

## **Applications to voluntarily register land as new Village Greens at Loose and Boughton Monchelsea**

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A report by the PROW and Access Service Manager to Kent County Council's Regulation Committee on Tuesday 24<sup>th</sup> January 2023.

**Recommendation: I recommend that the County Council informs the applicants that the applications to register the lands known as:**

- 1) Salts Wood at Loose;**
- 2) Boughton Monchelsea Green;**
- 3) Brooks Field at Loose; and**
- 4) Walk Meadow at Boughton Monchelsea;**

**have been accepted, and that those lands be formally registered as Village Greens.**

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### **Introduction**

1. The County Council has received four applications to register various pieces of land in the parishes of Boughton Monchelsea and Loose as new Village Greens. The applications have been made under section 15(8) of the Commons Act 2006 ("the 2006 Act"), which allows a landowner to apply to the County Council to voluntarily register their land as a Village Green, without the need to demonstrate the usual tests relating to usage (i.e. use for recreational purposes for a period in excess of twenty years).
2. Land that is voluntarily registered as a Town or Village Green under section 15(8) of the 2006 Act enjoys the same level of statutory protection as that of all other registered greens and local people will have a right to use the land for informal recreational purposes in perpetuity. This means that once the land is registered it cannot be removed from the formal Register of Town or Village Greens (other than by statutory process) and must be kept free of development or other encroachments.

### **The applications**

#### Salts Wood at Loose (application reference VGA685)

3. The application to register the land known as Salts Wood has been made by the Boughton Monchelsea Amenity Trust. The land subject to the application comprises a large area of approximately 33 acres (13.4 hectares) in size situated to the west of Hubbards Lane and Salts Lane, and extending westwards to the rear of properties in Loose Road and south to the rear of properties in Salts Avenue in the parish of Loose, near Maidstone. Until recently the land has been leased for arable farming, but it is now in the process of being turned into community woodland.
4. A plan showing Salts Wood is attached at **Appendix A**.

Boughton Monchelsea Village Green (application reference VGA686)

5. This application, made by the Boughton Monchelsea Parish Council, seeks to register a small parcel of land adjacent to the existing Village Green, but which (for reasons unknown) was not included within the original process for registration under the Commons Act 1965. The land to be registered comprises approximately 0.16 acres (0.06 hectares) in size situated to the south of the existing Boughton Monchelsea Village Green (registered as VG1).
6. A plan showing the land to be registered, along with the existing Village Green, is attached at **Appendix B**.

Brooks Field at Loose (application reference VGA689)

7. The application to register Brooks Field has been made by the Loose Parish Council. The application site consists of a parcel of land of approximately 3.4 acres (1.4 hectares) in size situated to the north of the Loose Stream and extending west towards the public highway known as Kirkdale and east to Old Loose Hill, in the Loose Valley. Formerly agricultural land, it was acquired by the Parish Council and now comprises a public open space, including a community wood, pond and wildflower meadow.
8. A plan showing Brooks Field is attached at **Appendix C**.

Walk Meadow at Boughton Monchelsea (application reference VGA690)

9. The application to register the land known as Walk Meadow has also been made by the Boughton Monchelsea Amenity Trust. The land subject to the application comprises a parcel of land of approximately 12.2 acres (4.95 hectares) in size, situated to the south of Cliff Hill Road and to the east of Bottlescrew Hill in the village of Boughton Monchelsea. The land is already managed as a public open space and consists of a mix of open areas, trees, paths and a wildflower meadow.
10. A plan showing Walk Meadow is attached at **Appendix D**.

**Procedure**

11. The legal test set out in section 15(8) states:  
*“(8) The owner of any land may apply to the Commons Registration Authority to register the land as a town or village green.  
(9) An application under subsection (8) may only be made with the consent of any relevant leaseholder of, and the proprietor of any relevant charge over, the land.”*
12. The Commons Registration (England) Regulations 2014 require that Notice of the application be advertised on the County Council's website and served on local Councils. In addition, the County Councillors have also been informed of the applications. No adverse comments have been received.

13. Land Registry searches have also been undertaken to confirm that the applicants all own the lands in question, and that there are no relevant charges affecting the application sites.

### **Conclusion**

14. As stated above, the relevant criteria for the voluntary registration of land as a new Town or Village Green under section 15(8) of the 2006 Act requires only that the County Council is satisfied that the land is owned by the applicant. There is no need for the applicant to demonstrate use of the land 'as of right' for the purposes of lawful sports and pastimes over a particular period.

15. It can be concluded that all the necessary criteria concerning the voluntary registration of these lands as Village Greens have been met.

