

NORTH YORKSHIRE COUNCIL

COMMONS ACT 2006 — SECTION 8

Notice of an application for apportionment of rights of common

Application Reference Number: CA3 011

Common land within the Manor of Danby (CL63)

Application has been made to the North Yorkshire Council by Michael James Richardson and Alice Meakin under Section 8 of the Commons Act 2006 and in accordance with Schedule 4(3) of the Commons Registration (England) Regulations 2014.

The application, which includes documentary evidence, can be viewed at:

<https://www.northyorks.gov.uk/environment-and-neighbourhoods/land-and-waterways/common-land-and-village-greens/common-land-applications-and-decision-notice>

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

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

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

Any person wishing to make a representation regarding this amendment:

- should quote the Application No. CA3 011
- must state the name and postal address of the person making the representation and the nature of that person's interest (if any) in any land affected by the application.
- may include an e-mail address of the person making the representation
- must be signed by the person making the representation
- must state the grounds on which the representation is made
- should send the representation to: Commons Registration Officer, Commons Registration North Yorkshire Council, County Hall, Northallerton, North Yorkshire DL7 8AD or e-mail to commons.registration@northyorks.gov.uk on or before 10 April 2024

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

A summary of the effect of the application (if granted) is as follows: the Registration Authority will amend the register to show that the rights at entry no. 28 have been apportioned and that of the 100 grazing rights 9 rights are now registered to Michael James Richardson and Alice Meakin and 91 rights remain registered to Clarence Tyreman Cornforth.

Dated: 20 February 2024

Karl Battersby

Corporate Director – Environment
North Yorkshire Council

Commons Act 2006: section 8

Application for apportionment of rights of common**This section is for office use only**

Official stamp

Application number

<p>COMMONS ACT 2006</p> <p>NORTH YORKSHIRE COUNCIL</p> <p>COMMONS REGISTRATION AUTHORITY</p> <p>DATE - 2 JAN 2024</p>

CA3 011

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

- All applicants should complete boxes 1-10.
- Where an application made under section 8 to the Commons Act 2006 is consequent to a "primary application" to amend the register (see Schedule 4, paragraph 3(1) to the Commons Registration (England) Regulations 2014, e.g. to vary part of a right), the primary application must be submitted together with this application to apportion the right.
- Only the following persons can apply under section 8: the person (or persons) who also makes a primary application, or the owner of any part of the land to which the right is attached: two or more owners of the land can make a joint application to apportion the right.
- You will be required to pay a fee for your application. Ask the registration authority for details. You would have to pay a separate fee should your application be referred to the Planning Inspectorate.

Note 1

Insert name
of commons
registration
authority.

1. Commons Registration Authority

To the:

<p>NORTH YORKSHIRE COUNCIL.</p> <p>TOWN HALL</p> <p>ST NICHOLAS STREET</p> <p>SCARBOROUGH</p> <p>YO11 2HG</p>

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



Note 2

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

Note 3

This box should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

2. Name and address of the applicant

Name:

MICHAEL JAMES RICHARDSON
ALICE MEAKIN

Postal address:

NORTH END FARM
DANBY HEAD
DANBY
WHITBY

4021 2NH
Postcode

Telephone number:

[Redacted]

Fax number:

-

E-mail address:

[Redacted]

3. Name and address of representative, if any

Name:

MARIA NORTROP

Firm:

TILLY BAILEY + IRVINE LLP

Postal address:

Tilly Bailey & Irvine LLP
Castle House
11 Bridge Road
Stockton-on-Tees
TS18 3AD

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 3 to the Commons Registration (England) Regulations 2014.

4. Basis of application for registration and qualifying criteria

Tick one of the following boxes to indicate your capacity to apply.

I (or we) made the primary application:

or

I (or we) own part or parts of the land to which the right is attached:

Tick one of the following boxes to indicate the section of the Commons Act 2006 under which the primary application, if any, was made.

