

NORTH YORKSHIRE COUNCIL

COMMONS ACT 2006 — SECTION 11

Notice of an application to re-allocate an attached right of common

Application Reference Number: CA5 001

West Stonesdale Moor (CL151)

Application has been made to the North Yorkshire Council by Mark Robert Rukin and Linda Elizabeth Rukin under Section 11 of the Commons Act 2006 and in accordance with Schedule 4(5) of the Commons Registration (England) Regulations 2014.

The application, which includes documentary evidence, can be viewed at:
<https://www.northyorks.gov.uk/environment-and-neighbourhoods/land-and-waterways/common-land-and-village-greens/common-land-applications-and-decision-notice>

or you can request a copy by contacting the Commons Registration Officer: -

email: commons.registration@northyorks.gov.uk, telephone: 01609 534753

or write to: North Yorkshire Council, Commons Registration, County Hall, Northallerton, North Yorkshire DL7 8AD

Any person wishing to make a representation regarding this amendment:

- should quote the Application No. CA5 001
- must state the name and postal address of the person making the representation and the nature of that person's interest (if any) in any land affected by the application.
- may include an e-mail address of the person making the representation
- must be signed by the person making the representation
- must state the grounds on which the representation is made
- should send the representation to: Commons Registration Officer, Commons Registration North Yorkshire Council, County Hall, Northallerton, North Yorkshire DL7 8AD or e-mail to commons.registration@northyorks.gov.uk on or before 30 November 2023

Representations cannot be treated as confidential, and a copy will be sent to the applicant in accordance with Regulation 25 of the 2014 Regulations. Should the application be referred to the Planning Inspectorate for determination, in accordance with Regulation 26 of the 2014 Regulations, any representations will be forwarded to the Planning Inspectorate.

A summary of the effect of the application (if granted) is as follows: the Registration Authority will amend the register to show that the rights at entry no. 12 (2) have been reallocated to the land as shown hatched blue within the boundary on the supplemental map for right entry 12 plan 2.

Dated: 11 October 2023

Karl Battersby

Corporate Director – Environment
North Yorkshire Council

(2) Aug 9, 23

Commons Act 2006: section 11

Application to re-allocate an attached right of common

This section is for office use only

Official stamp

Application number

COMMONS ACT 2006
 NORTH YORKSHIRE COUNCIL
 COMMONS REGISTRATION AUTHORITY
 DATE: 10 AUG 2023

CA5 001

Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- All applicants should complete boxes 1–9.
- Only the owner of the land to which the right is attached can apply under section 11 of the Commons Act 2006.
- If your application relates to only part of a right of common then you must also submit an application under section 8 to apportion the right.
- You will be required to pay a fee for your application. Ask the registration authority for details. You would have to pay a separate fee should your application be referred to the Planning Inspectorate.


Note 1

Insert name of commons registration authority.

1. Commons Registration Authority

To the:

NORTH YORKSHIRE ~~COUNCIL~~ COUNCIL



Tick the box to confirm that you have enclosed the appropriate fee for this application:

Note 2

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This box should be completed if a representative, e.g. 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. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

2. Name and address of the applicant

Name:

MARY ROBERT + LINDA ELIZABETH RYAN.

Postal address:

GATE HOUSE FARM
WEST STONES DALE
KELD.
RICHMOND

Postcode DL11 6GA.

Telephone number:

[Redacted]

Fax number:

[Redacted]

E-mail address:

[Redacted]

3. Name and address of representative, if any

Name:

TOM ALCOCK

Firm:

WBW SURVEYORS.

Postal address:

SLEPTON ALL TON
GARDING ROAD
SLEPTON

Postcode BD23 1UD.

Telephone number:

[Redacted]

Fax number:

[Redacted]

E-mail address:

[Redacted]

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 5 to the Commons Registration (England) Regulations 2014.

Note 5

The accompanying Ordnance map must be at a scale of at least 1:10,560 and show the land by means of distinctive colouring within accurately defined boundaries so as to enable both the whole of the dominant tenement and the relevant part which it is to be excluded from it to be clearly identified. If the application relates to only part of a right, this application must be accompanied by an application to apportion rights under section 8. State the Land Registry title number where known.

