

## Appendix 1

### Site location plan

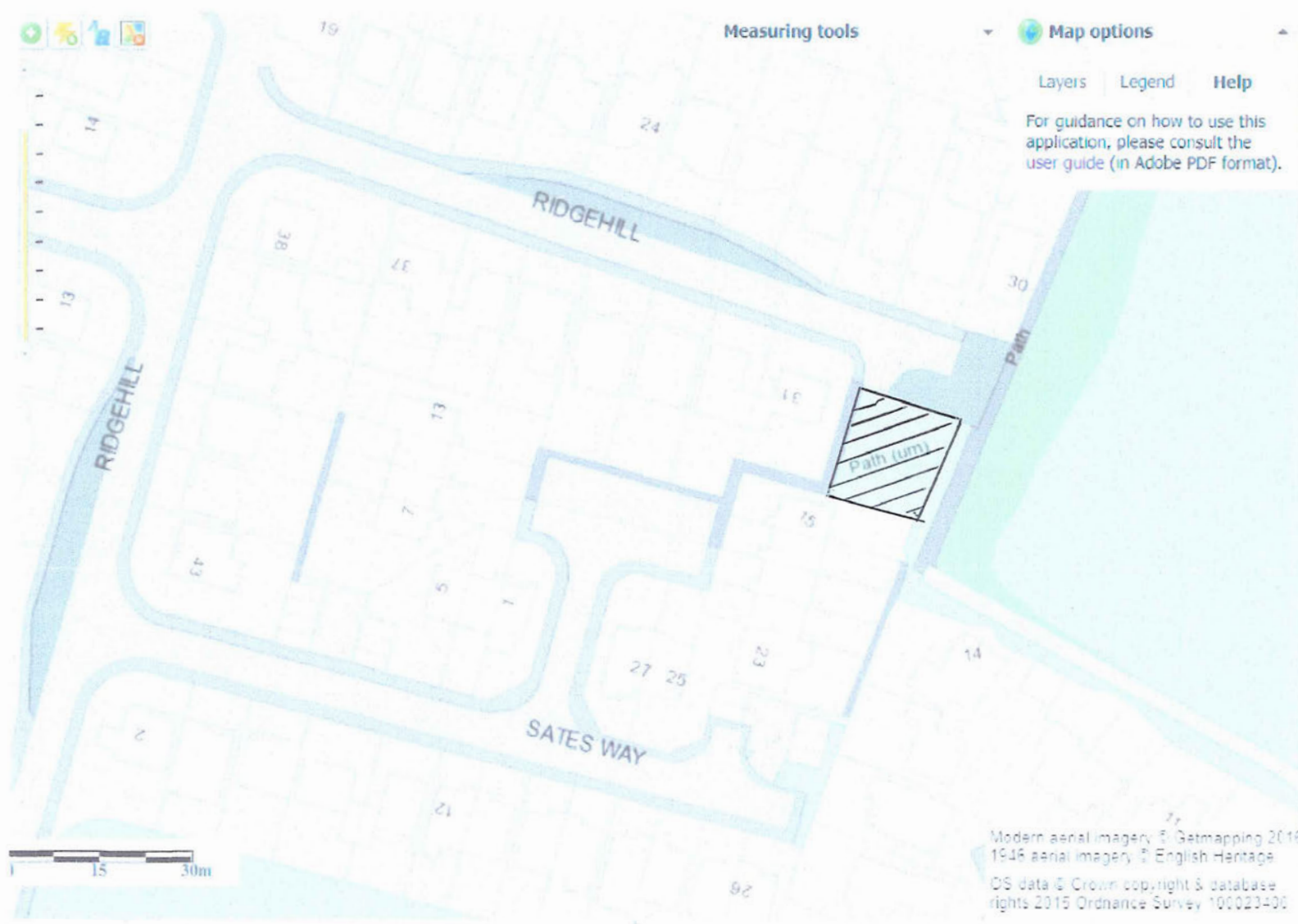


Measuring tools

Map options

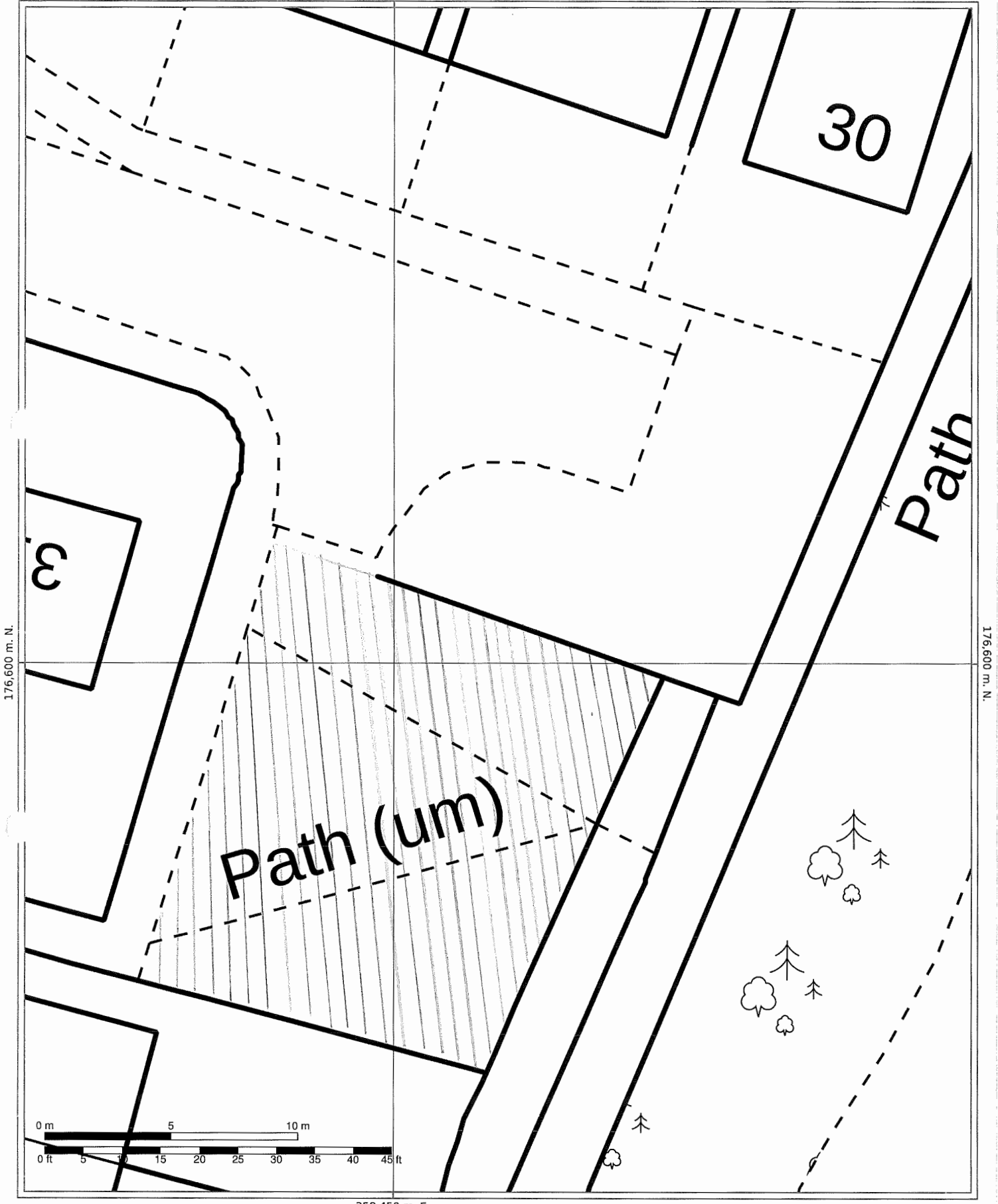
Layers Legend Help

For guidance on how to use this application, please consult the user guide (in Adobe PDF format).



# MasterMap B&W 1:200

358,450 m. E.



Bottom Left: 2°36'W 51°29'12"N Top Right: 2°35'58"W 51°29'13"N  
Ground Scale: 1:200

Date of Production: February 10th, 2022

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## **APPLICATIONS FOR REGISTRATION OF TOWN OR VILLAGE GREENS**

### **THE COMMONS ACT 2006 THE COMMONS (REGISTRATION OF TOWN OR VILLAGE GREENS) (INTERIM ARRANGEMENTS) (ENGLAND) REGULATIONS 2007**

**(TIMESCALE - the entire process can take about a year)**

#### **OUTLINE PROCEDURE**

An application to register land as a town or village green (TVG) can be made by anybody on any land. The effect of registration is that the land can only ever be used as a town or village green.

1. If anyone enquires about how to make an application to register a TVG they are sent a letter referring them to DEFRA, and to the Open Spaces Society as all the information they need is available on these websites.

2. Receipt of application:

On receipt of application Form 44, the Commons Registration Authority (CRA) allocates an application number, stamps the application using the CRA stamp and sends a letter acknowledging receipt together with the notice giving the reference number.

3. The CRA checks the application documents:

Ensures the form complies with the Regulations and is procedurally correct, relevant sections are completed, all supporting documents referred to are present, and that the plan complies with Regulation 10. It then gives preliminary consideration (Regulation 5(4)) to the application and to the evidence and reaches a decision as to whether to:

- (a) reject the application at this stage due to it being incomplete or not in compliance with the regulations;
- (b) reject the application at this stage based on the evidence;
- (c) call for additional information;
- (d) proceed with the application.

Before any application is rejected under clause 3(a) the applicant will be given a reasonable opportunity of taking action to put the application in order. Before any application is rejected under clause (3)(b) the applicant will be given a reasonable opportunity to put forward further evidence or arguments which the CRA will then consider. The CRA will give reasons for the rejection under clause 3(b) to the applicant. If the applicant does not accept the CRA rejection the application will be referred to PROWG by the CRA. Having considered the report of the CRA and any representations from the applicant PROWG may decide to allow the application to proceed to the full process or confirm the rejection.

4. Publicity:

- (a) any known owner, potential objector or other interested party to be served with notice;
- (b) notice posted at site, if reasonably practicable;
- (c) notice published in newspaper;
- (d) relevant ward Councillors notified;
- (e) copy of application papers on deposit at the Council House

(f) notice published on Council's website.

5. Any objections are referred to the applicant (Regulation 6(3)) for comment. If necessary, the CRA will ask for any further information or documents to enable the application to be determined.

6. All applications will be determined in accordance with the legal test set out in the Commons Act 2006 and as soon as possible after the date by which statements of objection to an application have been required to be submitted (regulation 6(1)).

