on the land?	NO
23. Please tick all activities that you have observed taking place on the land: Children playing <input checked="" type="checkbox"/> Dog walking <input checked="" type="checkbox"/> Bonfire parties ... Bicycle riding <input checked="" type="checkbox"/> Carol singing ... Team Games ... Football ... Cricket ... Tennis ... People walking <input checked="" type="checkbox"/> Fetes ... Meeting area ... Kite flying ... Community Events ... Bird Watching ... Picnicking ... Drawing & Painting ... Other: HORSE RIDING	
24. Do you know who is the owner of the land? If so, who?	NO
25. Are you his/her employee or tenant?	N/A
26. Has the owner or occupier seen you on the land? If so, when and what did he/she say?	NO
27. Have you ever sought permission for activities on the land? If so, from whom and when?	NO
28. Did anyone ever give you permission to go on the land? If yes, when and the reason?	NO
29. Have you ever been prevented from using the land? If yes, when and the reason?	NO
30. 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? If yes, give examples and dates:	NO
31. Have you any photographs/other evidence of use of the land by the local inhabitants? If so, are you willing to lend them for submission?	YES SEE ATTACHED
32. If you have additional information or can supply the names and addresses of others who might be in a position to complete a questionnaire, please attach a separate statement.	N/A
<p>I have carried on the activities referred to in this questionnaire for <u>30</u> years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.</p> <p>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.</p> <p>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.</p> <p>Signed  Date... </p>	

