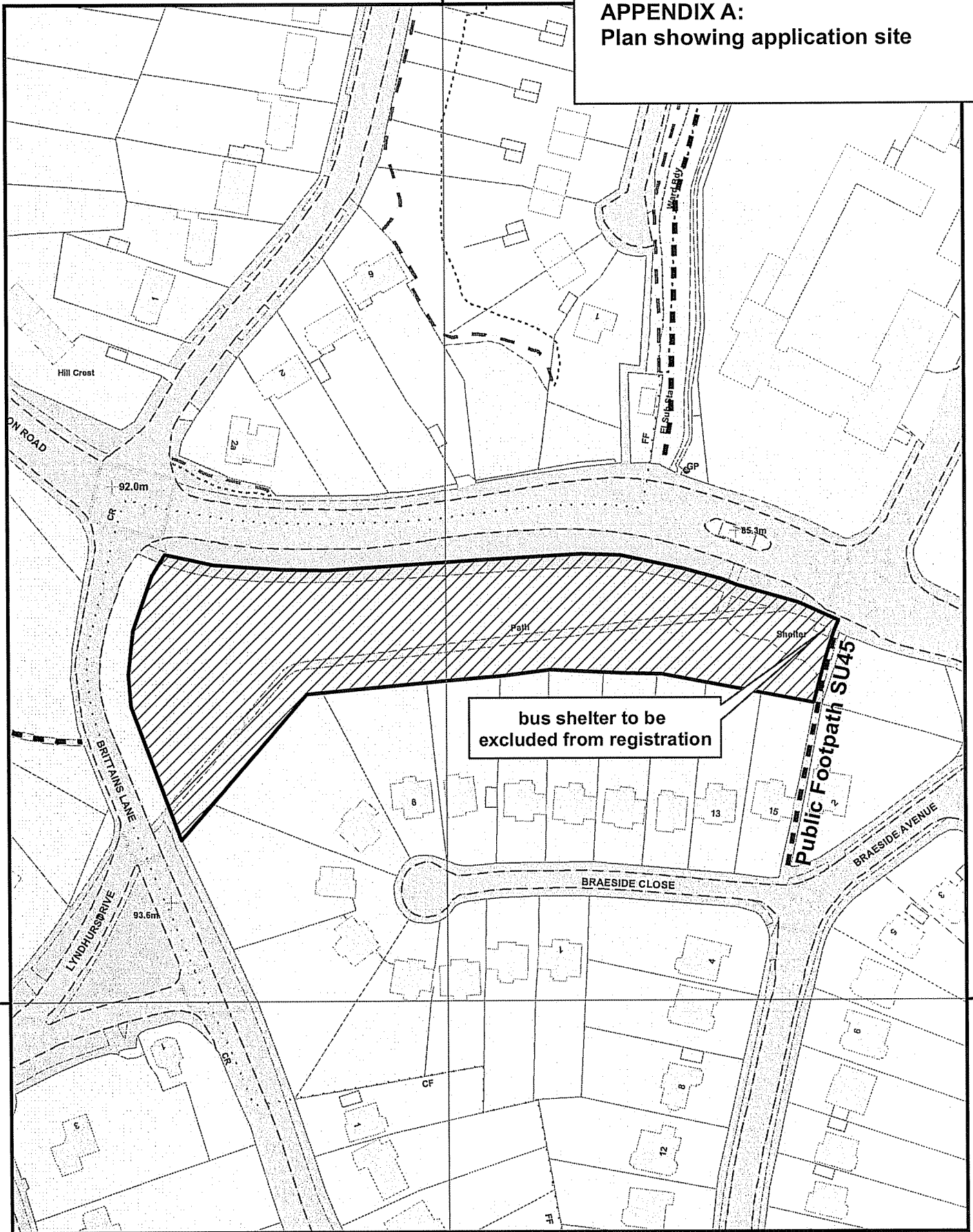


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**APPENDIX A:
Plan showing application site**



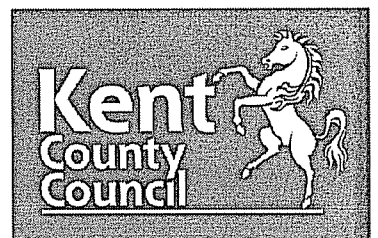
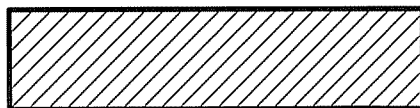
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Scale 1:1250

