

Application No. 46

Register Unit No(s):

CL 30
CL
CL

for official use

Official stamp of registration authority
indicating date of receipt

COMMONS REGISTRATION ACT 1965
GREATER LONDON COUNCIL
REGISTRATION AUTHORITY
30 MAY 1967

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration
authority (see Note 1).

To the GREATER LONDON COUNCIL

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

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

The Greater London Council

The County Hall

S.E.1

Part 2.

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.

(See Notes 2, 3 and 4).

Particulars of the land to be registered, i.e. the land claimed to be common land.

Name by which usually known Tooting Bec Common with Streatham Green

Locality London Boroughs of Lambeth and Wandsworth

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.

Signature of applicant or of person on applicant's behalf.

H. J. [unclear]

Date

26th May 1964

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

Insert full name.

I, ALMA JESSE FRY
solemnly and sincerely declare as follows:

Strike out this paragraph if it does not apply.
Insert capacity in which acting.

1. I am the person who has signed the foregoing application.
2. 'I am' a Divisional Valuer in/ to the employment of the applicant and am duly authorised by the applicant to make the foregoing application.
3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.
4. 'The plan now produced and shown to me marked " A " is the plan referred to in the application.

Strike out this paragraph if there is no plan.
Insert "marking" as on plan (see Note 5).

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 Alma Jesse Fry

 at THE COUNTY HALL
 in the LONDON BOROUGH of LAMBETH
 this 26th day of MAY 1967

Before me,

Signature *[Handwritten Signature]*
 Address 22 Abbottsbury Rd
 Hanger, Bromley Kent
 Qualification Justice of the Peace

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

Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation and which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

(a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;

(b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include catlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises the whole of the land in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. Wine

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)

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.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as common land, it will be provisionally registered as such, or

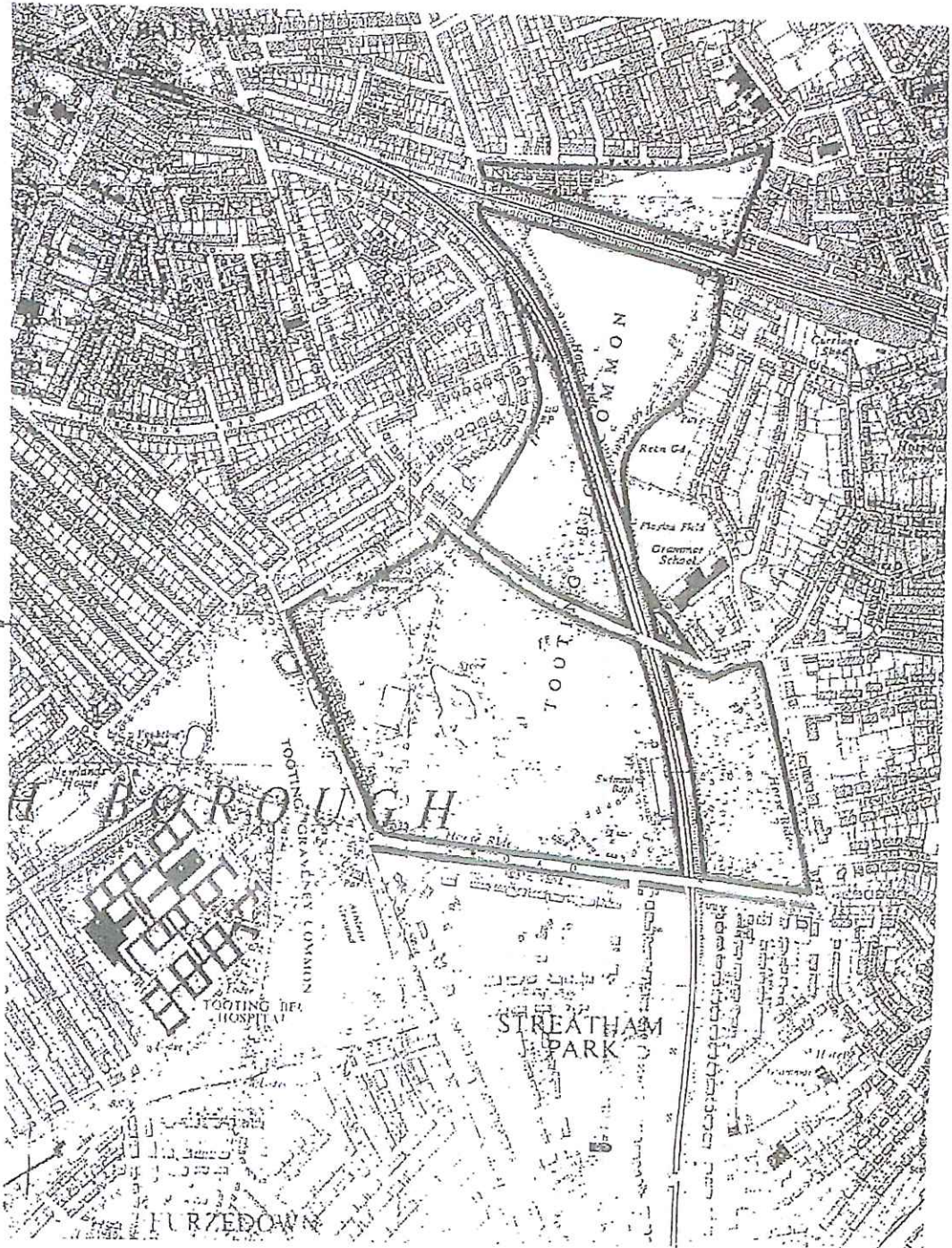
(b) if it is already registered as common land, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration