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

MAP A

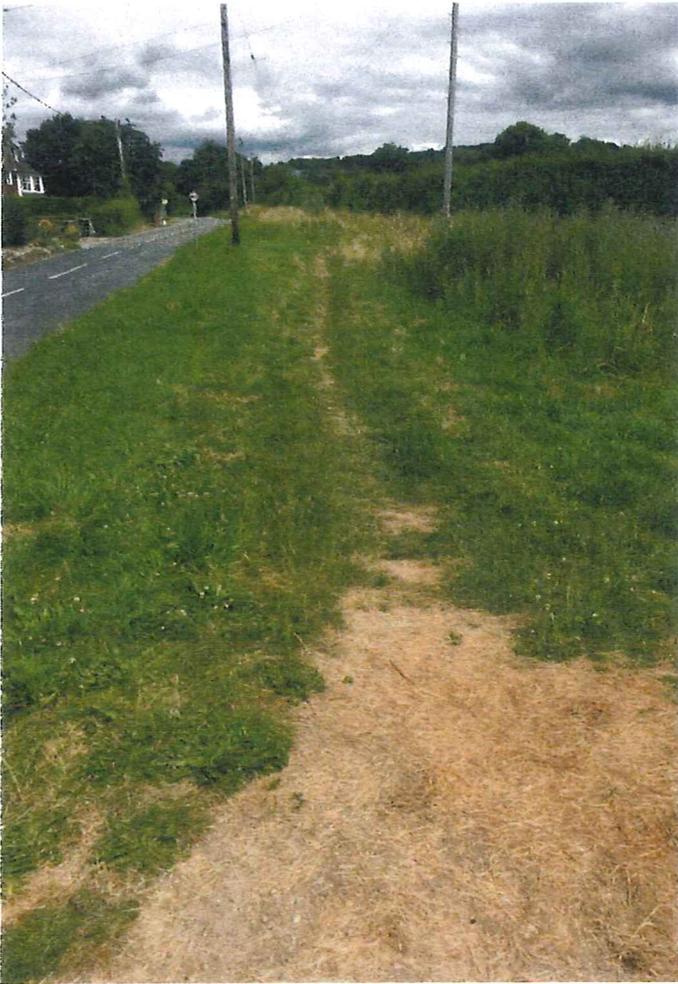
27/06/2019

OS Maps: online mapping and walking, running and cycling routes



<https://osmaps.ordnancesurvey.co.uk/51.71380,-0.84304,17>







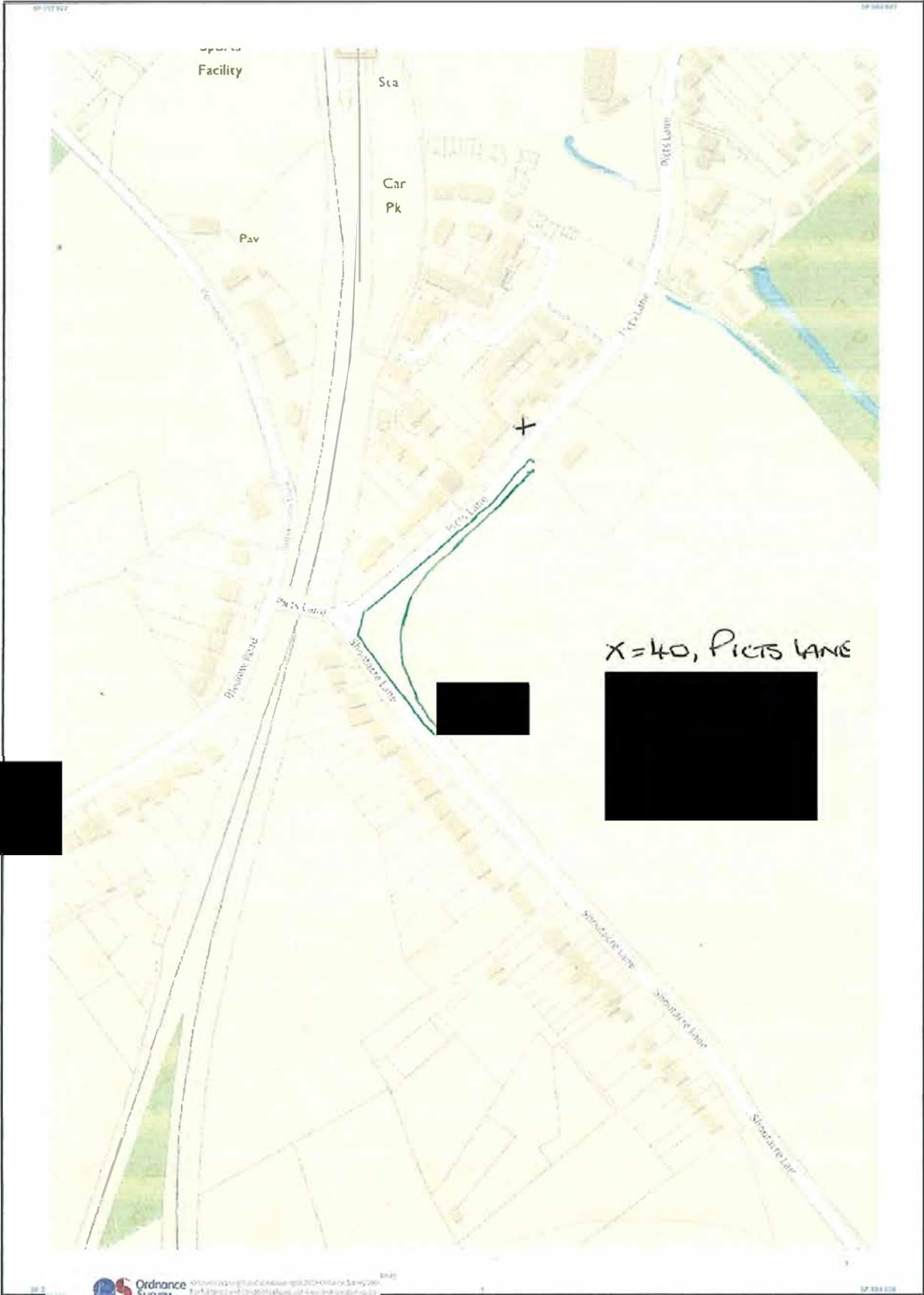
21. Do any organisations use the land for sports and pastimes? If so please specify:	No
22. Do any seasonal activities take place on the land?	No
23. Please tick all activities that you have observed taking place on the land: Children playing ... Dog walking ✓ Bonfire parties ... Bicycle riding ✓ Carol singing ... Team Games ... Football ... Cricket ... Tennis ... People walking ✓ Fetes ... Meeting area ✓ Kite flying ... Community Events ... Bird Watching ... Picnicking ... Drawing & Painting ✓ Other: HORSES	
24. Do you know who is the owner of the land? If so, who?	NO
25. Are you his/her employee or tenant?	No
26. Has the owner or occupier seen you on the land? If so, when and what did he/she say?	N/A
27. Have you ever sought permission for activities on the land? If so, from whom and when?	N/A
28. Did anyone ever give you permission to go on the land? If yes, when and the reason?	N/A
29. Have you ever been prevented from using the land? If yes, when and the reason?	N/A
30. 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? If yes, give examples and dates:	No
31. Have you any photographs/other evidence of use of the land by the local inhabitants? If so, are you willing to lend them for submission?	NONE
32. If you have additional information or can supply the names and addresses of others who might be in a position to complete a questionnaire, please attach a separate statement.	
<p>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.</p> <p>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.</p> <p>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.</p>	
Signed ..	Date

