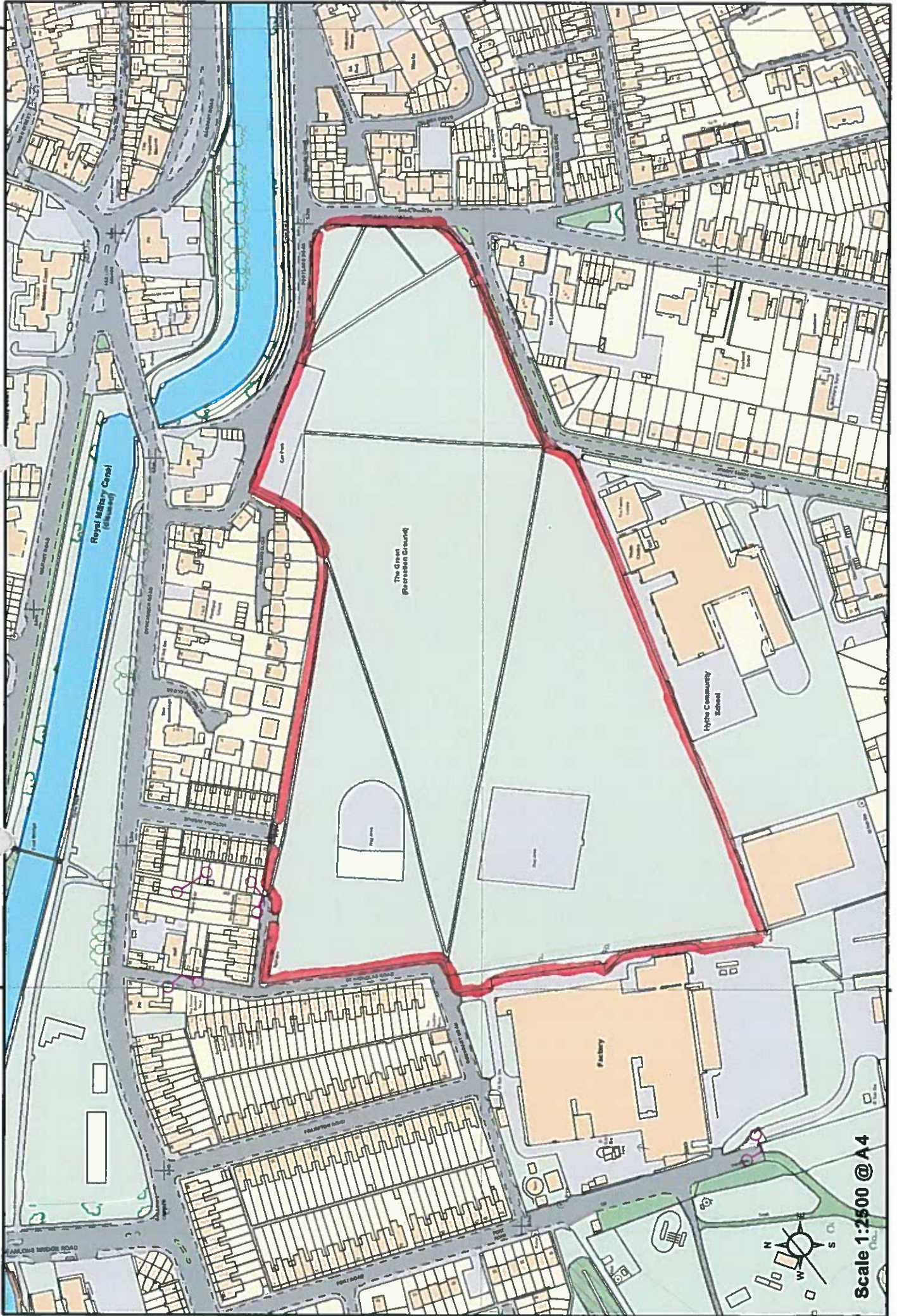


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Commons Act 2006: section 15

Application for the registration of a town or village green

This section is for office use only

Official stamp ^a

Application number

| |
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| <p>COMMONS ACT 2006 KENT COUNTY COUNCIL REGISTRATION AUTHORITY 11 MAR 2016</p> |
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|--------------|
| <p>VG667</p> |
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VG number allocated at registration

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Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- All applicants should complete boxes 1–6 and 10–12.
- Applicants applying for registration under section 15(1) of the Commons Act 2006 should, in addition, complete boxes 7 and 8. Any person can apply to register land as a green where the criteria for registration in section 15(2) or 15(3) apply; (NB 15(4) is obsolete).
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete box 9. Only the owner of the land can apply under section 15(8).