4. Basis of application for registration and qualifying criteria

Specify the register unit number to which this application relates:

CL151

Specify the registered rights entry number to which this application relates:

S 12 (2)

State the reason why the relevant part is or is intended to be no longer used for agricultural purposes:

SALE TO A THIRD PARTY NOT CONNECTED WITH AGRICULTURE. THE AREA IN QUESTION WILL FORM RESIDENTIAL CURTILAGE FOR A PRIVATE RESIDENCE.

5. Identification of the land to which the right will be attached

Name by which the land to which the right is to be attached (the dominant tenement) is usually known:

HIGH FARM, WEST STONESDALE, KECD.

Location:

KECD.

Tick the box to confirm that you have attached an Ordnance map of the land:

Tick this box if you have submitted an application to apportion the right under section 8:

Note 6

List or enter in the form all such declarations that are required to accompany the application. This can include any written declarations sent to the applicant (i.e. a letter), and also any such declarations made on the form itself.

Note 7

List all supporting consents, documents and maps which accompany the application, including evidence of ownership of the dominant tenement. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

Note 8

List 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.

6. Declarations of consent from any "relevant leaseholder" of, and the proprietor of any "relevant charge" over, the land

N/A .

7. Supporting documentation

1. MAP SHOWING EXTENT OF NON AGRICULTURAL USE
2. SUPPLEMENTAL MAP CL151-12 (PLAN 2).

8. Any other information relating to the application

N/A .

Note 9


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

9. Signature

Date:

12/07/23

Signatures:



REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

You are advised to keep a copy of the application and all associated documentation.

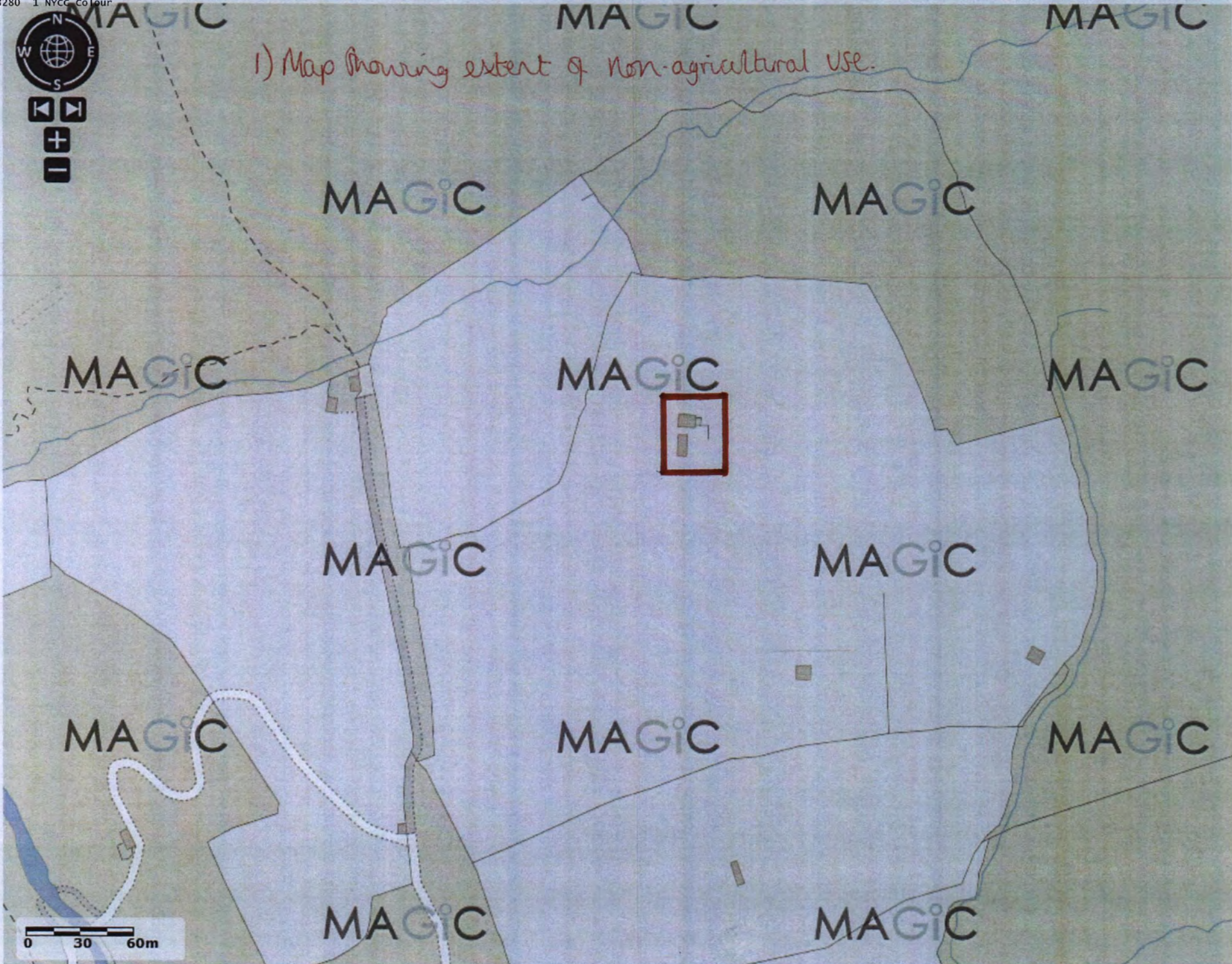
Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons 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.