Section 7 (variation of a right):

Section 11 (re-allocation of rights attached to a property):

Section 13 (surrender or extinguishment of a right):

Section 14 (statutory disposition) and paragraph 8 of Schedule 4 to the 2014 Regulations:

Schedule 1, paragraph 1(6)(b) (severance by transfer to public body):

Schedule 1, paragraph 3(7)(b) (severance by order):

5. Identification of the right and the apportionment

Specify the register unit number to which this application relates:

CL 63

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

28

Description of the right to be apportioned:

100 sheep rights

Calculation of the rateable apportionment of the right:

9 sheep rights Total acreage = 66.98 acres with 100 sheep rights. The apportionment of the sheep rights to be as follows: -

Mr Richardson & Miss Meakin - 6.28 acres = 9 sheep rights
Mr & Mrs Dowson - 57.65 acres = 86 sheep rights
Mrs Blacklock - 3.05 acres = 5 sheep rights

Note 5

Specify the right to be apportioned and the rateable apportionment of the right.

Note 6

The accompanying Ordnance map of the area of land to which the right will be attached must be at a scale of at least 1:10,560 and show both the area(s) of land owned by the applicant(s), and the remaining part of the land, by means of distinctive colourings within accurately identified boundaries. Give grid reference or other identifying detail.

6. Description of the land to which the right is attached

Name by which the land is usually known:

NORTH END FARM + APPROX 6.5 ACRES OF LAND
DANBY HEAD
DANBY
4021 2NH

Location:

NORTH END FARM

Describe the area of the part(s) of the land in the ownership of the applicant(s) (including details of that ownership):

AS SHOWN ON TPI ATTACHED + DATED 4.12.23
AND SHOWN EDGED WITH RED ON THE PLAN

Describe the area of any remaining part of the dominant tenement and details of its ownership:

SEE ATTACHED PLAN 1 + PLAN 2 AND TITLE PLAN
- COMPRISES ALL OF DOMINANT TENEMENT
LAND IN PLAN 1 + PLAN 2 SOLD TO MR + MRS DOWSON IN
2016

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



Note 7

Describe the details of the primary application, if relevant.

7. Description of the primary application (if any) to which this application relates

Describe the primary application, and why the right must be apportioned:

Note 8

List all supporting documents and maps which accompany the application, including evidence of your capacity to apply. 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 TPI DATED 4.12.23.
① EXPLANATORY EMAIL DATED 10.11.23 TO NYC
+ REPLY DATED 10.11.23.
- RIGHTS AMENDED TO 9 SHEEP RIGHTS.

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


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

4-12-23

Date:

 MARA NORTROP.

Signatures:

Tilly Bailey & Irvine LLP
Castle House
11 Bridge Road
Stockton-on-Tees
TS18 3AD

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.

We hereby certify that this is a true copy of the original.
Tilly Bailey & Irvine LLP Solicitors

Name Tilly Bailey & Irvine LLP
Date 14/12/23 Office Stockton

HM Land Registry

Transfer of part of registered title(s)

TP1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our Personal Information Charter.

Leave blank if not yet registered.

When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.

Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined.

Place 'X' in the appropriate box and complete the statement.

For example 'edged red'.

For example 'edged and numbered 1 in blue'.

Any plan lodged must be signed by the transferor.

Remember to date this deed with the day of completion, but not before it has been signed and witnessed.

Give full name(s) of all of the persons transferring the property.

Complete as appropriate where the transferor is a company.

Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in [practice guide 78: overseas entities](#).

1	Title number(s) out of which the property is transferred: NYK278371
2	Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
3	<p>Property: The farmhouse and part of the land comprised in the above mentioned title and being North End Farm, Danby Head, Danby, Whitby YO21 2NH</p> <p>The property is identified</p> <p><input checked="" type="checkbox"/> on the attached plan and shown: Edged in red</p> <p><input type="checkbox"/> on the title plan(s) of the above titles and shown:</p>
4	Date: <u>14 December 2023</u>
5	<p>Transferor: Jean Rachel Blacklock</p> <p>For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix:</p> <p>For overseas entities (a) Territory of incorporation or formation:</p> <p>(b) Overseas entity ID issued by Companies House, including any prefix:</p> <p>(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:</p>

Give full name(s) of all of the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in practice guide 78: overseas entities.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an email address.

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

Place 'X' in any box that applies.

Add any modifications.