There is no application fee.

Note 1

Insert name of commons registration authority.

1. Commons Registration Authority

To the:

| |
|----------------------------|
| <p>KENT COUNTY COUNCIL</p> |
|----------------------------|

Tick the box to confirm that you have enclosed the appropriate fee for this application:

Note 2

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association. 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 box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This box 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, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

2. Name and address of the applicant

Name:

DAVID PLUMSTEAD
THE BITERWAY ENVIRONMENT AND COMMUNITY NETWORK

Postal address:

[Redacted]
[Redacted]
KENT
Postcode [Redacted]

Telephone number:

[Redacted]

Fax number:

[Redacted]

E-mail address:

[Redacted]

3. Name and address of representative, if any

Name:

[Redacted]

Firm:

[Redacted]

Postal address:

[Redacted]
Postcode

Telephone number:

[Redacted]

Fax number:

[Redacted]

E-mail address:

[Redacted]

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 9 or 10 to the Commons Registration (England) Regulations 2014. 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.

Note 5

This box is to identify the new green. The accompanying Ordnance map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland, and show the land by means of distinctive colouring within an accurately identified boundary. State the Land Registry title number where if known.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land tick the following box and move to box 5:

If the application is made under section 15(1) of the Act, 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:

If section 15(3) applies indicate the date on which you consider that use as of right ended:

[Empty box for date]

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:

[Empty box for period of statutory closure]

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

Name by which the land usually known:

HYTHE GREEN

Location:

HYTHE KENT

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

[Empty box for common land register unit number]

Tick the box to confirm that you have attached an Ordnance map of the 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). If this is not possible an Ordnance map should be provided on which a locality or neighbourhood is marked clearly at a scale of 1:10,560.

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).

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).

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

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 an Ordnance map on which the area is clearly marked:

SOUTH WARD
HYTHE
KENT

Tick here if a map is attached:

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

The land having been used by the residents of the locality for lawful sports and pastimes for over one hundred and fifty years

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

HYTHE TOWN COUNCIL

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 (e.g. a letter), and also any such declarations made on the form itself.

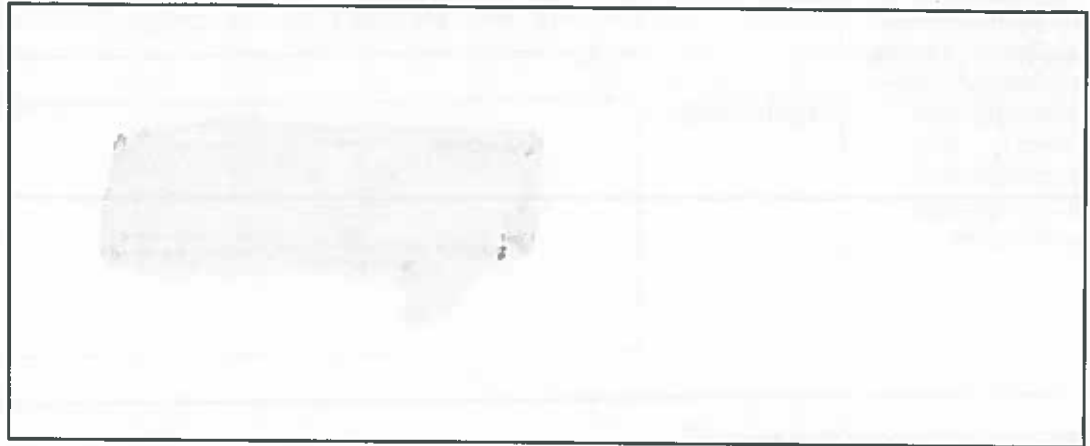
Note 10

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.