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

MAP A

27/06/2019

OS Maps: online mapping and walking, running and cycling routes



QUESTIONNAIRE IN SUPPORT OF CLAIM FOR REGISTRATION AS A NEW GREEN

Name:	[REDACTED]		
Address	[REDACTED]		
	Postcode:	Telephone:	[REDACTED]
1. Address when you used and/or knew the land to be used by the local inhabitants:	AS ABOVE		
2. Have you marked your house name/number and signed Map A showing the land edged in green confirming that it relates to the following evidence provided by you?	YES		
3. Please confirm whether you agree with the boundaries of the locality/neighbourhood as described in the application and/or shown on the map.	YES		
4. By what name is the land on Map A known?	IT DOESN'T HAVE A NAME		
5. Has it ever to your knowledge been known by any other name? If so, what name?	N/A		
6. How many years have you known the land?	From ...1975... To ...DATE...		
7. Between which years did you use it?	From ...1975... To ...1991... then From ...2011... To ...2019...		
8. Do you consider yourself to be a local inhabitant in respect of the land?	YES		
9. During the time you have known or used the land, have you observed others using it?	YES		
10. During the time you have known or used the land has the general pattern of use changed?	NO		
11. What facilities are available within walking distance of your locality? Please tick:	Sports Facilities <input checked="" type="checkbox"/> Neighbourhood Watch <input checked="" type="checkbox"/> A Central Feature ... Local Shops <input checked="" type="checkbox"/> Community Activities <input checked="" type="checkbox"/> Other ...		
12. To your knowledge are there any public paths crossing the land?	YES. A PUBLIC FOOTPATH		
13. How do/did you gain access to the land?	BY DIRECT ACCESS FROM WHOOTARE LANE		
14. Why do/did you go to this piece of land?	1. WALKING INTO RISBOROUGH 2. WITH MY CHILDREN ON BICYCLES		
15. How often do/did you use the land (apart from public paths)?	DAILY		
16. How often do/did you observe others using the land?	DAILY		
17. What activities do/did you take part in?	CYCLING WITH MY CHILDREN WE ALSO CROSS FROM THIS LAND TO ACCESS THE BRIDGE TO OBSERVE STEAM TRAINS		
18. Does your immediate family use the land? If so, what for?	AS ABOVE		
19. Do you know of any community activities that take place or have taken place on the land? Please list them and state when and for how long they have taken place:	LOCAL NEIGHBOURHOOD CAKE AND PLANT SALE - SUNDAY 14 TH JULY 2019		
20. Do/did you participate in any of them?	YES		

