

NORTH YORKSHIRE COUNTY COUNCIL

COMMONS ACT 2006 — SCHEDULE 2, PARAGRAPH 7

Notice of an application to deregister land wrongly registered as common land at Wydra, Fewston.

Application Reference Number: CA13 019

Field No. 65 off Wydra Lane (CL345)

Application has been made to the North Yorkshire County Council by Damian Riley and Laurie Dummett under Schedule 2(7) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014 for the amendment of the Register of Common Land.

The application, which includes documentary evidence, can be viewed at:
<https://www.northyorks.gov.uk/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 County 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. CA13 019
- 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 County Council, County Hall, Northallerton, North Yorkshire DL7 8AD or e-mail to commons.registration@northyorks.gov.uk on or before 8 March 2022.

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 deregister the application land as common land.

Dated: 17 January 2022

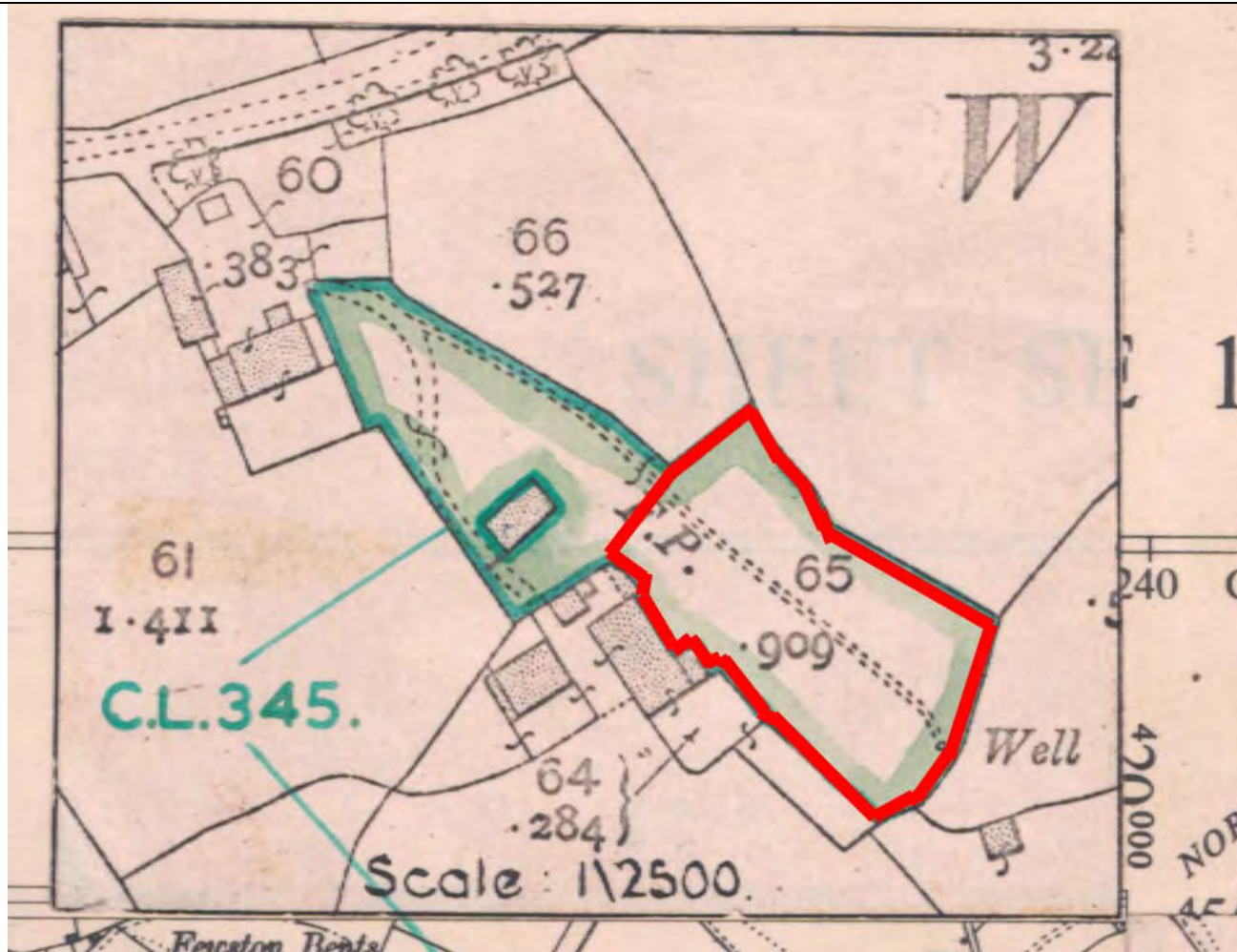
Karl Battersby

Corporate Director – Business and Environmental Services
North Yorkshire County Council

Schedule

Description of the land seeking to be deregistered as common land

Part of Field No. 65 off Wydra Lane, Fewston, as edged red on the notice plan.



COMMONS ACT 2006

**CA13 APPLICATION (Ref. No. CA13 019) SEEKING TO
DEREGISTER LAND AS COMMON LAND AT FIELD NO.65,
WYDRA, FEWSTON
LOCATION PLAN**

NOTICE PLAN



Existing
common land

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration

This section is for office use only

Official stamp

<p>COMMONS ACT 2006 NORTH YORKSHIRE COUNTY COUNCIL REGISTRATION AUTHORITY DATE: 14 December 2021</p>
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Application number

CA13 019

Register unit number
allocated at registration
(for missed commons
only)

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

- Any person can apply under Schedule 2 to the Commons Act 2006.
- All applicants should complete boxes 1-10.
- Applications must be submitted by a prescribed deadline. From that date onwards no further applications can be submitted. Ask the registration authority for details.
- You will be required to pay a fee unless your application is submitted under paragraph 2, 3, 4 or 5 of Schedule 2. Ask the registration authority for details. You would have to pay a separate fee should your application relate to any of paragraphs 6 to 9 of Schedule 2 and be referred to the Planning Inspectorate.

Note 1

*Insert name
of commons
registration
authority.*

1. Commons Registration Authority

To the:

Tick the box to confirm that you have:

enclosed the appropriate fee for this application:

or

have applied under paragraph 2, 3, 4 or 5, so no fee has been enclosed:

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:

Damian Riley and Laurie Dummett

Postal address:

Spinksburn House & Spinksburn Reach
Wydra Lane
Fewston
Harrogate

Postcode HG3 1SY

Telephone number:

[REDACTED]

Fax number:

[REDACTED]

E-mail address:

[REDACTED]

[REDACTED]

3. Name and address of representative, if any

Name:

N/A

Firm:

[REDACTED]

Postal address:

[REDACTED]

Postcode

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 14 to the Commons Registration (England) Regulations 2014.

4. Basis of application for correction and qualifying criteria

Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.

To register land as common land (paragraph 2):

To register land as a town or village green (paragraph 3):

To register waste land of a manor as common land (paragraph 4):

To deregister common land as a town or village green (paragraph 5):

To deregister a building wrongly registered as common land (paragraph 6):

To deregister any other land wrongly registered as common land (paragraph 7):

To deregister a building wrongly registered as town or village green (paragraph 8):

To deregister any other land wrongly registered as town or village green (paragraph 9):

For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.

The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3)):

The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4)):

The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5)):

Please specify the register unit number(s) (if any) to which this application relates:

CL345

Note 5

Explain why the land should be registered or, as the case may be, deregistered.

5. Description of the reason for applying to correct the register:

Attached email of 22nd October 2021

Note 6

You must provide an Ordnance map of the land relevant to your application. The relevant area must be hatched in blue. The map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland. Give a grid reference or other identifying detail.

Note 7

This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself.

If your application is to register common land or a town or village green and part of the land is covered by a building or is within the curtilage of a building, you will need to obtain the consent of the landowner.

6. Description of land

Name by which the land is usually known:

Field number 65 (Field name "Stripe") off Wydra Lane, Fewston. Specifically, the section of field 65 to the South East, not owned by Yorkshire Water. This part of the field is owned by the applicants

Location:

See attached map.

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



7. Declarations of consent

Note 8

List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. 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.

8. Supporting documentation

1. Letter to Jayne Applegarth dated 13 December 2021
2. Title plans showing areas under discussion
3. Timeline for Field 65
4. Appendix 2
5. Duchy of Lancaster letters for Spinksburn House and Spinksburn Reach
6. Aerial view
7. Mount Pleasant Farm worked in 1968
8. John Hainsworth declaration

Note 9

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.

9. Any other information relating to the application

Include the fact that the land cannot be accessed from Wydra Lane without passing over private land

Note 10

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.

10. Signature

Date:

14 December 2021

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.

<p>Note 9 <i>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.</i></p>	<p>9. Any other information relating to the application</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>Include the fact that the land cannot be accessed from Wydra Lane without passing over private land</p> </div>
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<p>Note 10 <i>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.</i></p>	<p>10. Signature</p> <p>Date: 05/01/2022</p> <p>Signatures: </p>
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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.

Mr D Riley
Spinksburn House
Wydra Lane, Fewston
HARROGATE
North Yorkshire HG3 1SY

Mr L Dummett
Spinksburn Reach
Wydra Lane, Fewston
HARROGATE
North Yorkshire HG3 1SY

13th December 2021

Jayne Applegarth
Commons Registration Officer
County Hall
Northallerton
North Yorkshire
DL7 8AD

Your ref: CA13 019/ JA / 73516

SPINKBURN HOUSE/REACH DE-REGISTRATION OF COMMON LAND.

Dear Jayne

Thank you for your letter dated 16th January 2020, in which you detail the steps needed for de-registration of CL345 FIELD NO. 65 OFF WYDRA LANE, FEWSTON

Firstly, please note that the fees of £1,200 have been paid as requested. As discussed previously, this payment was made jointly by us as the registration covers both of our properties.

In order to progress our application we are providing evidence to demonstrate that the following criteria listed under Schedule 2 Paragraph 7 of the Commons Act 2006 have been addressed and that the land was wrongly registered as common land.

The following circumstances apply:

- *the land was provisionally registered as common land between 2 January 1967 and 31 July 1970; check this in the commons registers*

Common Land unit CL345 was provisionally registered on 18 February 1969

- *the provisional registration of the land was not referred to a Commons Commissioner (the entry in the commons registers will normally say 'undisputed');*

The Commons Register records "undisputed"

- *when the land was provisionally registered it wasn't:*

- *land subject to rights of common*

There are no rights of common listed for this land, either in 1969 or at the date of this letter.

- *waste land of a manor*

Field 65 has never been “wasteland of a manor” – see Appendix.

- *a town or village green because it was physically unusable for recreation during the 20 previous years and the land was not, and is still not, allotted by an Act for recreation*

In 1969 there was not, and is still not, any of this land allotted by an Act for recreation. Indeed, the land is not accessible by the public as Yorkshire Water owns a strip of land to the North West of Field 65 that regulates access to authorised persons only.

- *land of a description specified in section 11 of the Inclosure Act 1845, which includes gated and stinted pastures, land held in severalty by joint tenants and equivalent lands (but check section 11)*

Field 65 does not meet the conditions for Inclosure under section 11 of the Inclosure Act 1845.

At the time Common Land unit CL345 was provisionally registered, on 18 February 1969, the status of the South East section of field 65 was that it was enclosed on all sides and comprised part of a working dairy farm, Mount Pleasant, which has passed from successive generations of the same family (Bramley/Peel), as a dairy farm, for hundreds of years according to census data. The produce was sold to the Milk Marketing Board and also provided for a local milk round. The South East section of Field 65 was used to access fields 68 and 69, this being the only access route to these fields. It also served to provide access to other fields which were rented and worked by the farm, lying to the south east of Mount Pleasant Farm (highlighted on the map provided). In turn, the dairy cattle from the farm were milked in the property which myself and Mr Dummett now own, the barn adjacent to the land in question. This clearly demonstrates that the South East section of field 65 retained by the Bramleys must have been in constant use, as there are no other buildings in the area that could be used for this purpose. It is also inconceivable that the owners of Mount Pleasant Farm in 1969 would not have used this field (or fields 68 and 69) in preference to renting from third-parties.

We attach an aerial photograph of Mount Pleasant Farm taken some time ago when it was still a working dairy farm and the usage of South East section of field 65 is clear. Additionally, adjoining the original barn to the east are buildings which are located in field 65 and serve the purpose of contributing to the operation of a dairy farm.

The current status of the South East section of CL345 is that it has been divided and is owned by us, forming part of our gardens. We both own the entirety of manorial incidents as is evidenced by the letters addressed to each of us by the Duchy of Lancaster (attached). This shows clear and complete severance of the South East section of Field 65 from the Duchy.

Why the owners of Mount Pleasant Farm did not respond to the public notices in 1969 regarding the possible registration of their land, the South East section of field 65, as common land remains a mystery. It is possible that because the field was divided in 1899 but subsequent maps do not re-number or distinguish between the two owners, that the South East Section of field 65 was registered in error. Indeed, all documents (deeds and maps) uncovered during our research still show field 65 as one unit, being 0.909 acres in extent, though it is recognised by the Bramleys that the boundaries changed at some point prior to 1933.

Perhaps, ill-health or illiteracy played a role? We may never know. However, it should not have been difficult to ascertain the ownership of the land, either through documented records or by direct approach to the farm, given that the owners had purchased the property in 1961, only 8 years prior. We firmly believe that the land was wrongly provisionally registered as common land in 1969 and request that this land be removed from the Commons Register.

Yours sincerely

DAMIAN RILEY & LAURIE DUMMETT

Appendix 1

Historical Status of CL345 Field No 65.