Note 11

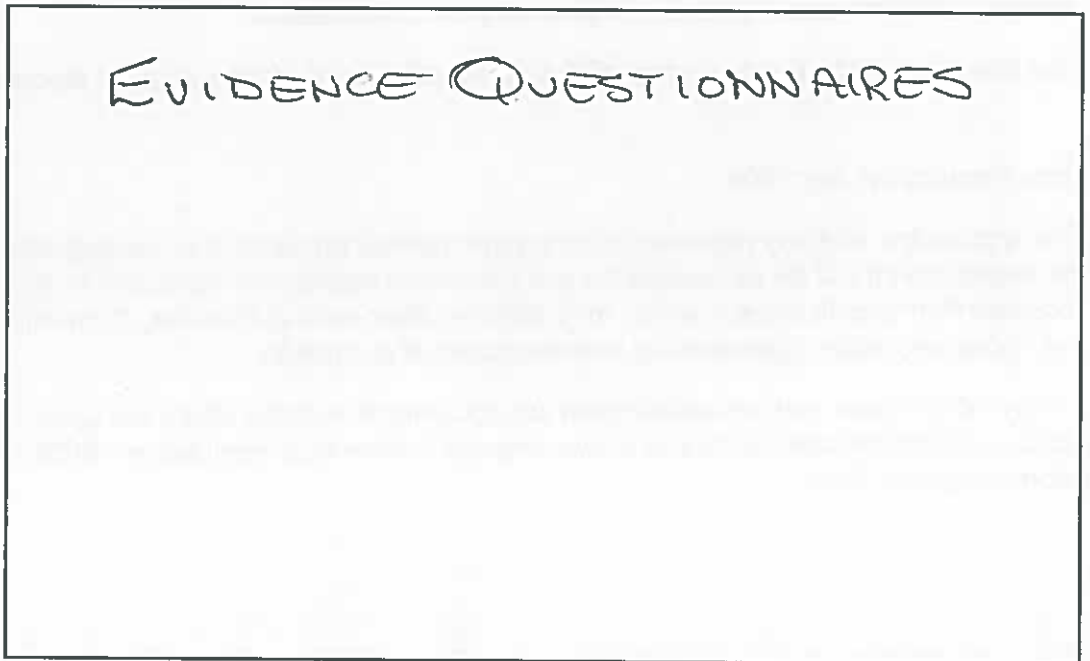
List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

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



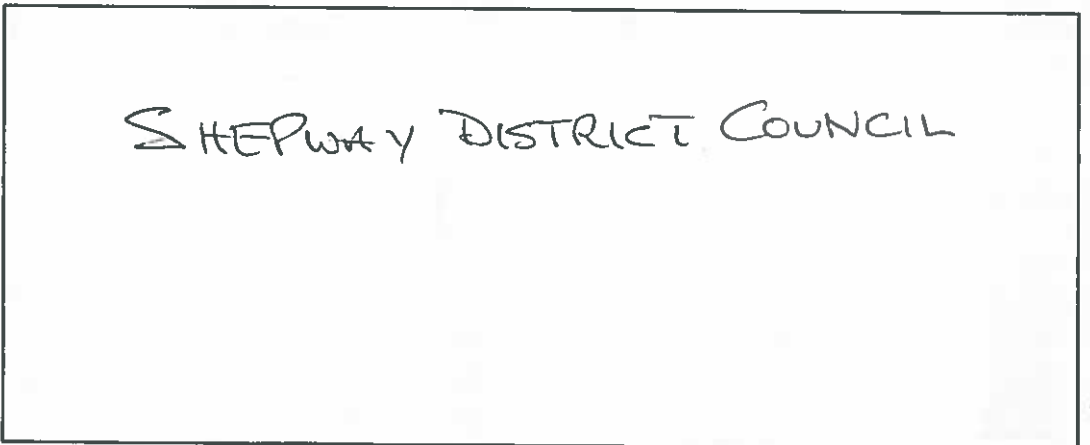
10. Supporting documentation

EVIDENCE QUESTIONNAIRES



11. Any other information relating to the application

SHEPWAY DISTRICT COUNCIL



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 an unincorporated association.