**Land subject to Town Green application
at Brittains Lane, Sevenoaks**



FORM CA9

APPENDIX B:
Copy of the application form

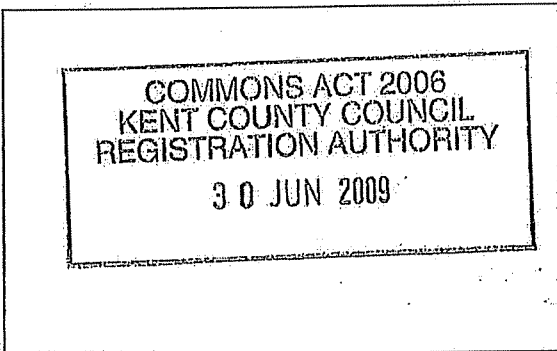
Commons Act 2006: section 15

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



This section is for office use only

Official stamp of the Registration Authority
indicating date of receipt:



Application number:

VGA 613



VG number allocated at registration
(if application is successful):

Note to applicants

Applicants are advised to read the 'Part 1 of the Commons Act 2006 (changes to the commons registers): Guidance to applicants in the pilot implementation areas' and to note the following:

- All applicants should complete parts 1-6 and 10-12.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete parts 7 and 8. Any person can 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 part 9. Only the owner of the land can apply under section 15(8).
- There is no fee for applications under section 15.

Note 1
Insert name of Commons
Registration Authority

1. Commons Registration Authority

To the: The Commons Registration Team
Kent County Council
Countryside Access Service
Invicta House
County Hall
Maidstone
Kent. ME14 1XX

Note 2

If there is more than one applicant, list all names. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or unincorporate. If you supply an email address in the box provided, you may receive communications from the Registration Authority or other persons (e.g. objectors) via email. If part 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name: Sevenoaks Town Council
Full postal address: Town Council Offices
(incl. Postcode) Bradbourne Vale Road
Sevenoaks
Kent TN13 3QG
Telephone number: 01732 459953
(incl. national dialling code)
Fax number: 01732 742577
(incl. national dialling code)
E-mail address: council@sevenoakstown.gov.uk

Note 3

This part should be completed if a representative, e.g. 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. If you supply an email address in the box provided, you may receive communications from the Registration Authority or other persons (e.g. objectors) via email.

3. Name and address of representative, if any

Name: N/A
Firm:
Full postal address:
(incl. Postcode)
Telephone number:
(incl. national dialling code)
Fax number:
(incl. national dialling code)
E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 9 to the Commons Registration (England) Regulations 2008.

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:

**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.*

If section 15(3) or (4) applies, please indicate the date on which you consider that use 'as of right' ended and why:

If section 15(6)* is being relied upon in determining the period of 20 years, indicate the period of statutory closure (if any) which needs to be disregarded:

Note 5

This part is to identify the new green. The accompanying map must be at a scale of at least 1:2,500 and shows the land by means of distinctive colouring within an accurately identified boundary. State the Land Registry title number where known.

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

Name by which usually known:

Brittains Common

Location:

Junction of Brittains lane / London Road (A224)

Common Land register unit number (only if the land is already registered Common Land):

Please tick the box to confirm that you have attached a map of the land (at a scale of at least 1:2,500):

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). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly at a scale of 1:10,000.

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

Indicate the locality (or neighbourhood within the locality) to which the claimed green relates by writing the administrative area or geographical area by name below and/or by attaching a map on which the area is clearly marked:

Parish of Sevenoaks Town

Please tick here if a map is attached (at a scale of 1:10,000):

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

Not applicable registered
under s. 15(8)

Note 8

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

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

Sevenoaks Town Council
Town Council Offices
Bradbourne Vale Road
Sevenoaks
Kent
TN13 3QG

<p>Note 9 List or enter in the form all such declarations that accompany the application. This can include any written declarations sent to the applicant (i.e. a letter), and also any such declarations made on the form itself.</p>	<p>9. Voluntary registration – declarations of consent from any relevant leaseholder of, and of the proprietor of any relevant charge over, the land</p> <p>Sevenoaks Town Council</p> <p>Minute No: 11 - Open Spaces & Leisure Committee. 7.7.2008</p> <p>Minute No: 31 - Town Council 27.10.08.</p>
<p>Note 10 List all supporting consents, documents and maps accompanying the application. Evidence of ownership of the land must be included for voluntarily registration applications. There is no need to submit copies of documents issued by the Registration Authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.</p>	<p>10. Supporting documentation</p> <p>i) Map of location (marked 10.i)</p> <p>ii) Map of Sevenoaks Parish (marked 10.ii)</p> <p>iii) Sevenoaks Town Council Minute (marked 10.iii)</p>
<p>Note 11 List 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.</p>	<p>11. Any other information relating to the application</p> <p>Not Applicable</p>

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.

