

NORTH YORKSHIRE COUNTY COUNCIL

COMMONS ACT 2006 — SECTION 15

Notice of an application to register land as village green

Application Reference Number: CA9 016

Barrass Upper Garden, Staithes

To every reputed owner, lessee, tenant or occupier of any part of the land described below, and to all others whom it may concern.

Application has been made to the North Yorkshire County Council by Hinderwell Parish Council under Section 15(2) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014 for the amendment of the Register of Village Greens as described in the schedule below and the notice plan.

The application, which includes documentary evidence, can be viewed at:
<https://www.northyorks.gov.uk/common-land-applications-and-decision-notices>

or may be inspected by appointment during normal office hours at the following location between the hours of 9:30am and 4:00pm :-North Yorkshire County Council, Commons Registration, County Hall, Northallerton, North Yorkshire DL7 8AD

You can request a copy of the notice 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. CA9 016
- 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 28 February 2023.

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

A summary of the effect of the application (if granted) is as follows: the Registration Authority will register the land at Barrass Upper Garden, Staithes as village green in the Register for Village Greens.

Dated: 09 January 2022

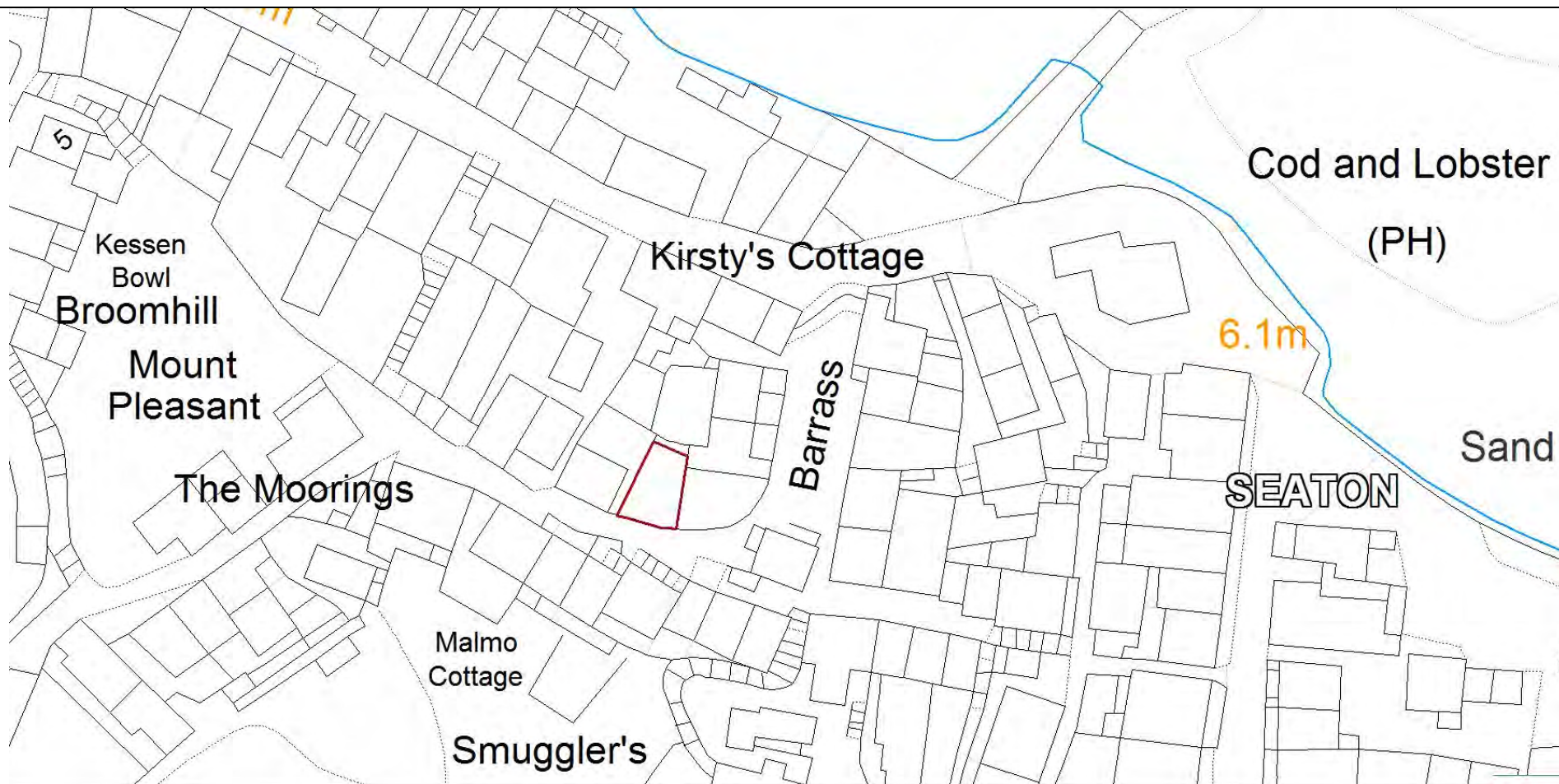
Karl Battersby

Corporate Director – Business and Environmental Services
North Yorkshire County Council

Schedule

Description of land to be registered as village green

Land known as Barrass Upper Garden, Staithes, as edged red on the notice plan.



