

HALTON BOROUGH COUNCIL

OBJECTION BY HALTON BOROUGH COUNCIL TO AN APPLICATION

By Mrs Florence Hurley under section 15(1) of the Commons Act 2006

LOVEL FIELDS HALEBANK

Statement of Facts on which Objection is based

Halton Borough Council as owner of land at Lovel Fields, Halebank to the North of Lovel Terrace and to the West of Clapgate Crescent the subject of an Application by Mrs Florence Hurley of 43 Blackburn Avenue, Widnes, Cheshire WA8 8UY ("the Applicant") under section 15(1) of the Commons Act 2006 (the Application) HEREBY OBJECTS to the Application.

The Application seeks the inclusion in the register of town and village greens of the land described in the Schedule below which is claimed by the Applicant to have qualified for registration as a village green on the basis that it has been used by a significant number of the inhabitants of Halebank as of right for lawful sports and pastimes for a period of at least 20 years.

This objection is made on behalf of the owner of the land the subject of the Application namely Halton Borough Council.

This is the second of two such applications made by the Applicant in respect of the whole site.

The first application has already been determined by the Council accepting recommendations to register in respect of that part of the site shown edged and hatched green on the attached plan (the Green Land).

The Council has also reviewed the situation in respect of the remainder of the land not registered as Village Green in response to the first application and has voluntarily dedicated as village green a substantial proportion of that land shown edged and hatched red on the attached plan (the Red Land).

The present objection relates to the remaining land shown edged and hatched blue on the attached plan (the Blue Land).

The Council's objection in respect of the Blue Land is as follows:-

1. The evidence of actual use of the land in the second application (excluding the land voluntarily dedicated by the Council in April 2009) is inadequate to meet the test set by the legislation

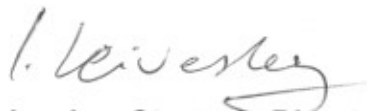
2. The evidence of use by a significant number of the inhabitants of the locality of the Blue Land, or of any neighbourhood within that locality is inadequate to meet the test set by the legislation.
3. No evidence is submitted exclusively in respect of the Blue Land.

It is understood that the Applicant although invited to submit further evidence has indicated that she does not wish to put forward any further evidence beyond that included in her second Application.

No objection is entered in respect of the Green Land and the Red Land

DATED the 12th day of February 2010

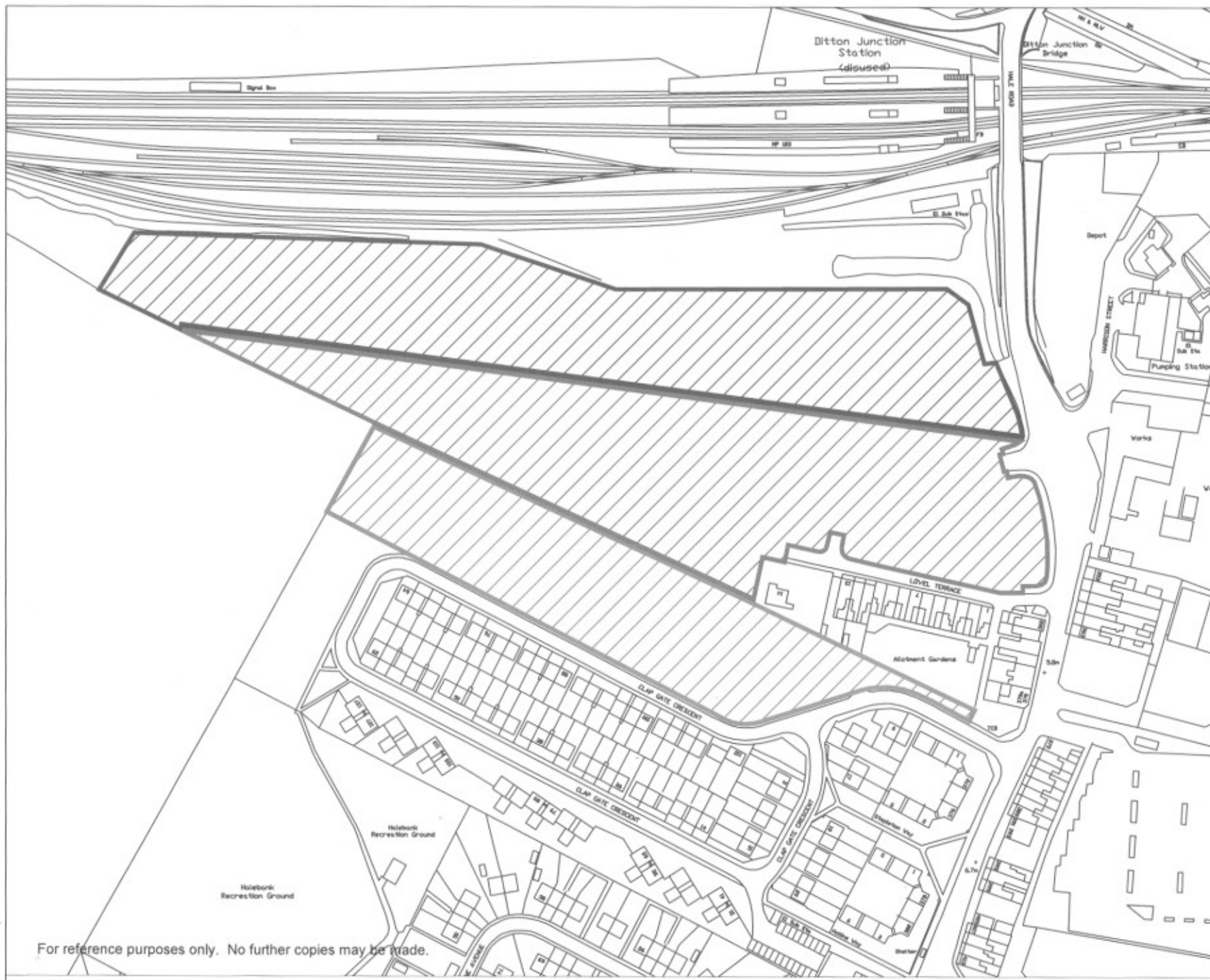
Signed



NAME: Ian Leivesley, Strategic Director, Corporate and Policy

Schedule

Description of the land claimed to have qualified for registration as a town or village green: Lovel Fields, Halebank to the North of Lovel Terrace and to the West of Clapgate Crescent



Notes

KEY

AREA DEDICATED BY
COUNCIL AS VILLAGE GREEN

AREA DEDICATED BY
COUNCIL AS VILLAGE GREEN
IN ITS CAPACITY AS
LANDOWNER

AREA OBJECTED TO BY
COUNCIL IN ITS CAPACITY AS
LANDOWNER

REVISIONS



ENVIRONMENT
Major Projects Department

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VILLAGE GREEN

Scale: NTS	Date: FEBRUARY 10
Drawn by: RP	Checked by: RB

Plan No:	Rev:
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