

Official stamp of registration authority indicating date of receipt

Application No

Register Unit No(s)

*This section for official use only*

VG

VG

**COMMONS REGISTRATION ACT 1965, SECTION 13**

**APPLICATION FOR THE REGISTRATION OF LAND WHICH BECAME A TOWN OR VILLAGE GREEN AFTER 2 JANUARY 1970**

*IMPORTANT NOTE:- Before filling in this form, read carefully the notes at the end. An incorrectly completed application form may have to be rejected.*

<sup>1</sup> Insert name of registration authority

To the <sup>1</sup> **NORTH YORKSHIRE COUNTY COUNCIL**

Application is hereby made for the registration as a town or village green of the land described below, which became so registrable after 2 January 1970.

Part 1

**Name and address of the applicant or (if more than one) of every applicant.**

*(Give Christian names or forenames and surname or, in the case of a body corporate or unincorporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first named applicant.)*

**DR FIONA JOHNSON  
23 FULFORD CROSS  
YORK  
YO10 4PB**

Part

**Name and address of solicitor, if any.**

*(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)*

Part 3

Particulars of the land to be registered, i.e. the land claimed to have become a town or village green.

Name by which usually known

FULFORD CROSS GREEN

Locality

NEIGHBOURHOOD OF FULFORD CROSS, WITHIN THE LOCALITY OF ASHERGATE, YORK. (COLOURED RE

Colour on plan herewith

~~RED~~ GREEN



Part 4

On what date did the land become a town or village green?

31ST AUGUST 2003

Part 5

How did the land become a town or village green?

USE OF THE LAND BY LOCAL INHABITANTS FOR LAWFUL SPORTS AND PASTIMES AS OF RIGHT FOR MORE THAN 20 YEARS. SEE ATTACHED STATEMENT.

Part 6

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 have become a town or village green. (If none are known, write "none".)

OWNER :

CITY OF YORK COUNCIL, EDUCATIONAL SERVICES, MILL HOUSE, NORTH STREET YORK, YO1 6JD.

Part 7

For applications to register substituted land (see Note 5); to be disregarded in other cases.

Particulars of the "taken land", i.e. the land which ceased to be a town or village green (or part thereof) when the land described in part 3 became a town or village green (or part).

Name by which usually known

Locality

Colour on plan herewith (if any)

If registered under the 1965 Act, register unit No(s).

Part 8

List of supporting documents sent herewith, if any. (If none are sent, write "none".)

- 1) SUPPORTING STATEMENT: REGISTRATION OF FULFORD CROSS GREEN UNDER COMMONS REGISTRATION ACT 1965.
- 2) COPIES OF 12 PHOTOGRAPHS SHOWING USE OF THE LAND BY LOCAL INHABITANTS.
- 3) EVIDENCE FORMS COMPLETED BY LOCAL INHABITANTS DETAILING THEIR USE OF THE LAND. (31)

if there are any other facts relating to the application which ought to be brought to the attention of the registration authority (in particular if any person interested in the land is believed to dispute the claim that it has become a town or village green) full particulars should be given here.

<sup>2</sup>The application must be signed by or on behalf of each individual applicant, and by the secretary or some other duly authorised officer of any applicant which is a body corporate or unincorporate.

Date..... 07/10/03 ..... 2003

Signatures<sup>2</sup> ..... fiana johnson .....

.....  
.....  
.....  
.....

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.

<sup>1</sup>Insert full name (and address if not given in the application form).

<sup>2</sup>Delete and adapt as necessary.

<sup>3</sup>Insert name if applicable.

I<sup>1</sup>,  
solemnly and sincerely declare as follows:-

1.<sup>2</sup> I am ((the person) (~~one of the persons~~) who (has) (~~have~~) signed the foregoing application)) ((~~the solicitor to (the applicant)~~) (<sup>3</sup>  
~~one of the applicants~~)).

2. I have read the Notes to the application form.

3. 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 8 and 9 of the application form.

4. The plan now produced and shown to me marked <sup>4</sup> FJ1 " " is the plan referred to in part 3 of the application.

<sup>5</sup> ~~The statement referred to in part 5 is produced to me~~

<sup>5</sup> ~~The plan now produced and shown to me marked <sup>4</sup> " " is the plan referred to in part 7 of the application.~~

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 DR. FIONA JOHNSON  
OF 23 PULFORD CROSS  
at ST OSWALDS RD PULFORD  
in the CITY of YORK  
this 7th day of OCTOBER 2003

Fiona Johnson  
Signature of Declarant

Before me,

Signature... J.M. KNIGHTS

Address... ST OSWALDS HALL

ST OSWALDS RD PULFORD YORK

Qualification... SOLICITOR

REMINDER TO OFFICER TAKING DECLARATION: Please initial all alterations and mark any plan as an exhibit.