We have visited North Yorkshire Archives and viewed the 1776 Inclosure Award documents on microfilm to determine the status of field 65. In 1776 the land at Fewston was recognised by the Duchy of Lancaster as “Copyhold”. The Land was owned by Henry Bramley, who had significant land holdings in Fewston, Timble, Sowerby, Thirsk, Skipton, and throughout Airedale. The land in question at Fewston had clearly been granted some time prior to 1778 but we have not been able to find a copy of prior documents. We have obtained scanned images of the 1778 award and in the sections covering “common land or waste land”, there is no mention of any lands owned by Henry Bramley.

We subsequently visited the West Yorkshire Archive Service to personally examine the original 1778 map (see copy of original map B/18 Knaresborough Forest Enclosure Award 1778). It clearly shows the land marked with a yellow boundary (the key on the map explains the “freehold or “copyhold” status), though this would not show on photographs or scans. We have attached a copy of the original together with a 1909 OS map showing the area in question a little more clearly.

As part of the Leeds Corporation Act 1897, which created a buffer of Corporation land bounding the reservoirs of Fewston and Swinsty, some of the residents of Fewston were served with compulsory purchase orders. This included Henry Bramley and some of his land at Wydra, which was purchased by Leeds Corporation¹. This was the point in time at which Field 65 was sectioned, The North West side purchased by the Corporation and the South East section, the subject of this application, was retained by Henry Bramley because it was used by the dairy operation and was necessary for access to fields 68 and 69 shown on the attached map. Field 68 is now owned by Damian Riley and field 69 is owned by Laurie Dummett. We are still trying to obtain a copy of the original indenture referred to in the Chief Commons Commissioner’s document of 5 June 1974 (attached) but so far without success.

The land at Fewston remained in the Bramley family, the next significant appearance being in 1933 when, based on the Law of Property Act, 1922, manorial incidents were extinguished for the payment of £22:15s:8d from John Bramley (copy of document already supplied). This document, along with records of deeds, evidence that the land, including field 65 were indeed previously held as “copyhold” from the Duchy.

John Bramley died in 1934, leaving his land at Fewston to his son William Hugh Carr Bramley, who upon his death in 1948 left the land to his son, Hugh Maurice Bramley. Hugh eventually sold the land in 1961 to family members (copy of conveyance attached) and in 1969, immediately prior to provisional registration, the land continued to be held by Sydney James Bramley Peel and his sister (Flora Veronica Peel) and brother (Jeffry Roy Peel), as part of Mount Pleasant Farm which continued to be used as a dairy farm.

¹ *It should be noted that my research has shown that the purchasing and registering of land by Leeds Corporation did not always happen in sequence. Henry Bramley was involved in a number of disputes/negotiations with the Leeds Corporation, as were Christopher and Israel Jewett. I firmly believe that this was the case with Field 65 but I cannot provide documentary evidence, despite requesting a copy of the 1899 indenture from Leeds City council or Yorkshire Water.*

Sydney James Bramley Peel continued the dairy operation (see statement from John Hainsworth, attached) until his death at which time the property passed to his sister Lillian Rosalind Peel who then let out the land surrounding the farmhouse on successive grazing agreements until her death in 2004.

South East section of Field 65 has for generations been enclosed on all sides. The dry-stone walls bounding the field are shared with other fields abutting it.

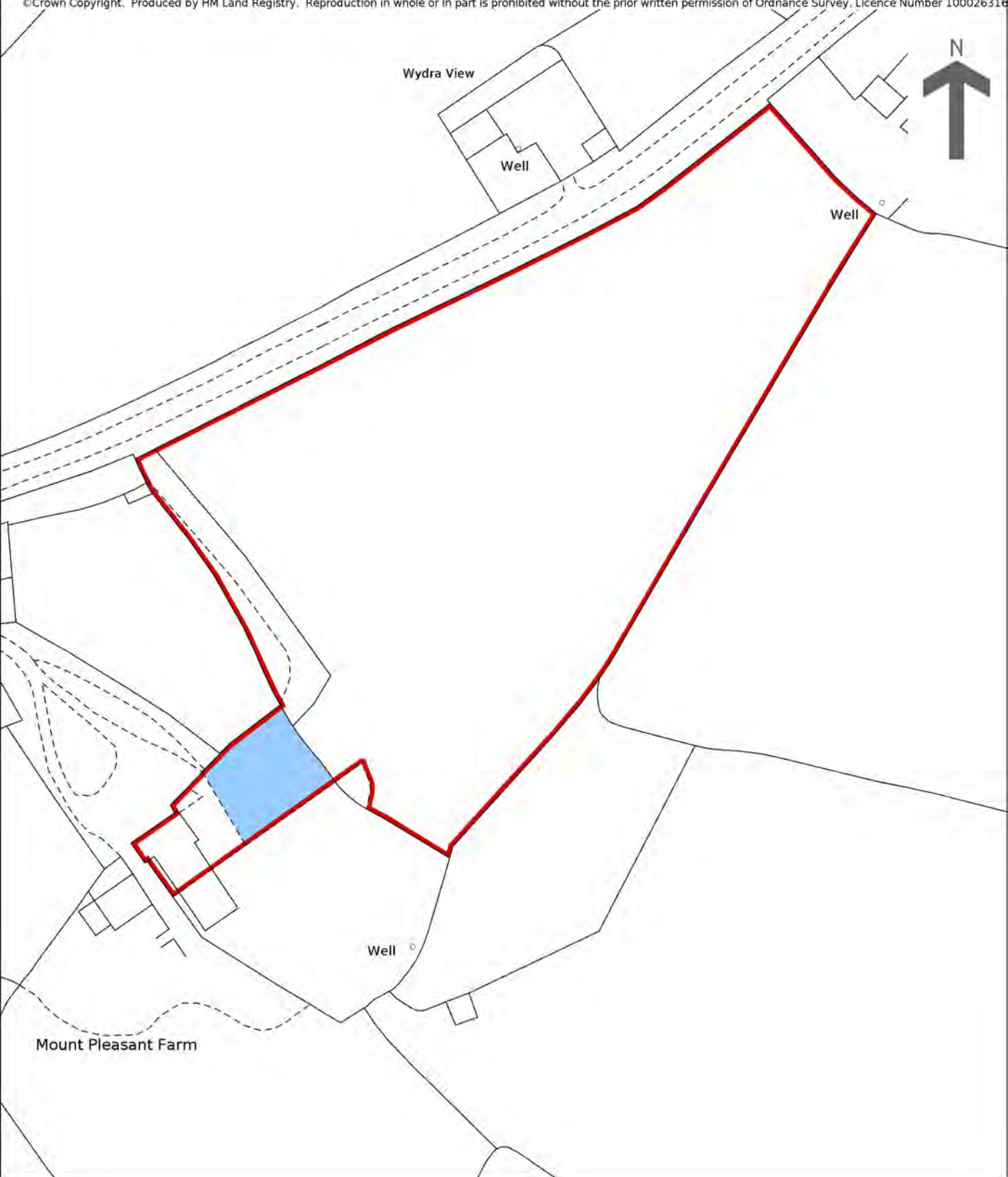
In conclusion, we believe the above evidences that field 65 has was in continuous use up until 2004, it has never been “wasteland of a Manor”, certainly post 1776, the land has never been allotted for recreation, nor does in meet the conditions for Inclosure.

After over 200 years of private ownership, Field 65 was recategorized in 1969 as common land. We do not suggest or infer that this was due to any deliberate malpractice but firmly believe that is was inappropriate and in error, since nothing had changed regarding its use as part of a working dairy farm. At the time of the commons application, Field 65 gated, enclosed by drystone walls and could not be accessed directly by members of the public from the public highway.

Finally, we offer our sincere apologies should any offence have been unintentionally caused by the rescinded paragraph.



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

C.L. 345 COMMON LAND – FIELD 65 OFF WYDRA LANE

SEQUENCE OF KEY EVENTS

1. 27th November 1956. (Appendix 2 Page 1)

Wharfedale Rural District Council write to Fewston Parish Council re Royal Commission on Common Land. The sender asks if there is any common land within the parish.

2. 4th December 1956. (Appendix 2 Page 2)

Response from Mrs F.C. Beacroft – “there is no common land in this parish”.

3. June 1958.

Mr W. Pearson, Estates Superintendent, Leeds City Waterworks Department, at their request, attends Fewston Parish Council meeting to discuss the alleged removal of gateways by Mr S. Peel of Mount Pleasant Farm, Wydra, Fewston. This clearly refers to gates between the public highway (Wydra Lane) restricting access to the North West portion of Field 65 owned by Leeds Waterworks. This evidences (i) that Field 65 was gated and not accessible to the public (ii) that the Parish Council knew about the ownership Field 65.

4. 5th September 1958. (Appendix 2 Page 3)

Mr W. Pearson’s letter to Parish Council following a visit to Field 65 by Leeds Waterworks Deputy General Manager. No action taken against Mr. Peel. Leeds Waterworks did “not propose to undertake any responsibility for the gateways”.

5. 31st July 1963. (Appendix 2 Pages 4-7)

Mr C. Hebblethwaite, tenant of Wydra House Farm (owned by Leeds Waterworks), writes to Fewston Parish Council requesting information regarding Field 65 and access to a well in the South East section of Field 65 owned by Mr S. Peel. Having recently purchased a 12 acre field adjacent to the South East section of Field 65 from Leeds Waterworks, Mrs Hebblethwaite anticipated being able to use the well on Mr Peels land and also to continue to access her newly acquired field over land owned by Mr Peel, namely the South East section of Field 65. Mr Peel objected, hence began a dispute that would continue for over 25 years.

Mrs Hebblethwaite’s letter evidences (i) Mr Peels section of Field 65 was fenced and gated in 1963 (ii) there was knowledge of the separation and ownership of Field 65 (iii) there were two further gates between Mr Peels land and the public highway, Wydra Lane.

6. 5th January 1966. (Appendix 2 Page 8)

Wharfedale Rural District Council Writes to Parish Councils regarding a further request of information regarding common land in individual parishes. Parishes were requested by “the Minister” “to use these powers in full to avoid the possibility of land which is common or a green failing to be brought on to the registers”. The aim of this guidance is clear – to register **existing** common land and village greens. Fewston parish had already confirmed, in 1958, that there was no common land or village greens in the parish.

7. 28th May 1968 (Appendix 2 Page 9)

Fewston parish Council Minutes records “the question of common land in the parish was again discussed and it was finally agreed that the land in Wydra should be registered under the Commons Registration Act”.

8. 28th June 1968 (Appendix 2 Pages 10-13)

Fewston Parish Council applies for the registration of Field 65 at Wydra, Fewston, as common land, application number 1289. The applicant was the Clerk to the Parish Council, Mrs F.C. Fletcher (nee Beacroft), the same person who had recorded “no common land in the parish” in 1956 and had been Clerk through numerous previous disputes regarding the land at Wydra brought to the Parish Council over the previous 13 years. Mrs Fletcher knew the history of Field 65. She knew of the disputes and she knew who the two owners were. However, for some unknown reason, Mrs Fletcher failed to include this information on the application to register Field 65 as common land.

9. 26th March 1969 (Appendix 2 Page 14)

Fewston Parish Council minutes records “the common land in Wydra had been duly requested with the West Riding County Council and the plan of the Wydra land had been received back”.

I do not know what was received by the Parish Council but I can confirm that I have found numerous documents filed with West Riding County Council which record that the South East section of Field 65 at Wydra was part of Mount Pleasant Farm. In 1961 Mount Pleasant Farm was purchased from a relative, Mr H.C. Bramley, and belonged to Mr S. Peel and his siblings Flora Veronica (died 1974) and Jeffrey Roy (died 1978). Mount Pleasant Farm had remained within the same family from at least the 1700's. All transactions regarding Mount Pleasant Farm and land were properly documented and recorded with the relevant authorities, namely West Riding County Council. **(Appendix 2 Page 16-34)**

10. 9th May 1973 (Appendix 2 Page 15)

Office of the Commons Commissioner writes the Mrs Fletcher in her capacity as Clerk to the Parish Council regarding the question of ownership of the provisionally registered common land at Wydra. The letter records that (i) “Land Registry certificate dated 13th March 1973 shows the land is not registered” (ii) “No persons have notified the Registration Authority that they claim the land”. See above point. According to the Archivists at West Yorkshire Archives, these documents should have shown in any search.

The letter also states “... a brief description of the land given. If only a part of the land comprised in the register unit is affected the fact should be mentioned”. It appears nothing was forthcoming from Fewston Parish Council on their knowledge of the division of Field 65 and the ownership of its relevant parts.

11. 8th February 1974 (Appendix 2 Page 35)

Office of the Commons Commissioner send letter to Wharfedale District Council regarding Hearing re ownership of land set for 27th March 1974. Copy sent to Fewston Parish Council.

12. 26th February 1974

Washburn Parish Council minutes. “After a long and serious discussion on this subject It was decided that Mr Windle (Chairman) should attend the inquiry”

13. 5th June 1974 (Appendix 2 Page 36)

Decision reached by Chief Commons Commissioner. NW part of Field 65 ownership claimed by Leeds Corporation. SW part of Field 65 "in the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land comprised in the register unit, which will therefore remain subject to protection under section 9 of the Act of 1965".

14. 24th October 1974 (Appendix 2 Page 37)

Washburn Parish Council minutes. "... that a letter be sent to the Commons Registration Board informing them that Mr S. Peel of Mount Pleasant Farm had erected a building on Field No. 65 Wydra Lane, Fewston.

15. 4th November 1974 (Appendix 2 Page 38)

Commons Commissioner's response to point 14.

16. 3rd December 1974 (Appendix 2 Page 39)

Response from Department of the Environment to point 14.