Tooting Bec Common
with Streatham Green,
Lambeth and Wandsworth.



BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION
OF THE CONTROLLER OF H. M. STATIONERY OFFICE
CROWN COPYRIGHT RESERVED
REPRODUCED BY THE VALUER G. I. C.
UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT

Scale: 6 in

The Commons Registration (Disposal of Disputed Registrations)

Regulations 1972

Statutory Instrument 1972 No. 437

CL/~~VC~~ No. 30.....


Name of Common ~~or Village Green~~ TOTTING BEC COMMON WITH STREATHAM GREEN

Areas computed by Land Survey Division, Valuation & Estates Department, G.L.C., in pursuance of these Regulations.

The extent for the area quoted is identifiable by reference to the 1/10,000 scale plan dated 6/12/77.....

DESCRIPTION	Square Metres	Hectares	Square Yards Feet	Acres
LAND VERGED GREEN ON REGISTER MAP	581200	58.120	6255980	143.619

Area measurement based upon O.S. Map No. 27 S.E. Scale 1/10,000.....

CR 48	COMPUTER <u>A. E. MORLEY</u>	Final check and of despatch <u>6/12/77</u> 
	CHECKER <u>J. LUCAS</u>	

Please return this form, if amendment or further investigation is required, to VA/S/DO. EMC

H.M. LAND REGISTRY

CL 30

LAND REGISTRATION ACTS, 1925 and 1936

RESULT OF OFFICIAL SEARCH OF INDEX MAP and PARCELS INDEX

Administrative Area

County or County Borough Greater London

Parish Boroughs of Lambeth & Wandsworth

Property Toting Bee Common with Stockham Green

shown and stated red on the ~~accompanying plan~~
plan accompanying your application

This is to Certify that pursuant to rule 286 of the Land Registration Rules 1925 an official search of the Index Map and Parcels Index, including the list of pending applications, in respect of the land above referred to, has been made with the following result:—

- (a) The land is in a compulsory ~~non-compulsory~~ area.
- (b) The land is not registered.
- (c) There is no caution against first registration, nor a priority notice, registered affecting the said land.
- (d) ~~A rentcharge is registered under Title No.~~
- (e) The land is ~~is not~~ registered as freehold under Title No.
- (f) The land is ~~is not~~ registered as leasehold under Title No.
held under a Lease dated
and made between

- 1.
- 2.
- 3.

Term years from

Issued on 16th day November 1967

at 3 p.m. by [Signature]

NOTE.—This Certificate is issued in response to a written application by:—

The Greater London Council

.....

.....

.....

Solicitor's Ref:— CL/C1/GJN

7.—(1) A local authority may in any open space—

(a) provide and maintain—

(i) swimming baths and bathing places whether open air or indoor;

(ii) golf courses and grounds, tracks, lawns, courts, greens and such other open air facilities as the local authority think fit for any form of recreation whatsoever (being facilities which the local authority are not otherwise specifically authorised to provide under this or any other enactment);

(iii) gymnasia;

(iv) rifle ranges;

(v) indoor facilities for any form of recreation whatsoever;

(vi) centres and other facilities (whether indoor or open air) for the use of clubs, societies or organisations whose objects or activities are wholly or mainly of a recreational, social or educational character;