3348

NW 5920

23 Fulford Cross  
York  
YO10 4PB

9<sup>th</sup> October 2003

N.Y.C.C.  
ENVIRONMENTAL SERVICES

Recd. 10 OCT 2003  
JB

Pass to .....

Ackd. ....

Ans'd. ....

.....

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Dear Sir or Madam,

RE: Application for the registration of Fulford Cross Green under the Commons Registration Act 1965

I enclose an application form for the registration of land under the above Act. Please find enclosed a completed Form 30, including a plan of the land and a statement as to how the land became a green, together with documentary evidence from local residents (31 evidence questionnaires, and 12 photographs of use of the green).

I look forward to hearing from you.

Yours faithfully,

*Fiona Johnson*

Dr Fiona Johnson

N.Y.C.C.  
ENVIRONMENTAL SERVICES

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FJ 2.

## **Supporting Statement: Registration of Fulford Cross Green under the Commons Registration Act, 1965**

(Ref. Form 30, Part 5)

### **Background information, and locality**

Intensive use of the land indicated in red on the plan herewith is made by the residents of Fulford Cross, a neighbourhood within the locality of Fishergate, York. Fulford Cross itself comprises a group of 25 cottages built in 1914 to house tramworkers. The neighbourhood also includes three further tramworkers' cottages situated on Fulford Road, a bungalow and Homeyork House: a block of sheltered housing accommodation for the elderly.

Fulford Cross represents a distinct neighbourhood in part due to characteristics of the built environment that surrounds it. Fulford Cross itself is a no-through road with no access for cars or pedestrians to the North. On all other sides, the neighbourhood is surrounded by non-residential land, including two schools, an army barracks and a supermarket complex. Fulford Cross is now a combination of council-owned and privately owned housing, with a very strong community ethic. A large proportion of residents play an active part in the life of the neighbourhood, which ranges from community celebrations, some of which are seasonal and others occasional, to a more informal support and friendship network. Residents share a wide range of goods and services with each other, for example childcare, care of the local environment, household and gardening assistance for elderly neighbours, sharing of allotment and garden produce.

### **Residents' use of Fulford Cross Green**

The land came into existence in its present form in 1963 when Fulford Cross special school opened on the site of a previous 'open-air' school. The evidence accompanying this statement includes the testimony of neighbourhood residents that from this date through to the present day:

- the green has been in uninterrupted use by the residents of Fulford Cross for sports and lawful pastimes;
- they have had free and open access to the land and that they have never been prevented or discouraged from using the land through fencing, notices or other means;
- residents have never sought or been given permission to use the land, but have used it 'as of right'.

Evidence is submitted from 31 residents of the neighbourhood of Fulford Cross, testifying to their own use of the green and that of their families. In addition, 12 photographs of use of the green by local residents are enclosed. The evidence submitted here is not exhaustive, and the right to add further to this body of evidence as it is gathered is reserved.

A wide range of activities taking place on Fulford Cross Green are described in residents' testimonies and depicted in the photographs. These include (but are not confined to):

- Children playing, both supervised and unsupervised by adults. Examples of the games and activities include, a variety of ball games, riding bicycles, playing on a rope swing, chatting with friends, and (in winter) sledgeing, snowballing and building snowmen.
- Sporting and recreational activities between adults, including chatting to neighbours, reading, sunbathing, kite flying, frisbe, and improvement of the green by planting spring bulbs and maintaining the grass verges (carried out both for the benefit of the environment and for enjoyment).
- Use of the green as a venue for neighbourhood children's birthday parties and picnics.
- Seasonal community events taking place over several years, including an annual children's easter egg hunt, and fireworks displays on 5<sup>th</sup> November.
- Occasional larger community celebrations, most notably celebrations of the Queen's Silver and Golden Jubilees in 1977 and 2002.

For these reasons I believe that Fulford Cross Green satisfies the definition of 'Town or Village Green' defined in the Commons Registration Act 1965, as land -

*'on which the inhabitants of any locality have indulged in [lawful] sports and pastimes as of right for not less than 20 years.'*

And should therefore be registered as a town or village green under the above Act.

Signed

*Fiona Johnson*

Dr Fiona Johnson



Date

07/10/03