- a) Straight-forward cases where there is no significant conflict of evidence, or no significant objection will be dealt with on the paperwork. The decision will be taken by the delegated officer (strategic director of corporate services) or PROWG as appropriate. **Whether or not an independent inspector needs to be appointed prior to determination, particularly where the Council is the landowner, is a matter for PROWG.**
- b) In other cases there will be a public inquiry, ie. a hearing, open to the public, where both sides are able to present their evidence and make representations. Depending on the circumstances and the nature of the case, the inquiry will be heard by either a council legal officer, PROWG (or a sub-committee of PROWG) with advice from a council legal officer, or an independent legally-qualified inspector. Where the Council is landowner the inquiry will be conducted by an independent legally-qualified inspector **otherwise PROWG will decide who is to conduct the inquiry.**
- c) Whoever is holding the inquiry may carry out a site visit during the inquiry process. The parties are normally invited to attend the site visit but are not permitted to make any further representations.
- d) Following an inquiry hearing, there will be a report to PROWG summarising the evidence and facts with a recommendation as to whether or not the application should be accepted. This report will be prepared as follows:
  - o Where the inquiry is held by a council legal officer, by that officer;
  - o Where the inquiry is held by a committee (either PROWG or its sub-committee), by the council legal officer who advised the committee;
  - o Where the inquiry is held by an inspector, by that inspector.
- e) Following an inquiry, the application will be determined by PROWG on the basis of the report prepared at stage d) above.

When conducting an inquiry, which is a quasi judicial process, the CRA will ensure that the rules of natural justice are met.

8. Applicants and objectors are informed of the decision.

9. Application papers are returned to unsuccessful applicants, or land is registered in the case of successful applications.

## Commons Act 2006: Section 15

**Application for the registration of land as a Town or Village Green**

Official stamp of registration authority  
indicating valid date of receipt:

Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

**Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:**

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

**Note 1**  
*Insert name of  
registration  
authority.*

**1. Registration Authority**

To the

Bristol City Council

## 2. Name and address of the applicant

### Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

Name: [REDACTED] (and 3 others - see separate sheet)

Full postal address:

[REDACTED]  
[REDACTED]  
[REDACTED]

Postcode [REDACTED]

Telephone number:  
(incl. national dialling code) [REDACTED]

Fax number:  
(incl. national dialling code) N/A

E-mail address: [REDACTED]

## 3. Name and address of solicitor, if any

### Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

Name: [REDACTED]

Firm: [REDACTED]

Full postal address:

Post code

Telephone number:  
(incl. national dialling code) [REDACTED]

Fax number:  
(incl. national dialling code) [REDACTED]

E-mail address: [REDACTED]

**Note 4**

*For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.*

*\* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

**4. Basis of application for registration and qualifying criteria**

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

**Section 15(2)** applies:

**Section 15(3)** applies:

**Section 15(4)** applies:

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

If **section 15(6)\*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.