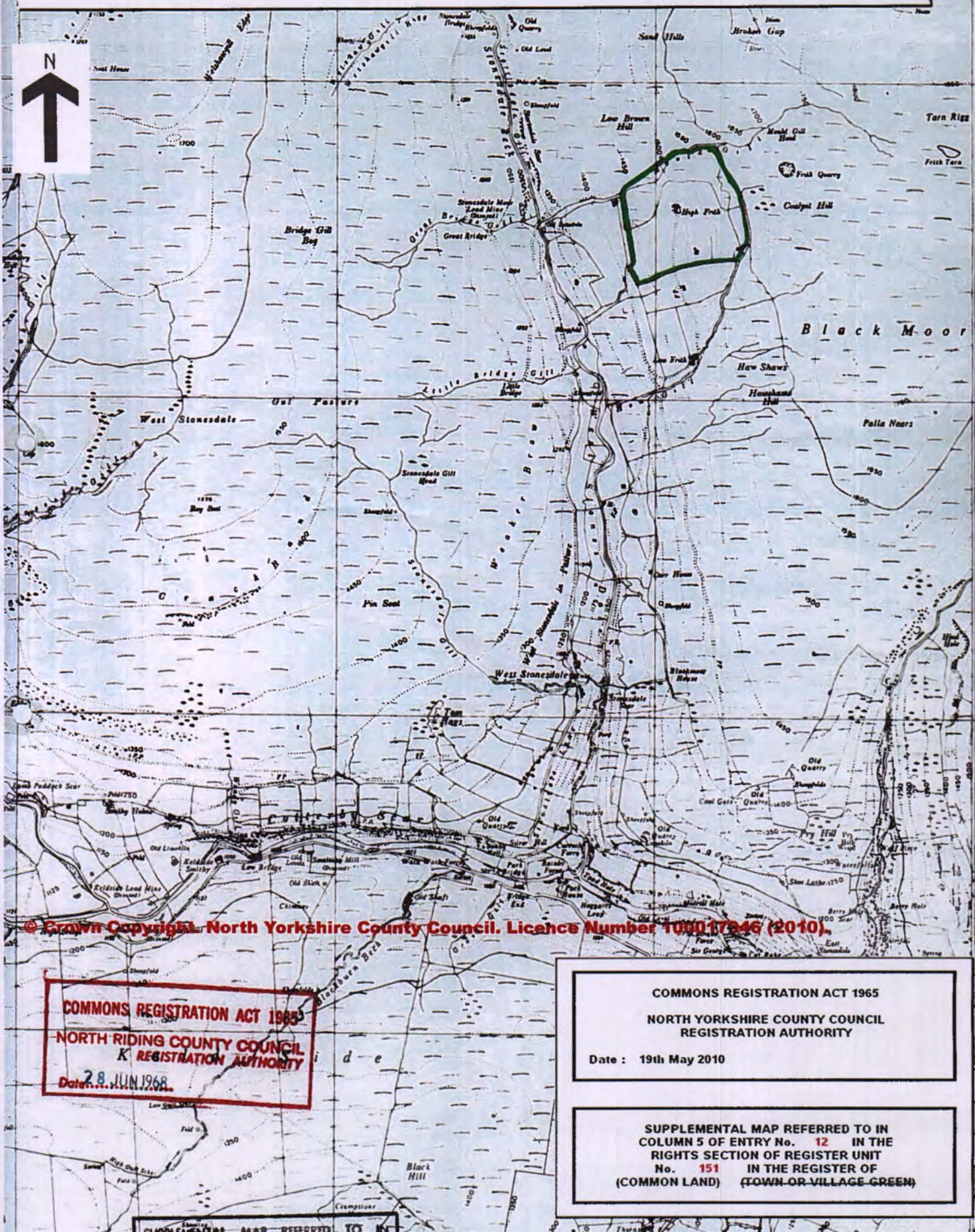
A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.