COMMONS ACT 2006

**CA9 APPLICATION (Ref. No. CA9 016) TO REGISTER A
VILLAGE GREEN AT BARRASS UPPER GARDEN,
STAITHES
NOTICE PLAN
(not to scale)**



Application Site

Commons Act 2006: section 15**Application for the registration of a town or village green****This section is for office use only**

Official stamp

<p>COMMONS ACT 2006</p> <p>NORTH YORKSHIRE COUNTY COUNCIL</p> <p>REGISTRATION AUTHORITY</p> <p>DATE: 22 June 2022</p>

Application number

CA9 016

VG number allocated at registration

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

- All applicants should complete boxes 1–6 and 10–12.
- Applicants applying for registration under section 15(1) of the Commons Act 2006 should, in addition, complete boxes 7 and 8. Any person can apply to register land as a green where the criteria for registration in section 15(2) or 15(3) apply; (NB 15(4) is obsolete).
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete box 9. Only the owner of the land can apply under section 15(8).
- There is no application fee.

Note 1

Insert name
of commons
registration
authority.

1. Commons Registration Authority

To the:

NORTH YORKSHIRE COUNTY COUNCIL

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

☐ FOC

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:

HINDERWELL PARISH COUNCIL

Postal address:

5 HIGH STREET
HINDERWELL
SALTBURN
CLEVELAND

Postcode TS13 5JX

Telephone number:

01947 841382

Fax number:

—

E-mail address:

hinderwellparish@tiscali.co.uk

3. Name and address of representative, if any

Name:

Firm:

Postal address:

Postcode

Telephone number:

Fax number:

E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 9 or 10 to the Commons Registration (England) Regulations 2014. Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

Note 5

This box is to identify the new green. The accompanying Ordnance map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland, and show the land by means of distinctive colouring within an accurately identified boundary. State the Land Registry title number where if known.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land tick the following box and move to box 5: ☐

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

Section 15(2) applies: ☒

Section 15(3) applies: ☐

If section 15(3) applies indicate the date on which you consider that use as of right ended:

If section 15(6) is being relied upon in determining the period of 20 years, indicate the period of statutory closure (if any) which needs to be disregarded:

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

Name by which the land usually known:

Location:

Common land register unit number (only if the land is registered common land):

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

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village). If this is not possible an Ordnance map should be provided on which a locality or neighbourhood is marked clearly at a scale of 1:10,560.

Note 7

Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application. This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Note 8

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

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

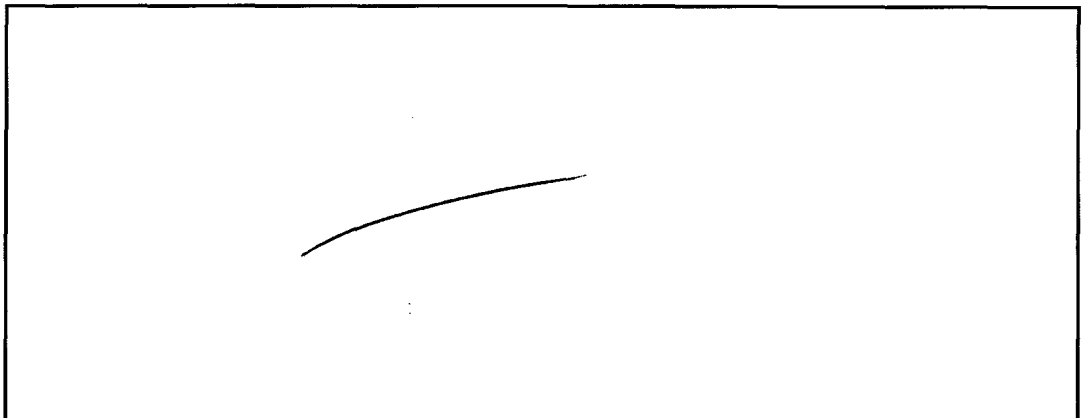
Show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching an Ordnance map on which the area is clearly marked:

ORIGINAL FISHING VILLAGE OF STAITMES
BEING THE COTTAGES & DWELLINGS
AROUND THE HARBOUR & CLIFFS OF THE
LOWER VILLAGE

Tick here if a map is attached:

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

SEE ATTACHED DOCUMENTS

8. Name and address of every person whom the applicant believes to be an owner, lessee, proprietor of any "relevant charge", tenant or occupier of any part of the land claimed to be a town or village green

Note 9

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

Note 10

List all supporting consents, documents and maps accompanying the application. Evidence of ownership of the land must be included for voluntarily registration applications. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

Note 11

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

WRITTEN DECLARATIONS
RESIDENTS STATEMENTS
EXHIBIT "C"

10. Supporting documentation

EXHIBITS "B + D"

11. Any other information relating to the application

Note 12

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

12. Signature

Date:

4 TH JULY 2022

Signatures:

CLERK

TO HINDERWELL PARISH COUNCIL

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.