**5. Description and particulars of the area of land in respect of which application for registration is made**

Name by which usually known:

Ridgehill Green, locally known as 'the Picnic Area'.

Location:

Ridgehill, Henleaze, Bristol BS9 4SB

Shown in colour on the map which is marked and attached to the statutory declaration.

Common land register unit number (if relevant) \*

**6. Locality or neighbourhood within a locality in respect of which the application is made**

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Ridgehill, Henleaze, Bristol  
Westbury on Trym and Henleaze Ward

Tick here if map attached:

**Note 5**

*The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.*

*Only complete if the land is already registered as common land.*

**Note 6**

*It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street).*

*If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.*

## 7. Justification for application to register the land as a town or village green

### **Note 7**

*Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

Ridgehill Green (known locally as 'the picnic area' (Plan 1 attached) was part of the former YMCA playing field which was the subject of a planning application for residential development granted on 19 April 1978 (application no. 78/00419/P-N). On the approved application plan the land is shown as 'Public Open Space' (see Plan 2 attached) and is on the north-eastern corner of the residential development of 40 houses comprising Sates Way and one side of Ridgehill.

Since 1988 the local community (through the local Golden Ridge Neighbourhood Watch) has held annual summer picnic barbeques (see various documents attached). To facilitate this, local people have volunteered to cut grass and generally maintain the land. Over the years the land has developed into a local amenity with the provision of flower tubs, planting, landscaping and re-seeding of grass. Chippings have been laid to improve the surface of the informal path crossing the site and linking to the network of public rights of way across Golden Hill.

Over the years, informal access was made through the land to the adjacent public footpaths. Recognising this, the local neighbourhood watch obtained permission from the then owner (Ladbrooks) for a 'kissing gate' to link the Green with the public footpaths. Residents, through the Neighbourhood Watch, funded the purchase and erection of the kissing gate, which was supplied by Avon County Council. The gate was modified in 2004 at the request of Bristol City Council to enable better wheel-chair and push-chair access.

Throughout all this time access to the land and the adjacent public footpaths (via the 'kissing gate') has not been interrupted or prevented by the landowner. For over 30 years, Ridgehill Green has been in regular community use for picnic barbeques, recreational gardening, ad hoc passing-by on recreational walks, or just a place to stop and chat. It's original 'public open space' designation in the approved planning application shows that it was from the start intended as a community recreational facility. Our application seeks to obtain formal validation of this.

**Note 8**

*Please use a separate sheet if necessary.*

*Where relevant include reference to title numbers in the register of title held by the Land Registry.*

*If no one has been identified in this section you should write "none"*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

**8. 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 be a town or village green**

From Land Registry records we understand the current owner to be Mushtaq Ahmed of 396 Stapleton Road, Bristol BS6 6NQ

**Note 9**

*List all such declarations that accompany the application. If none is required, write "none".*

*This information is not needed if an application is being made to register the land as a green under section 15(1).*

**9. Voluntary registration – declarations of consent from ‘relevant leaseholder’, and of the proprietor of any ‘relevant charge’ over the land**

**Note 10**

*List all supporting documents and maps accompanying the application. If none, write "none"*

*Please use a separate sheet if necessary.*

**10. Supporting documentation**

Names and addresses of applicants  
Site location plan  
Planning approval dated 19 April 1978, the approved application plan and the approved post decision plan dated 13 June 1979  
Selection of annual barbeque documentation  
Photographs  
Witness statements

**11. Any other information relating to the application**

**Note 11**

*If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.*


**Note 12**

*The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.*

Date:

16<sup>th</sup> September 2022

Signatures:



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**REMINDER TO APPLICANT**

**You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.**

**Data Protection Act 1998**

*The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.*

## 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).*

I... Michael McConologue,<sup>1</sup> solemnly and sincerely declare as follows:—

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

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

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

2. 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 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

*Complete only in the case of voluntary registration (strike through if this is not relevant)*

4.<sup>4</sup> I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:

- (i) a declaration of ownership of the land;
- (ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have

*Cont/*

<sup>4</sup> Continued

been received and are exhibited with this declaration; or  
(iii) where no such consents are required, a declaration to that effect.

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 [redacted] )

at [redacted] )

this 13<sup>th</sup> day of September 2022. )

[redacted]

*Signature of Declarant*

Before me \* [redacted]

Signature: [redacted]

Address: [redacted]

Qualification: Justice of the Peace

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\* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

**REMINDER TO OFFICER TAKING DECLARATION:**

*Please initial all alterations and mark any map as an exhibit*

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## Appendix 4

**From:** [Anne Nugent](#)  
**To:** [Tom Dunsdon](#)  
**Subject:** FW: Land at Ridgehill Henleaze Bristol TVG Application (RL01.51)- note from Owner  
**Date:** 11 September 2023 12:44:55

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For your file from the owner

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**From:** [REDACTED]  
**Sent:** 11 September 2023 11:15  
**To:** Anne Nugent <Anne.Nugent3@bristol.gov.uk>  
**Subject:** Re: Land at Ridgehill Henleaze Bristol TVG Application (RL01.51)- note to Owner

### **This Message Is from an External Sender**

This message came from outside Bristol City Council, think before opening attachments or clicking links

Dear Anne Nugent,

As you know I have already responded previously in this matter. However, I would like to add the following:-

I am writing to formally object to the application for registration of my land as a town green. I believe that this application is inconsistent with the provisions of the [Commons Act 2006] and the [Growth and Infrastructure Act 2013], which outline certain ‘trigger events’ that can prevent such a registration.

These trigger events are closely tied to the development of land within the planning system. Recent Court decisions have clarified that both current and proposed developments can be safeguarded from registration as a town or village green. Notably, one such trigger event is the first publication of an application for planning permission for the land, even if the permission is subsequently not granted.

In this context, I wish to highlight that I have already submitted an application for development on this land (- Planning Portal reference - PP12398286v1RCT). This application serves as a ‘trigger event’ under the aforementioned legislation, thereby exempting my land from being registered as a town or village green.

Moreover, I would like to draw your attention to a procedural oversight that occurred prior to my application. According to the [Commons Act 2006], proper notice placement is a fundamental part of ensuring transparency and fairness in the process. However, the required Council notice was not correctly placed on the land in question. This oversight could potentially impact the validity of the registration application. Therefore, I urge you to consider this factor when reviewing the application for registration of my land as a town green

Given these considerations – namely, the relevant legislation, my ongoing development plans, and the procedural oversight regarding notice placement – I firmly believe that my land should not be registered as a town green. I respectfully request that my objection be taken into account and that the application for registration be denied.