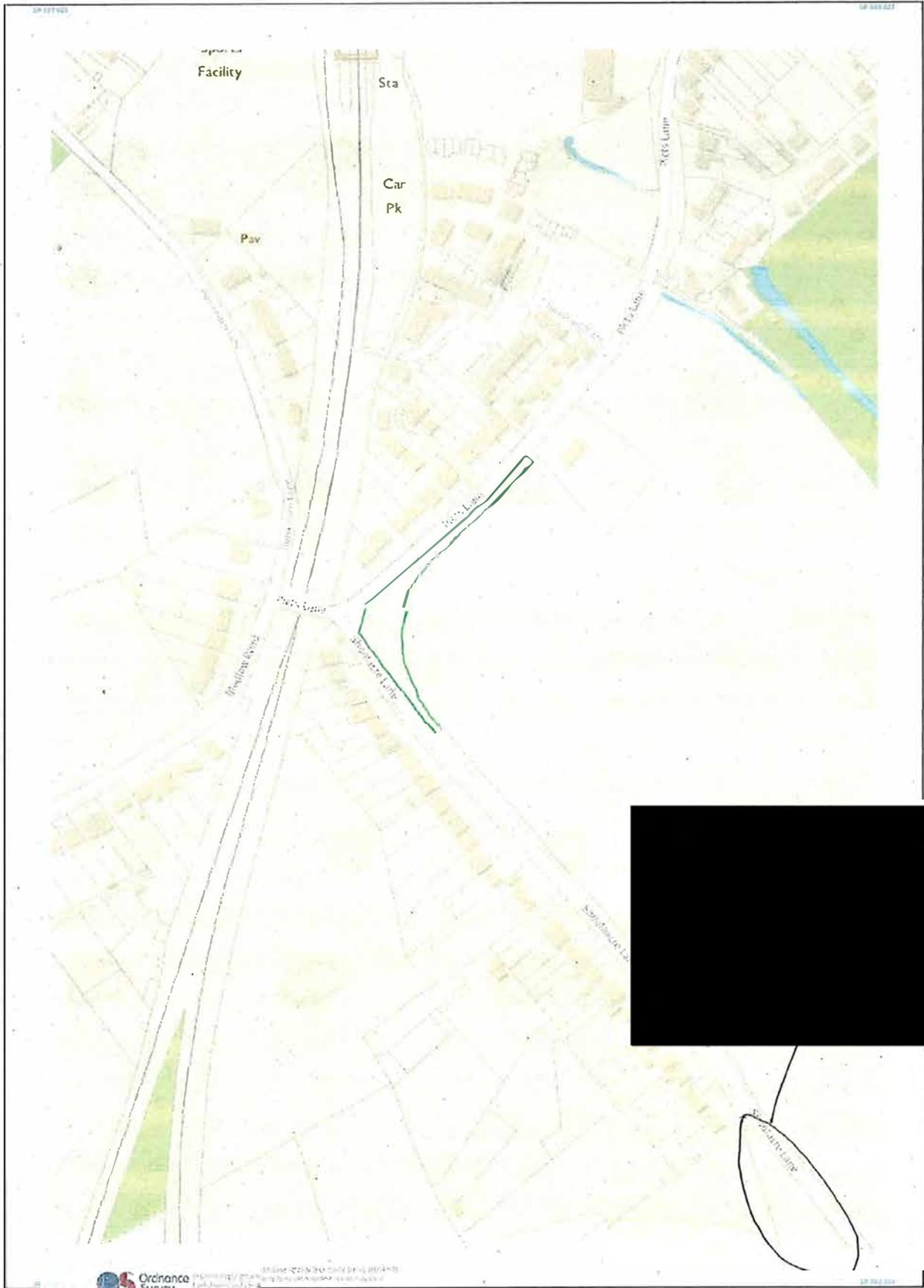
21. Do any organisations use the land for sports and pastimes? If so please specify: NOT OFFICIALLY, HOWEVER GROUPS OF CYCLISTS OFTEN STOP THERE FOR A REST.
22. Do any seasonal activities take place on the land? NO.
23. Please tick all activities that you have observed taking place on the land: Children playing ✓ Dog walking ✓ Bonfire parties ... Bicycle riding ✓ Carol singing ... Team Games ... Football ... Cricket ... Tennis ... People walking ✓ Fetes ... Meeting area ✓ Kite flying ... Community Events ✓ Bird Watching ... Picnicking ... Drawing & Painting ... Other:
24. Do you know who is the owner of the land? If so, who? NO.
25. Are you his/her employee or tenant? N/A
26. Has the owner or occupier seen you on the land? If so, when and what did he/she say? N/A
27. Have you ever sought permission for activities on the land? If so, from whom and when? N/A.
28. Did anyone ever give you permission to go on the land? If yes, when and the reason? N/A.
29. Have you ever been prevented from using the land? If yes, when and the reason? NO.
30. 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? If yes, give examples and dates: NO.
31. Have you any photographs/other evidence of use of the land by the local inhabitants? If so, are you willing to lend them for submission? YES
32. If you have additional information or can supply the names and addresses of others who might be in a position to complete a questionnaire, please attach a separate statement.
<p>I have carried on the activities referred to in this questionnaire for ...44... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.</p> <p>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.</p> <p>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.</p> <p>Signed ..  .. Date  ..</p>