6 Transferee for entry in the register:
Michael James Richardson and Alice Meakin

For UK incorporated companies/LLPs
Registered number of company or limited liability partnership including any prefix:

For overseas entities
(a) Territory of incorporation or formation:

(b) Overseas entity ID issued by Companies House, including any prefix:

(b) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:

7 Transferee's intended address(es) for service for entry in the register:
The Property

8 The transferor transfers the property to the transferee

9 Consideration
 The transferor has received from the transferee for the property the following sum (in words and figures):
Five Hundred & Seventy Seven Thousand Five Hundred Pounds
[£577,500.00]
 The transfer is not for money or anything that has a monetary value
 Insert other receipt as appropriate:

10 The transferor transfers with
 full title guarantee
 limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
 - in the first box, or
 - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, or
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance. These are both available on the GOV.UK website.

Use this panel for:

- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

11 Declaration of trust. The transferee is more than one person and

- they are to hold the property on trust for themselves as joint tenants
- they are to hold the property on trust for themselves as tenants in common in equal shares
- they are to hold the property on trust:

12 Additional provisions

Definitions

12.1 The following definitions shall apply in this Transfer:-

12.1.1 "The Transferor's Retained Property" - all that remaining land and property comprised in title number NYK278371

Rights granted for the benefit of the property

Rights reserved for the benefit of other land

Include words of covenant.

Include words of covenant.

Insert here any required or permitted statements, certificates or applications and any agreed declarations and so on.

Restrictive covenants by the transferee

Restrictive covenants by the transferor

Other

12.2 It is hereby agreed and declared by and between the Transferor and the Transferees that:

(i) all drains watercourses and other rights in the nature of easements and quasi easement affecting the Property hereby transferred and which have hitherto been enjoyed by the Transferor shall be deemed to be ancient rights and easements and quasi easement and to have been indefeasibly acquired for the benefit of the Transferor's Retained Property against the Property

(ii) no easement liberty or privilege over or affecting the Transferor's Retained Property is included or conferred by this Transfer except any expressly granted herein

(iii) Section 62 of the Law of Property Act 1925 and the Rule in "Wheeldon -v- Burrows" do not apply to this Transfer and no legal or other rights are granted over the Transferor's Retained Property for the benefit of the Property by this Transfer except for those expressly granted by this Transfer

(iv) The Property is transferred together with the rights of common as described in the register of common land held by North Yorkshire Council under register unit number CL63 (part only) and it is hereby agreed between the Transferor and the Transferees that the number of grazing rights included with the Property is 9 sheep

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

Signed as a deed by:
Jean Rachel Blacklock

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS)

Address

Signed as a deed by:
Michael James Richardson

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS) MICHELLE LEIBRICK
BALDWIN

Address

11 BEADON WAY
REDCAR
TS10 2BL

Signed as a deed by:
Alice Meakin

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS) MICHELLE LEIBRICK
BALDWIN