Kind regards,

Mushtaq Ahmed

On Fri, Sep 1, 2023 at 11:35 AM Anne Nugent <[Anne.Nugent3@bristol.gov.uk](mailto:Anne.Nugent3@bristol.gov.uk)> wrote:

Dear Mr Ahmed

I write further to my colleague's email of 18<sup>th</sup> August.

Your CA16 application to register a landowner statement dated 18<sup>th</sup> August 2023 post-dates the TVG application, dated 21<sup>st</sup> September 2022. As a consequence, it does not create a trigger event in accordance with the relevant legislation. As you know the application has been advertised on the application land and it has also been advertised on the Council's website. Interested parties which includes the owner have been given until 13<sup>th</sup> September 2023 to respond. A map of the site is at Appendix 1. Thereafter the Commons Registration Authority (CRA) will send any responses received to the Applicants and make a decision on how the Application should be dealt with in accordance with the outline procedure at Appendix 2.

Regards

Anne Nugent (for CRA)

Solicitor/Team Manager  
Legal Services (CH)  
Bristol City Council  
College Green  
Bristol, BS1 5TR  
P O Box 3399 Bristol BS1 9NE  
DX 7827 Bristol  
e mail: [anne.nugent3@bristol.gov.uk](mailto:anne.nugent3@bristol.gov.uk)

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**From:** Tom Dunsdon

**Sent:** 18 August 2023 19:22

**To:** [REDACTED]

**Subject:** RE: Land at Ridgehill Henleaze Bristol TVG Application (RL01.51)

Dear Mr Ahmed

Thank you for your email with your response to the TVG Application. I will send the response the Applicants and give them a reasonable time to respond.

However, I have been told by the Applicants that unfortunately the Notices were placed on the wrong site ; they were posted at the Golden Hill Sports and Social Club, rather than on the land at Ridgehill . Please accept my apologies for this error. I have therefore had to re-publish the Notice and have them re-posted on the correct site. This has now been done. I attach photographs showing where the Notice have been posted on the



land.

I will also re-publish the Notice on the Council's website.

I attach a copy of the re-published Notice and have allowed until 13<sup>th</sup> September 2023 for any objectors to the application to send me their objections.

Once I receive a response from the Applicants, I will be in contact.

Yours sincerely

Tom Dunsdon

Solicitor

Litigation Regulatory Community Team

Legal Services | **City Hall**

Address: Bristol City Council, Legal Services (CH), PO Box 3399 Bristol BS1 9NE

DX:7827 Bristol

email: [tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)

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**Fro>**

**Sent:** 18 August 2023 16:00

**To:** Tom Dunsdon <[tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)>

**Subject:** Re: Land at Ridgehill Henleaze Bristol

**This Message Is from an External Sender**

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Dear Mr. Dunsdon,

Please find attached completed form CA16.

Also, find attached copies of my planning application referred to in part E of the form.

Kind regards,

Mushtaq Ahmed

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

On Fri, Jul 7, 2023 at 8:05 PM Tom Dunsdon <[tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)> wrote:

Dear Mr Ahmed

**Land at Ridgehill Henleaze [Bristol](#)  
Application for a Town or Village Green**

Further to previous correspondence, please find attached, Letter from Bristol City Council , together with:

1. Notice under Section 15(1) CA 2006
2. Form 44
3. List of Applicants
4. Documents
5. Statements
6. Site Plan 1
7. Site Plan 2
8. Photographs

Yours sincerely

Tom Dunsdon

Solicitor

Litigation Regulatory Community Team

Legal Services | **City Hall**

Address: Bristol City Council, Legal Services (CH), PO Box 3399 Bristol BS1 9NE

DX:7827 Bristol

email: [tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)

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Yours faithfully

---

**From:** Mushtaq Ahmed [REDACTED] <[REDACTED]@m>  
**Sent:** 02 December 2022 12:27  
**To:** Tom Dunsdon <[tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)>  
**Subject:** Land at Ridgehill Henleaze Bristol

**This Message Is from an External Sender**

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Dear Mr. Dunsdon,

I've just received your letter dated 8th. November 2022.

I'm not aware of any application for registration of my land as a Town or Village Green.

I object to such a suggestion.

Please send me a copy of the application. And, any future communications on the matter to me on this email address.

Kind regards,

Mushtaq Ahmed  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Council services: <http://www.bristol.gov.uk/service>

Latest council news: <http://www.bristol.gov.uk/ournews>

Consultations: <http://www.bristol.gov.uk/consult>

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## SCHEDULE 1

Regulation 2(2)(a)

## Application Form

## Form CA16

**Application Form for deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006**

**Please read the following guidance carefully before completing this form**

1. Guidance relating to completion of this form is available from <https://www.gov.uk/town-and-village-greens-how-to-register>. Please refer to these separate notes when completing this form.
2. Parts A and F must be completed in all cases.
3. The form must be signed and dated by, or by a duly authorised representative of, every owner of land to which the application relates who is an individual, and by the secretary or some other duly authorised officer of every owner of land to which the application relates which is a body corporate or an unincorporated association.
4. In the case of land in joint ownership all the joint owners must complete paragraphs 2 and 3 of Part A and complete and sign the application in Part F, unless a duly authorised representative completes and signs the form on behalf of all of the owners of the land. Paragraph 3 should be completed in full to clearly explain the capacity of each applicant e.g. trustee, landowner's managing agent, executor.
5. 'Owner' is defined in section 61(3) of the Commons Act 2006 and section 31(7) of the Highways Act 1980 and means, broadly, a legal owner of the freehold interest in the land.
6. Where the application relates to more than one parcel of land, a description of each parcel should be included in Paragraph 4 of Part A and the remainder of the form should be completed to clearly identify which statement and/or declaration relates to which parcel of land. This may require the insertion of additional wording. See separate notes for further guidance. Multiple parcels of land should be clearly identified by coloured edging on any accompanying map.
7. Where a statement or declaration requires reference to colouring shown on an accompanying map or previously lodged map, the colouring must be clearly specified and must match that shown on the relevant map. For example, if a footpath is specified in a Part C declaration as shown coloured brown, the accompanying map or previously deposited map referred to must reflect that colouring.
8. An application must be accompanied by an ordnance map, or (in respect of declarations under Part C or statements under Part D of this form) refer to a map previously deposited in accordance with the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declaration) (England) Regulations 2013 or (if deposited before 1st October 2013) in accordance with section 31(6) of the Highways Act 1980. Any accompanying map must be an ordnance map at a scale of not less than 1:10,560 showing the boundary of the land to which the application relates in coloured edging.
9. An application must be accompanied by the requisite fee – please ask the appropriate authority for details.