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

MAP A

27/06/2019

OS Maps: online mapping and walking, running and cycling routes











QUESTIONNAIRE IN SUPPORT OF CLAIM FOR REGISTRATION AS A NEW GREEN

Name:	[REDACTED]		
Address:	[REDACTED]		
	Postcode:	Telephone:	[REDACTED]
1. Address when you used and/or knew the land to be used by the local inhabitants: <p align="center">AS ABOVE</p>			
2. Have you marked your house name/number and signed Map A showing the land edged in green confirming that it relates to the following evidence provided by you? <p align="right">YES</p>			
3. Please confirm whether you agree with the boundaries of the locality/neighbourhood as described in the application and/or shown on the map. <p align="center">YES</p>			
4. By what name is the land on Map A known? <p align="center">UNNAMED</p>			
5. Has it ever to your knowledge been known by any other name? If so, what name? <p align="right">NO</p>			
6. How many years have you known the land? <p align="center">From ^{OCT} 1977 To 2014</p>			
7. Between which years did you use it? <p align="center">From OCT 77 To JULY 19 then From To</p>			
8. Do you consider yourself to be a local inhabitant in respect of the land? <p align="right">YES</p>			
9. During the time you have known or used the land, have you observed others using it? <p align="right">YES</p>			
10. During the time you have known or used the land has the general pattern of use changed? <p align="right">NO</p>			
11. What facilities are available within walking distance of your locality? Please tick: Sports Facilities <input checked="" type="checkbox"/> Neighbourhood Watch <input checked="" type="checkbox"/> A Central Feature ... Local Shops <input checked="" type="checkbox"/> Community Activities <input checked="" type="checkbox"/> Other ...			
12. To your knowledge are there any public paths crossing the land? <p align="right">YES</p>			
13. How do/did you gain access to the land? <p align="center">ON FOOT</p>			
14. Why do/did you go to this piece of land? <p align="center">TO SPORTS FACILITY, DOG WALKING VISITING NEIGHBOURS</p>			
15. How often do/did you use the land (apart from public paths)? <p align="center">TWICE DAILY</p>			
16. How often do/did you observe others using the land? <p align="center">ALL THE TIME</p>			
17. What activities do/did you take part in? <p align="center">WALKING</p>			
18. Does your immediate family use the land? If so, what for? <p align="center">YES WALKING</p>			
19. Do you know of any community activities that take place or have taken place on the land? Please list them and state when and for how long they have taken place: <p align="center">NONE</p>			
20. Do/did you participate in any of them? <p align="center">N/A.</p>			