12. Signature

Signature(s) of applicant(s): *R. Lortie*

Date: *23rd June 2009*

REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted. You are advised to keep a copy of the application and all associated documentation.

Please send your completed application form to:

**The Commons Registration Team
Kent County Council
Countryside Access Service
Invicta House
County Hall
Maidstone
Kent ME14 1XX**

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 Commons 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.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.

(10.1)



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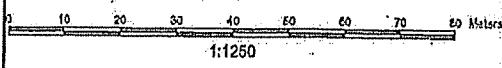
551800

LAND ADJ BRITAINS LANE AND SOUTH OF LONDON ROAD RIVERHEAD SEVENOAKS



PROPERTY GROUP
County Hall, Maidstone
Kent ME14 1XQ
Tel: 08458 247247

Drawn By: JTN
Date: JUL 2007



Drawing No. TQ5155/13C

APPENDIX C:
Photographs showing application site



Above: View from London Road and Brittain's Lane junction looking EAST

Below: View from Lyndhurst Drive and Brittain's Lane junction looking EAST



Official copy of register of title

Title number K945896

Edition date 25.09.2008

- This official copy shows the entries in the register of title on 29 January 2010 at 14:04:55.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 29 January 2010.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Tunbridge Wells Office.

A: Property register

This register describes the land and estate comprised in the title.

KENT : SEVENOAKS

- 1 (07.08.1936) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south side of London Road, Sevenoaks.
- 2 The land has the benefit of the following rights reserved by a Transfer of the land lying to the east of the land in this title dated 30 April 1990 made between (1) The Kent County Council and (2) Colin Spencer Smith and Carol Ann Smith:-

"EXCEPTING AND RESERVING in fee simple unto the Council and its successors in Title the owners or occupiers for the time being of the remainder of the land comprised in the above title ("the said adjoining land") the rights easements and privileges specified in the First Schedule hereto

THE FIRST SCHEDULE above referred to

(1) The right (in common with the Purchasers and all others entitled thereto) of the free and uninterrupted passage and running of water soil gas and electricity by and through those sewers drains watercourses pipes wires cables and other service conduits which serve the said adjoining land and which run under along or over the Property with full right and liberty for the Council and its successors in title to the said adjoining land at all reasonable times and upon giving notice in writing except in cases of emergency to enter upon the Property with or without workmen and appliances for the purpose of inspecting repairing cleansing maintaining renewing relaying or removing the said sewers drains watercourses pipes wires cables and other service conduits or removing therefrom any obstruction the Council and its successors in title making good at their own expense and to the reasonable satisfaction of the Purchasers and the Purchasers'



A: Property register continued

successors in title to the Property all damage and disturbance caused by the exercise of such rights as aforesaid and also paying a fair proportion in common with all other persons having the like right to use the said sewers drains watercourses pipes wires cables and other service conduits of the expense of repairing cleansing maintaining and renewing the same

(2) Any other rights and easements or quasi-rights and quasi-easements at present appurtenant to or enjoyed with the said adjoining land over or in relation to the Property."

- 3 (23.09.2008) The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer of the land in this title dated 12 September 2008 made between (1) The Kent County Council and (2) Sevenoaks Town Council .

NOTE: Copy filed.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (23.09.2008) PROPRIETOR: SEVENOAKS TOWN COUNCIL of Town Council Offices, Bradbourne Vale Road, Sevenoaks, Kent TN13 3QG.
- 2 (23.09.2008) The price stated to have been paid on 12 September 2008 was £27,000.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land in this title and other land dated 10 May 1926 made between (1) The Right Honourable Hugh Earl Amhurst (Vendor) (2) Edward Windsor Hussey and George Windsor Clive and (3) Julius Joseph Runge (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 A Conveyance of the land in this title and other land dated 17 July 1936 made between (1) Norah Cecil Runge, Peter Francis Runge and Edward Henry Herbert (Vendors) (2) John William Ronald Ford and (3) Derby & Co (Contractors) Limited (Company) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 The land subject to an Agreement under seal as to drainage dated 20 May 1937 made between (1) The Rural District Council of Sevenoaks and (2) Derby & Co Limited

NOTE: Copy filed under K14087.

