



Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Planning and Regulation Committee
Date:	08 January 2024
Subject:	Commons Act 2006 - Application to register land as a town or village green

Summary:

The Committee is asked to consider and make a decision on an application to register land to the rear of Cherryholt Road, Stamford, usually known as "Cherryholt Meadows, also known previously as Gypsy Meadows and Priory Meadows", as a town or village green.

Recommendation(s):

That the application to register the land to the rear of Cherryholt Road, Stamford, known as Cherryholt Meadows as a town or village green is to be rejected.

Background

1. An application was received from a local councillor for the registration as a town or village green, land to the rear of Cherryholt Road, Stamford. This was advertised and an objection was received from Womble Bond Dickinson the Solicitors acting for the Objector (the freehold owner of the land). A non-statutory local inquiry was held by an independent inspector on 6,7,8 9 March 2023.
2. Land can only be registered as a town or village green if the applicant can prove that the land has been used as a town or village green (in accordance with the legislation) for at least 20 years.
3. The Inspector's report has been received and in it he recommends in paragraph 92 that the Council should refuse the application under section 15(2) of the Commons Act 2006. A copy of the Inspector's findings and recommendations is attached as Appendix A to this report.

4. The Inspector can only make recommendations and it is for the County Council as Commons Registration Authority, who must make the decision to accept or reject the application taking into account the expert advice given by the Inspector.

Conclusion

In light of the conclusions of the Inspector it is recommended that the application for the registration of a village green be rejected.

Consultation

a) Risks and Impact Analysis

N/A

Appendices

These are listed below and attached at the back of the report	
Appendix A	Application made by Councillor David Taylor under Section 15(2) of the commons Act 2006 to register land to the rear of Cherryholt Road, Stamford, as a Town or Village Green - Report and recommendations from the Independent Inspector, 21 September 2023.

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Richard Roets, who can be contacted on 01522 552296 or richard.roets@lincolnshire.gov.uk.