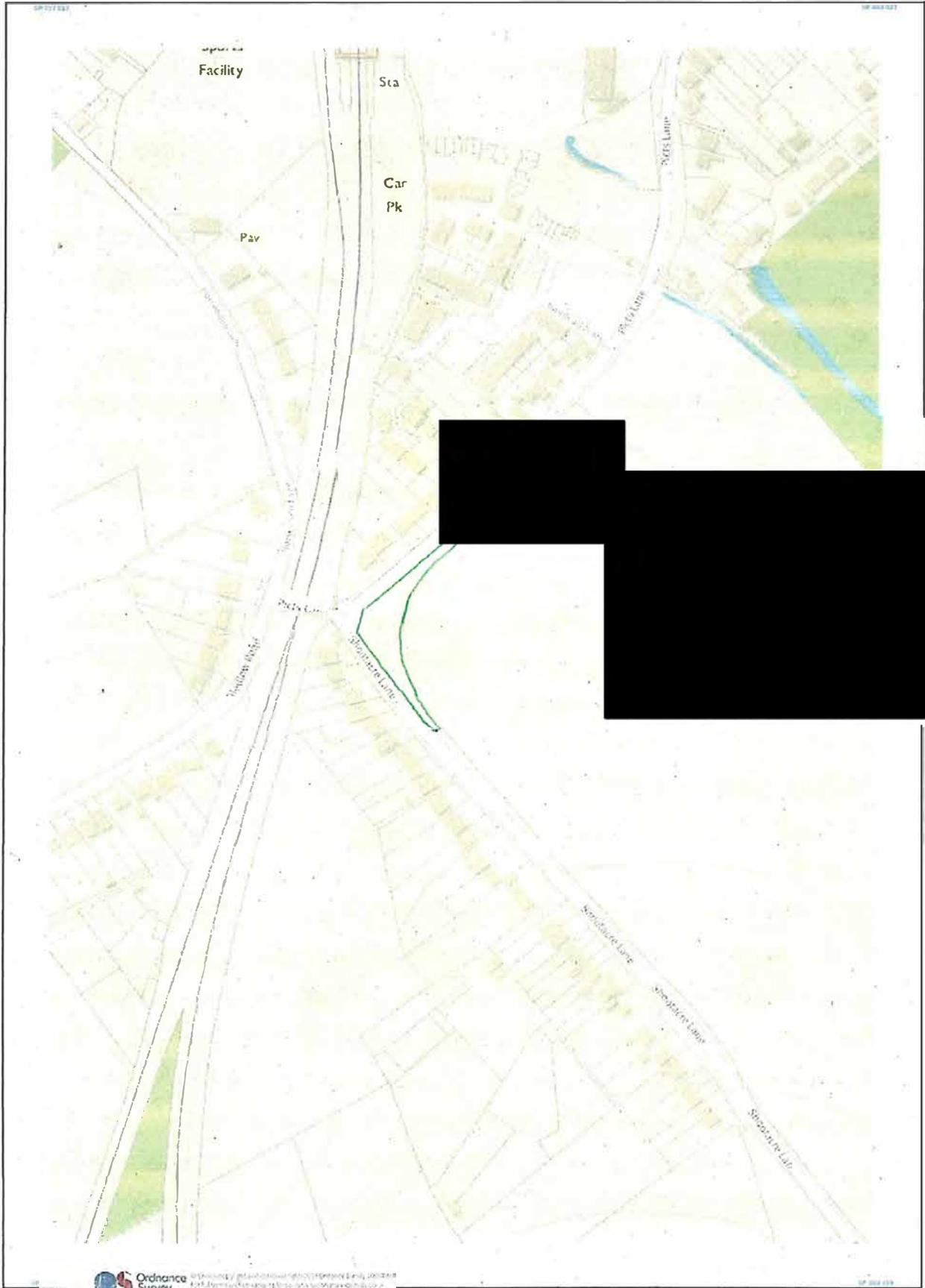
21. Do any organisations use the land for sports and pastimes? If so please specify:	NO
22. Do any seasonal activities take place on the land?	NO
23. Please tick all activities that you have observed taking place on the land: Children playing ... Dog walking ✓ Bonfire parties ... Bicycle riding ✓ Carol singing ... Team Games ... Football ... Cricket ... Tennis ... People walking ✓ Fetes ... Meeting area ✓ Kite flying ... Community Events ... Bird Watching ... Picnicking ... Drawing & Painting ... Other:	
24. Do you know who is the owner of the land? If so, who?	NO
25. Are you his/her employee or tenant?	NO
26. Has the owner or occupier seen you on the land? If so, when and what did he/she say?	NO
27. Have you ever sought permission for activities on the land? If so, from whom and when?	NO
28. Did anyone ever give you permission to go on the land? If yes, when and the reason?	NO
29. Have you ever been prevented from using the land? If yes, when and the reason?	NO
30. 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? If yes, give examples and dates:	NO
31. Have you any photographs/other evidence of use of the land by the local inhabitants? If so, are you willing to lend them for submission?	YES
32. If you have additional information or can supply the names and addresses of others who might be in a position to complete a questionnaire, please attach a separate statement.	
<p>I have carried on the activities referred to in this questionnaire for <u>42</u> years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.</p> <p>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.</p> <p>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.</p> <p>Signed ...  Date..... <u>8.7.2019</u></p>	

