

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Commons Registration)

Meeting held 18 July 2013

PRESENT: Councillors John Robson (Chair), David Barker, Adam Hurst and Clive Skelton

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence. Councillor Adam Hurst attended as a reserve Member and was invited to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. COMMONS ACT 2006 - KING'S CROFT PLAYING FIELD, DORE, SHEFFIELD

4.1 The Chief Licensing Officer submitted a report to consider an application to register land known as "Kings Croft Playing Field", Dore, Sheffield, as a Town or Village Green.

4.2 Present at the meeting were Sue Hopkinson, Headteacher, Dore Primary School (objector) and Andrew Miller (objector), Shimla Finch, Principal Licensing Officer and Clerk to the Registration Authority, Louise Slater (Solicitor to the Sub-Committee (Commons Registration)) and Jennie Skiba (Democratic Services).

4.3 Shimla Finch presented the report to the Sub-Committee (Commons Registration) and stated that the Council had held a non-statutory public inquiry, chaired by an independent Inspector who considered the application, heard representations from the applicant and objectors and reported back to the Council. The Sub-Committee (Commons Registration) were asked to consider the report of the independent Inspector and determine whether the land should be granted Town or Village Green status and be included in the register.

4.4 Shimla Finch outlined the legislation, criteria and background to the application and the Inspector's conclusions and recommendations.

4.5 Members were strongly advised to accept the report and recommendations of the Inspector and to determine that the application to register land at "Kings Croft Playing Field", Dore, Sheffield as a Town or Village Green be rejected and no part of the application Land, whether as amended or otherwise, be added to the Register of Town and Village Greens because the applicant had failed to establish

the necessary criteria contained in Section 15(2) of the Commons Act 2006.

- 4.6 Councillor John Robson asked Members if they were willing to consider the report in open session, to which they agreed and also asked Louise Slater if any legal advice on the report was required. Louise Slater stated that the findings in the report were clear and she saw no reason to go against the recommendations.
- 4.7 RESOLVED: That, in the light of the information contained in the report now submitted, including the independent inspector's report and the comments now made, the Sub-Committee determines that the application for the registration of "Kings Croft Playing Field", Dore as a Village Green, under Section 15(2) of the Commons Act 2006 be rejected on the specific grounds that:
- (a) the Applicant had failed to establish that the Application Land has been used for lawful sports and pastimes to a sufficient extent and continuity throughout the relevant 20 year period to have created a town or village green; and
 - (b) the Applicant had accordingly failed to establish that the use of the Application Land has been by a significant number of the inhabitants of any qualifying locality or neighbourhood within a locality throughout the relevant 20 year period.