(b) provide amusement fairs and entertainments including bands of music, concerts, dramatic performances, cinematograph exhibitions and pageants;

(c) provide and maintain in time of frost facilities for skating and flood any part of the open space in order to provide ice for skating;

(d) provide meals and refreshments of all kinds to sell to the public;

(e) provide and maintain swings, platforms, screens, chairs, seats, lockers, towels, costumes and any apparatus, appliances, equipment or conveniences necessary or desirable for persons resorting to the open space;

(f) erect and maintain for or in connection with any purpose relating to the open space such buildings or structures as they consider necessary or desirable including (without prejudice to the generality of this paragraph) buildings for the accommodation of keepers and other persons employed in connection with the open space; and

(g) set apart or enclose in connection with any of the matters referred to in this article any part of the open space and preclude any person from entering that part so set apart or enclosed other than a person to whom access is permitted by the local authority or (where the right of so setting apart or enclosing is granted to any person by the local authority under the powers of this Part of this order) by such person:

Provided that—

- (i) where any part of an open space is set apart or enclosed under the foregoing provisions of this article for the playing of games and that part is not specially laid out and maintained for that purpose, the power under this article to preclude any person from entering that part shall not apply while the part is not in actual use for games;
- (ii) the part of any open space set apart or enclosed for the use of persons listening to or viewing an entertainment (including a band concert, dramatic performance, cinematograph exhibition or pageant) shall not exceed in any open space one acre or one-tenth of the open space, whichever is the greater;
- (iii) where any entertainment is provided in an open space the local authority shall not in any building—
 - (a) exhibit any cinematograph film except for or in connection with the advancement of art, education, drama, science, music or literature; or
 - (b) exhibit within a period of twelve months after it is first generally released in Great Britain any cinematograph film which commonly forms the main item of a cinematograph entertainment; or
 - (c) charge for admission to any exhibition of a cinematograph film which commonly forms the main item of a cinematograph entertainment a price less than the lowest price then current for admission to cinematograph theatres in the borough or county district in which such building is situate for ordinary showings;

- (iv) where any entertainment is provided in an open space the local authority shall not grant or let the use of any building or any part thereof for the purpose of a cinematograph entertainment except on the best terms that can be obtained except when such premises are let to any person or organisation for a charitable, educational, cultural, social or public purpose;
- (v) the local authority shall not provide a cinematograph exhibition on Sundays in an open space outside Greater

London in any case where the open space is situated in a county district in which for the time being places are not allowed to be opened and used on Sundays for the purpose of cinematograph entertainment; and

- (vi) in exercising their powers under heads (v) and (vi) of sub-paragraph (a) of this paragraph a local authority shall satisfy themselves that they have not unfairly restricted the space available to the public for recreation in the open air in any open space.

(2) A local authority may employ such persons (including instructors or organisers in connection with the use or enjoyment of any of the facilities in an open space provided and maintained by the local authority under sub-paragraph (a) of paragraph (1) or under any other enactment), do such acts and make and enforce such restrictions or conditions as they consider necessary or desirable in connection with the exercise of their powers with reference to any of the matters referred to in this article.

8.—(1) A local authority may, subject to such terms and conditions as to payment or otherwise as they may consider desirable, grant to any person the right of exercising any of the powers conferred upon the local authority by article 7 and let to any person, for any of the purposes mentioned in that article, any building or structure erected or maintained, and any part of an open space set apart or enclosed, pursuant thereto.

Licences to provide facilities and letting of land and buildings for public recreation.

12.—(1) In the exercise of powers conferred by articles 7 and 8 the local authority shall not, without the consent of the Minister (which consent the Minister may give in such cases as he thinks fit), erect, or permit to be erected any building or other structure on, or enclose permanently, or permit to be enclosed permanently, any part of a common.

Restriction on exercise of powers under articles 7 and 8 in relation to commons.

(2) Nothing in this article shall be deemed to require the consent of the Minister to—

- (a) the maintaining or re-erecting by, or with the permission of, a local authority of any building or other structure erected on a common before the date of operation of this order; or
- (b) the continuing by, or with the permission of, a local authority of any permanent enclosure of part of a common made before that date;

and any such building or structure, or permanent enclosure, shall be deemed to have been lawfully erected or made (as the case may be).

(3) The Minister may cause such local inquiries to be held as he may consider necessary for the purpose of his functions under this article, and subsections (2) to (5) of section 290 of the Local Government Act 1933 shall apply in relation to any such inquiry. 1933 c. 51.