10. 'Appropriate authority' means (a) in relation to a map or statement deposited or declaration lodged under section 31(6) of that Act, an appropriate council (as defined in section 31(7) of the Highways Act

1980); and (b) in relation to a statement and map deposited under section 15A(1) of the 2006 Act, a commons registration authority (defined in section 4 of the Commons Act 2006 and section 2 of the Commons Registration Act 1965). In practice, the appropriate council and commons registration authority will usually be the same body.

**PART A: Information relating to the applicant and land to which the application relates**

**(all applicants must complete this Part)**

1. Name of appropriate authority to which the application is addressed:

Bristol City Council

2. Name and full address (including postcode) of applicant:

Mushtaq Ahmed



3. Status of applicant (tick relevant box or boxes):

I am

(a)  the owner of the land(s) described in paragraph 4.

(b)  making this application and the statements/declarations it contains on behalf of [insert name of owner] who is the owner of the land(s) described in paragraph 4 and in my capacity as [insert details].

4. Insert description of the land(s) to which the application relates (including full address and postcode):

Land at Ridgehill, Henleaze, Bristol BS9 4SB

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): Top Right: 2\* 35' 58" W 51\* 29' 13"N

6. This deposit comprises the following statement(s) and/or declarations (delete Parts B, C, or D where not applicable): D & E

**PART B: Statement under section 31(6) of the Highways Act 1980**

[I am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [insert colouring] on the map accompanying this statement.

(delete wording in square brackets as appropriate and/or insert information as required)

[Ways shown [insert colouring] on the accompanying map are byways open to all traffic.]

[Ways shown [insert colouring] on the accompanying map are restricted byways.]

[Ways shown [insert colouring] on the accompanying map are public bridleways.]

[Ways shown [insert colouring] on the accompanying map are public footpaths.]

No [other] ways over the land shown [insert colouring] on the accompanying map have been dedicated as highways.

(delete wording in square brackets as appropriate and/or insert information as required)

### **PART C: Declaration under section 31(6) of the Highways Act 1980**

1. [I am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [insert colouring] on the map [accompanying this declaration/lodged with [insert name] Council on [insert day, month, year]].

*(delete wording in square brackets as appropriate and/or insert information as required)*

2. On the [insert day] day of [insert month, year] [I/my/[insert name of owner's] predecessor in title [insert name]] deposited with [insert name] Council, being the appropriate council, a statement accompanied by a map showing [my/[insert name of owner's]] property [insert colouring] which stated that:

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as byways open to all traffic]

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as restricted byways]

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as bridleways]

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as footpaths]

[no [other] ways had been dedicated as highways over [my/[insert name of owner's]] property]. *(delete wording in square brackets as appropriate and/or insert information as required)*

[3. On the [insert day] day of [insert month, year] [I/my/[insert name of owner's] predecessor in title [insert name]] deposited with [insert name] Council, being the appropriate council, a declaration dated [insert day, month, year], stating that no additional ways [other than those marked in the appropriate colour on the map accompanying that declaration] had been dedicated as [byways open to all traffic] [restricted byways] [bridleways] [footpaths] since the deposit of the statement referred to in paragraph 2 above.]

*(delete if not applicable and delete wording in square brackets as appropriate and/or insert information as required)*

4. No additional ways have been dedicated over the land [insert colouring] on the map [accompanying this declaration/referenced in paragraph 1 above] since the statement dated [insert day, month, year] referred to in paragraph 2 above [since the date of the declaration referred to in paragraph 3 above] [other than those [byways open to all traffic] [restricted byways] [bridleways] [footpaths] marked in the appropriate colour on the map accompanying this declaration] and at the present time [I/[insert name of owner]] [have/has] no intention of dedicating any more public rights of way over [my/the] property. *(delete wording in square brackets as appropriate and/or insert information as required)*

### **PART D: Statement under section 15A(1) of the Commons Act 2006**

I am the owner of the land described in paragraph 4 of Part A of this form and shown red on the map accompanying this statement.

I wish to bring to an end to any period during which persons may have indulged as of right in lawful sports and pastimes on the whole or any part of the land shown red on the accompanying map.

*(delete wording in square brackets as appropriate and/or insert information as required)*

**PART E: Additional information relevant to the application**  
*(insert any additional information relevant to the application)*

Today I have submitted a planning application (number: PP-12398286v1), via planning portal, to erect a 4 bed house on the land.

As you will no doubt know, according to Growth & Infrastructure Act 2013, you cannot make a decision on the village green application until I get a decision from the planners on my application.

**PART F: Statement of Truth**  
*(all applicants must complete this Part)*

**WARNING: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.**

**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS FORM ARE TRUE**

Signature (of the person making the statement of truth):