### **Recommendation**

16. I recommend that the County Council informs the applicants that the applications to register the lands known as:

- 1) Salts Wood at Loose;
- 2) Boughton Monchelsea Green;
- 3) Brooks Field at Loose; and
- 4) Walk Meadow at Boughton Monchelsea;

have been accepted, and that those lands be formally registered as Village Greens.

### **Contact Officer:**

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Public Rights of Way & Access Service

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### **Appendices:**

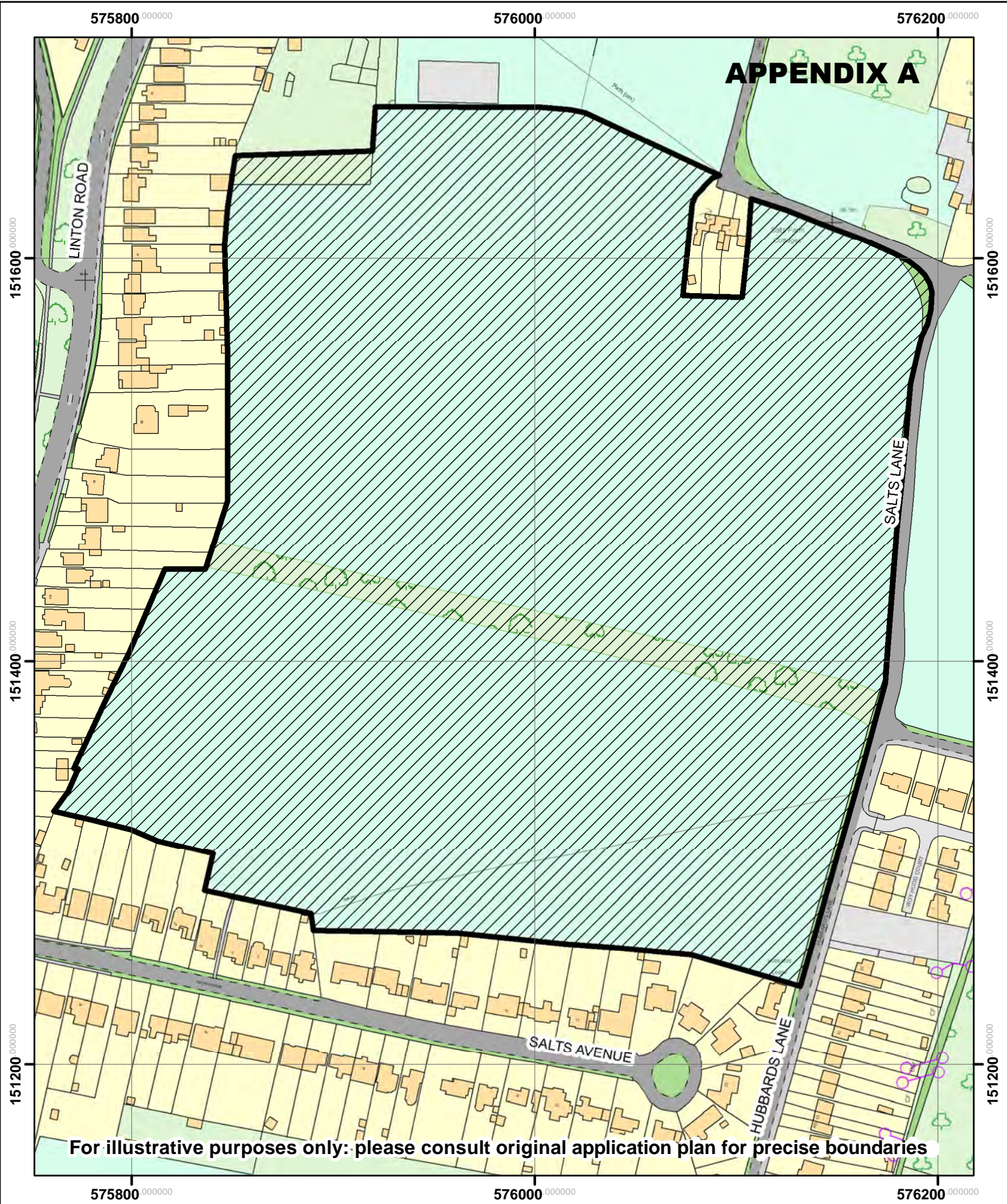
APPENDIX A – Plan showing Salts Wood at Loose

APPENDIX B – Plan showing Boughton Monchelsea Green

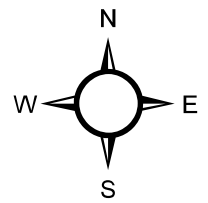
APPENDIX C – Plan showing Brooks Field at Loose