17. June 1975 (Appendix 2 Page 40)

Washburn Parish Council minutes. "Second letter to Harrogate re building on Wydra (common land).

18. 20th November 1975 (Appendix 2 Page 41)

Washburn Parish Council minutes. "Mr Spence had received a letter in answer to the subject of common land at Fewston (Wydra) asking him to arrange to meet the Harrogate District Council representative on site".

19. 7 June 1976 (Appendix 2 Page 42)

Letter from North Yorkshire County Council.

20. 9th February 1977 (Appendix 2 Page 43)

Washburn Parish Council minutes. "A map of the Washburn area depicting the parcels of land to be sold was perused and the only query was on parcel 60 in regard to common land. The clerk to enquire from Leeds on this."

Field 60 at Wydra was not included in the application for common land and has never been classified as such.

21. 12th May 1977 (Appendix 2 Page 44)

Washburn Parish Council minutes. "Mr Spence commented on the parking of a caravan on common land at Wydra, Fewston. It was resolved to report this to the Enforcement Officer at Harrogate."

22. 27th October 1986 (Appendix 2 Page 45)

Washburn Parish Council minutes. (i) "it was agreed to make enquiries to ascertain exactly which areas within the Parish were classed as common land." (ii) "Letter from Mrs Hebblethwaite, Wydra House Farm, Fewston.... Expressing concern at the building being erected on what was understood to be common land adjacent to her property and which was restricting her access. It was agreed as a matter of urgency this matter be referred to the Harrogate District Council"

23. 5th January 1987 (Appendix 2 Page 46)

Washburn Parish Council minutes. "It was noted that a Planning Enforcement Officer from the Technical Services Department at Harrogate had visited the site, and confirmed that the building was well within the permitted development criteria for building which can be erected without planning permission when used for agriculture. The question of building on common land had been taken up with the Chief Executive's Legal department of North Yorkshire County Council, and they had advised of the wording of a suggested letter to be sent to Mr Peel of Mount Pleasant. The Council agreed that such a letter be sent."

24. 2nd March 1987 (Appendix 2 Page 47)

Washburn Parish Council minutes. "Common Land, Field No. 65, Wydra, Fewston. It was reported that the Clerk was in correspondence with the solicitors acting for Mr Peel, and also the Commons Commissioner regarding this matter. It was reported that the building work on the site appeared to have stopped."

25. 14 April 1987 (Appendix 2 Page 48)

Washburn Parish Council minutes. "Common land at Wydra, Fewston. Mrs Hebblethwaite enquired if the council had made any progress in establishing the legal position regarding the building on this land. It was noted that the matter was currently in the hands of Mrs Hebblethwaite's and Mr Peel's solicitors. The Washburn Parish Council were taking any necessary action relating to the council's position regarding planning permission etc."

26. 18th May 1987 (Appendix 2 Page 49)

Washburn Parish Council minutes. (i) Mrs Hebblethwaite elected as councillor for Fewston. (ii) "Common land at Wydra, Fewston (Field No. 65). The Clerk reported that the solicitor acting for the owner of the common land in question (Mr S. Peel) had advised their client that no further building work should take place."

27. 1st February 1988 (Appendix 2 Page 50)

Washburn Parish Council minutes. "As soon as possible, the actual ownership of other common land in the parish be established."

28. 24th April 1991

Washburn Parish Council minutes. "Ownership of old stone barn on common land at Wydra."

29. 6th September 1999

Washburn Parish Council minutes. "It was noted that details of common land within the Parish had been obtained and were now in the Parish records." Finally!

TELEPHONE Nos. 2241 & 2242

Wharfedale Rural District Council.

CECIL NEWSTEAD,
Solicitor,
Clerk.

J. W. WARBURTON,
Deputy Clerk.

Your Ref.

Our Ref. CN/JT/252

8. Boroughgate,
Otley (Yorks.)

27th November, 1956.

Dear Sir (Madam),

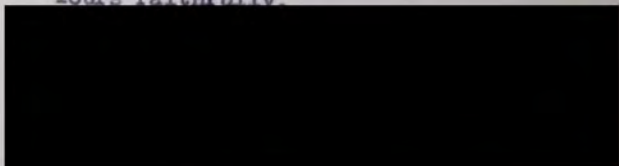
Royal Commission on Common Land.

In December last year a Royal Commission was established by Royal Warrant to recommend what changes if any are desirable in the law relating to common land in order to promote the benefits of those holding manorial and common rights, the enjoyment of the public, or where at present little or no use is made of the land, its use for some other desirable purpose.

The Royal Commission has support, co-operation and assistance of county councils in the country. The West Riding County Council has asked its county districts to assist by furnishing any relevant local information about common land.

If you have any common land within your parish, will you please let me know, and I will forward you a copy of the questionnaire which the County Council desire shall be furnished? It is asked that all information may be in the hands of the Clerk of the County Council by 31st December next.

Yours faithfully,



Miss F. C. Beecroft,
Hill Top Farm,
Fewston.

CN/JT/252

Hill Top Farm,
Fewston,
Harrogate.

4th December, 1956.

Dear Sir,

Royal Commission on Common Land

With reference to your letter of the 27th
November, 1956, regarding the above I have to inform
you that there is no common land in this parish.

Yours faithfully,

F.C. Beecroft
Clerk

C. Newstead, Esq.,
Wharfedale Rural District Council,
8 Boroughgate,
Otley,
Yorks.



WATERWORKS DEPARTMENT

KENNETH L. FORSTER, M.I.C.E., M.I.W.E.
GENERAL MANAGER & ENGINEER

W. PEARSON
ESTATES SUPERINTENDENT

TEL. NO. BLUBBERHOUSES, 223

WATERWORKS ESTATE

BLUBBERHOUSES,

NR. OTLEY.

5/9/58.

W/136.

Dear Mrs Fletcher,

Fewston Parish Council.

Referring to my attendance at the above Parish Council meeting of June 11th., last, regarding gateways alleged to have been removed by Mr S. Peel of Mount Pleasant Farm, Wydra, Fewston.

As promised I requested the General Manager Waterworks Dept, to visit the premises in question in order to obtain any facts relating to the matter, and if necessary to enlist the guidance of Mr J. Wilson your Chairman if necessary to do so.

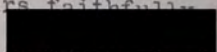
However, a subsequent visit was made to the site by the Deputy General Manager who after giving careful consideration to the matter requests me to inform your Council as follows:-

"I shall be pleased if you will inform the Parish Council that I do not propose to undertake any responsibility for the gateways to which you refer." I think the above is self explanatory as to the Corporations point of view on such matter.

Further, I am instructed, if the difficulties at present experienced arise from cattle grazing on the adjoining road verges, then using the public approach way, it would be in the persons own interests to properly tent the cattle under such circumstances.

Trusting this may be of some assistance to the Parish Council.

Yours faithfully,


Estates Superintendent.

Mrs F. C. Fletcher,
Clerk,
Fewston Parish Council,
Hill Top,
Fewston,
Harrogate.

Wydra House Farm
Leeside
Harrogate.

31.7.63.

Madam

Dear Sirs

I am writing to see if you would please inform me with some information regarding the small plot of land at Wydra Lane, field No 65 acreage 1909 which on the map shows a foot-path to a well.

I have always been given to understand that this was a warded well, where anyone could obtain water

A short while ago Mr Peel put a fence across this plot and hung a gate there.

The reason for me writing this

2.

letter is because when I was bringing our cows out of the 12 acre field which we recently purchased, Peel ordered me to hurry my cows through this portion of land where the well is, which he claims is his plot of land.

I understand that the Corporation purchased $\frac{1}{3}$ the plot nearest the main road some time ago, and I wondered if all the plot could be bought why they did not purchase all the plot, or is it warded property which belongs to the Parish.

Therefore before I let our stock linger there for a drink I want to be sure of my facts.

I would be very much obliged if

3.

you could inform me first of all

1 Is this a warded well?

2 Is the far half of this field where the well is privately owned?

3 If this is a warded well can a gate be closed to the portion where the well is?

I have had a word with my uncle who lived for years where Peel now lives and as long as he was tenant there he always thought that it was a warded well and he never thought that the land was tenanted by him but, thought it was land where anyone could bring their stock, also there were two gates

24

hung near the road to turn
stock but could never be left
closed because of this land and
well.

Hoping to hear from you in
the future

Yours Faithfully

(Mrs) [REDACTED]

g 16/8/63.

7,

Wharfedale Rural District Council

8 Boroughgate
Otley, Yorkshire

5th January, 1966.

Dear Sir/Madam,

Commons Registration Act, 1965.

The Wharfedale Rural District Council have been requested by the West Riding County Council to conduct a survey of the whole of the Rural District with a view to ensuring that all common land of any description, including village greens and so forth, shall be registered under the provisions of the above Act in a register to be constructed and maintained by the West Riding County Council as the Registration Authority for this area.

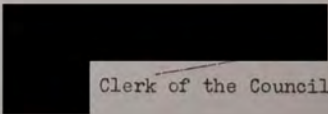
As you may recollect, a limited survey of common land was undertaken in 1956, and where a return was made on behalf of your parish, you will find particulars attached to this letter.

While applications for registration of commons and other land will not be accepted by the County Council until the registers open in January, 1967, and from that date three years will be allowed for registrations to be made, it is most desirable that local surveys should be put in hand immediately.

In order to avoid possible duplication of applications for registration, it is suggested that the parishes should inform the Rural District Council what proposals they desire to make.

It will be possible under the Act for any Local Authority (or any society or member of the public) to register land as common or a green, even without having any legal interest in the land. The Minister asks all Local Authorities, including Parish Councils, to use these powers to the full to avoid the possibility of land which is common or a green failing to be brought on to the registers. While the Parish Council or Parish Meeting has thus the power to make direct application for land registration, and may indeed decide to do so, the Rural Council are prepared to accept and collate information from all sources in the form of a local register. This procedure should ensure that there will not be any common land in the Wharfedale Rural District which is not eventually duly registered and protected.

Yours faithfully,


Clerk of the Council.

To the Clerks of Parish Councils and
the Clerks or Chairmen of Parish Meetings.

Minutes of Proceedings at a Meeting of The
Hurst Parish Council held at The Council
School, Hurst on 28th May, 1968.

Mr. J. Marsland presided & Messrs. J. Noble
& F. Ward & K. Collins were present.

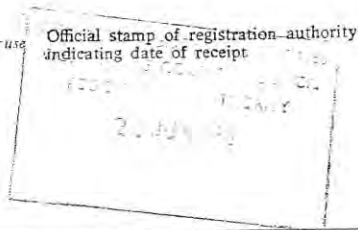
The Minutes of the Meeting held on 27th March,
1968, were read confirmed & signed.

It was agreed that £20 be paid from
the Hurst Poor Land account to the wife of
the late Mrs Pounder No 2. Bridge Cottage,
Bluffhouses.

A letter was read from the Education Officer
regarding the school heating & apologising for the
lack of heat in the school at the last
Council meeting.

The question of Comm. Land in the Parish
was again discussed & it was finally agreed
that land in Wyck, Hurst & opposite the
Hurst Chapel should be registered under
the Common Registration Act.

CR Form
This section for official use only.



Application No. 1289.

Register Unit No(s):

CU. 345
CU

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 West Riding of Yorkshire County 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.)

Fewston Parish Council

Per The Clerk to the Parish Council (F.C. Fletcher)
Hill Top Farm,
Fewston,
Harrogate,
Yorks.

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.

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

(See Notes 2, 3 and 4)

Name by which usually known

Locality Off Wydra Lane, Fewston

'Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.'

Colour on plan herewith' Red Plan 'A'

Part 4.
(See Note 7.)

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.

[Redacted signature]

(Black to Forest Parish Council)

Date 22nd June 1968

(See Note 1)

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, Francis Conyers Hatcher
solemnly and sincerely declare as follows:

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

- I am the person who has signed the foregoing application.
- I am clerk to the applicant and am duly authorised by the applicant to make the foregoing application.
- 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.
- 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 Francis
Conyers Hatcher
at Ottawa
in the County of York West
this 22 day of June 1968



Before me,

Signature

Address 1200 ...

85, Wickton Lane, Ottawa

Qualification Jurist of the Peace for the West Riding of York.

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



Map No 153/14

A Meeting of The Trustee Parish Council
was held at the Council School, Tusti on
Wednesday, 26th March 1969.

Mr. J. Mansland presided & Messrs
Ward, Newbould & Ellison were present.
Apology for absence was reported as having been
received from Mr. Noble.

The Minutes of the Meeting held on 25th
May 1968 were read, confirmed & signed as
a correct record.

A letter of thanks was read from the
Wife of the late Mrs. Ponder, Bridge Cottage
Blakenhouses for the £20 sent from the Tusti
Poor Law account.

The Clerk stated that the Common
Lair in Hydra & opposite the Chapel
at Tusti had been duly registered with
the West India Company Council & the plan
of the Hydra Lair had been received
back.

COMMONS REGISTRATION ACT 1965
NOTICE OF REFERENCE (UNCLAIMED LAND)

For official use



Reference No. 45/U/199

The County Council of the West Riding of Yorkshire hereby refers to a
Commons Commissioner the question of the ownership of the (common land)
~~town or village green~~ briefly described below.

Field No. 65 off Wydra Lane - Fewston - Register Unit No. C.L. 345

Dated 16th March 1973

Signed
Clerk of the County Council
On behalf of ~~the West Riding County Council~~

PARTICULARS OF THE LAND

- NOTES
- (1) Land Registry Certificate dated 13/3/1973 shows the land is NOT registered
 - (2) No persons / ~~the following person(s)~~ have notified the Registration Authority that they claim to own the land

*Adapt as necessary.