Address

11 BEADON WAY, REDCAR, TS10 2BL

WARNING

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

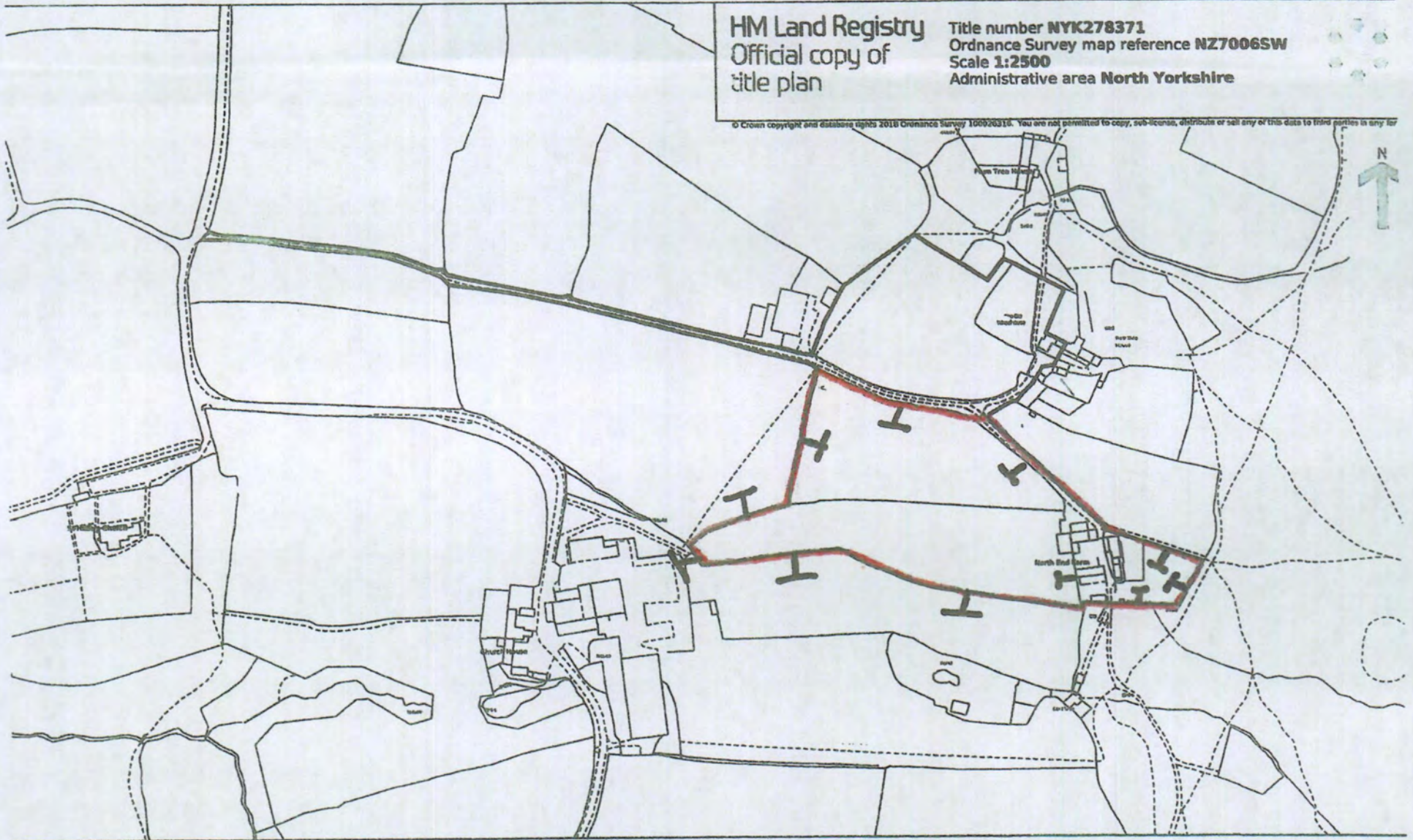
Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

HM Land Registry
Official copy of
title plan

Title number **NYK278371**
Ordnance Survey map reference **NZ7006SW**
Scale **1:2500**
Administrative area **North Yorkshire**

© Crown copyright and database rights 2010 Ordnance Survey 100026314. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



BOUNDARIES

This official copy is incomplete without the preceding notes page.



HM Land Registry

Transfer of part of registered title(s)

TP1

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Leave blank if not yet registered.

When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.

Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined.

Place 'X' in the appropriate box and complete the statement.

For example 'edged red'.

For example 'edged and numbered 1 in blue'.

Any plan lodged must be signed by the transferor.

Remember to date this deed with the day of completion, but not before it has been signed and witnessed.

Give full name(s) of all of the persons transferring the property.

Complete as appropriate where the transferor is a company.

Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in [practice guide 78: overseas entities](#).

	<p>1 Title number(s) out of which the property is transferred: NYK278371</p>
	<p>2 Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:</p>
	<p>3 Property: The farmhouse and part of the land comprised in the above mentioned title and being North End Farm, Danby Head, Danby, Whitby YO21 2NH</p> <p>The property is identified</p> <p><input checked="" type="checkbox"/> on the attached plan and shown: Edged in red</p> <p><input type="checkbox"/> on the title plan(s) of the above titles and shown:</p>
	<p>4 Date: 4th December 2023</p>
	<p>5 Transferor: Jean Rachel Blacklock</p> <p><u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix:</p> <p><u>For overseas entities</u> (a) Territory of incorporation or formation:</p> <p>(b) Overseas entity ID issued by Companies House, including any prefix:</p> <p>(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:</p>

Give full name(s) of all of the persons to be shown as registered proprietors.