12. Signature

Date:

11th MARCH 2016

Signatures:

**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.

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 or the Freedom of Information Act 2000.

User Evidence summary

| Name | Period of use | Frequency of use | Type of use | Comments |
|------------------------------|---------------------------|------------------|---|---|
| R.F. Alder | 1981 -present (34 years) | Daily | Walking, attending events held on the land, dog walking, playing with children | I believe the land should be left as a public amenity area to all residents. If developed on it will create traffic chaos in an already difficult area for traffic. Development will take away yet another green space for our children and future generations. |
| Mrs Frances Burgess | 1952 – present (63 years) | Four days a week | Children's climbing frame, walking, cycling, kite flying, playing with grandchildren, go to funfairs, circuses during Hythe Festival week | Open green space for children to play on. People come and have picnics. |
| Nigel Ian Carey | 1978 – present (30 years) | Daily | Football, rugby, running, cycling, dog walking, boot fairs, fun fairs, dog shows, charity fund raising events | This land is worth a lot to the local people for its wide-open space. Boot fairs, football, rugby, circuses, fairground, charity uses. Mother and Baby to enjoy. |
| Peter John Cloake | 1955 – present (60 years) | Daily | Exercise, cycling, football, playing with children | Since I was born I have lived in Hythe except for four years. The green has always been a recreational area for the people of Hythe and visitors. It has been used for circuses, funfairs and different good cause fund raising events. There have been several attempts to build on this land, there has been several challenges and no building except for a car-park. It would be the nail in the coffin if the swimming pool is built then the council want to build more, and no recreational space will remain. Also, access will be a problem! |
| Mrs Josephine Coleman | 1960 – present (59 years) | Daily | Bonfire night, football, tennis, golf, remote cars, fair, circus, big foot, stunt riders, kite flying, grass fights, picnic's, daisy chaining, rounders, skipping, walking, boot fairs, Hythe festival. | I was born and bred in Hythe and the green has always been in my life. It has part of my growing up with my sisters and cousin, from grass fights to climbing the bushes, to playing on the 'old' swings. Bonfire, collecting branches, anything that would burn. And now I go to the Green with my grandchildren to use the park, play sports and games. This should be kept as the Green for future generations. |
| Mr B J Cox | 2011 – present (4 years) | Daily | Walking, Boot fairs, Circus, Funfair etc, Children play area, basketball area, flying kites | This land is protected by deed of covenant dating back to 12 February 1862. Even if you should manipulate your way around this, it would still be immoral, and you could no longer any covenant good or bad. |
| Mrs Kay Cox | 2011 – present (4 years) | Daily | Running, Children's play area, basketball court, kite flying, picnics, football with children, enjoy the green quietly, boot fairs, circus, monster truck shows, dog training days, fun fairs. | This open space is a focal point for the town of Hythe. It is used by young and old alike. It would be shameful and immoral to build on it. It is protected by deed of covenant dating back to Feb 1862. |
| Martin Astley Crosby – Emery | 1950 – present (65 years) | Daily | Football, cricket, boot fairs, fairs, circus, running club, fun run | This land is well used by the community and is highly valued! Used by lots of different organisations and would be a terrible loss should it be built on!! It's our Green! |
| Richard Down | 1964 – present | Daily | | The 'Green' was given as a piece of land to the people of Hythe, to |