Print full name: **MUSHTAQ AHMED**

Date: **18<sup>th</sup>. August 2023.**

**You should keep a copy of the completed form**

**Data Protection Act 1998 - Fair Processing Notice**

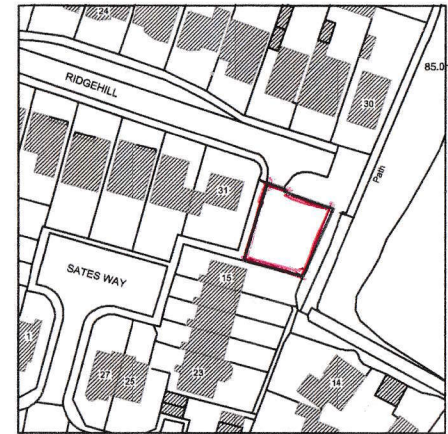
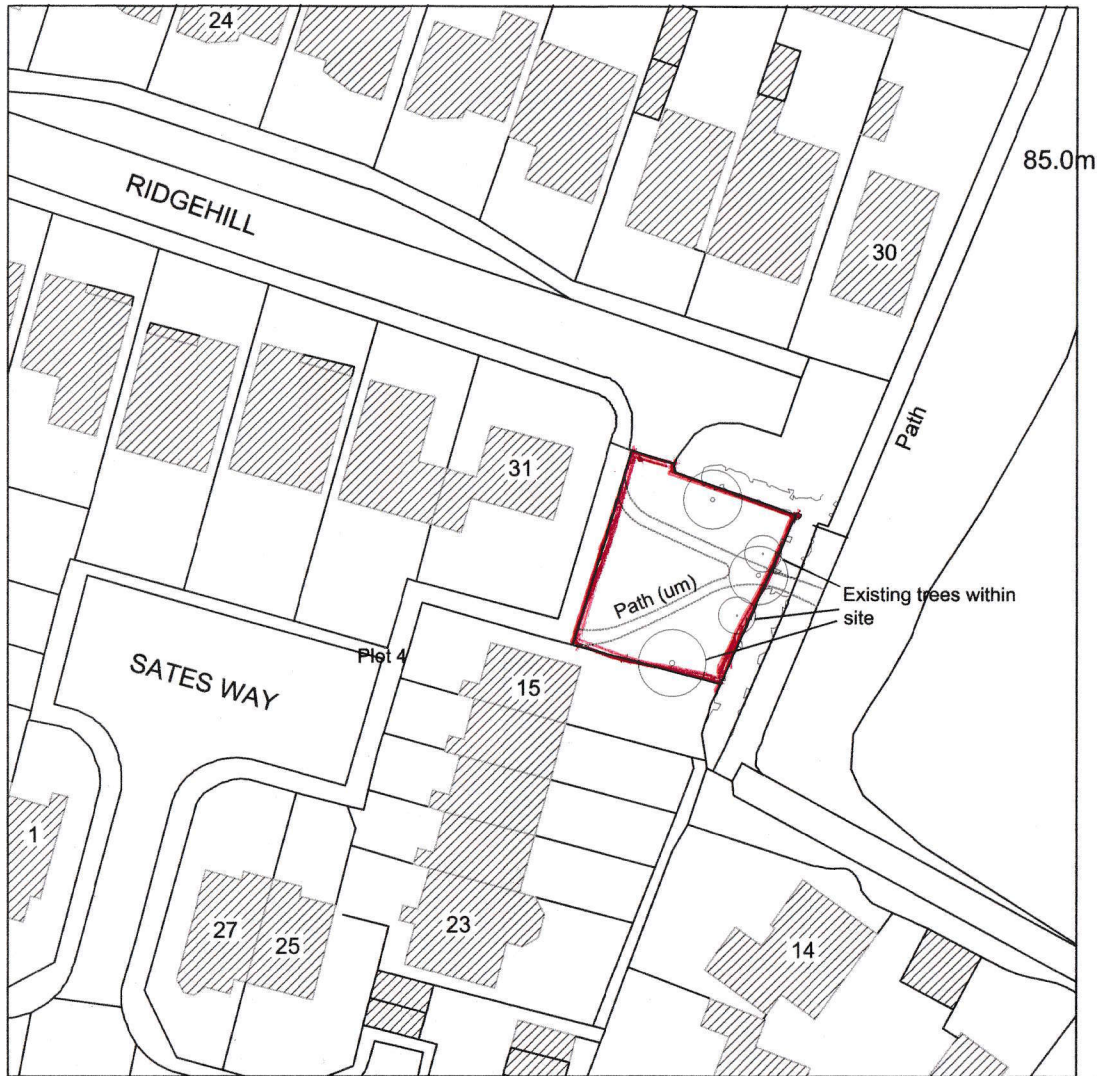
The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

The appropriate authority (see explanation of definition in above guidance notes) in England is the data controller in respect of any personal data that you provide when you complete this form.

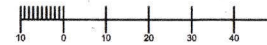
The information that you provide will be used by the appropriate authority in its duties to process applications to deposit statements, maps and declarations under section 31(6) the Highways Act 1980 and statements under section 15A(1) of the Commons Act 2006. The information you provide will also be used by the appropriate authority in its duty to update the registers in which details of such deposits are recorded under the Dedicated Highways (Registers under Section 31A of the Highways Act 1980) (England) Regulations 2007 and the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013.

The appropriate authority is required by the legislation above to maintain a register which holds information provided in this form, which can be inspected online or in person by members of the public on request. It may also be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000. However, the appropriate authority will not permit any unwarranted breach of confidentiality nor will they act in contravention of their obligations under the Data Protection Act 1998.





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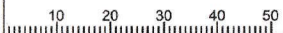
**SITE LOCATION PLAN**

SCALE - 1:1250




**EXISTING SITE PLAN**

SCALE - 1:500



100 A3 paper

Project: Proposed Detached Dwelling	Title: Existing Site Plan	
Address: Land at Ridgehill Henleaze Bristol	Scale(s): As Shown	Drawn: DGT
	Drwg No.: RID/23/01	Rev.
		T: 07920 557247 E: darren@bsc.limited
PLANNING ISSUE		

# MasterMap B&W 1:200



Bottom Left: 2°36'W 51°29'12"N Top Right: 2°35'58"W 51°29'13"N  
Ground Scale: 1:200

Date of Production: February 10th, 2022

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**From:** [REDACTED]  
**To:** [Tom Dunsdon](#)  
**Subject:** legal/TD/RL01.51  
**Date:** 12 September 2023 09:34:51

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**This Message Is from an External Sender**

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Dear Tom

I have received an email from Neighbour Hood Watch re the green space which they call the 'picnic' area and an application for this to be registered as a Town/Village green. I can also see that notices have been placed there.

They have not sought the opinion of all immediate residents in the vicinity or wider area, this is a minority group, if you were not a member of the neighbour hood watch, I doubt you would know what the plans were/are for this space. There is nothing in the deeds to my house that say this is public open space but a pathway has been created to the gate and is frequently used as a short cut walk/cycle route to Tesco's/Kellaway Avenue by local residents; now the trees have been cut down on one side, the pathway is more visible and used by a wider number of people in the surrounding area. There has been a gate there and well trodden pathway for more than 20 years but it is poorly lit and not so nice in the winter months.

There is, to my knowledge, only one annual 'event' that takes place in this space for a couple of hours, it is too small to accommodate all residents and has the pathway to Tesco's running through the middle, limiting space further. The space is not used for anything else other than a walk way, a greater majority of residents in the area attend social events at Golden Hill Sports ground where there is space to accommodate everyone.

'No parking' signs adjacent to the 'picnic' area have also been put up, which have been, in my time living here, always used as additional visitor parking as the street is narrow. For the safety of everyone living here residents should be encouraged to keep the road clear and make full use of their driveways. No [REDACTED] frequently leave their driveway empty and a car on the road. There was no public consultation before the 'no parking' sign was made and erected.

I support a pathway to the gate through to the cycle path remaining.

Best wishes

[REDACTED]

**From:** [REDACTED]@hotmail.com>  
**Sent:** 15 October 2023 07:00  
**To:** [REDACTED]  
Tom Dunsdon <tom.dunsdon@bristol.gov.uk>  
**Subject:** Land adjacent to 31 Ridgehill, Henleaze

**This Message Is from an External Sender**

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Good Morning

As you are aware, this piece of land, having been left to its own devices for a long while, is now the subject of a planning application, a TVG application and a PROW application.

I have taken photos - see below, and attach a paper I wrote for Cllr Geoff Gallop and the other two Henleaze and WoT ward councillors.

There are several points I should like to make.