- 4 The land is subject to the covenants, exceptions and reservations, agreement and declaration contained in a Transfer of the land in this title dated 14 April 1938 made between (1) Derby & Company (Contractors) Limited and (2) The County Council of the Administrative County of Kent.

NOTE: Original filed under K21807.

C: Charges register continued

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 10 May 1926 referred to in the Charges Register:-

The PURCHASER hereby covenants with the Vendor that the Purchaser and the persons deriving title under him will at all times hereafter duly observe and perform all and singular the restrictive and other covenants and stipulations set forth in the Third Schedule hereto but so nevertheless that the Purchaser or other the owner or owners for the time being of the premises hereby conveyed shall as regards any of the aforesaid covenants or stipulations which are restrictive of the user of the land be liable only in respect of breaches which occur while he or they shall respectively be the owner or owners of the land or of the part thereof in respect of which any such breach occurs.

THE THIRD SCHEDULE above referred to

No building erected or to be erected on any part of Ordnance Numbers 114, 117 part 115 part 187a, 204, 205 and 206 shall be used as a manufacturing workshop or factory and no noisy noisome or offensive manufacture trade business or occupation shall be carried on on any part thereof and nothing shall take place thereon which shall be or become a damage nuisance or annoyance to the Vendor or the owners tenants or occupiers of any adjoining property or the neighbourhood or which may tend to depreciate the value of any other part of the Montreal Estate as residential property.

NOTE: The land in this title forms part of Ordnance Numbers 204, 205 and 206.

- 2 The following are details of the covenants contained in the Conveyance dated 17 July 1936 referred to in the Charges Register:-

"The Company hereby covenant with the Vendors to the intent that the covenant in this clause contained may so far as possible bind the property hereinbefore conveyed and all persons who now are or shall hereafter become entitled to any estate or interest therein or any part thereof but not so as to bind the Company or any such person after the Company or such person shall have disposed of all estate or interest therein and to the further intent that this covenant shall enure for the benefit of the remainder of the Montreal Estate or any such part thereof as may subsequently be sold by the Vendors expressly with the benefit of this covenant or to which the benefit of this covenant may at any time be expressly annexed by the Vendors that the Company and its successors in title will henceforth perform and observe the restrictions and stipulations set out in the First Schedule hereto Provided that the Vendors shall not be under any reciprocal obligation in respect of the said stipulations and restrictions and may waive release vary or modify the same or any of them and sell or transfer or otherwise deal with any of their remaining property free from the same or subject to such other stipulations and restrictions as they may think fit.

THE FIRST SCHEDULE ABOVE REFERRED TO

1. Artistic and pleasing buildings only shall be erected and no building or erection shall be erected upon any part of the said land unless the Company shall have previously submitted plans and elevations showing the description thereof together with a statement of the materials to be used externally to the Surveyor for the time being of the Vendors (hereinafter referred to as "the Surveyor") who must first approve the same and shall have paid a fee of Two guineas to the Surveyor therefor.



Schedule of restrictive covenants continued

2. No temporary buildings caravans or huts on wheels shall at any time be brought or allowed to remain upon any part of the said land.

3. Private detached dwellinghouses only with a suitable cottage if desired for the occupation of domestic employees and usual outbuildings and garage accommodation (with or without rooms over for Chauffeur or Gardener) may be erected upon the said land provided that a cottage shall not be erected except in conjunction with a dwellinghouse having at least One and a half acres permanently attached to it and such cottage shall be occupied only by employees at the house in conjunction with which such cottage is erected. The net prime cost of each dwellinghouse exclusive of any cottage garage or outbuildings shall not be less (except with the consent of the Surveyor) than Seven hundred pounds. No house cottage garage or other outbuilding shall be erected unless the materials to be used shall previously have been approved of by the Surveyor.

4. No trade or business of any description whatever shall at any time hereafter be carried on upon the said land or in any buildings erected thereon and nothing shall take place thereon which shall or may be or become a nuisance damage or annoyance to other owners tenants occupiers of adjoining property or to the Vendors or which may tend to depreciate the value of any part of the Vendors' estate in the neighbourhood but the said land and buildings shall be used only for private residential purposes as shall be approved in writing by the Surveyor.