HINDERWELL



PARISH COUNCIL

It is very difficult to describe the lower village of Staithes and then mark it on a map!

The Eastern boundary is the "Staithes Beck" which divides N Yorks & Cleveland.

There is a footpath over 'the old Stubble' to a point on "gun gutter" and "church Street" & down to the western breakwater.

The conservation Area covers all of it & then more besides. Maybe best to describe it as the "original fishing village" or "historic fishing village" as Top houses are all more recent.

I enclose 2 maps

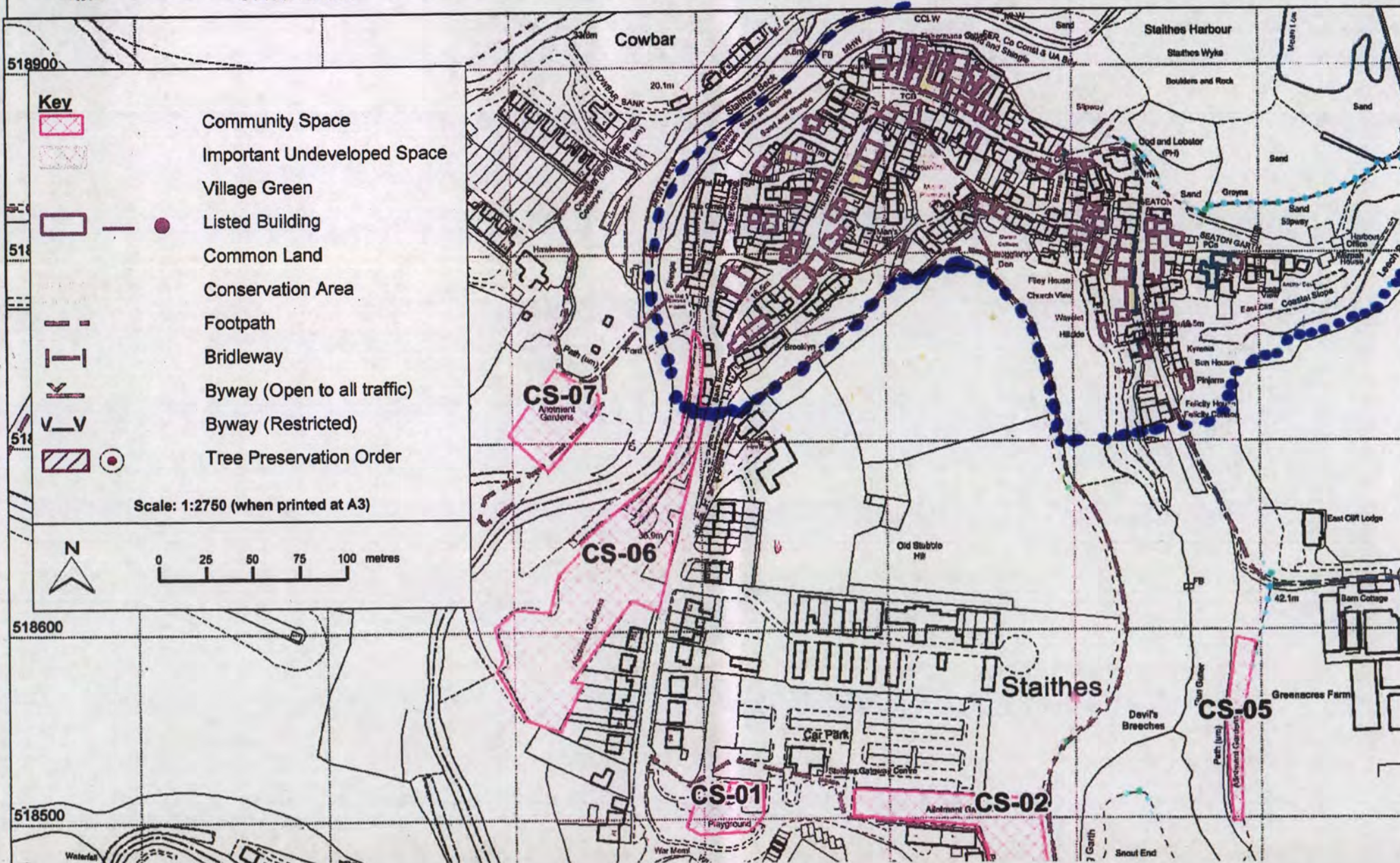
The area shown in red on your plan is correct