APPENDIX D – Plan showing Walk Meadow at Boughton Monchelsea

# APPENDIX A

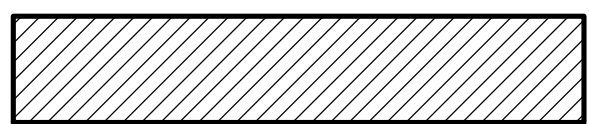


For illustrative purposes only: please consult original application plan for precise boundaries

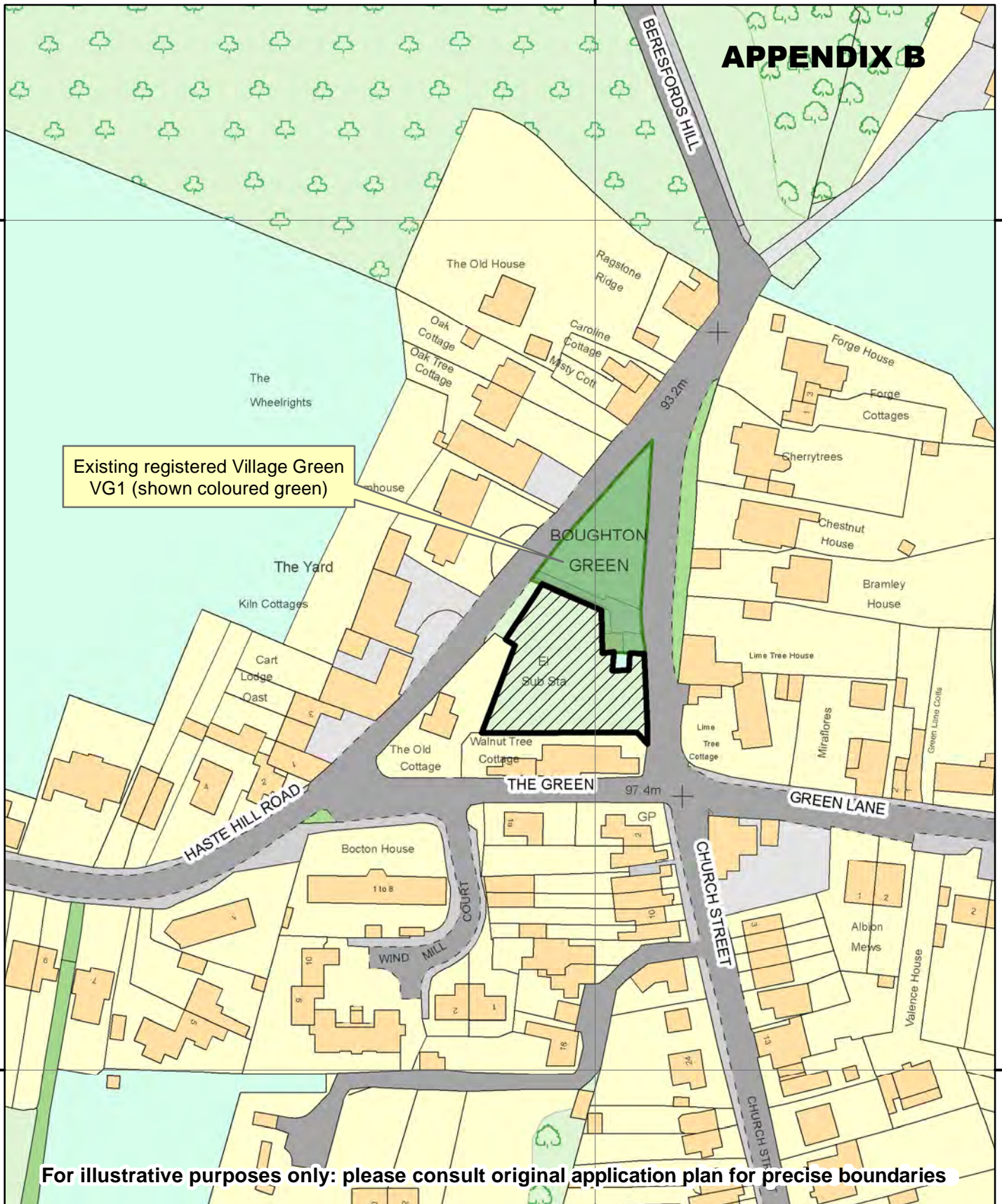


Scale 1:2500 @ A4

Land subject to Village Green application known as Salts Wood, Loose (VGA685)