You will see from my paper, that this land was originally designated as a children's play area when Ridgehill was developed, back in the late 1960s/early 1970s (Sates Way). For some reason, the land was not designated as amenity land by Bristol City, and neither was, by what I assume was a condition of the development, the children's play area enforced.

The land changed hands, and in 2006 a planning application for a dwelling was made, and later withdrawn, after the formal application from residents, with full supporting documentation, was made for the two footpaths to become PROWs. No one in Ridgehill I have met knows what happened to this application, but it would seem that the footpaths were designated appropriately although no maintenance by Bristol has take place - that is why local residents have kept the area tidy and put gravel down to help people with buggies etc access the footpath to Horfield Common. These activities prompted the residents to submit an application for TVG in August 2023 and you are aware of what has happened since.

It remains open to Bristol City to purchase the land, designate it as amenity land in the Local Plan, and devolve maintenance to the residents. This would be parallel to granting the land TVG status.

Alternatively, residents have told me they would be willing to crowd fund to purchase the land, at amenity value, and then formally take on the maintenance etc.

The suggested extinguishment and diversion of the existing footpaths, which also are missing their flags if they were designated, would involve a route which would be dark and require lighting to make it safe.

Lastly, but by no means least, I am concerned at the fate of the existing trees and hedgerow which comprise a lively wildlife habitat and flow naturally into the Horfield Common footpath which presumably dates back to Tudor times as least, for local people to access the Parish Church and the Gloucester Road.

Please do not hesitate to contact me if you require further information.

Yours sincerely

**From:** Tom Dunsdon  
**Sent:** 15 September 2023 12:13  
**To:** 'Mushtaq Ahmed' [REDACTED]  
**Subject:** RE: Land at Ridgehill Henleaze Bristol (RL01.51)

Dear Mr Ahmed

Thank you for your emails.

As you are aware, section 15C(1) of the Commons 2006 Act (the Act) excludes the right to apply to register land as a Town or Village Green under section 15 (1) of the Act when a prescribed event, known as a 'trigger event', as set out in Schedule 1A of the Act, has occurred within the planning system in relation to that land.

From the information you have provided, a planning application was submitted by you via the planning portal on 18<sup>th</sup> August 2023.

Your application post-dates the TVG application dated 16<sup>th</sup> September 2022 and received by the Commons Registration Authority on 21<sup>st</sup> September 2022. Therefore, at the time of the TVG application, a trigger event had not occurred, and the right to make such an application under section 15 (1) has not been excluded.

I hope this clarifies the issue.

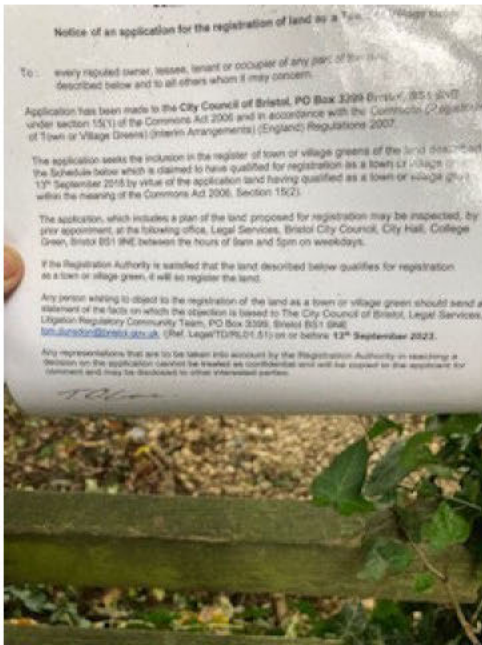
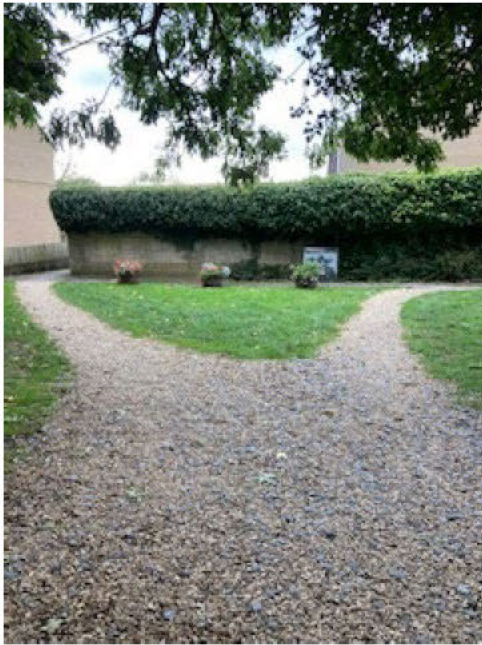
Yours sincerely

Tom Dunsdon  
Solicitor  
Litigation Regulatory Community Team  
Legal Services | **City Hall**  
Address: Bristol City Council, Legal Services (CH), PO Box 3399 Bristol BS1 9NE  
DX:7827 Bristol

[email: tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)

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30 October 2023  
RL01.51





**From:** Mushtaq Ahmed  
**Sent:** 11 September 2023 11:15  
**To:** Anne Nugent <>  
**Subject:** Re: Land at Ridgehill Henleaze Bristol TVG Application (RL01.51)-

**This Message Is from an External Sender**

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Dear Anne Nugent,

As you know I have already responded previously in this matter. However, I would like to add the following:-

I am writing to formally object to the application for registration of my land as a town green. I believe that this application is inconsistent with the provisions of the [Commons Act 2006] and the [Growth and Infrastructure Act 2013], which outline certain 'trigger events' that can prevent such a registration.

These trigger events are closely tied to the development of land within the planning system. Recent Court decisions have clarified that both current and proposed developments can be safeguarded from registration as a town or village green. Notably, one such trigger event is the first publication of an application for planning permission for the land, even if the permission is subsequently not granted.

In this context, I wish to highlight that I have already submitted an application for development on this land ( - Planning Portal reference - PP12398286v1RCT). This application serves as a 'trigger event' under the aforementioned legislation, thereby exempting my land from being registered as a town or village green.

Moreover, I would like to draw your attention to a procedural oversight that occurred prior to my application. According to the [Commons Act 2006], proper notice placement is a fundamental part of ensuring transparency and fairness in the process. However, the required Council notice was not correctly placed on the land in question. This oversight could potentially impact the validity of the registration application. Therefore, I urge you to consider this factor when reviewing the application for registration of my land as a town green

Given these considerations – namely, the relevant legislation, my ongoing development plans, and the procedural oversight regarding notice placement – I firmly believe that my land should not be registered as a town green. I respectfully request that my objection be taken into account and that the application for registration be denied.