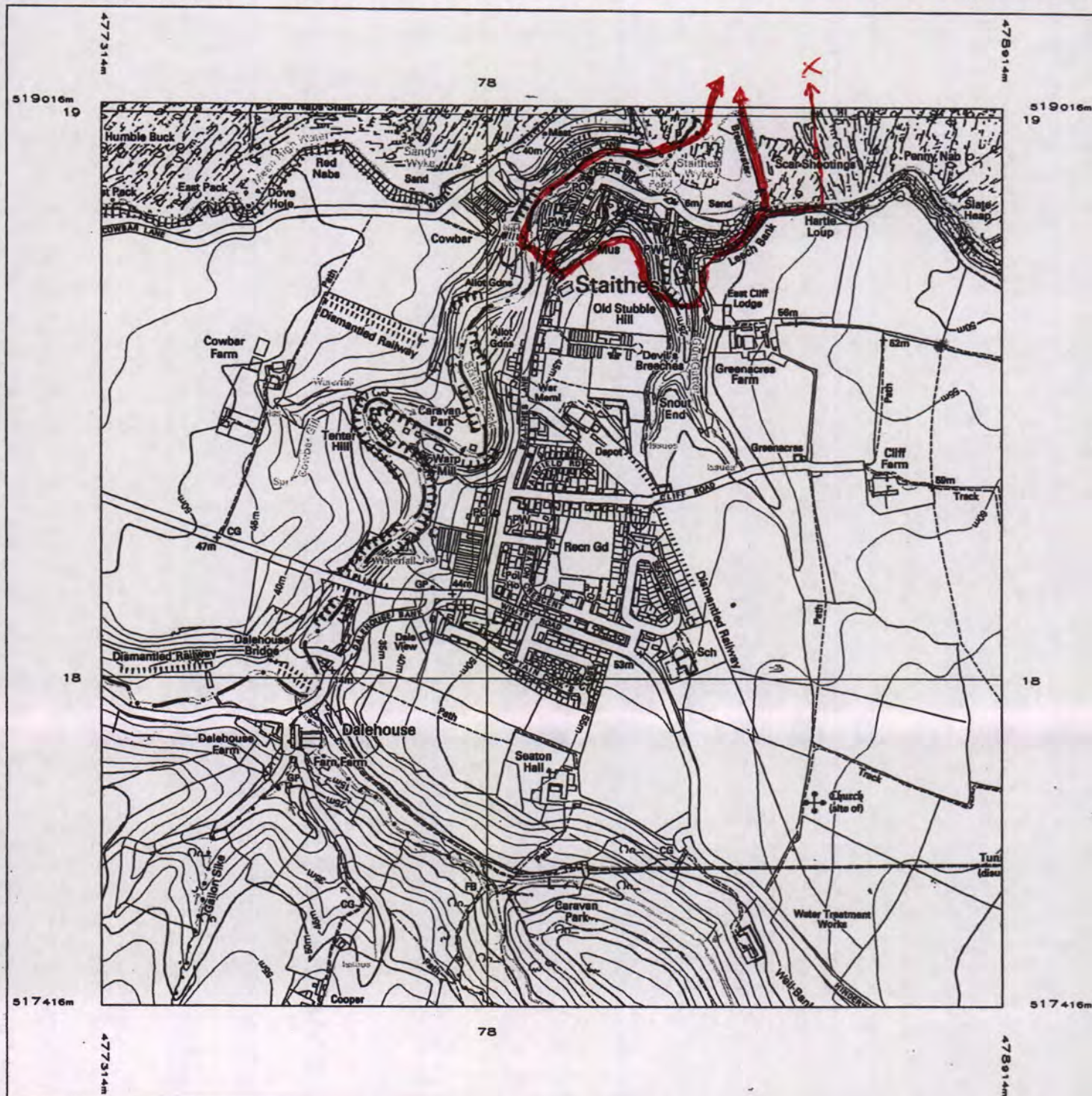


North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

Undeveloped & Community Spaces

Printed: 04 October 2017





Plotted 08 Apr 2005 from Ordnance Survey digitally derived data.

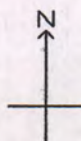
Produced using significant survey information from Ordnance Survey basic-scales digital data, and incorporated into Landplan Feb 2005.

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Administrative boundaries revised to Feb 2005.

Additional boundaries information:



Contours are at 5 metre intervals.

Heights are given in metres above Newlyn Datum. The representation of a road, track or path is no evidence of a right of way.

The alignment of tunnels is approximate.

A Landplan symbols leaflet is available on request from Ordnance Survey Options outlets.

Ordnance Survey, the OS Symbol, Landplan and Superplan are registered trade marks of Ordnance Survey, the national mapping agency of Great Britain.