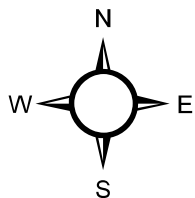


# APPENDIX B



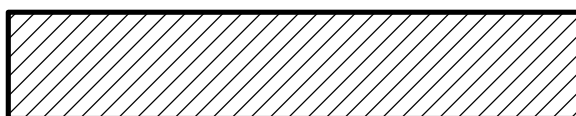
Existing registered Village Green VG1 (shown coloured green)

For illustrative purposes only: please consult original application plan for precise boundaries



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Land subject to Village Green application comprising the south side of Boughton Green at Boughton Monchelsea (VGA686)



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# APPENDIX C

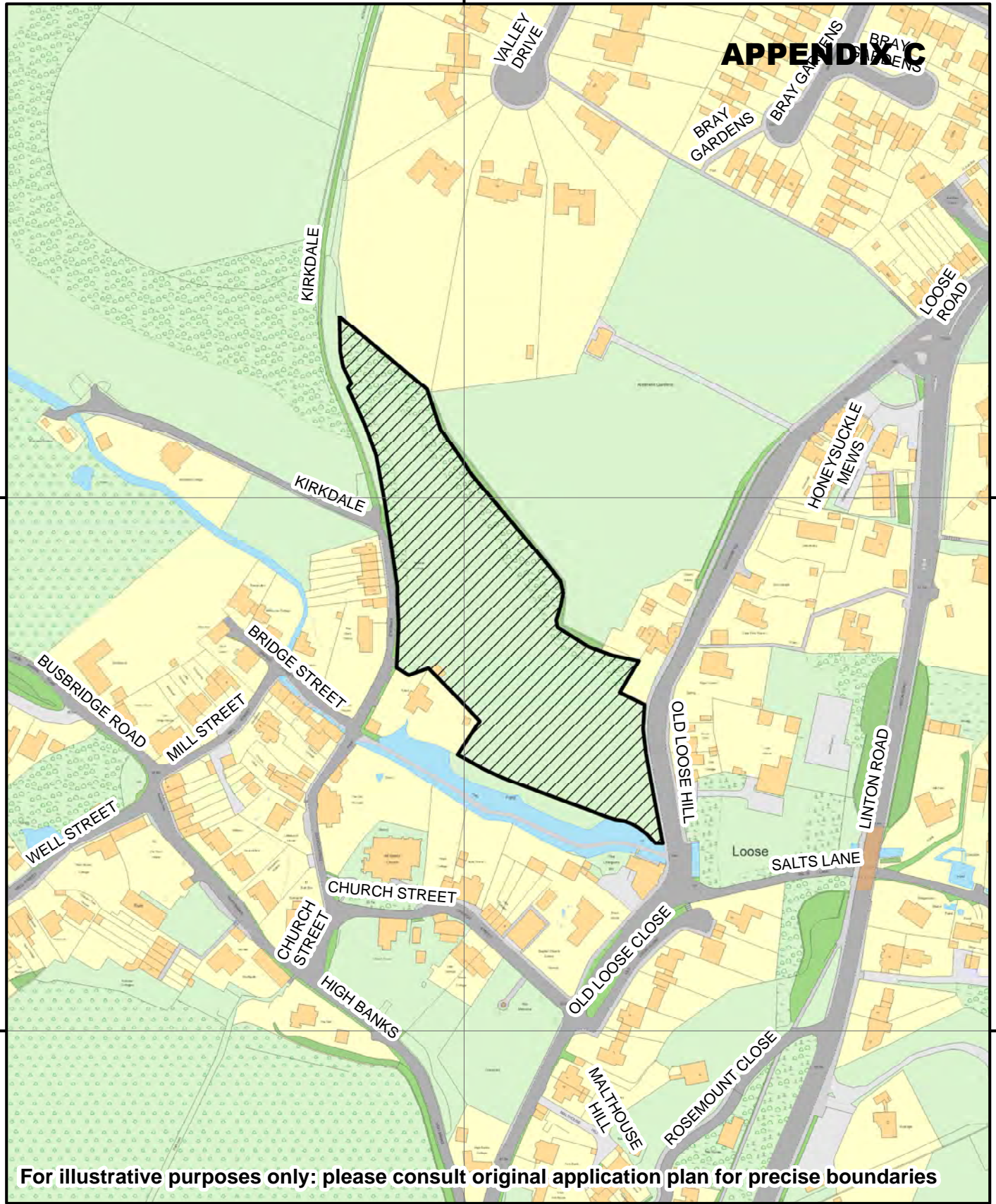
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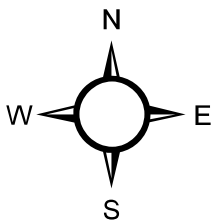
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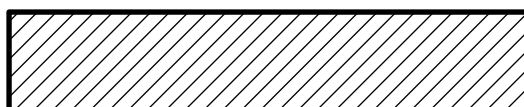