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

MAP A

27/06/2019

OS Maps: online mapping and walking, running and cycling routes



<https://osmaps.ordnancesurvey.co.uk/51.71380,-0.84304,17>

QUESTIONNAIRE IN SUPPORT OF CLAIM FOR REGISTRATION AS A NEW GREEN

Name:	[REDACTED]		
Address	[REDACTED]	Postcode	[REDACTED]
	Telephone:	[REDACTED]	
1.	Address when you used and/or knew the land to be used by the local inhabitants. <i>AS ABOVE</i>		
2.	Have you marked your house name/number and signed Map A showing the land edged in green confirming that it relates to the following evidence provided by you? <i>YES</i>		
3.	Please confirm whether you agree with the boundaries of the locality/neighbourhood as described in the application and/or shown on the map. <i>YES</i>		
4.	By what name is the land on Map A known? <i>NOT KNOWN</i>		
5.	Has it ever to your knowledge been known by any other name? If so, what name? <i>NO</i>		
6.	How many years have you known the land?	From	To
		[REDACTED]	<i>PRESENT TIME</i>
7.	Between which years did you use it? From <i>1980</i> To <i>1987</i> then From <i>1987</i> ... To <i>PRESENT</i>		
8.	Do you consider yourself to be a local inhabitant in respect of the land? <i>YES</i>		
9.	During the time you have known or used the land, have you observed others using it? <i>YES</i>		
10.	During the time you have known or used the land has the general pattern of use changed? <i>YES</i>		
11.	What facilities are available within walking distance of your locality? Please tick: Sports Facilities ... Neighbourhood Watch ... A Central Feature ... Local Shops <input checked="" type="checkbox"/> Community Activities <input checked="" type="checkbox"/> Other ...		
12.	To your knowledge are there any public paths crossing the land? <i>YES FOOT PATH</i>		
13.	How do/did you gain access to the land? <i>WALK</i>		
14.	Why do/did you go to this piece of land? <i>LUNGING MY HORSE WALKING THE</i>		
15.	How often do/did you use the land (apart from public paths)? <i>EVERY DAY</i>		
16.	How often do/did you observe others using the land? <i>MOST DAYS</i>		
17.	What activities do/did you take part in? <i>LUNGING MY HORSE AND RIDING</i>		
18.	Does your immediate family use the land? If so, what for? <i>YES WALKING THE DOG</i>		
19.	Do you know of any community activities that take place or have taken place on the land? Please list them and state when and for how long they have taken place: <i>NONE</i>		
20.	Do/did you participate in any of them? <i>NONE</i>		