Plot centre coordinates: 478114 518216

Supplied by: The Business Shop

Plot serial number: 00353800

Scale 1:10000

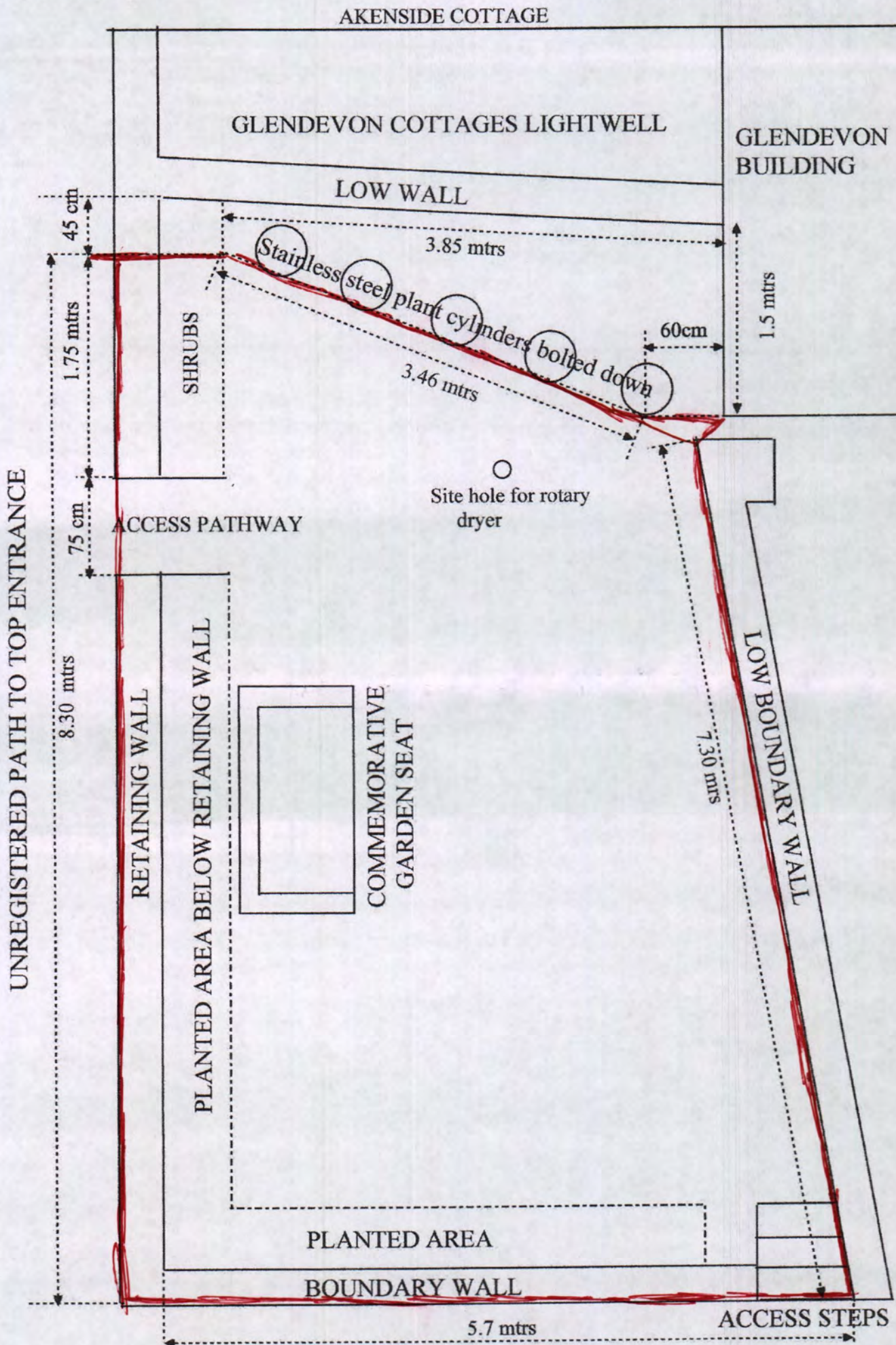
A bird's-eye view of Staithes



Date; 28-07.2019.

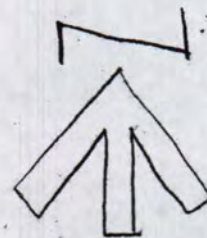
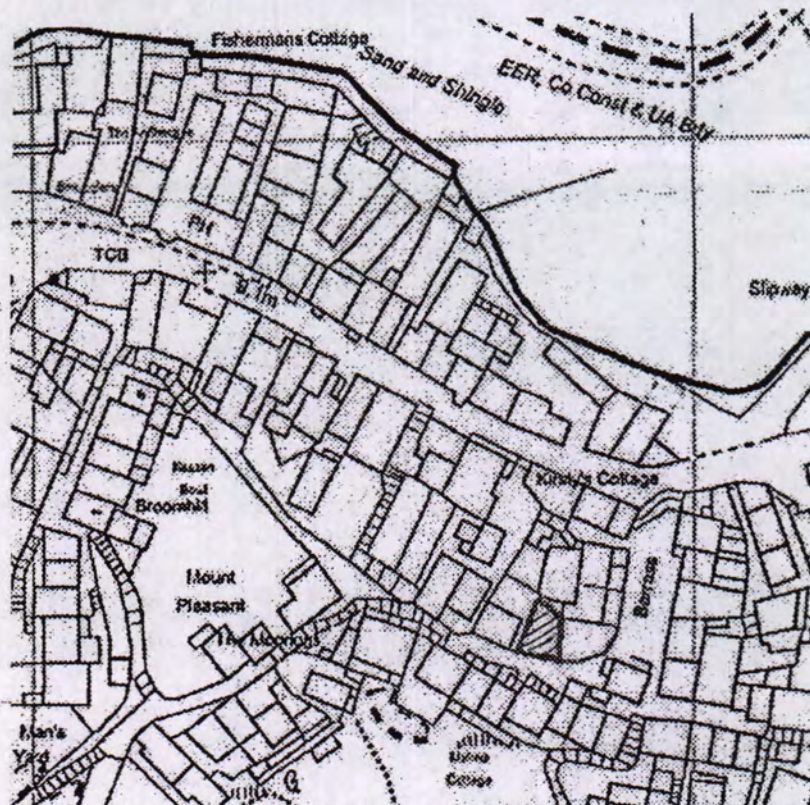
Drawn by K Smith scale:- 1-40