1) Map showing extent of non-agricultural use.



SUPPLEMENTAL MAP : CL 151 - 12 (PLAN 2)



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COMMONS REGISTRATION ACT 1965
NORTH RIDING COUNTY COUNCIL
K REGISTRATION AUTHORITY
 Date: 28 JUN 1968

COMMONS REGISTRATION ACT 1965
NORTH YORKSHIRE COUNTY COUNCIL
REGISTRATION AUTHORITY
 Date : 19th May 2010

SUPPLEMENTAL MAP REFERRED TO IN
 COLUMN 5 OF ENTRY No. 12 IN THE
 RIGHTS SECTION OF REGISTER UNIT
 No. 151 IN THE REGISTER OF
 (COMMON LAND) (TOWN OR VILLAGE GREEN)

SUPPLEMENTAL MAP REFERRED TO IN

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number NYK348050

Edition date 20.04.2023

- This official copy shows the entries on the register of title on 23 MAY 2023 at 16:29:29.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 23 May 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title.

NORTH YORKSHIRE

- 1 (19.12.2007) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being High Frith Farm, West Stonesdale, Richmond.
- 2 (19.12.2007) The land was formerly copyhold of the manor of Healaugh New Land and there are excepted from this registration the mines and minerals and sporting rights excepted on the enfranchisement thereof.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (28.11.2018) PROPRIETOR: MARK ROBERT RUKIN and LINDA ELIZABETH RUKIN of Gate House Farm, West Stonesdale, Richmond, N Yorkshire DL11 6EA.
- 2 (28.11.2018) The price stated to have been paid on 14 November 2018 for the land in this title and in NYK348051, NYK116555 and NYK276053 was £1,200,000.
- 3 (28.11.2018) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (11.12.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate, or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 14 November 2018 in favour of Barclays Security Trustee Limited referred to in the Charges Register.

Title number NYK348050

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (21.05.2009) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
- 2 (21.05.2009) UNILATERAL NOTICE in respect of Manorial rights more particularly described in a Conveyance dated 18 July 1947 made between (1) The Lingholm Trust Limited and (2) The Right Honourable The Earl Peel.

NOTE: Copy filed under NYK102047.
- 3 (18.06.2009) BENEFICIARY: GUNNERSIDE ESTATES LIMITED (Incorporated in the British Virgin Islands) of The Gunnerside Estate Office, Gunnerside, Richmond, North Yorkshire DL11 6JH.
- 4 (28.11.2018) REGISTERED CHARGE dated 14 November 2018 affecting also other titles.