✓ The register unit number should be quoted, and a brief description of the land given. If only part of the land comprised in the register unit is affected the fact should be mentioned.

40/110

2-1 0 7 110

COMPENSATION AGREEMENT

FOREST AND MANOR OF KNALESBOROUGH
IN THE COUNTY OF YORK

An Agreement made the fourth

day of October One thousand nine hundred and thirty three

Between JOHN ARTHUR ELLIOTT, of 14, Albert Street, Harrogate, and Castle Yard, Knalesborough, in the County of York, Gentleman, Deputy Steward of the abovesaid Manor as Agent for the Chancellor of the Duchy of Lancaster acting on behalf of His Majesty in right of the said Duchy Lord of the above-mentioned Manor of the one part and JOHN BRAMLEY of 172 Front Street, Beverly, in the said County of York

(the tenant of the land described in the Schedule hereto formerly copyhold of the said Manor but now enfranchised by virtue of the Law of Property Act, 1922) of the other part.

Witnesseth as follows:-

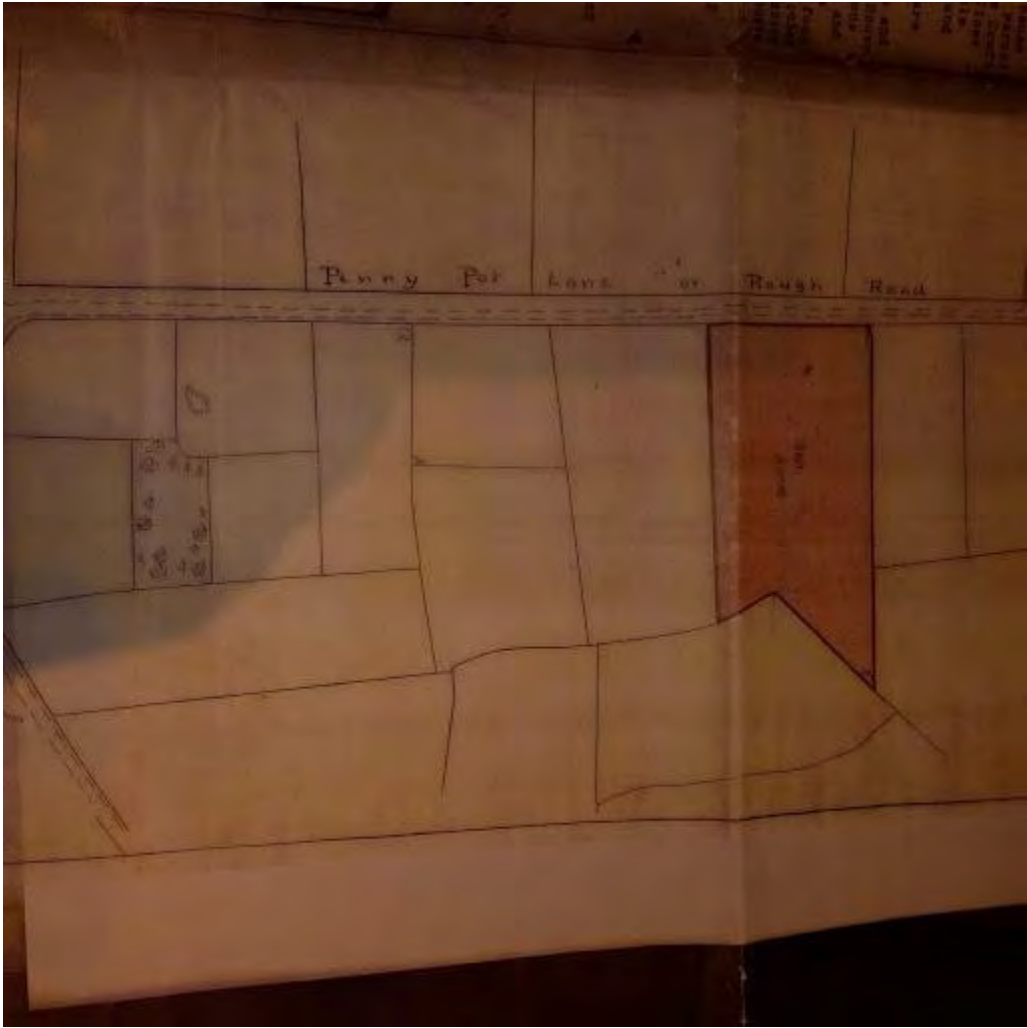
1. PURSUANT to the Law of Property Act, 1922, it is agreed that the compensation for the extinguishment of the Mortuarial incidents under Part V. of that Act affecting the said land shall be the sum of

The Schedule referred to

FIRST ALL THAT the half of one messuage situate at Fawston in the County of York with a garden and one outhouse therewith occupied AND ALSO ALL THOSE several closes or parcels of land called by the several names of House Close Strip Close Great Close two Low Pastures and one Barn with a little Close by the well and one Close called Calf Close with the stable adjoining the same ALL WHICH said closes or parcels of land are situate at Fawston aforesaid and contain together by estimation five acres or thereabouts which said premises are now better known by the names and contain the quantities following in statute measure namely Calf Garth Three acres and thirty-nine perches Well Garth two roods and nine perches House Close one acre three roods and thirty-three perches Great Close three roods and twenty-one perches Strip three roods and thirty-five perches Great Close four acres and five perches High Pasture two acres two roods and one perch Low Pasture one acre one rood and sixteen perches Homestead thirty-four perches and contain altogether nineteen acres two roods and thirty perches together with the messuage and other buildings thereon erected and built

SECONDLY ALL THAT parcel of land heretofore part of the open parts of the said Forest lately divided into two closes containing three roods and twenty-three perches in customary measure and four acres and thirty-eight perches in statute measure or thereabouts called Springhills situate in the Bents in the Constabulary of Tumble and Township of Fawston aforesaid which said closes are now better known by the name of Low Springhill containing two acres three roods and four perches High Springhill one acre one rood and sixteen perches and Homestead eight perches and contain altogether four acres and thirty-eight perches in statute measure

ALL WHICH said premises first and secondly described are now known as Mount Pleasant Farm Fawston aforesaid in the occupation of Richard Wainson and are delineated on the plan attached hereto and therein coloured pink and surrounded by a red boundary line



RECEIPT.

1. The within-named Deputy Steward hereby acknowledges that all rents fines relief heriots and fees payable in respect of the land referred to in the within written Agreement have been duly discharged.

2. The said Deputy Steward hereby acknowledges the receipt of the compensation money by the within written Agreement agreed to be paid and all interest (if any) due thereon.

DATED this day of 193

Summary.

LORD'S COMPENSATION:

	£	s.	d.
Fine	1	8	2
Relief			
Heriot			
Quit Rent and other annual payments	-	-	-
20% of annual value	10	16	0
Total of Lord's compensation	12	4	2
Steward's compensation	6	0	0
Costs of Compensation Agreement	3	0	0
Preparation of plan and duplicate, prints, etc.	1	11	6
TOTAL	22	15	8

Copy of a Will to be registered on behalf of

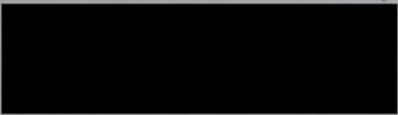
Registered at the West Riding Registry of Deeds, on the
day of 19
at 10 JUL 34 in the 10-00 AM noon
Registrar.

of WILLIAM HUGH CARR BRAMLEY of West Farm
Litton Arncliffe

Date 23rd September 1927.

Testator JOHN BRAMLEY

Fewston Clifton with Norwood and
Townships All property situate in the West Riding of the County
of York.



(Copy Will)

THIS IS THE LAST WILL AND TESTAMENT of me JOHN BRAMLEY of Sowerby
Thirak in the County of York Retired Farmer FIRST I DIRECT all my
just debts funeral and testamentary expenses to be paid and satisfied
by my Executors hereinafter named as soon as convenient after my
decease AND I FURTHER DIRECT that the cost of any tombstone which
my Executors shall think fit to place on my grave shall not exceed
the sum of Twenty five pounds I APPOINT my son William Hugh Carr
Bramley of West Farm, Litton, Arncliffe in the County of York and
Thomas Sanderson of Sowerby Thirak in the County of York Bank Clerk
to be the Trustees and Executors of this my Will AND I GIVE to each
of them the legacy or sum of twenty pounds free of duty as an
acknowledgment for the trouble they will have in carrying out the
trusts of this my Will I GIVE AND DEVISE to my son William Hugh Carr
Bramley my copyholdfarm situate in Wydra Lane Fewston and my close of
land situate in Clifton with Norwood both in the County of York as now
in the occupation of Richard William Watkinson subject to and charge-
able with the payment thereof of the sum of One hundred and fifty
pounds to my grandson Hugh Maurice Bramley one hundred and fifty
pounds to my grandson Stanley Robert Holgte Bramley one hundred and
fifty pounds to my grand-daughter Florence Mary Metcalfe wife of

West Riding of Yorkshire.

Volume 20

Page 1093

No. 396

Registry of Deeds.

LEGAL
Copy of a CHARGE.
to be registered on behalf of

William Hugh Carr Bramley of West Farm
Litton Arncliffe near Skipton in the County
of York Farmer.

Date 31st day of January 1935.

Registered at the West Riding Registry of
Deeds, on the
day of
at
in the
- 8 FEB 35. 10-00 AM

Parties
WILLIAM HUGH CARR BRAMLEY (1) and
CHARLES EVANS ATKINSON (2)

Townships
Fewston in the County of York.

Stamp 10/-

[Copy Deed]

THIS CHARGE by way of Legal Mortgage is made the 31st day of
January. One thousand nine hundred and thirty five BETWEEN
WILLIAM HUGH CARR BRAMLEY of West Farm Litton Arncliffe near Skipton
in the County of York Farmer (hereinafter called "the Mortgagor") of
the one part and CHARLES EVANS ATKINSON of 4 Princes Square Harrogate
in the said County Gentleman (hereinafter called "the Mortgagee") of
the other part.

WHEREAS:-

- (1) The Mortgagor is seized in fee simple in possession of the
freehold property hereinafter described subject to the payment
of certain legacies charged thereon amounting in the aggregate
to the sum of Four hundred and fifty pounds hereinafter more
particularly mentioned but otherwise free from incumbrances.
- (2) The Mortgagee has agreed to advance to the Mortgagor the sum

LEGAL
Copy of a CHARGE.

to be registered on behalf of
William Hugh Carr Bramley of West Farm
Litton Arncliffe near Skipton in the County
of York Farmer.

Date 31st day of January 1935.

Parties
WILLIAM HUGH CARR BRAMLEY (1) and
CHARLES EVANS ATKINSON (2)

Registered at the West Riding Registry of
Deeds, on the
day of
at
in the 19
- 8 FEB 35 10
noon

Townships*

Fewston in the County of York.

Stamp 10/-

[Copy Deed]*

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January One thousand nine hundred and thirty five BETWEEN
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in the said County Gentleman (hereinafter called "the Mortgagee") of
the other part.

WHEREAS:-

- (1) The Mortgagor is seized in fee simple in possession of the
freshhold property hereinafter described subject to the payment
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LEGAL CHARGE.

Registry of Deeds.

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Date 31st day of January 1935.

Parties

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Townships

Fewston in the County of York.

Stamp 10/-

[Copy Deed]

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WHEREAS:-

- (1) The Mortgagor is seized in fee simple in possession of the freshold property hereinafter described subject to the payment of certain legacies charged thereon amounting in the aggregate to the sum of Four hundred and fifty pounds hereinafter more particularly mentioned but otherwise free from incumbrances. (2) The Mortgagee has agreed to advance to the Mortgagor the sum

of Three hundred and fifty pounds upon having the repayment with interest as hereinafter mentioned secured in manner hereinafter appearing.

NOW in pursuance of the said agreement and in consideration of the sum of THREE HUNDRED AND FIFTY POUNDS now paid by the Mortgagee to the Mortgagor (the receipt of which sum the Mortgagor hereby acknowledges) THIS DEED WITNESSETH and it is hereby agreed as follows:-

1. The Mortgagor hereby covenants with the Mortgagee to pay to him on the 31st day of July next the sum of Three hundred and fifty pounds with interest thereon from the date hereof at the rate of Four pounds ten shillings per centum per annum AND ALSO SO LONG as any principal money remains due hereunder after the said 31st day of July next to pay to the Mortgagee interest thereon at the rate aforesaid by equal half yearly payments on the 31st day of January and the 31st day of July in every year.