NCCC

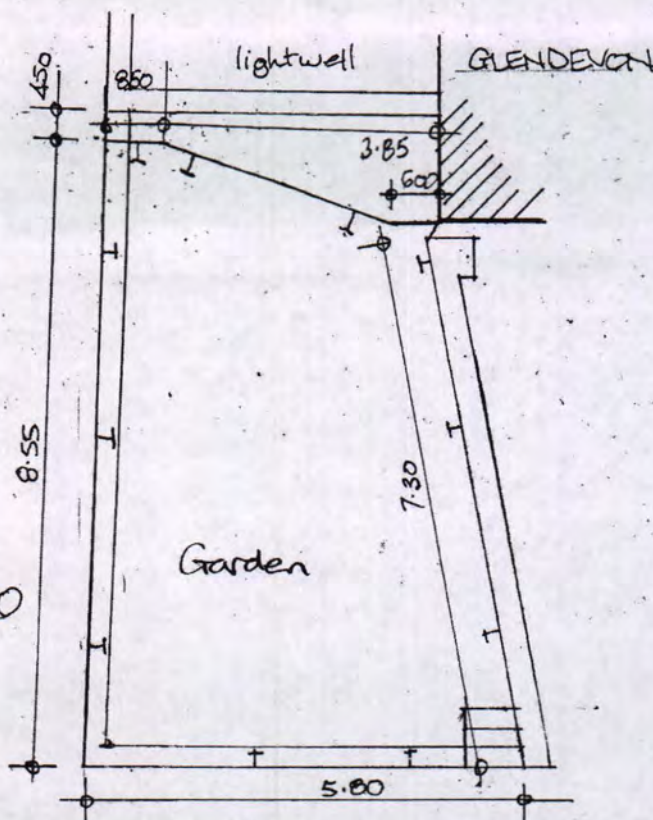


BARRASS COMMUNITY GARDEN/DRYING AREA, STAITHES

NT 10



LOCATION PLAN Scale: 1 to 1250



SITE PLAN
Scale: 1 to 100

LAND SURVEY, BARRASS COMMUNITY GARDEN, STAITHES
This drawing is for Land Registry purposes only

HINDERWELL



PARISH COUNCIL

Jane Applegath

Documents as promised

Carol Barker

5

High Street, Hinderwell, Saltburn, Cleveland. TS13 5JX

Telephone:



hinderwellparish@tiscali.co.uk

Application for Adverse Possession
of Unregistered Land

STATEMENT OF TRUTH

1. We, **Hinderwell Parish Council** of The Parish Council Office at 5 High Street, Hinderwell, Saltburn, Cleveland, TS13 5JX make this statement in support of an application to Land Registry for registration of unregistered land based upon adverse possession.

2. We are the organisation currently in adverse possession.

3. **The 'Barrass Community Garden'**

The land which forms the subject of this application is clearly identified on the attached plan at Exhibit A and shown edged red (the 'Barrass Community Garden').

4. **Period of Adverse Possession**

Adverse possession began many years ago, certainly since the 1940's when the original cottages were cleared after WW2 and the garden has been regularly used by Staithes residents, visitors and members of the Parish Council. See Exhibit B (2) Barrass Garden History document

5. **Acts of Adverse Possession**

During the period of adverse possession, the following acts of adverse possession have occurred:

- a. Harry LINDSEY, former tenant of the neighbouring Hill Cottage, in the spring of 2008 cleaned up the area to make a garden for everyone to enjoy See Exhibit C (1): Statement of Harry LINDSEY. See Exhibit D (4&5): Photographs provided by Harry LINDSEY of the garden in 2008.....???
- b. John KELLETT of Castleton House, High Barrass has placed plant pots there for the past 30 years – See Exhibit C (2): Statement of John KELLETT
- c. John Edward HAMLIN has helped look after plants and flowers in the garden see Exhibit C(3): Statement of John Edward HAMLIN
- d. Cyril SHAW has planted flowers in tubs in the garden – See Exhibit C(4): Statement of Cyril SHAW.