NOTE: Charge reference NYK116555.
- 5 (28.11.2018) Proprietor: BARLCAYS SECURITY TRUSTEE LIMITED (Co. Regn. No. 10825314) of 1 Churchill Place, London E14 5HP.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	21.05.2009 Edged blue	Gate House Farm	09.02.2009 10 years from 1 October 2008	NYK368984

NOTE: The lease comprises also other land

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 19 September 2023 shows the state of this title plan on 19 September 2023 at 16:00:01. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

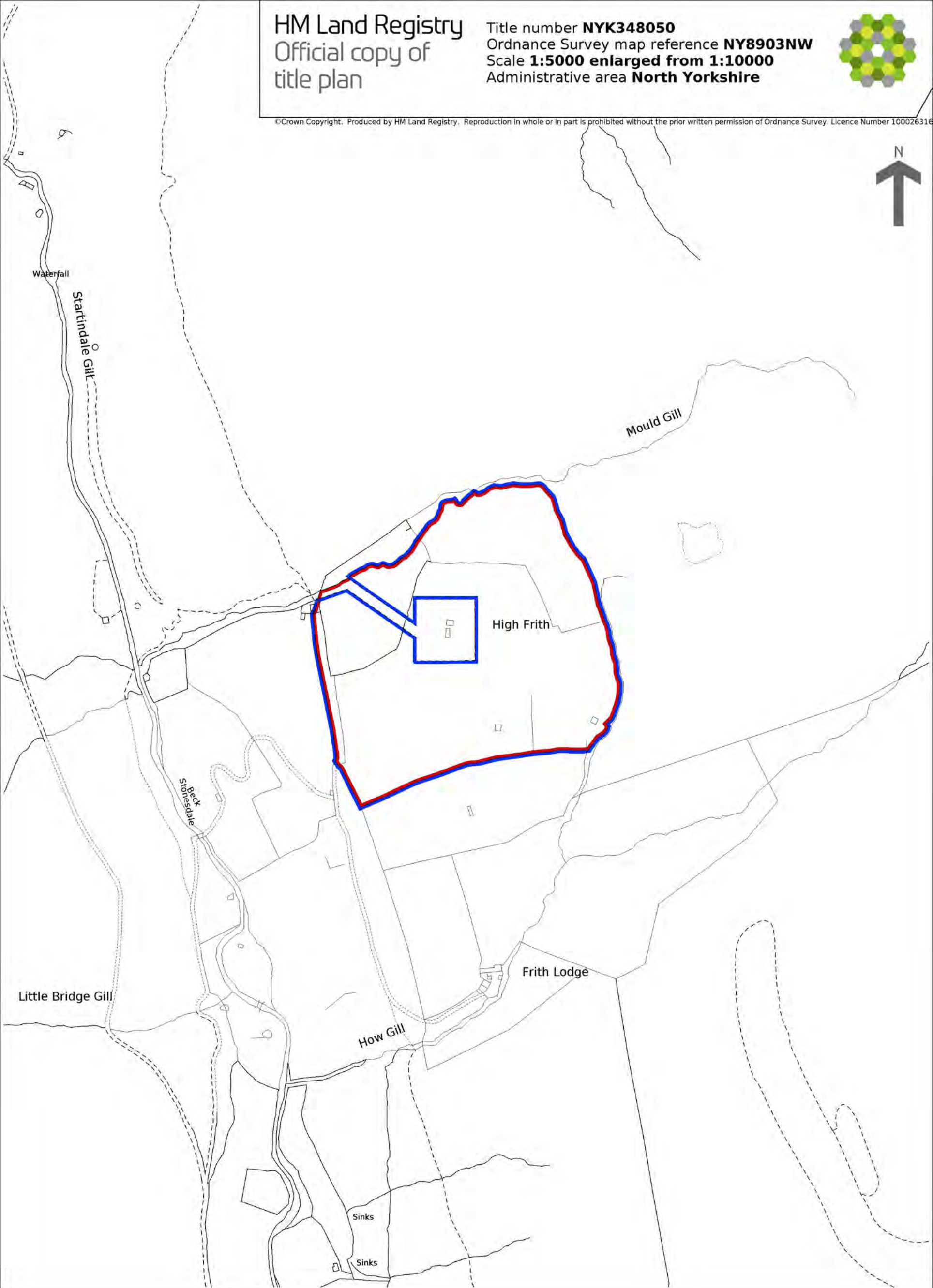
This title is dealt with by the HM Land Registry, Durham Office .