| | | | | |
|-------------------------|---------------------------|-----------------------------------|--|---|
| | (51 years) | | | be enjoyed as such. In this way the land is totally flexible for use as indicated on page 3, 'use of the land by other people' it is important that it remains so not just because this was the original intention of the gift, but also because this area of Hythe is becoming increasingly built up and breathing spaces such as this are more vital for the decreasing areas available to wildlife. Before the intensive mowing used now this area sported many wild meadow like flowers, which could be encouraged in some areas again, to the advantage of all. |
| Veronica Down | 1986 – present (29 years) | Sometimes daily, sometimes weekly | Walking, picking fruit, going to boot fair & fairs, playing with family. | It would be a great loss if this open space was no longer freely accessible to the residents & visitors of Hythe. This space is well used and plays an important part in many people's lives. It would be a great insult to the Hurton family who gave this ground to the people of Hythe to be enjoyed and not to be built on. |
| Mrs Betty M Garfield | 1990 – present (25 years) | Daily (3-4 times) | Dog Walking, crossing to go shopping, taking grandchildren and great grandchildren to the play park. Visiting the boot fairs, circus, fun fair and Hythe festival activities. | This is one of the few open spaces for people to enjoy left. Our Children deserve for it to be kept them. It is their inheritance. |
| Celia German | 2001 – present (14 years) | Daily | Walking, running, cycling, taking grandchildren to the park, teaching grandchildren to ride their bikes, made daisy chains and explored hedgerow. Attended boot fairs, circuses, fairs and other community events. | Hythe Green is a vital, uncontaminated green space that is used constantly by the people of Hythe for Social and recreational purposes. It is FREE to all people of all ages and allows our children an opportunity to explore and play creatively with minimal adult supervision – a vital activity for child development, mental health and wellbeing. It also allows people of all ages to meet, socialise and interact freely. I am very concerned that the character and nature will be fundamentally changed if part of it is built on and that by establishing permanent commercial use will exclude our less advantaged citizens. |
| Geoffrey T German | 2001 – present (14 years) | Daily | Walking, football, talking my children to the playground, basketball, birdwatching, visiting boot fairs or the circus | The Green is vital for Hythe. It is the heart and lungs of this town. It is a social space that people of all ages use. A community space for boot fairs, circuses, Folkestone rugby training area. It is uncontaminated open and green. |
| Mrs T A Graham | 65 Years | Daily | Dog walking, play area, kite flying and cycling | I have used an enjoyed using the Green all my life. I wish to continue to do so for the rest of my life. |
| Mrs Barbara Hatton | 62 years | Daily | Playing with children and grandchildren, rounders and other games | Boot fairs, fairs, dogs show. If you look at night-time boys are playing football. It is in use all the time from dog walkers. |
| Robert Jacques-Bartlett | 1995 – present (20 years) | Daily | Dog walking, playing and walking with Grandchildren | |
| Marilyn Jeffrey | 1951 – present | Daily | Sports, my children playing, football, tennis, | I feel very passionate about our Green I've had this facility all my |

| | | | | |
|----------------------|---------------------------|-------------------|---|---|
| | (64 years) | | golf, remote cars, swings, fairs, circuses, games, picnics, walking to school and work, Hythe festival, camping | life, such an open space that is free to Hythe. Since I can remember past residence of Hythe always told us look after it, we need more open space now than we did 50 years ago as Hythe has been so built up in the last 10 years and new plans for future, I've used the Green since birth also my children and now my grandchildren so I feel very strong that this should be kept for future generations. |
| Sean Peter Jeffrey | 1986 – present (29 years) | Daily | Walking the dog, football, cricket, rounders, sunbathing, bonfire nights, firework displays, kite flying | Hythe Green has been a major part of my life and my family, this should remain open land for many more generations to enjoy as we have over so many users. Please please consider thus application form to prevent any building on 'our' the people of Hythe's green. |
| Stuart Jeffrey | 31 years | Daily | Walking the dog, playing football, cricket, flying kites. | I feel disgusted that Shepway District Council want to build on the Green. It has been a major part of my life growing from playing sports when I was a kid to now walking my dog and now taking my nephew and nieces over there, so they can play their sports. |
| Kelly A.E Kelly | 1995 – present (20 years) | Daily | Walking, taking children and grandchildren to the playground, family picnics, dog walking, dog shows, funfairs, circuses, big trucks, Hythe festival fairs, socialising | Circus, funfairs, boot fairs, dog shows, Hythe Festival, fun run, big trucks, Hythe Festival, fun run, big trucks, travelling theatres, children playground, cycling, football. |
| Peter Knight | 1980 – present (35 years) | Daily | Cricket, football, boot fairs, firework displays | As a keen sports person before moving to Hythe the thing that attracts me is the open spaces. With the amount of people who are obese now, I feel so strongly that we should keep Green open for exercise and walking. I feel very strongly against this proposal, this should remain the Green – free open space. |
| Patricia F Lancaster | 40 years approx. | Three times daily | Walk around, sit on seat in summer, attend boot fairs, look around boot fairs. | This is the place you can walk anyway from cars etc for one you feel freedom without thinking about traffic. People in wheelchairs also use it daily. There is hardly anywhere left that's free and green. Kent is supposed to be the garden of England I do not see that anymore. The grass is kept lovely by the council, don't see why it should allowed to change. There are plenty of clubs here for people who can afford it, what about those who are poor, or don't they count? |
| Dawn Lloyd | 1975 – present (41 years) | Occasionally | Walking for exercise and relaxation. Together with neighbours have helped to clear the undergrowth on the south side of the boundary wall separating houses 3, 4 & 5 hermitage close and the Green. | I believe that it is essential that open spaces are retained and maintained for the benefit of the community. |
| Mr R J Marie | 1976 – present (39 years) | Daily | Dog walking, cycling, access to other parts of Hythe, boot fairs, fun fairs, circus, fireworks, dog shows, Hythe festival week | I strongly object to a leisure centre being built on the Hythe Green, when there is a suitable land at Nicholls quarry. |