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The Property

8 The transferor transfers the property to the transferee

9 Consideration

The transferor has received from the transferee for the property the following sum (in words and figures):

Five Hundred & Seventy Seven Thousand Five Hundred Pounds [£577,500.00]

The transfer is not for money or anything that has a monetary value

Insert other receipt as appropriate:

10 The transferor transfers with

full title guarantee

limited title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
 - in the first box, or
 - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, or
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

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- other covenants
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- they are to hold the property on trust for themselves as tenants in common in equal shares
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12.1.1 "The Transferor's Retained Property" - all that remaining land and property comprised in title number NYK278371

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Rights reserved for the benefit of other land

Include words of covenant.

Restrictive covenants by the transferee

Include words of covenant.

Restrictive covenants by the transferor

Insert here any required or permitted statements, certificates or applications and any agreed declarations and so on.

Other

12.2 It is hereby agreed and declared by and between the Transferor and the Transferees that:

(i) all drains watercourses and other rights in the nature of easements and quasi easement affecting the Property hereby transferred and which have hitherto been enjoyed by the Transferor shall be deemed to be ancient rights and easements and quasi easement and to have been indefeasibly acquired for the benefit of the Transferor's Retained Property against the Property

(ii) no easement liberty or privilege over or affecting the Transferor's Retained Property is included or conferred by this Transfer except any expressly granted herein

(iii) Section 62 of the Law of Property Act 1925 and the Rule in "Wheeldon -v- Burrows" do not apply to this Transfer and no legal or other rights are granted over the Transferor's Retained Property for the benefit of the Property by this Transfer except for those expressly granted by this Transfer

(iv) The Property is transferred together with the rights of common as described in the register of common land held by North Yorkshire Council under register unit number CL63 (part only) and it is hereby agreed between the Transferor and the Transferees that the number of grazing rights included with the Property is 9 sheep

rights.

(v) The boundaries shown on the Plan with an inward "T" are to be owned by and the responsibility of the Transferee

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

Signed as a deed by:
Jean Rachel Blacklock

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS)

Address

Signed as a deed by:
Michael James Richardson

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS)

Address

Signed as a deed by:
Alice Meakin

Signature _____

in the presence of:

Signature of witness _____

Name (in BLOCK CAPITALS)