2. The Mortgagor as beneficial owner hereby charges by way of legal mortgage FIRST ALL THAT one half of one messuage situate in Fewston in the County of York with the garden and one ovenhouse therewith occupied AND ALSO ALL THOSE several closes or parcels of land called by the several names of House Close Stripe Croft Great Close two Low Pastures and one Barn with a little close by the Well and one Close called Calf Close with the Stable adjoining the same All which said closes or parcels of land are situate at Fewston aforesaid and contain together by estimation five acres or thereabouts and were afterwards known by the names and contained the quantities following in Statute measure namely:- Calf Garth Three acres and thirty nine perches Well Garth Two roods and nine perches House Close One acre three roods and thirty three perches Croft One acre three roods and twenty one perches Stripe three roods and thirty nine perches Great Close Four acres and five perches High Pasture Two acres two roods and one perch Low Pasture Four acres One rood and sixteen perches Homestead Thirty four perches and containing altogether Nineteen acres two roods and thirty seven perches TOGETHER with the Messuage and other buildings thereupon erected and built SECONDLY ALL THAT parcel of land heretofore part of the open part of the Forest of Knaresborough formerly divided into two closes containing three roods and twenty three perches in customary measure and Four acres and thirty eight perches in Statute measure or thereabouts called Springhills situate in Fewston Bents in the Constabulary of Timble and Township of Fewston aforesaid which said closes were afterwards known by the names of Low Springhill containing Two acres three roods and fourteen perches High Springhill

containing One perches and co in Statute Mea described are aforesaid in t on the plans a of October One Arthur Eddison of the one part shown by the n that is to say

No.	on
68.	
69.	
65.	
64.	
63.	
54.	
52.	
51.	
43.	
863.	

with the payment other money here to and chargeabl to Hugh Maurice Mary Metcalfe of John Bramley lat dated the twenty twenty seven pro day of April On

2. For the purp on the said and thirty five.

3. The Mortgageo any money remain (1) repair and buildings damage by

containing One acre one rood and sixteen perches and Homestead Eight
 perches and containing altogether Four acres and thirty eight perches
 in Statute Measure ALL which said premises first and thirty eight perches
 described are now better known as Mount Pleasant Farm Fewston
 aforesaid in the occupation of Richard Watkinson and are coloured pink
 on the plans attached to a Compensation Agreement dated the fourth day
 of October One thousand nine hundred and thirty three made between John
 Arthur Addison Deputy Steward of the Manor of the Forest of Knarborough
 of the one part and John Bramley of the other part and are thereon
 shown by the numbers and contain the respective quantities following
 that is to say:-

<u>No. on Plan.</u>	<u>Acreage.</u>
68.	3.249.
69.	.577.
65.	.909.
64.	.284.
63.	1.939.
54.	2.911.
52.	2.609.
51.	4.149.
43.	<u>4.653.</u>
863.	<u>5.578.</u>
Total	<u>26.858.</u>

with the payment to the Mortgagee of the principal money interest and
 other money hereby covenanted to be paid by the Mortgagor But subject
 to and chargeable with the payment of three several legacies of £150
 to Hugh Maurice Bramley, Stanley Robert Holgate Bramley and Florence
 Mary Metcalfe charged on the above described properties by the Will of
 John Bramley late of Sowerby near Thirsk in the said County of York
 dated the twenty third day of September One thousand nine hundred and
 twenty seven proved in the Principal Probate Registry on the twentieth
 day of April One thousand nine hundred and thirty four.

2. For the purposes of this Deed the Legal right of redemption ceases
 on the said 31st day of July One thousand nine hundred
 and thirty five.

3. The Mortgagor hereby covenants with the Mortgagee that so long as
 any money remains due under this Deed the Mortgagor will:-

- (1) repair and keep in good repair and insure and keep insured all
 buildings upon the property hereby charged against loss or
 damage by fire in the joint names of the Mortgagor and the

containing One acre one rood and sixteen perches and Homestead Eight perches and containing altogether Four acres and thirty eight perches in Statute Measure ALL which said premises first and thirty eight perches described are now better known as Mount Pleasant Farm Fewston aforesaid in the occupation of Richard Watkinson and are coloured pink on the plans attached to a Compensation Agreement dated the fourth day of October One thousand nine hundred and thirty three made between John Arthur Eddison Deputy Steward of the Manor of the Forest of Knaresborough of the one part and John Bramley of the other part and are thereon shown by the numbers and contain the respective quantities following that is to say:-

<u>No. on Plan.</u>	<u>Acreage.</u>
68.	3.249.
69.	.577.
65.	.909.
64.	.284.
63.	1.939.
54.	2.911.
52.	2.609.
51.	4.149.
43.	<u>4.653.</u>
363.	<u>5.578.</u>
Total	<u>26.858.</u>

with the payment to the Mortgagee of the principal money interest and other money hereby covenanted to be paid by the Mortgagor But subject to and chargeable with the payment of three several legacies of £150 to Hugh Maurice Bramley, Stanley Robert Holgate Bramley and Florence Mary Metcalfe charged on the above described properties by the Will of John Bramley late of Sowerby near Thirsk in the said County of York dated the twenty third day of September One thousand nine hundred and twenty seven proved in the Principal Probate Registry on the twentieth day of April One thousand nine hundred and thirty four.

2. For the purposes of this Deed the Legal right of redemption ceases on the said 31st day of July One thousand nine hundred and thirty five.

3. The Mortgagor hereby covenants with the Mortgagee that so long as any money remains due under this Deed the Mortgagor will:-

- (1) repair and keep in good repair and insure and keep insured all buildings upon the property hereby charged against loss or damage by fire in the joint names of the Mortgagor and the

Volume *94* Page *380* No. *(1) 179*
WEST RIDING OF YORKSHIRE.
REGISTRY OF DEEDS.

PROBATE
Memorial of a [redacted] for registration

Date of Will⁽¹⁾ 19th November 1948

Registered at Wakefield

Date of Death⁽²⁾ 24th March 1950

23 JUN 50. 10-00 AM

Part of GRANT 31st May 1950

Testator⁽³⁾ William Hugh Carr Bramley of West Farm Litton in the County of York Farmer

Registrar.

Description of Lands⁽⁴⁾ All the [redacted] estate of the deceased situate in the West Riding of the County of York

Witnesses⁽⁵⁾ J. H. Armistead, Solicitor, Bradford.
to Will⁽⁶⁾ R. J. Ball his Clerk.

Witness⁽⁷⁾ [redacted]

*West Farm Litton
Housekeeper*

*West Farm Litton
An executor
Farmer*

(1)



PROBATE
Memorial of a [redacted] for registration

Date of Will (*) 19th November 1948

Registered at Wakefield
23 JUN 50. 10-00 AM
[redacted]
Registrar.

Date of Death (*) 24th March 1950
Date of GRANT 31st May 1950

Testator (*) William Hugh Carr Bramley of West Farm Litton in the County of York Farmer

Description of Lands (*) All the [redacted] estate of the deceased situate in the West Riding of the County of York

Witnesses (*) J. H. Armistead, Solicitor, Bradford.
Co Will R. J. Ball his Clerk.

Witness (*) [redacted]

[redacted]
West Farm Litton
Housekeeper

[redacted] (1) [redacted]
An executor
[redacted]

RIDING OF YORKSHIRE. REGISTRY OF DEEDS.

Copy of a (C) ASSENT.

to be registered on behalf of (C) Hugh Maurice Bramley, West Farm, Litton, Nr. Skipton. Farmer.

Registered at the Riding Registry of Deeds on the (C) day of at (C) 19 13 FEB 61 in the afternoon Registrar.

Date (C) 10th February 1961.

Parties (C) HUGH MAURICE BRAMLEY.

Townships (C) Fewston.

[Copy Deed] (C)

I HUGH MAURICE BRAMLEY of West Farm Litton near Skipton in the County of York Farmer the surviving Personal Representative of William Hugh Carr Bramley late of West Farm Litton sforesaid Farmer deceased do this 10th day of February 1961 Hereby as such Personal Representative ASSENT to the vesting in myself the said Hugh Maurice Bramley of ALL THOSE two closes of land situate at Spinksburn Lane off the Skipton to Harrogate Main Road Fewston in the said County which said closes are Numbered 331 and 241 on the Ordnance Survey Map (1909) Edition and contain the areas of 1.321 acres and 2.857 acres respectively for an estate in fee simple AS WITNESS my hand the day and year first before written

SIGNED by the said Hugh Maurice Bramley } Sd:- in the presence of:- Sd:- Solicitor Skipton

Form No. 1. Copy of a... to be registered at the Office... to be sufficient... to be the name and... to be the names of...

is in the name... of the land within the...

After the statement... is to be...

with a verification... of the Deed must be...

Copy of a (1) ASSENT

to be registered on behalf of (1)

HUGH MAURICE BRAMLEY of West Farm Litton
in the County of York Farmer and
NORMAN NELLIST LEE of Lloyds Bank
Chambers, Hustlergate in the City of
Bradford, Solicitor.

Registered at Wakefield

30 MAR 51

Date (1) 29th. day of March 1951.

Parties (1)

Hugh Maurice Bramley and
Norman Nellist Lee.

Townships (1) Fewston in the County of York.

[Copy ^{Assent} Deed] (1)

WE HUGH MAURICE BRAMLEY of West Farm Litton in the County of York
Farmer and NORMAN NELLIST LEE of Lloyds Bank Chambers, Hustlergate
in the City of Bradford Solicitor as Personal Representatives of
William Hugh Carr Bramley late of West Farm Litton aforesaid Farmer
deceased do this Twenty ninth day of March, One thousand
nine hundred and fifty one hereby as such Personal Representatives
assent to the vesting in the said Hugh Maurice Bramley of FIRSTLY ALL
THAT one half of one messuage situate in Fewston in the County of
York and the garden and one overhouse therewith occupied and also
ALL THOSE several closes or parcels of land called by the several
names of House Close ~~Shape~~ Croft Great Close Two Low Pastures and
one barn with a Little Close by the Well and one Close called Calf
Close with the Stable adjoining the same All which said Closes or
parcels of land are situate at Fewston aforesaid and were afterwards
together by estimation Five acres or thereabouts and contained following in
known by the names and contained the quantities following in
statute measure namely Calf Garth Three Acres and thirty nine
perches Well Garth Two roods and nine perches House Close One acre

242

three roods and thirty three perches Croft One acre three roods and twenty one perches Stripe Three roods High Pasture Two acres two Great Close Four acres and five perches Four acres one rood and sixteen roods and one perch Low Pasture Four acres and containing altogether nineteen acres two roods and thirty seven perches TOGETHER with the Forest of Knareborough formerly divided into two closes containing three roods and twenty three perches in Statute measure and built SECURELY acres and thirty eight perches in Fewston Bents in the Constabulary called Springhills situate in Fewston aforesaid containing Two of Timble and township of Fewston aforesaid High Springhill containing afterwards roads and fourteen perches and Homestead Eight Perches acres three roods and sixteen perches and thirty eight perches in One Acre one rood and sixteen perches and thirty and secondly and containing altogether said premises firstly and secondly Statute measure All which said premises attached to a Compensation described are now better pink on the plans attached to a Compensation aforesaid and are coloured pink on the Fourth day of October One thousand nine hundred Agreement dated the Fourth day of October One thousand Deputy Steward and thirty three made between John Arthur Eddison of the one part and John of the Manor of the Forest of Knareborough of the other part and Bramley of the other part and are thereon shown by the Numbers and contain the respective quantities following that is to say:-

Number on Plan	Acreage
68	3.249
69	.577
65	.909
64	.284
63	1.939
54	2.911
52	2.609
51	4.149
43	4.653
863	5.578
Total	26.858

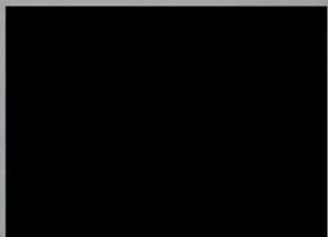
for an estate in fee simple and we hereby acknowledge the right of the said Hugh Maurice Bramley to production of the Probate of the Will of the said William Hugh Carr Bramley and to delivery of copies thereof.

AS WITNESS my hand the day and year first hereinbefore written.

SIGNED by the said Hugh Maurice Bramley in the presence of:-

H.M. Bramley

E.M. Peel,
West Farm Litton.
Housekeeper



SIGNED by the said Norman Nellist Lee in the presence of:-

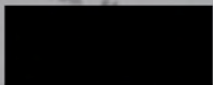
R.S. Spencer,
Solicitor,
Bradford.

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Copy of a (7) WARRANT

to be registered on behalf of (7) WALTER JAMES
WALTER JAMES Farmer WALTER JAMES WALTER JAMES
WALTER JAMES and WALTER JAMES WALTER JAMES Farmer all of
County of York and WALTER JAMES WALTER JAMES Farmer all of
County of York in the County
of York.

Registered at
15 MAR 1914



Part (7) WALTER JAMES WALTER JAMES

Part (7) WALTER JAMES WALTER JAMES
WALTER JAMES WALTER JAMES
WALTER JAMES WALTER JAMES
WALTER JAMES WALTER JAMES

Part (7) WALTER JAMES WALTER JAMES



[Copy Deed]

THE WARRANT is made the 11th day of March 1914 between the said Walter James
Walter James and Walter James Walter James of West York
County of York in the County of York (hereinafter called "the
Vendor") of the one part and Walter James Walter James Farmer
Walter James Walter James and Walter James Walter James all of County of York
in the said County (hereinafter called "the Purchasers") of
the other part.

AND WHEREAS the said Walter James Walter James
Walter James has agreed with the Purchasers for the sale to them of the
said property at the price of Three hundred Two hundred and Fifty pounds
and it has been agreed between the Vendor and the Purchasers that the same shall be
paid in five or ten parts to be made in manner hereinafter appearing.
AND WHEREAS the said Walter James Walter James has agreed to sell the said
said property to the said Purchasers in consideration of the sum of
Three hundred Two hundred and Fifty pounds now paid by the Purchasers to
the Vendor.

equal shares to the Vendor (the receipt of which sum the Vendor hereby acknowledges) the Vendor as Beneficial Owner hereby conveys unto the Purchasers FIRSTLY ALL THESE closes or parcels of land situate at Fewston in the County of York situate the Farm and Farm Building occupied therewith known as Mount Pleasant Farm and surrounded by a red line on the plans delineated and coloured pink and attached to a Compensation Agreement dated the Fourth day of October One thousand Nine hundred and Thirty Three made between John Arthur Edgison Deputy Steward of the Manor of the Forest of Knaresborough of the one part and John Bramley of the other part and are thereon shown by the numbers and contain the respective quantities following that is to say:-

Number on Plan.	Acreage.
68.	3.249.
69.	4.577.
69.	.909.
69.	.254.
65.	1.939.
64.	2.911.
63.	2.609.
64.	4.149.
62.	4.653.
61.	5.578.
63.	20.558.
863.	TOTAL 80.558. Acres.