HM Land Registry
Official copy of
title plan

Title number **NYK348050**
Ordnance Survey map reference **NY8903NW**
Scale **1:5000 enlarged from 1:10000**
Administrative area **North Yorkshire**



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Register of

 COMMON LAND

Register unit No. C.L.151

Edition No.

See Overleaf
for Notes

LAND SECTION—Sheet No. 1

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1 21st June, 1968	The tract of land called West Stonesdale Moor in the Parish of Muker marked with a green verge line inside the boundary on Sheets Nos. 21B,21D,22A,22C of the register map (6" Ordnance Survey Sheets NY 80 NE, NY 80 SE, NY 90-NW, NY 90 SW) (Provisional Edition) & distinguished by the number of this register unit. Registered pursuant to Application No. 748 made 19th day of February 1968 by the Right Honourable Arthur William Ashton Earl Peel Hynning near Carnforth in the County of Lancaster. (Registration Provisional) (See Entry No. 3 below)
2 1st May, 1969	The registration at Entry No. 1 above includes the minerals so far as necessary for giving effect to any subsisting registration affecting minerals in the rights section of this register unit.
3 23rd April 1979	In pursuance of Section 6(2) of the Commons Registration Act 1965 in accordance with a Notice of Final Disposal of Disputed registration dated 8th February 1979 made by G.D. Squibb, Chief Commons Commissioner, the registration at Entry No. 1 above became FINAL on the 5th January 1979 with the following modification namely, the exclusion of the land the subject of Objection No. 078 and shown edged red on the plan marked 'G.D.S.1' annexed to the Notice of Final Disposal - Ref: 268/D/101

C.R.

Form 3 COMMONS REGISTRATION ACT 1965

NOTE

This section contains the Registration of every Right of Common registered under the Act as exercisable over the whole or any part of the land described in the land section of this Register Unit