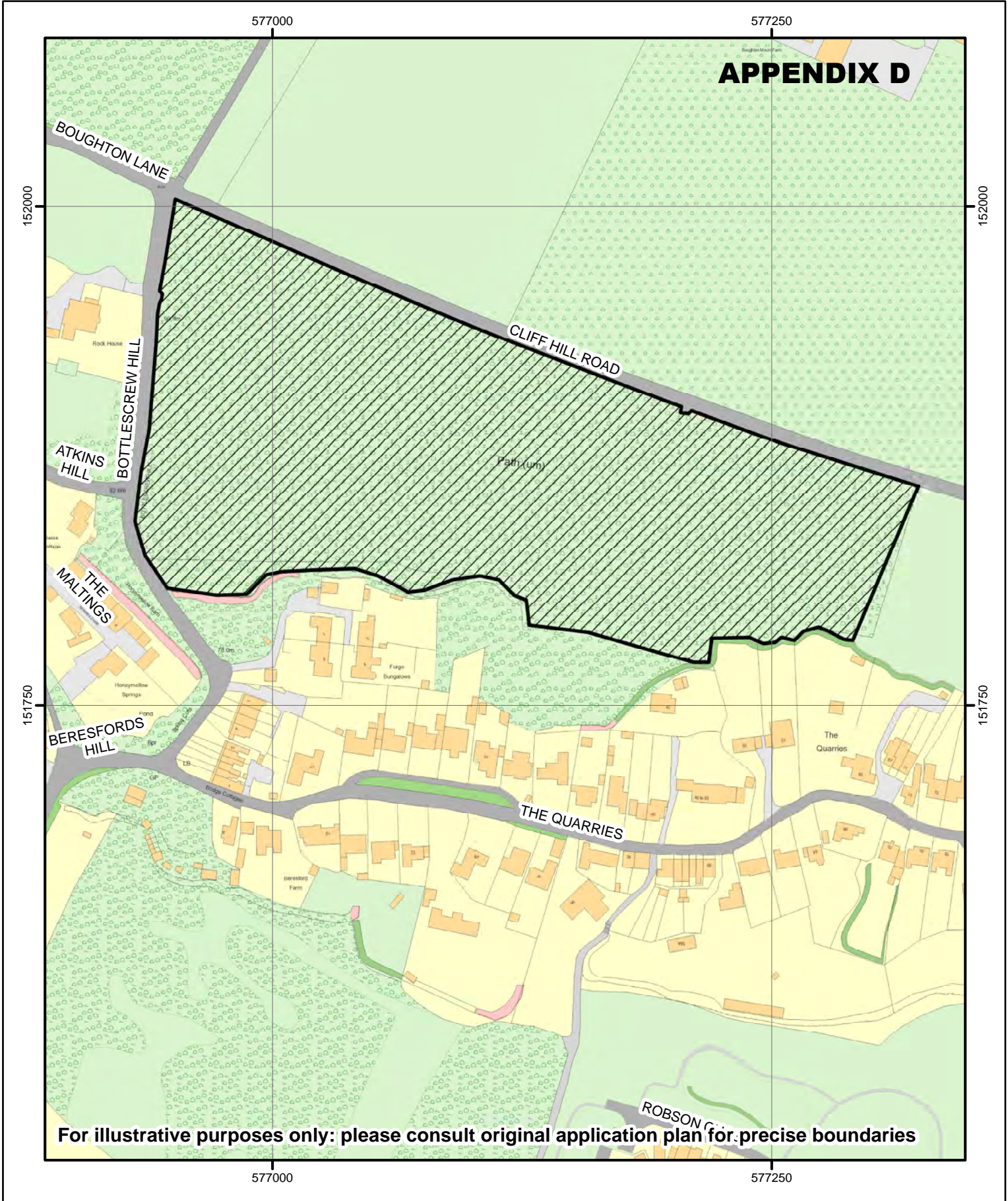
For illustrative purposes only: please consult original application plan for precise boundaries



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Land subject to Village Green application  
(known as Brook's Field)  
at Loose, nr Maidstone (VGA689)





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Scale 1:2500  
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**Land subject to Village Green application  
(known as Walk Meadow) at Boughton  
Monchelsea, nr Maidstone (VGA690)**

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