SECONDLY ALL THESE two closes of land situate at Spinksburn Land Off the Skipton to Harrogate main Road which said closes are numbered 331 and 241 on the Ordnance Survey Map (1909 Edition) and contain the areas of 1.321 acres and 2.857 acres respectively and are delineated on the plan annexed hereto and thereon coloured pink and surrounded by a red line to hold the same INTO the Purchasers in fee simple.

- THE Purchasers hereby declare as follows :-
- (a) The Purchasers shall hold the said property upon trust to sell the same with power to postpone the sale thereof and shall hold the net proceeds of sale and other money applicable as Capital and themselves as Trustees in Common in Equal Shares.
 - (b) Until the expiration of Twenty One years from the death of the survivor of the Purchasers the Trustees for the time being of this Deed shall have power to sell mortgage charge lease or otherwise dispose of all or any part of the said property with all the powers in that behalf of an absolute owner.

IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Three thousand Five hundred pounds.

IN WITNESS whereof the said parties have hereunto set their hands and seals the day and year first before written.
SIGNED SEALED AND DELIVERED by the said) H.M. Bramley. (L.S.)
 H.M. Bramley in the presence of :-
 Alan Caldwell,
 Solicitor,
 Skipton.

SIGNED SEALED AND DELIVERED by the said) S.J. J. Peel. (L.S.)
 Sydney James Bramley Peel in the presence of :-
 J. Colin Greenwood,
 Solicitor,
 Skipton.

SIGNED SEALED and DELIVERED by the said) F. V. Peel. (L.S.)
 Flora Veronica Peel in the presence of :-
 Matthew Nelson,
 Skimney Hill,
 West and Summerbridge,
 Harrogate.

SIGNED SEALED and DELIVERED by the said) J.H. Peel. (L.S.)
 Jeffrey Roy Peel in the presence of :-
 M. Nelson.





The Office of the Commons Commissioners

Watergate House, 15 York Buildings

Adelphi, London

WC2N 6LB

Telephone 01-839 7198 ext

The Clerk
Wharfedale Rural District Council
Otley
Yorkshire

Date 8 February 1974

Dear Sir

Commons Registration Act 1965

Reference No. 45/U/199

Field No. 65, off Wydra Lane, Fewston

Register Unit No. CL 345

This matter has been set down in the list for hearing before Mr. G.D. Scuibh, Q.C.,
Chief Commons Commissioner at The Council Chamber,
Town Hall, Harrogate on Wednes. day the 27th day of
March 1974 at 10.30 a.m.

A copy of the list is enclosed for your information.

Yours faithfully

B. FLETCHER

Clerk of the Commons Commissioners



In the Matter of Field No.65 off Wydra Lane,
Fewston, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Field No.65 off Wydra Lane, Fewston, being the land comprised in the Land Section of Register Unit No.CL.345 in the Register of Common Land maintained by the former West Riding of Yorkshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference the former Leeds Corporation claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Harrogate on 27th March 1974.

At the hearing the Leeds Corporation was represented by Mr. G.C. Cowling, solicitor, and the Washburn Parish Council was represented by Mr.W.E.H.Windle, its Chairman. Mrs. E. Cox, a local resident, appeared in person.

The north-western part of the land in question was conveyed to the Corporation by an indenture made 7th July 1899 between (1) Henry Bramley and Israel Jewitt (2) Henry Robinson Bramley (3) The Lord Mayor, Alderman and Citizens of the City of Leeds. This part of the land has since been let by the Corporation to a tenant farmer.

On this evidence I am satisfied that the Leeds City Council is now the owner of the part of the land conveyed in 1899, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Leeds City Council as the owner of this part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land comprised in the Register Unit, which will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 5th day of June 1974

Chief Commons Commissioner

Post Office
Common Land
Prop & Sec.

That a letter be sent to the Commons Registration Board informing them that Mr S J Peal of Mount Pleasant Farm Swinton had erected a building on Field No 65 Wyden Lane Swinton

complaints re cars parking on common land near North Lane Swinton

Prop & Sec.

That a letter be sent to Harrogate District Council asking for the names of persons who had claimed bus tokens in the Washburn P.C.

Prop & Sec.

That a letter be sent to Plantation re posts for plaques at Simble - there are paid for & also if plaques could be provided.

Prop & Sec.

That a letter be sent to Mr Perry at Skipton re white lines at Meagill Lane ironworks & Bank Hill Tap. also Swinton end of Penny Pot Lane.

Prop & Sec.

That a further letter be sent to Mr Perry at Skipton re water being turned off the road under the house of Mr. F. Pouchel, White Bragg Leatage Simble.

Prop & Sec.

That a letter be sent to County of North Yorkshire Education Dept re charges for meetings at Schools

Jun 26/77

Commons Commissioners

Watergate House 15 York Buildings Adelphi London WC2N 6LB

Telephone 01-839 7196

The Clerk
Washburn Parish Council
3 Cleasby Road
Menston
Ilkley
Yorks LS29 6JE

Your reference

Our reference E/270

Date 4 November 1974

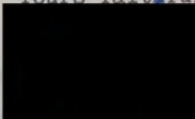
Dear Sir

Commons Registration Act 1965
Commons Commissioners Regulations 1971

Thank you for your letter of 29 October and I note what you say.

I have no authority to advise you on the matters mentioned in your letter and these are matters upon which ultimately you may need to seek competent legal advice. Common land is subject to protection by various Commons enactments and if you wish to know more about these you should write to the Department of the Environment who have some responsibilities relating to common land. The Department's address is Caxton House, Tothill Street, London SW1H 9NE.

Yours faithfully


B. Fletcher
Clerk of the Commons Commissioners



Department of the Environment
Room Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 ext 509

The Clerk to the Washburn Parish Council
3 Cleasby Road
Menston
ILKLEY
Yorks LS29 6JE

Your reference

Our reference

PSC3/VT/63

Date

3 December 1974

Dear Sir

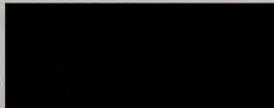
LAW OF PROPERTY ACT 1925 - SECTION 194
COMMON LAND AT FEWSTON

1. With reference to your letter of 14 November I enclose a copy of section 194 of the Law of Property Act 1925 from which you will see that the erection of any fence or building or the construction of any other work whereby access to land to which the section applies (that is land subject to rights of common on 1 January 1926, and which rights have not since been extinguished under a statutory process) shall not be lawful unless the consent of the Secretary of State thereto is obtained.

2. Subsection(2) of the section provides that where any building is erected or any other work constructed without such consent, the county court within whose jurisdiction the land is situated, shall on an application being made by the council of any county or district concerned, or by the lord of the manor or any other person interested in the common, have power to make an order for the removal of the work and the restoration of the land to the condition in which it was before the work was constructed. The Secretary of State himself is given no jurisdiction in the matter.

3. As regards the parking of cars on common land, you may like to see whether the provisions of section 36 of the Road Traffic Act 1972 enable you to deal with the problem.

Yours faithfully



W GRAHAM

ENC

Review areas & country Parks
 It was noted that so far there had been no consultation with parish representatives. The areas mentioned were Holt Lane down to Sundry Reservoir

Refuse collection
 Rubbish in ditches alongside roads, could bin wagon collect.

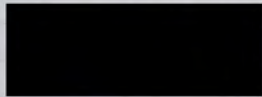
State of road below Junction Church to Junction P.O.
 Road subsiding.

Second letter to Harrogate re building on Wydra (common land).

Minutes to be sent to Wharfedale Council.

Next meeting 27. 11. 75 at 8 pm

Signed



D Flannery 21/11/75

Meeting of the Washburn Parish Council held in the Monwood Social Hall on the 20th Nov. 1975 at 8pm

Chairman Mr. G. Wood.

Members present Mrs A. H. Thomson, Mrs Slitches
 Mr G. Wood, Mr W. H. Wendle, Mr. J. Dawson, Mr Spence
 Mr Ellison & Mr Wilson

Apologies

Mrs H. J. Howell & Mr J. J. Midland

Mr. G. Wood welcomed Mrs. Fletcher to the Parish Council meeting

The minutes of the meeting held on Oct 23rd 1975 were approved

The clerk was asked to write to the Leeds Health Authority for information on the attendance of residents in the North Yorkshire Area at the Betty clinics.

It was resolved that a letter be sent to Harrogate & District Council regarding the Sewage charges on properties with septic tanks.

The clerk to contact the clerk of the Lower Washburn P.O. to arrange a meeting jointly to arrange a visit from Mr. J. Jones Principal Planning Officer, County of North Yorkshire

Mr. Windle reported that the road between Fuston Church & Fuston P.O. had been repaired.

Mr. Spence had received a letter, in answer to the subject of common land at Fuston asking him to arrange to meet the Harrogate & District Council representatives on the site.

A long discussion took place on the subject of property sales in the Washburn Valley. The Council did not object to these sales, but were perturbed to think that tenant farmers had not been offered their properties. It was resolved to ask Leeds City Council if a no sale clause (5 yrs minimum) would be incorporated in the sale.

NORTH YORKSHIRE COUNTY COUNCIL

H. J. Evans, B.A., L.M.R.T.P.I., Chief Executive and Clerk of the County Council
W. A. Harrison, County Solicitor and Deputy Clerk of the County Council
COUNTY HALL, NORTHALLERTON, YORKSHIRE DL7 8AD
TELEPHONE 0609 3123 EXT

When telephoning please ask for :-

Your reference

My reference

RJ/CL.345(B)

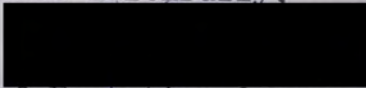
7th June 1976

Dear Sir,

Commons Registration Act 1965
Land at Fewston

In reply to your letter of the 27th May, I find that that part of the land upon which an encroachment is allegedly being made is owned by Leeds City Council and I have today written informing them of the situation.

Yours faithfully,


Chief Executive Officer.

D. Hannam Esq.
3, Cleasby Road,
Menston,
Ilkley
LS29 6JE

at Kesegill/^{Farm} Blubberhouses corner which although
being dangerous was meted across with a white
sign or slow on the road

Reported was a devil's own up Morwood Lodge
in a lay by.

Signed

Feb 9/76

Meeting of The Washburn Parish Council held on
Feb 9th 1977 at 8 pm in the Morwood Social Hall.

Chairman Mr. G. Wood.

Members present: Mesdames Fletcher & Thomson, Mrs
Wood, Bloor, Wmelle, Dawson, Spence, Blleson, Wilson Beecroft.

The minutes of the last meeting were read & approved.

Sale of Land to West Yorkshire Water Authority.

A map of the Washburn area depicting the parcels of
land to be sold was perused. - the only query
was on parcel 6D in regard to common land.
The clerk to enquire from Leeds on this land.

Contacted
Leeds

Silver Jubilee celebrations

The clerk took a list of the organisations, schools &
public houses in the district & it was decided to
hold a meeting on the 24th Feb 1977 in the
Furston school at 8 pm to discuss arrangements.

Meeting held.

Meeting held on May 12th 1977 in Norwood Social Hall at 8.0 pm

Letter
A letter was read from the Divisional Surveyor, Mr. Deming with reference to signs on North Lane. Mr. Wmelle asked if a letter could be forwarded to the Divisional Surveyor requesting that the signs would be better on the opposite side of the road & to note that the road is being used by wagons, coaches above the permitted width.

Letter
Mr Dawson requested that a letter be sent to Harrogate Dist. Council with reference to the layby opposite the Norwood Social Hall, with a view to its extension

Letter
Mr. Wmelle & Mr. Blew raised the question of a grant for improvements at the Robinson Library. Mrs. Helelie made the same enquiry re Lupton Parish Hall

Letter
Mr. Spence commented on the parking of a caravan on common land at Wybra, Lupton. It was resolved to report this to the Enforcement Officer in Harrogate

At the juncture the question of the County Structure Plan was discussed. Copies had been given to Parish Heps, but up to this meeting nothing had been returned. Mr. Wood commented that he had sent a personal opinion to Harrogate County Councillor Dawson was approached on the question? in his opinion the plan now being formulated would be the document for full discussion

Mr Dawson asked if meetings could be called to discuss plans from Harrogate.

A letter to be sent to the Highways Dept re parking the

Bungalow at Timble

The siting of a gate into Back Lane from this property was queried and enquires would be made of the Planning Dept.

Fence around land adjacent to Bents Cottage, Fewston.
It was agreed to seek information from the Planning Department in Harrogate as to whether planning permission had been given for the erection of the fence around land adjacent to Bents Cottage.

Common Land within the Parish

It was agreed to make enquiries to ascertain exactly which areas within the Parish were classed as Common Land.

Peace Campers

It was reported that these people were now encamped in Bents Quarry, on North Riding C.C. property. A court case was due to be held on 10th November 1986.

Finance

Payment of the Audit Fee of £14.95 was authorised.

Highway Matters

Rues Farm - Water on Highway. It was envisaged that the new roadwork and drainage scheme would solve this problem.

North Lane Embankment - The Highways Department were again inspecting this problem.

Junction of Hardisty Hill/A59

The positioning of the traffic bollards at this junction, and the road markings, were discussed. It was agreed that the Clerk should try and arrange a meeting on site between interested parties.

Bank End Road/Clay Pit Lane

It was reported that motor cyclists had been using this Bridle path and it was agreed to report the matter to the Highways Authority.