- e. David Eric MORGAN owner of Hill Cottage which neighbours the garden, owned the property from 1999 to 2016. He states that it was his tenant (Harry Lindsey) who improved the area with further planting. See exhibit C(5): statement of D E MORGAN
- f. Alan Thomas ROE states that he grew herbs in the garden as did his mother, and grandfather. See Exhibit C(6): Statement of A T ROE
- g. Robert John SHAW states that he has furniture on the garden and plant pots. He uses the space to plant vegetables and herbs. See Exhibit C(7): Statement of R J SHAW
- h. Jill TURTON states she has placed a wooden bench on the garden from which to enjoy the garden, See Exhibit C(8): Statement of Jill TURTON. See Exhibit D (3): Photographs supplied by Jill TURTON of her family using her wooden bench in 2019
- i. Barbara June WILSON of Hillside Cottage, Which neighbours the garden, states that it was her husband who fitted a new socket for a carousel drier when access to the old one was obstructed by the owners of Glendevon. See Exhibit C(9): Statement of B J WILSON
- j. Stephen FATHERS of Barrass House, which is adjacent to the Barrass Garden states that since he moved to his property in 2001, he has helped keep the area tidy and used that area for his washing and sits on the communal bench. See Exhibit C(10): Statement of S FATHERS
- k. Winifred CRAIG recalls the original cottages being demolished and the land was then used by all. See Exhibit C(11): Statement by W CRAIG
- l. Hinderwell Parish Council had a recycled plastic bench installed in the Barrass Garden in October 2018. It was paid for by Hinderwell Parish Council and installed by P F Marsay Ltd, who secured it to the ground. See Exhibit B (6) invoice P F Marsay to Hinderwell PC for installation of bench. The bench on the Barrass Garden has since been sponsored by the Willans family of County Durham as a memorial bench. See Exhibit D (9) photographs of bench and plaque and Exhibit B (11) HPC Finance document showing purchase of 4 benches and income from Willians family as sponsorship of bench.
- m. A Second Entrance was made in the boundary wall in October 2018. This was to make the area more accessible, as the original entrance from the footpath beside Hill Cottage was narrow.

Following a site meeting on 16.08.18 attended by 3 Councillors and the Clerk See Exhibit D (7), the work was put out to tender by Hinderwell Parish Council, See Exhibit B (4). The new entrance was created by Isaac Gale and paid for by Hinderwell PC, See Exhibit B (5).

- n. A Land Registry Adjudication took place on 21-22 December 2010 to decide if neighbouring property Glendevon (Beckett & Spence) had any claim to the Barrass Garden. The Adjudicator found that "Mr Lindsay rather than Beckett and Spence have been in factual possession of the Disputed Land since the spring of 2008. Mr Lindsay and Mr and Mrs Morgan clearly consider themselves as custodians of the land for the benefit of the local community." See Exhibit B (12) paragraph 20. The Adjudicator issued an Order to cancel Beckett and Spence's Application NYK370697. See Exhibit B (7).
- o. Staithes Art Festival takes place over three days annually in September with lots of pop up art exhibitions and craft displays. In 2016 a "Whale" creation was placed in the Barrass Garden and visited by many hundreds of people. See Exhibit D(2)

6. Enclosure of the Land

The current boundary wall has enclosed the Barrass Community Garden since 1992, when a Village Improvement Scheme, involving North Yorkshire County Council, North York Moors National Park and Hinderwell Parish Council cleared the area of debris and built the existing sandstone wall. See Exhibit B (8) NYCC/NYMNPA/HPC Village Improvement Scheme Agreement 16/1/1992

Exhibit B (9) Scarborough BC Grand Aid letter 19/01/1991

Exhibit B (10) Scarborough BC Grant Aid letter 18/11/1991

Exhibit D (6) Photographs x 17 of work being carried at in 1992

A second entrance was made in the wall in October 2018. This work was put out to tender by Hinderwell Parish Council, See Exhibit B (4) following a Site Meeting on 16.08.18 See Exhibit D (7). The work was undertaken by Isaac Gale and paid for by Hinderwell PC, See Exhibit B (5) invoice Isaac Gale to HPC and Exhibit D (8) Photos of completed work on new access steps.

7. Permission to Possess

Our adverse possession of the land has been without the consent, licence or permission of anyone at any time.

8. Freehold Owner

The identity of the freehold owner is unknown.

9. Ownership of Other Property

Neighbouring Properties are Hill Cottage owned by Mr Eric MORGAN 1999-2016 See Exhibit C(5):

Statement by David Eric MORGAN. Hill Cottage is currently owned by Libby HOWARD of Manchester.

Barrass House, Barrass Square owned by Stephen and Tina FATHERS since 2001 See Exhibit C(10) & (15): Statements of Stephen and Tina FATHERS

Akenside Cottage, owned by Darren JOHNSON since 2014. See Exhibit C(24) : Statement of Darren JOHNSON.

Ocean View is owned by Jane and Richard BOWLES.

Hillside Cottage owned by Barbara June WILSON since 2004 See Exhibit C(9): statement of B J WILSON

Castleton House owned by John KELLETT since 1990 – See Exhibit C(2): statement of John KELLETT

Glendevon Cottage owned by BECKETT and SPENCE since 1997

10. Land Registration Act 2002

Paragraphs 1 and 6 of Schedule 6 to the Land Registration Act 2002 are not relevant to this application.