Address

WARNING

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

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

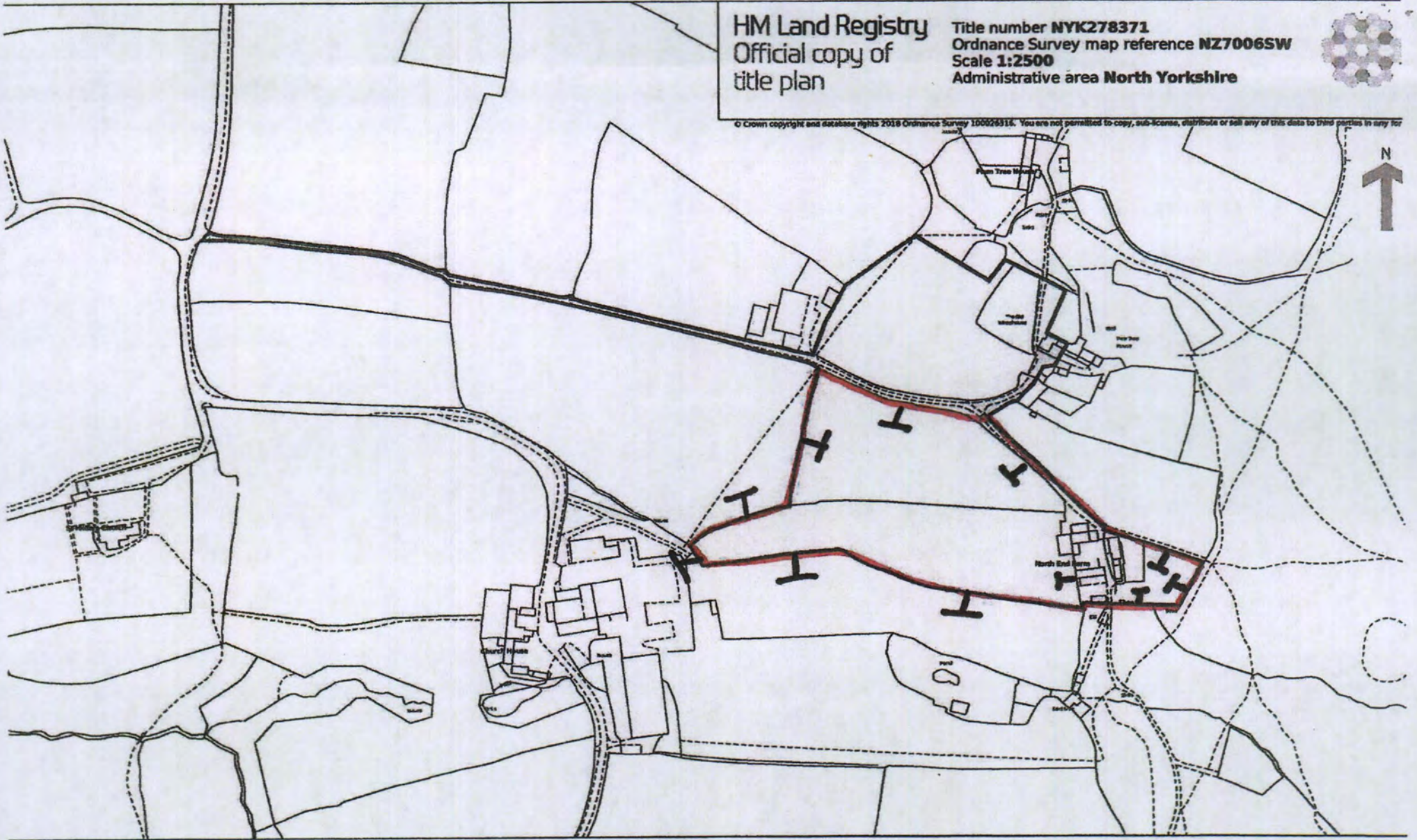
Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

HM Land Registry
Official copy of
title plan

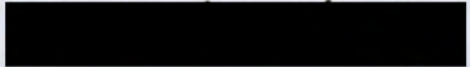
Title number **NYK278371**
Ordnance Survey map reference **NZ7006SW**
Scale **1:2500**
Administrative area **North Yorkshire**



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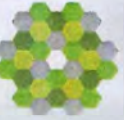
BOUNDARIES