Dial-a-Ride Posters and Information

It was agreed to seek the co-operation of the Post Offices at Fewston and Blubberhouses in the display of literature.

Pruning of Trees in Smithson Lane

It was agreed that a letter of thanks be sent to the Estate Office at Blubberhouses expressing thanks for the great improvement they had made to this stretch of road.

Letter from Mrs Hebblewaite, Wydra House Farm, Fewston
A letter was received from Mrs Hebblewaite, expressing concern at the building being erected on what was understood to be common land adjacent to her property and which was restricting her access. It was agreed that as a matter of urgency this matter be referred to the Harrogate District Council.

WASHBURN PARISH COUNCIL

MINUTES of a MEETING held on Monday, 5th January 1987 in Norwood Social Hall at 8 p.m.

Members present:

Mr. F. R. Dawson	in the Chair
Mrs F. C. Fletcher	Mr. L. Spence
Mrs A. H. Thomson	Mr. W. E. H. Windle
Mrs M. E. Stead	Mr. E. Wood.
Mr. J. K. Ellison	

In attendance PC R. Hudson, Community Constable
Miss P. W. Barnes, Clerk

Apologies were received from Mr. Beecroft, Mr. Wilson and County Councillor Nichol.

Minutes of the Meeting held on 27th October 1986

The Minutes of the Meeting of the Parish Council held on 27th October 1986 were accepted as a correct record, subject to it being recorded that the plans for Croft Farm at Timble were outline plans.

Matters arising:

Peace Campers It was noted that these people had left the area.

Building on Common Land at Wydra

It was noted that a Planning Enforcement Officer from the Technical Services Department at Harrogate had visited the site, and confirmed that the building was well within the permitted development criteria for buildings which can be erected without planning permission when used for agriculture. The question of building on Common Land had been taken up with the Chief Executive's Legal department of North Yorkshire County Council, and they had advised on the wording of a suggested letter to be sent to Mr. Peel of Mount Pleasant. The Council agreed that such a letter be sent.

Repairs to Fewston Seat

Repairs to the Parish Seat at Hill Top, Fewston, were agreed in the sum of £95 as quoted by Mr. Newbould of Kettlesing, and Mr. Dawson kindly offered to arrange for this work to be carried out.

WASHBURN PARISH COUNCIL

MINUTES of a MEETING held on Monday, 2nd March 1987 in
Norwood Social Hall at 8 p.m.

Members present:

Mr. F. R. Dawson	in the Chair
Mrs F. C. Fletcher	Mr. L. Spence
Mrs M. E. Stead	Mr. F. Wilson
Mrs A. H. Thomson	Mr. W. E. H. Windle
Mr. J. K. Ellison	Mr. E. Wood

In attendance - Miss P. W. Barnes, Clerk.

Apologies

Apologies for absence were received from Mr. Beecroft,
County Councillor Nichol and P.C. Hudson.

Minutes of the Meeting held on 5th January 1987

The Minutes of the Meeting of the Parish Council held on
5th January 1987 were duly moved, seconded and accepted as a
correct record.

Matters arising

Bus Services

Representations had been made to the West Yorkshire
Road Car Company by the Council, and also by local
residents. A response from the Bus Company and the
North Yorkshire County Council was awaited.

Clay Pigeon Shooting

It was noted that the Yorkshire Water Authority had
been approached regarding the complaints and were
looking into the matter. It was also reported that
further complaints had been received since the last
meeting.

Common Land Field No.65, Wydra, Fewston.

It was reported that the Clerk was in correspondence with
the Solicitors acting for Mr. Peel, and also the Commons
Commissioners regarding this matter. It was confirmed that
the building work on the site appeared to have stopped.

Hardisty Hill/A59 Junction

The Area County Surveyor had agreed to a site meeting to
discuss this matter and it was agreed that Mr. Ellison, Mr.
Wilson and Mr. Pickard should attend. Wednesday 11th March
or 18th March were suggested as possible dates, it was left
to the Clerk to make arrangements.

Signpost at Three Lane Ends

The damage to this signpost would be reported to the Highways Authority.

Chapel at Meagill Lane Cemetery

The Washburn Parish Council would be asked to seek further information as to the possible date when the reinstatement of this Chapel would be completed, and the building thereupon become the responsibility of the Washburn Parish Council.

Common Land at Wydra, Fewston.

Mrs Hebblethwaite enquired if the Council had made any progress in establishing the legal position regarding the building on this land. It was noted that the matter was currently in the hands of Mrs Hebblethwaite's and Mr. Peel's Solicitors. The Washburn Parish Council were taking any necessary action relating to the Council's position regarding planning permission etc.

Issue of E.E.C. Free Butter

Mrs Hebblethwaite queried why the Washburn Parish Council had not initiated any action on the issue of free butter. She had received several complaints from local people that no such action had been taken and she understood that at least 3 neighbouring Parish Councils had given information. It was explained by the Clerk that these issues had in fact been undertaken and publicised by Charitable Organisations, on behalf of the Government, and no instructions or information had been received by the Washburn Parish Council. However, the Clerk would make enquiries if it was established that any omission of notification had occurred.

Land Adjacent to Bents Cottage, Fewston.

Despite continued extensive enquiries, it had still not been possible to ascertain ownership of the land adjacent to Bents Cottage, Fewston, which had been fenced in by the owner of Bents Cottage. County Councillor Nichol was asked for his advice, and he suggested enquiries be made of the Solicitor to the North Yorkshire Highways Department. It was again stated that the land would have been registered as Common Land but for the fact that at one time a notice forbidding tipping by order of the West Riding County Council had led the then Council to assume it was in the ownership of the W.R.C.C. This had since been found not to be the situation. The Clerk reported that over many years extensive enquiries had been made of the North Yorkshire County Council; the Yorkshire Water Authority; the Land Registry at Wakefield; The National Land Registry, the North Yorkshire Land Registry; the Commons Commissioners; the owner of Bents Cottage and the Solicitors acting on his behalf; the Highways Department; and it had not been possible to establish ownership of the parcel of land in question. It was difficult to establish if the Washburn Parish Council had any greater rights over the land than anyone else. The Council instructed the Clerk to write to the Solicitor to the Highways Department at Northallerton asking him to put a claim in for the land on behalf of the Washburn Council.

Highways Matters

Mr. Wilson reported on several Highways Matters which would be actioned by referral to the Highways Department at Skipton, along with any other similar matters raised at the current meeting.

Common Land at Wydra, Fewston (Field No.)

The Clerk reported that the Solicitor acting for the owner of the Common Land in question had advised their client that no further building work should take place.

Issue of E.E.C. Butter

It was confirmed that no instructions or advice had been issued to Parish Councils concerning the issue of E.E.C. Butter, the matter had been entirely dealt with by the nominated Charities.

Litter in Fewston Area

The litter reported at the Annual Meeting had since been removed.

Closed Footbridge over the Washburn at Blubberhouses

Although this was not a definitive footpath, it was decided to ask the Yorkshire Water Authority if they would consider repairing and reinstating the bridge as it was widely used by ramblers and local people and was a valued amenity in that area.

Norwood Annual Meeting (held prior to the Washburn Annual Meeting)

Mr. Dawson said that one matter had been referred from the Norwood Annual Meeting, as follows:

Drains in Jack Hill Area

The problems in this area were reported upon, and it was agreed that a Site Meeting with the Highways Authority be fixed up, and the Councillors, along with Mrs Hebden, could then show the Highways staff exactly where the trouble was being experienced.

There being no further business the meeting closed at 8-15 p.m.

3. As soon as possible, the actual ownership of other Common Land in the Parish be established.

It was explained that the situation with the squatters at Worstall Craggs was not the same as when similar squatters had been encamped on Timble Common or in Fewston Bents Quarry. In both these cases the owners of the land had taken action, and it had not been necessary for the Parish Council to protect the rights of Common as in the present case.

There being no further business the meeting closed at 8-50 p.m.



Chaitman.

Blank

14 March 1988



DUCHY *of* LANCASTER

1 Lancaster Place, Strand, London WC2E 7ED

29 August 2019

Our ref: HBW/KL

Your ref:

Mr D Riley
Spinksburn House
Wyndra Lane
Fewston
Harrogate
North Yorkshire
HG3 1SY

Dear Mr Riley

Property: Spinksburn House Wyndra Lane Fewston Harrogate HG3 1SY

Title number: NYK30994

Further to Tim Crow's letter of 4 October 2012 whereby you purchased the Duchy's ex-manorial mineral interests under the Property any rights saved to the Lord of the Manor of the Forest of Knaresborough by the 12th Schedule to the Law of Property Act 1922 or contained or referred to in the Knaresborough Inclosure Act 1770 were deemed to be included in the purchase.

I confirm that the Duchy of Lancaster, as Lord of the Manor of the Forest of Knaresborough no longer retains any manorial incidents under the Property.

Yours sincerely



Hugh Bruce-Watt
Solicitor for the Affairs of the Duchy of Lancaster

Direct Line



Telephone 020 7269 1700

Fax 020 7269 1710

Email



Website www.duchyoflancaster.co.uk



DUCHY *of* LANCASTER

1 Lancaster Place, Strand, London WC2E 7ED

8 October 2019

Our ref: HBW/KL

Your ref:

Mr Dummett and Ms Sharman
Spinksburn Reach
Fewston
Harrogate
HG3 1SY

Dear Mr Dummett and Ms Sharman

Property: Spinksburn Reach Fewston Harrogate HG3 1SY

Title number: NYK334327

Further to Tim Crow's letter of 31 August 2012 whereby the previous owners of the Property purchased the Duchy's ex-manorial mineral interests under the Property any rights saved to the Lord of the Manor of the Forest of Knaresborough by the 12th Schedule to the Law of Property Act 1922 or contained or referred to in the Knaresborough Inclosure Act 1770 were deemed to be included in the purchase.

I confirm that the Duchy of Lancaster, as Lord of the Manor of the Forest of Knaresborough no longer retains any manorial incidents under the Property.

Yours sincerely

Hugh Bruce-Watt
Solicitor for the Affairs of the Duchy of Lancaster

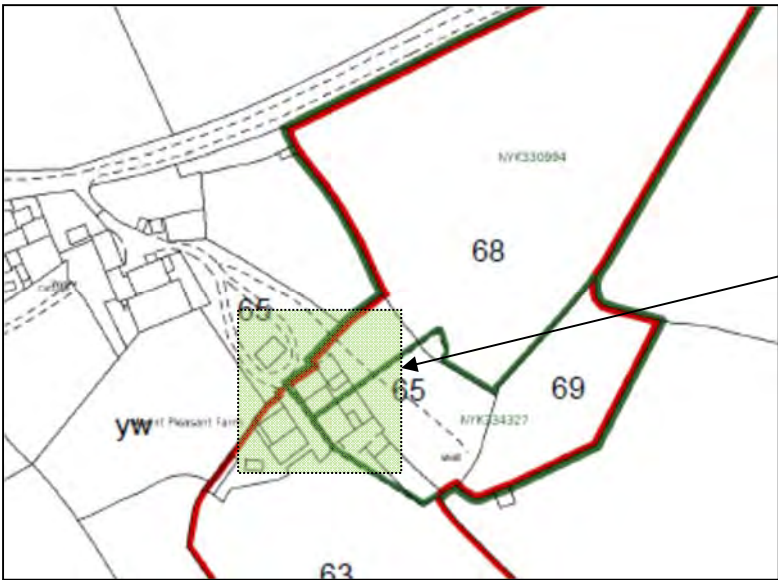
Direct Line [REDACTED] Telephone 020 7269 1700 Fax 020 7269 1710

Email [REDACTED]

Website www.duchyoflancaster.co.uk



Note gate and boundary wall built 1963. Also use as access to field 68 and 69



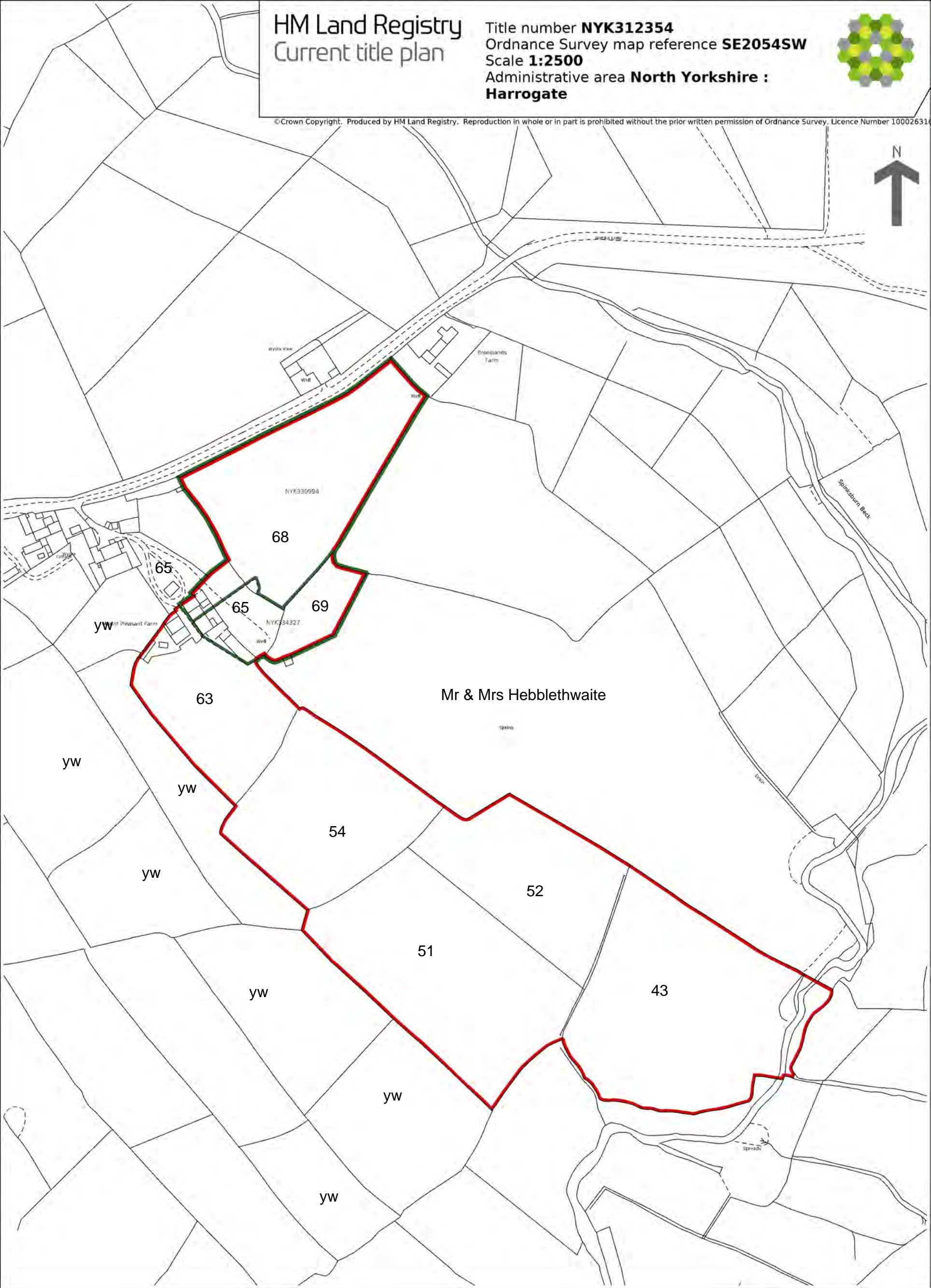
Approx. Area covered by photo.