Registration Authority
NORTH YORKSHIRE COUNTY COUNCIL

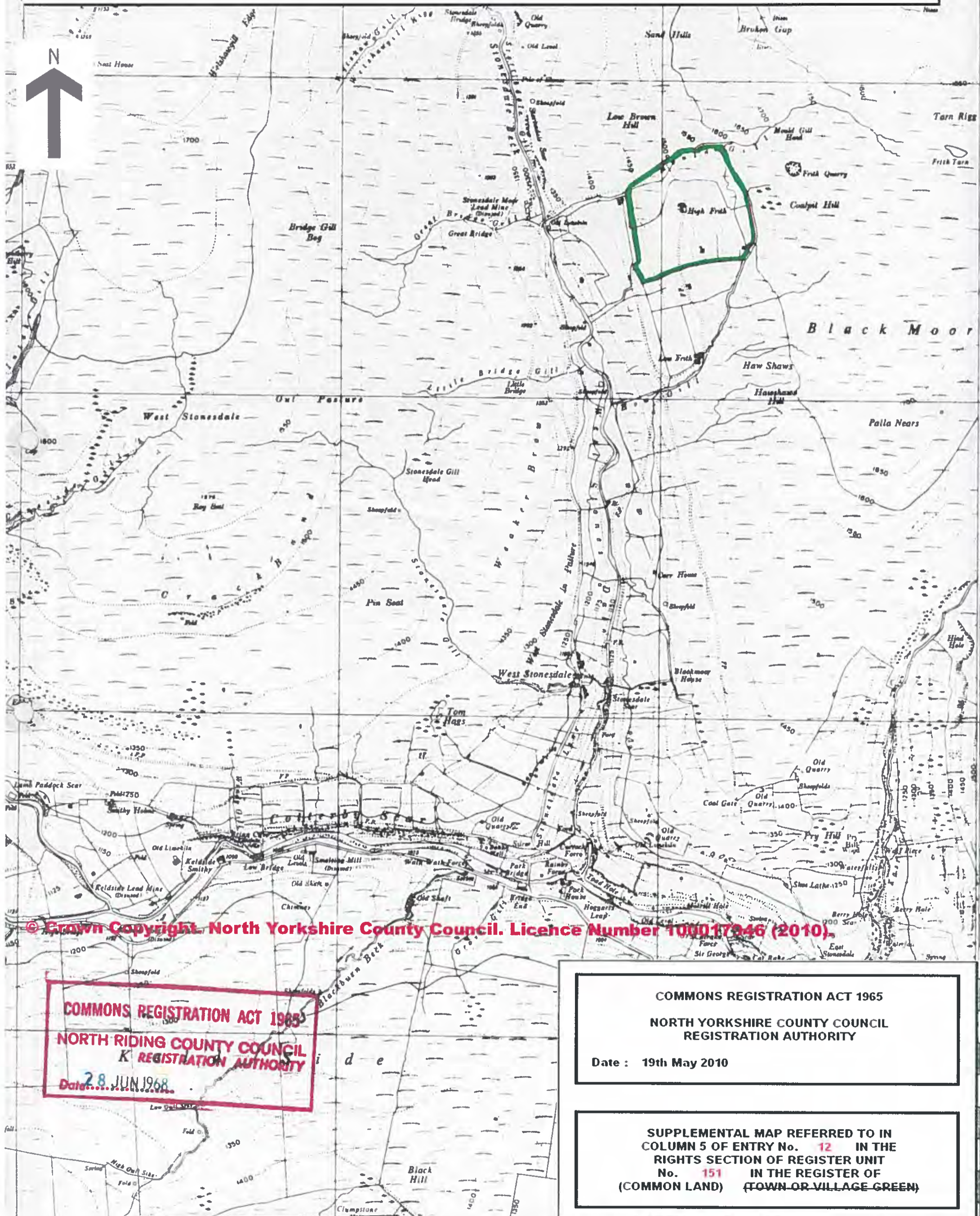
REGISTER OF COMMON LAND

Register Unit No CL 151
Edition No

RIGHTS SECTION – Sheet No 3

1. No and date of entry	2. No and date of application	3. Name and address of every applicant for registration, and the capacity in which he applied	4. Particulars of the right of common and of the land over which it is exercisable	5. Particulars of the land (if any) to which the right is attached
Register Amendment : Entry No 12 below replaces Entry No's 3, 4 and 11 above				
<p>12 18 May 2010</p>	<p>CNS 294, CNS 295 and CNS 296 26 February 2010</p>	<p>Paul Hallam and Susan Hallam Arnfield Farm Tintwistle Glossop Derbyshire SK13 1HP</p>	<p>(a) To cut and take away turf (b) To graze 235 sheep, 79 hogs and 1 horse (c) To graze 6 cattle for the period from 12 May to 31 August in each year, over the whole of the land comprised in this register unit</p> <p>(a) To cut and take away turf (b) To graze 200 sheep and 66 hogs (c) To graze 3 cattle from 12 May to 31 August in each year, over the whole of the land comprised in this register unit</p> <p>To graze 26 sheep and 9 hoggs and 3 head of cattle and 1 horse over the whole of the land comprised in this register unit</p>	<p>1. Gatehouse Farm, West Stonedale shown edged red on the supplemental map bearing the number of this registration</p> <p>2. High Frith, Keld shown edged green on the supplemental map bearing the number of this registration</p> <p>Rights are held in gross</p>

SUPPLEMENTAL MAP : CL 151 - 12 (PLAN 2)



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COMMONS REGISTRATION ACT 1965
NORTH-RIDING COUNTY COUNCIL
K REGISTRATION AUTHORITY
Date: 28 JUN 1968

COMMONS REGISTRATION ACT 1965
NORTH YORKSHIRE COUNTY COUNCIL
REGISTRATION AUTHORITY
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