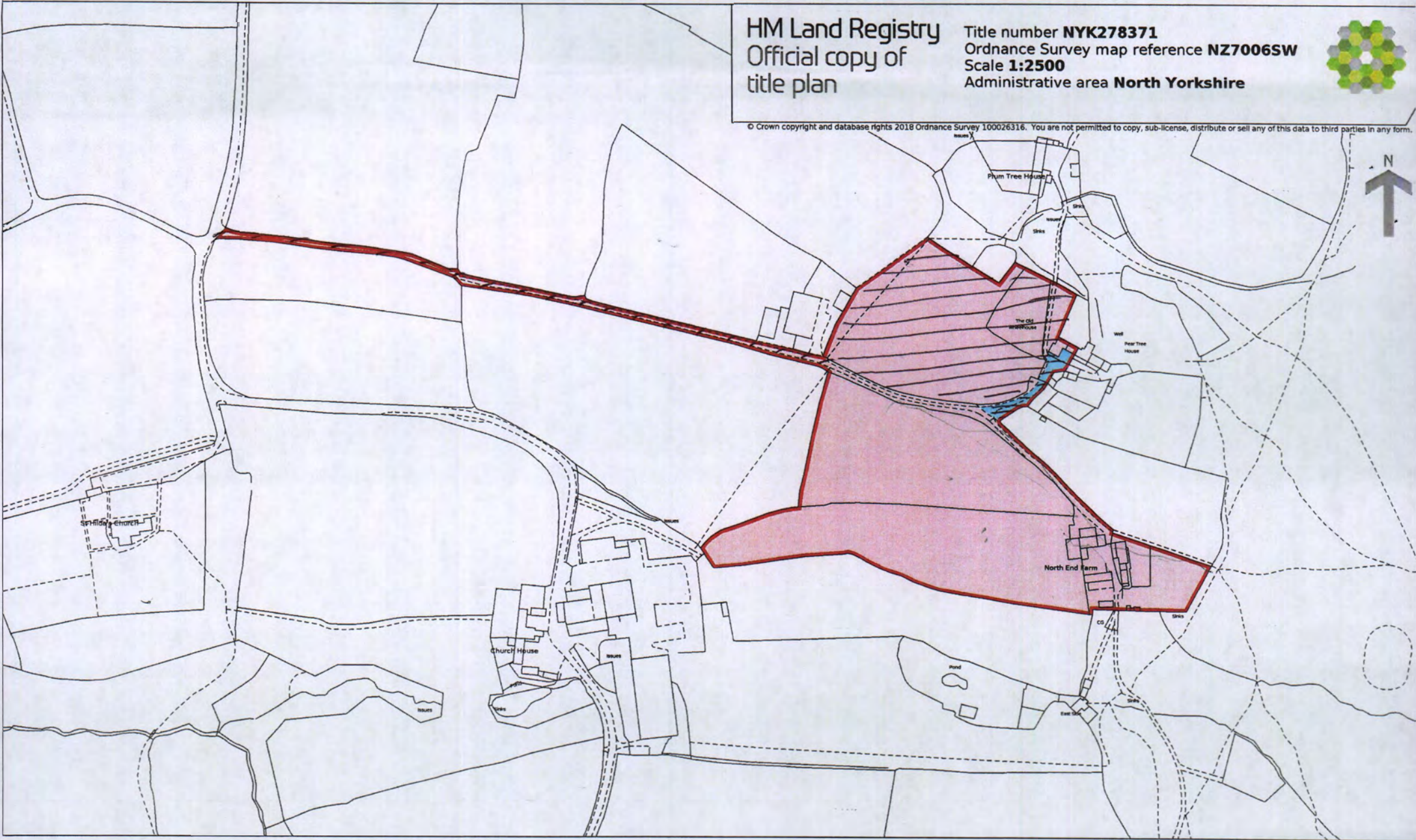
land retained by Mrs Blacklock

HM Land Registry
Official copy of
title plan

Title number **NYK278371**
Ordnance Survey map reference **NZ7006SW**
Scale **1:2500**
Administrative area **North Yorkshire**



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Register of COMMON LAND

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

Register unit No. C.L.63

Edition No.

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 8

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
26 28 th June, 1968	238 24th Jan. 1968	George Pybus, Plum Tree House, Danby, Whitby. Owner.	The right - (a) to graze 40 sheep (b) of turbary, over the whole of the land comprised in this regis- ter unit. (Registration Provisional)	Plum Tree House, in the Parish of Danby, shown edged red on the supplemental map bearing the number of this register unit.
27 28th June, 1968	239 240 24th Jan. 1968	John Richard Tyreman, Fat Oxx Farm, Deceased Houlsyke, Lealholm. Owner.	The right - (a) to graze 40 sheep (b) of turbary, over the whole of the land comprised in this regis- ter unit. (Registration Provisional)	Fat Oxx Farm, in the Parish of Glaisdale, shown edged red on the supplemental map bearing the number of this register unit.
28 28th June, 68	240 24th Jan. 1968	Clarence Tyreman Cornforth, North End Farm, Danby, Whitby. Owner.	The right - (a) to graze 100 sheep (b) of turbary, over the whole of the land comprised in this register unit. (Registration Provisional)	North End Farm, in the Parish of Danby, shown edged red on the supplemental map bearing the number of this regis- ter unit.

Maria Northrop

From: commons Registration <commons.Registration@northyorks.gov.uk>
Sent: 10 November 2023 15:59
To: Maria Northrop
Subject: RE: My Clients : Mr M J Richardson & Miss A Meakin - Purchase of North End Farm and approx 6.5 acres of land Danby Head, Danby, YO21 2NH
Attachments: Bank Details BACS 2023-2024.pdf

Warning: This email originates from outside the Tilly Bailey & Irvine network. Please do not click links, open attachments or reply unless you recognise the sender and know the content is safe. Never share your password.