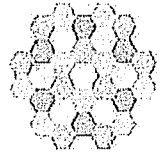
5. No sand stone or other materials shall be removed from the said land except so far as may be necessary in the erection of a house and other buildings thereon.

6. No advertisement or hoarding shall be exhibited on the said land except such as relates to the selling or the letting of the said lands or buildings thereon or a professional plate."

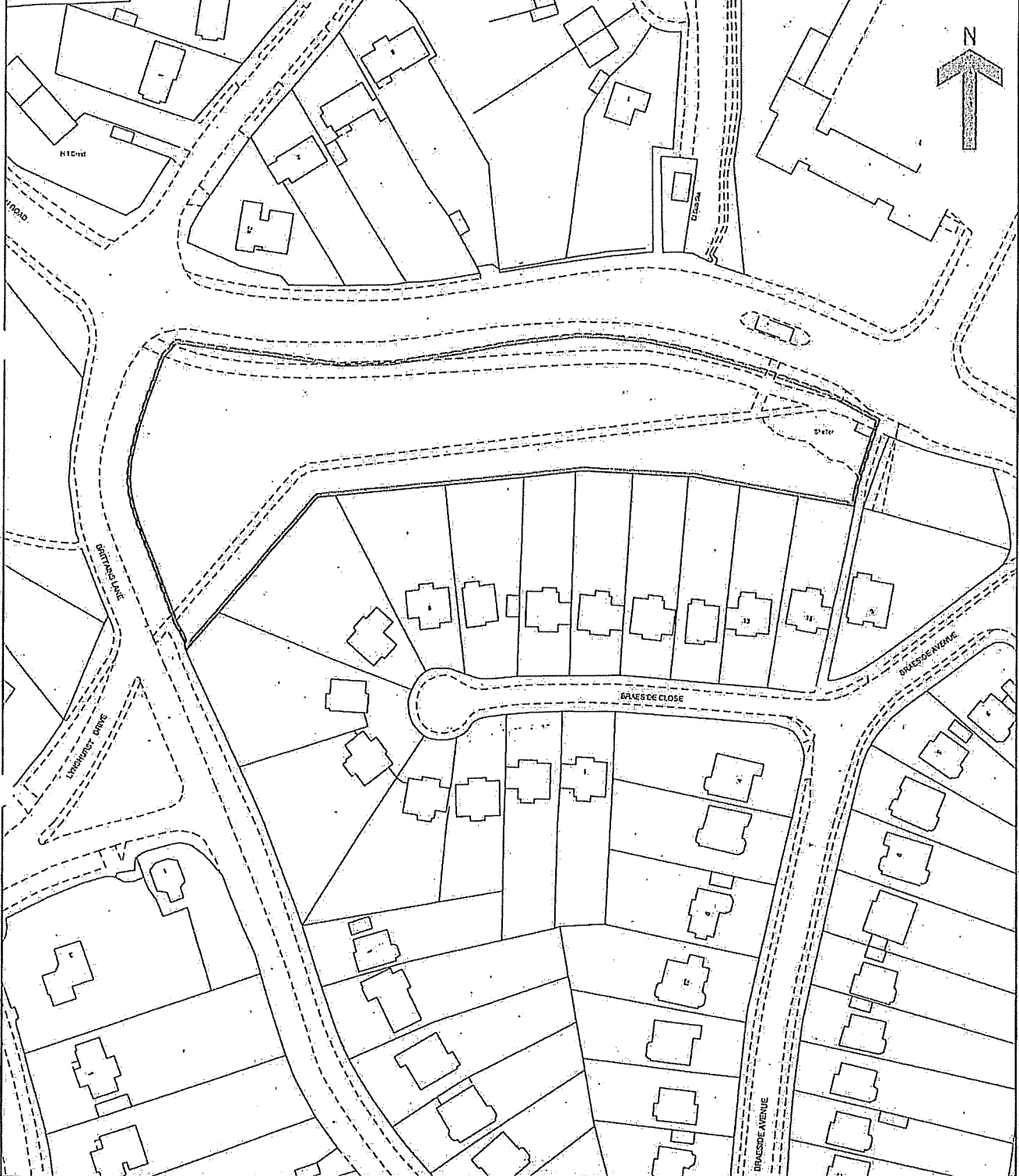
End of register

Land Registry
Official copy of
title plan

Title number K945896
Ordnance Survey map reference TQ5155NE
Scale 1:1250
Administrative area Kent: Sevenoaks



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