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| D E Muers | 1963 – present (50 years) | Daily | Attended dog shows, circus, fairs, boor fairs, school fairs, Army TA shows, summer fairs and Hythe Bay school | Dogs shows, boot fairs, circus, fairs. The Folkestone rugby club when own ground is flooded. This ground is an asset to the people of Hythe. I do not wish the land to be built on. |
| Mrs Carol Parker | 42 years | Daily | Walking to school, walking children to school, dog walking, parks for myself, children and now my grandchildren. Rounders with family gatherings, picnics, kit flying, my children learning to ride their bikes, walking safely to the town for shopping, sitting just for relaxing. Dog walking | The community space will be lost if the residents of Hythe will lose a lot of history, especially memories from old to young. The space is of high value for keeping our community as a community and this building will break our community and spirits. We need the Hythe Green especially for the young, for gatherings for exercise and friendship. |
| Elizabeth Porter | 2008 – present (7 years) | Daily | Dog walking | It would be a great shame if used for building a swimming pool etc. We are gradually losing all our open green places there's too much building going on in Hythe as it is. |
| Howard Prest | 42 years | Weekly | Dog walking, playing games with my children i.e. football and cricket, kite flying | I have enjoyed unimpeded access to the whole Green and wish it to remain so. |
| Mandy Ricket | 1952 – present (56 years) | Daily | Walking, dog walking, dog shows, taking grand children to playground, boot fairs, Hythe Festival, circus, fun fairs, big trucks, used to have fireworks | Played as a child. My children played, my grandchildren now play. Walked to children to school over the Green. Fun fairs, boot fairs, dog shows, dog walking, socialising. |
| Mrs Linda Rudd | 2003 – present (12 years) | Daily | Walking across Green to reach different parts of Hythe i.e. High Street, Sea front etc. Dog walking meeting other dog owners. Grandchildren constantly use the Green to play football, cricket, kit flying, picnics. Also use the children's play area and it is a safe area for small children to cycle or use scooters under supervision. | 'The Green' as it is known is a very special open green space for the benefit of all local residents. It is used daily by both young and old alike young children walking to local school, people walking their dogs & meeting up with fellow dog walker, people being active. The main reason we bought out house was that it overlooked 'the Green' we therefore are able to see how important this land is to the local community. Hythe is a very special are and allowing it to gain a village green status will truly enhance Hythe. |
| Mr Michael Rudd | 2003 – present (12 years) | Daily | Walking, dog walking, gaining access to other area of Hythe town by the use of various footpaths across the green, playing games including football, basketball, cricket, kite flying, games and children's play area with my grandchildren | The Green in Hythe has been used by local residents and day trippers for many years, this for many reasons it is an untouched open space for everyone to enjoy at leisure. It is also covered by a long-standing covenant and as such has never been built on and this must remain the same for years to come for the sake of our children's children. |
| Eric R Scott | 1974 – present (41 years) | Weekly | Dog walking, ball games with children, kite flying. Have also cleared rubbish and overgrown tree suckers adjacent to our property. | The Green is an open space used by residents and visitors of all ages for recreational purposes in line with the terms of the deed if covenant, the covenant precludes any part of it being used for building purposes. |
| Lynne Sims | 1965 – present | Daily | Dog walking, grandchildren to use play park, | As a resident of Hythe the Green has been a joy for every man, |