Good Afternoon Maria

Thank you for your email regarding making an apportionment application.

As the Commons Registration Authority is the determining body for applications I am unable to offer specific legal advice regarding specific applications including which application forms to fill in.

However, I can confirm that as a 2014 Registration Authority, in North Yorkshire a CA3 application form would seek to register apportionment events that have occurred after 15 December 2014. The current fee for this type of application is £312.70. [Apply to register land or change an existing registration | North Yorkshire Council](#)

All applications should be submitted in hard copy. Fees can be paid by: cheque, payable to NYC; by card please supply the name and contact number of the person who can make payment and then I can arrange a call from my colleagues in admin (I can't take payment) or by BACS – see the attached details.

I note that your client's application relates to common land unit CL63, right entry 28. Please note that right entry 28 only has 100 rights registered to it and that can not be amended to 125. Therefore your client's apportionment application could only be accepted based on the proportion of the land that the 100 sheep rights are attached to that your client's can prove ownership of.

The 25 rights that are stated as being in the ownership of Mrs Blacklock appear to have come from a purchase of part of the land listed in right entry 26. Unless your clients have purchased part of this land they would not be entitled to a proportion of those 25 rights.

Despite what may have been agreed between the parties, any disproportionate apportionment of rights would be viewed by this Registration Authority as a severance. Section 9 of the Commons Act 2006 states that from 28 June 2005 severance was considered unlawful and as such any transfer based on this would be void. [Commons Act 2006 \(legislation.gov.uk\)](#)

Defra guidance tells us that the formula to calculate apportioned rights would be the total of rights listed in the register for right entry 28 (100) divided by the total acreage of all the parcels of land shown edged red on the supplemental map for right 28, multiplied by the acreage in your client's ownership. This calculation would need to be included in the application so that it can be verified. [Commons registration authorities: process new event applications - GOV.UK \(www.gov.uk\)](#)

Please note it would be possible for Mr Dowson, your clients and Mrs Blacklock to apply jointly to apportion the rights for right entry 28 on the one form for the one fee and spread the cost or should they wish they can apply separately each application costing £312.70.

Please let me know if you have any further questions regarding the application process.

Kind regards

Jayne

Jayne Applegarth

Commons Registration Officer

Telephone: 01609 534753

Email: commons.registration@northyorks.gov.uk

OFFICIAL

OFFICIAL - SENSITIVE

From: Maria Northrop [REDACTED]
Sent: 10 November 2023 14:21
To: commons Registration <commons.Registration@northyorks.gov.uk>
Subject: My Clients : Mr M J Richardson & Miss A Meakin - Purchase of North End Farm and approx 6.5 acres of land Danby Head, Danby, YO21 2NH

Good afternoon

I am hoping you may be able to assist with information about apportionment of Common Rights in respect of the above property.

I act for Michael James Richardson and Alice Meakin in connection with their purchase of North End Farm and approx 6.5 acres of land at Danby. I have attached a draft of the Transfer to my clients (TP1) which contains a plan showing the extent to be transferred to my clients. It is hoped that completion will take place on the 1st December 2023.

There are Common Rights attached to the property. I have attached a copy of the register and confirmation about the allocation of a further 25 rights, so in total the current Common Rights for the property are 125. Most of the land was sold in 2016 to Mr Dowson but it would appear that the Common Rights were not apportioned at the time.

It has been agreed on an apportionment as follows :-

Mr Dowson – 108 Common Rights

My clients as the new owners of North End Farm – 11 Common Rights

Mrs Blacklock (the current owner of North End Farm who will retain a small portion of the land) – 6 Common Rights

I am not sure how we make application for this apportionment on completion. I have checked online and would be obliged if you could please confirm that the appropriate form is Form CA3 ?

Also, I will only be registering the apportionment for my clients – so 11 Common Rights – so presumably Mrs Blacklock and Mr Dowson will deal with their apportionments separately?

Can you please advise how I make application (online or post etc) and confirm that the fee is £312.70 and advise how I can make payment.

I look forward to hearing from you and thank you for your assistance.

Regards Maria.

Maria Northrop

Conveyancing Executive

Conveyancing Team 9

Team Telephone: 01429 856759