

Minutes

Registration & Appeals Committee
Tuesday, 22 January 2013
Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge UB8 1UW



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Come into effect on: Immediately

Members Present: Councillors G.Cooper (Chairman), Hensley (Vice-Chairman), Allen, Ghei and R.Mills

Officers Present: Nicole Cameron and Lloyd White

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Curling (for whom Councillor Ghei was substituting) and Councillor Lewis.

6. DECLARATIONS OF INTEREST

There were no declarations of interest.

7. APPLICATION TO REGISTER LAND KNOWN AS THE MEDI PARC, HAREFIELD, HILLINGDON AS A VILLAGE GREEN

The Committee gave consideration to an application submitted by the Harefield Tenants and Residents Association under the terms of Section 15 of the Commons Act 2006 to register the site known as the Medi Parc Site, Harefield as a village green.

Members were reminded that in such cases the burden of proof was on the applicant to show that, on the balance of probability, *“a significant number of the inhabitants of any locality or of any neighbourhood within a locality have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years”* (Section 15(2) of the Act). In addition there were a number of limbs to the legal test for registration which were outlined in detail for Members.

Following a statutory consultation period, the Council had instructed Counsel to advise the Council generally in its capacity as registration authority and to act as an inspector at a non-statutory public inquiry which took place between March and May 2012. Following the public inquiry, the inspector had prepared a detailed report into the evidence presented at the inquiry and the Committee gave detailed consideration to his findings based on that evidence. It was noted that the Inspector had recommended that the application should be refused on the grounds that there was not a significant number of users and a sufficient quality of users for registration in the following periods:

- a) February 1990 to September 1991
- b) September 1991 to January 1992 and

c) January 1992 to Spring 1998.

RESOLVED: That, having considered the contents of the Inspector's report and, having regard to the legal tests and the conclusions of the Inspector, the application to register the site as a village green be refused for the reasons set out in the Inspector's report.