| | | | | |
|-------------------------|---------------------------|--------|--|---|
| | (50 years) | | boot fairs, dog shows, Hythe Festival. | woman and child. It is safe to allow your children to play. The community as a whole know where the safe havens are and the green in one. There are a very few areas where this can be said. |
| Mrs Christine Ann Smith | 1973 – present (42 years) | Weekly | Used for walking my dog, supporting boot fairs and the occasional dog shows and other charity events. | |
| Jill Stewart | 1975 – present (40 years) | Daily | Dog walking, picnic, outdoor sports, remote controlled cars, sunbathing. | The Green is for the people of Hythe to use not for building on. We are losing our open spaces & feel this particular area of Hythe should be left as the Green as it was intended to by the covenant. Once you build on it you will build all over it and ruin the lovely open space. |
| John Stewart | 1964 – present (56 years) | Daily | Swings, slides, fun fairs, circuses, boot fairs, grass fights, dog walking, kite flying, cricket, rounders, walking to work, walking to bus/town/shops/ rotary club/ running club. | Ever since I was able to walk I have been using this site, from swings to slides, grass fights, bonfire parties. I have worked at Portex/ Smiths Medical since 1977 and have used this access every day. My work place has changed to Ashford, but I still use this route daily as I do not drive. I walk/ bus everywhere – this is my main route – be it to work/doctors/ shopping or social. I am appalled at this proposal and feel very strongly against it – the thought of manoeuvring around traffic is frightening. |
| Lind Ruth Stiling | 2006 – present (9 years) | Daily | Dog walking, walking into town/ bus stop, taking grandchild to circus and fair, visiting boor fairs and playing ball games with family. | I do not believe this land should be developed. In the years since I have lived here there has been considerable development in the land between Twiss Road and St Leonards Road and south road to the canal with most of the land being used for organised sports at the weekends and a lot of car used on the canal bank. I also consider it an insult to the memory of the benefactor who left this land in good faith to the people of Hythe. |
| John Stiling | 2006- present (9 years) | Daily | Dog walking, visiting circus, fair etc | There is already too much development in Hythe. Building on the Green would result in the loss of Hythe's unique attraction. |
| Mrs Jillian Summerfield | 2005 – present (10 years) | Daily | Walking dogs, walk alone, play with my children & family, circus, fairs, boot fairs. Sit on benches and chat with friends, enjoy the green peace there. | Lovely Hythe Green is effectively our village green already – much loved and valued by resident's past, present and future. Protected by statute – the benefactors state clearly "this land is reserved for public recreation and no part of it is to be applied for building purposes" our town council and district council with to override the terms of the request. Granting it official village green status will protect it as it deserves to be! |
| Mr Ashley Tanton | 1986 – present (29 years) | Weekly | Dog walking, solo exercise, football, cricket (all informal sports) | I appreciate that the land is available to the people of Hythe and the surrounds in an entirely unimpeded manner and without cost. The land is a valuable amenity space which offers opportunities for free |

| | | | | |
|----------------------------|----------------------------------|--------------|---|---|
| Susan Terry | 2007 – present (8 years) | Occasionally | Walking | leisure. |
| Reginald Harry Timblick | 1946 – present (43 years ago) | Weekly | Walking dog, playing with grandchildren, picnics | Available space for fresh air, away from traffic on A259. |
| David John Tunnage | 1948 – present (65 years) | Daily | Some sports and leisure walks. | I firmly believe the Green at Hythe is much loved and used often by the local people and should be left for the future generations to enjoy as has always been. |
| Maureen Young | 1960 – present (55 years) | Weekly | Recreational walking, attending boot fairs. | The Green is a vital recreation and access area for the local community. |