Kind regards,

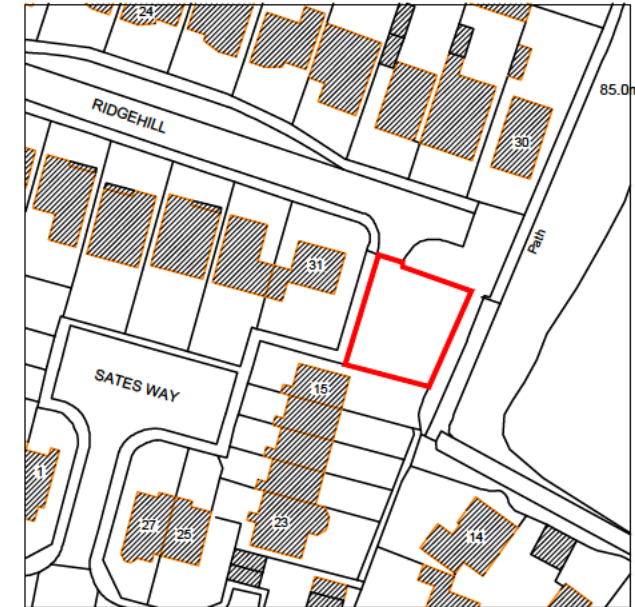
Mushtaq Ahmed



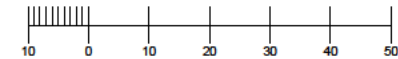


**PROPOSED SITE PLAN**

SCALE - 1:500

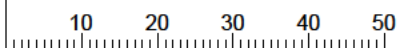


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**SITE LOCATION PLAN**

SCALE - 1:1250



100 A3 paper

Project: Proposed Detached Dwelling	Title: Proposed Site Plan		Bristol Surveying Company Limited
Address: Land at Ridgehill Henleaze Bristol	Scale(s): As Shown	Drawn: DGT	
	Drwg No.: RID/23/02	Rev.	
<b>PLANNING ISSUE</b>		 T: 07920 557247 E: darren@bsc.limited	

**From:** Tom Dunsdon  
**Sent:** 15 September 2023 12:13  
**To:** [REDACTED]  
**Subject:** RE: Land at Ridgehill Henleaze Bristol (RL01.51)

Dear Mr Ahmed

Thank you for your emails.

As you are aware, section 15C(1) of the Commons 2006 Act (the Act) excludes the right to apply to register land as a Town or Village Green under section 15 (1) of the Act when a prescribed event, known as a 'trigger event', as set out in Schedule 1A of the Act, has occurred within the planning system in relation to that land.

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Your application post-dates the TVG application dated 16<sup>th</sup> September 2022 and received by the Commons Registration Authority on 21<sup>st</sup> September 2022. Therefore, at the time of the TVG application, a trigger event had not occurred, and the right to make such an application under section 15 (1) has not been excluded.

I hope this clarifies the issue.

Yours sincerely

Tom Dunsdon  
Solicitor  
Litigation Regulatory Community Team  
Legal Services | **City Hall**  
Address: Bristol City Council, Legal Services (CH), PO Box 3399 Bristol BS1 9NE  
DX:7827 Bristol

[email: tom.dunsdon@bristol.gov.uk](mailto:tom.dunsdon@bristol.gov.uk)

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30 October 2023  
RL01.51

# Comments for Planning Application 23/03248/F

## Application Summary

Application Number: 23/03248/F

Address: Land Adjacent To 31 Ridgehill Bristol BS9 4SB

Proposal: Erection of detached dwelling.

Case Officer: null

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have lived in Ridgehill for 38 years, a minute's walk away from the plot and use it daily on my walks. Over that time it has been used as a village green by local residents and a connection from Ridgehill/Sates Way to the paths running to Tesco, The Crescent and Dyrham Close for many members of the public. The first barbecue was held in 1988 and nearly every year since. Note that the area was marked on the original plans as a 'Public Open Space'.

The plot has always been well maintained by local volunteers. The grass is cut regularly, flower tubs have been purchased and are looked after and fallen leaves cleared. Paths of chippings have been laid to avoid the mud which would otherwise accumulate. Twice a year a group effort is made to tidy the area, trimming bushes and removing accumulated debris. Local children have added to the area's natural beauty by painting stones and a large collection of these is now on display.

Access to the plot is severely restricted. Ridgehill terminates abruptly and there is only a small place where cars can turn. On the plan this is now to be used as a drive for the house. The strip of land between the plot and Ridgehill is owned by No 30 which means the only legal vehicular access is via the current turning place. So construction would cause enormous disruption to residents in Ridgehill.

Another concern is the proposed path between the house and the fence on the south side of the plot. The planned width is 1.2m. There is a large tree in this path which will apparently remain. Given the high number of people that cross the plot daily, many with bicycles, buggies or prams this must be a safety hazard. The tree produces a huge number of leaves which fall each autumn which will make any path slippery and dangerous and could block it completely. How then will the path be maintained? Will it be lit? Such a narrow path with potentially high walls raises security worries too.

Given the value of this area to local residents over very many years I strongly object to it being taken away from us and ask the Council to please reject the landowner's application.

## Response to Ridgehill Objection

Reading through the objection it seems to be based on his/her opinion that

1. Only a small minority group of people were involved.
2. There is insufficient evidence for the application.

Taking the points in order, he/she states

'They have not sought the opinion of all immediate residents in the vicinity or wider area, this is a minority group, if you were not a member of the neighbour hood watch, I doubt you would know what the plans were/are for this space.'

This is actually untrue. The local neighbourhood watch covers 127 houses, more than 120 of which are members of the local Golden Ridge Neighbourhood Watch (GRNW). (The non-members are mainly rented properties). All of Sates Way and Ridgehill are in the GRNW area. The statements in our application were obtained from GRNW members in response to emails or letters sent to all members, the first in February 2022 and a follow up in April 2022. These clearly explained our plan to make the application and requested statements that would be used to back it up. Far from being a 'minority group' the local neighbourhood watch covers the vast majority of residents. He/she also states that 'There is nothing in the deeds to my house that say this is public open space' which may well be true but, as we pointed out in our application, the plans which were passed for the development DO show this precisely as a 'Public Open Space'.

On the second point he/she actually confirms that at least one local event takes place annually and that the route through the picnic area has been established in use for at least 20 years. But to say 'The space is not used for anything else other than a walk way' is also untrue. The area is kept tidy, grass cut and maintained, bushes trimmed, paths maintained and plant tubs purchased, filled and looked after, all of which involves much activity. There is also a large and growing collection of painted stones contributed by local children. We feel that these comments are not really grounds for objection to an application being made – whether or not there is sufficient evidence is for the council to decide.

The final paragraph about no parking signs is irrelevant. This was done by local residents, it is not part of the picnic area and has nothing to do with our application.