HM Land Registry
Current title plan

Title number **NYK312354**
Ordnance Survey map reference **SE2054SW**
Scale **1:2500**
Administrative area **North Yorkshire :**
Harrogate



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

John Hainsworth – Statutory Declaration

I, JOHN HAINSWORTH of 73 Main Street Darley Harrogate North Yorkshire HG3 2QF do solemnly and sincerely declare as follows:-

1. I am 73 years old and moved to my present address on the 16th August 1983 on the sale of my then farm Chestnut Grove Farm Thornthwaite
2. In September 1983 I commenced helping Sydney James Bramley Peel (Mr Peel) of Mount Pleasant Farm Fewston Harrogate North Yorkshire.
3. Mr Peel farmed Mount Pleasant Farm and other fields in his ownership and rented adjoining land from Yorkshire Water and another land owner Mrs Robinson. He ran a milk herd and followers producing milk for a milk round he ran and for sale to the Milk Marketing Board
4. I helped Mr Peel on a regular basis both in summer and winter even following my taking up employment as full time groundsman at HM Forest Moor some two years after I sold my farm. I would have my tea on returning from work and then go to help Mr Peel and would take a week or fortnight of leave at haytime.
5. As a result of my working for Mr Peel I am very familiar with the property known as Mount Pleasant Farm Wydra Lane Fewston ("the Property") the whole of which is edged red on the plan ("the Plan") now produced to me and marked ("JH1")
6. Marked on the Plan by brown colouring is an accessway ("the Accessway") leading from Wydra Lane to Mount Pleasant Farm.
7. To my knowledge since at least when I commenced working for Mr Peel the Accessway has been used successively by Mr Peel and following his death on the 3rd May 1990 his sister Lillian Rosalind Peel and their respective families friends visitors continuously and as the only means of access to the property and so far as I am aware openly as of right and without the consent of any person and without any interruption or payment or acknowledgement to any person.
8. The use of the Accessway referred to in the preceeding paragraph has been to pass and repass along the Accessway between the Property and Wydra Lane at all times of the day and night both with and without private cars delivery lorries and agricultural vehicles including by way of example only tractors trailers haywagons and milk wagons with or without animals for all purposes connected with the use of the Property

initially as a dairy farm and following Mr Peel's death as a farmhouse and land surrounding same let on successive grazing agreements.

9. I am able to make this declaration from my own knowledge from working at the Property as detailed above and visiting same on a regular basis up to the date hereof.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

Declared at *Key*

In the County of *West Yorkshire*

By John Hainsworth

this *30th* day of *August* 2005.

Before me

Solicitor/ Commissioner for Oaths

ATKINSON DACRE
SOLICITORS
40 BOROUGHGATE
OTLEY LS21 1AF
TEL 01913 466922

Register of COMMON LAND

Register unit No. C.L.345

Edition No. 1

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 18th February, 1969 (See entry No. 2 below & 3 below)	The plot of land known as Field No. 65 off Wydra Lane in the Parish of Fewston in the Rural District of Wharfedale in the West Riding in the County of York as marked with a green verge line inside the boundaries on sheets 112 and 172 of the register map and distinguished by the number of this register unit. Registered pursuant to application number 1289 made 28th June, 1968 by Fewston Parish Council. (Registration provisional)
2 18th December 1972	The registration at entry No. 1 above, being undisputed, became final on 1st August 1972
3 27th February, 1973	The area of land in Entry No. 1 above is 0.369 hectares

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority

WEST RIDING COUNTY COUNCIL.

Register unit No. C.L. 345

Edition No. 1.

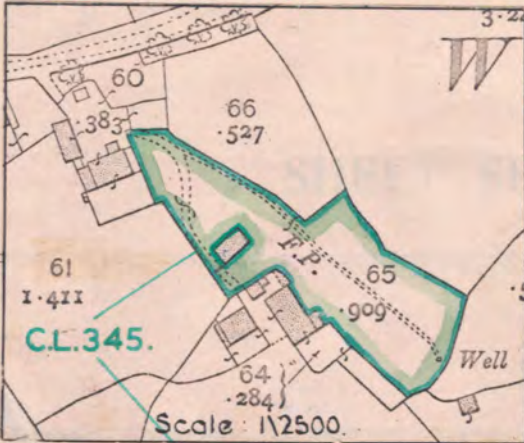
Register of COMMON LAND.

See Overleaf
for Notes

OWNERSHIP SECTION—Sheet No. 1.

1 <i>No. and date of entry</i>	2 <i>No. and date of application</i>	3 <i>Name and Address of person registered as owner</i>	4 <i>Particulars of the land to which the registration applies</i>
1. 5th August 1974		Leeds City Council The above Registration was made in pursuance of Section 8(2) of the Commons Registration Act 1965 in accordance with a Direction made by G.D. Squibb, Chief Commons Commissioner dated 29th July 1974 Ref: 45/U/199	That part of the land comprised in this Register Unit as defined on the plan annexed to the Direction of the Commons Commissioner.

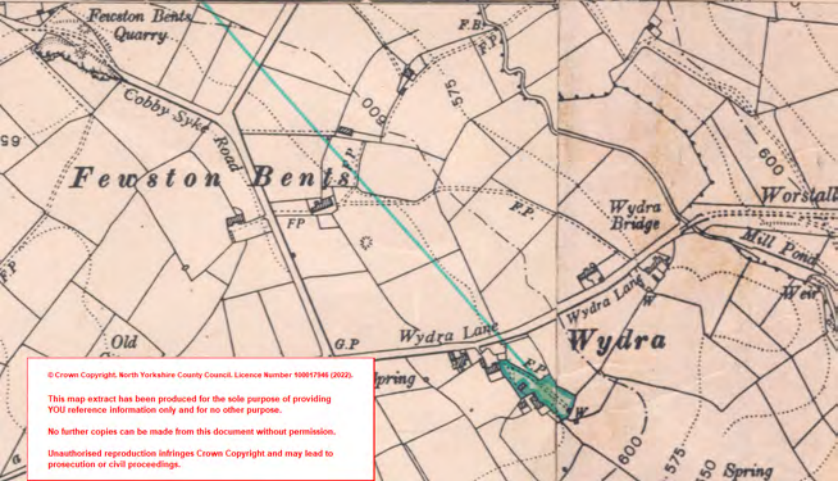
Register Map for CL345



15 SE

240 Chains

420 000
NORWOOD PH
455 000



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COMMONS REGISTRATION ACT 1965

NS 7

Reference No. 45/U/199

Direction under
Section 8 of the
Commons Registration
Act 1965

IN THE MATTER OF Field No.65 off Wydra Lane, Fewston

.....
.....
.....

To the North Yorkshire County Council
In pursuance of Section 8 (2) of the Commons Registration Act 1965
I HEREBY DIRECT YOU to register the Leeds City Council

.
.

~~of~~

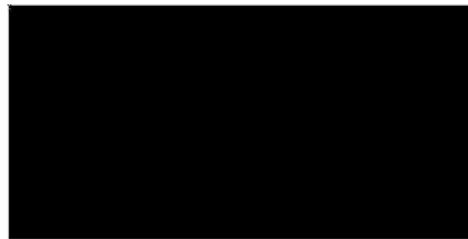
~~in~~ the

as the owner of the ~~land known as~~ part of Field No.65 of Wydra Lane,
Fewston edged red on the plan hereinto annexed

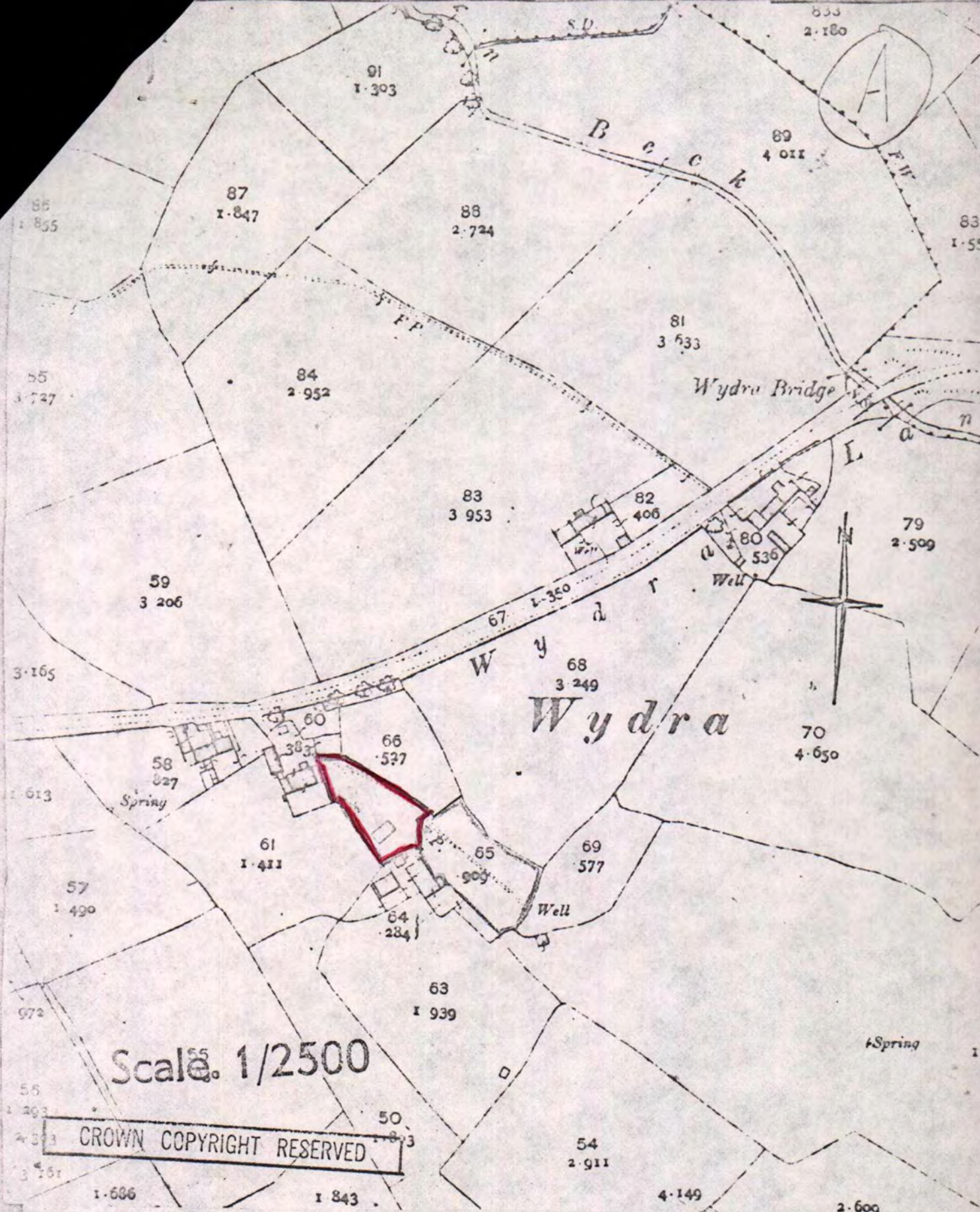
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being part of the land comprised in the Land Section of Register
Unit No. CL.345 in the Register of Common Land
maintained by you of which no person is registered under Section 4 of
the Commons Registration Act 1965 as the owner

Given under my hand and seal this **29th** day
of **July**, 1974.

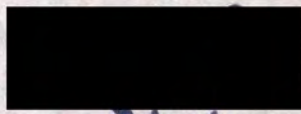


Chief Commons Commissioner



Scale 1/2500

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29/7/74

COMMONS REGISTRATION ACT

Reference No. 45/U/199

112
172

DIRECTION
under Section 8 of the
Commons Registration Act 1965

Dated 29th July 1974.

B FLETCHER

Clerk of the Commons Commissioners