11. Declaration

We believe that the facts and matters contained in this statement are true.

SIGNED:



[PARISH COUNCIL OFFICIAL]

DATE:

16-6-2020

SIGNED:



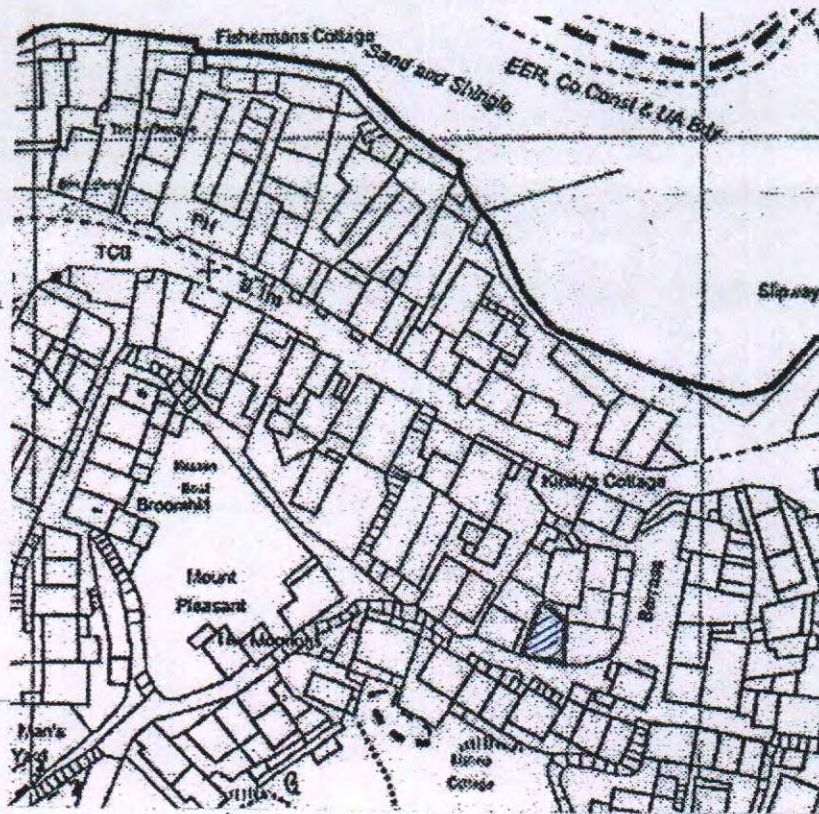
[PARISH COUNCIL OFFICIAL]

DATE:

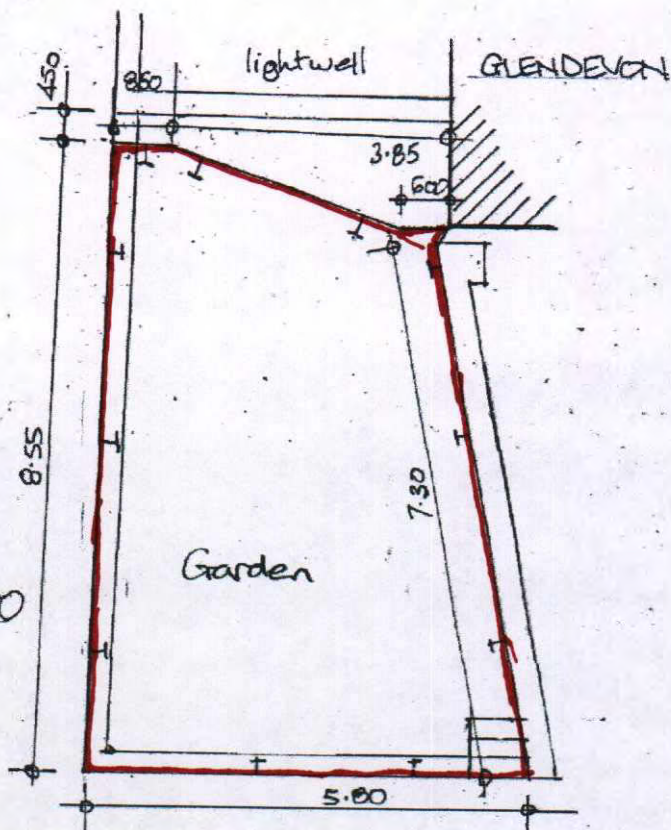
16-6-2020

EXHIBIT A

PLAN of Barrass Garden



LOCATION PLAN Scale: 1 to 1250



SITE PLAN
Scale: 1 to 100

16-6-2020

LAND SURVEY, BARRASS COMMUNITY GARDEN, STAITHES
This drawing is for Land Registry purposes only

EXHIBIT B
Parish Council Documents

- B (1) Richard & Smiths Valuation of the land 18.01.2020**
- B (2) Hinderwell Parish Council Barrass upper Garden History**
- B (3) ChubbBulleid letter to Drummonds 23.07.2018**
- B (4) Hinderwell PC Tender request 18.08.18**
- B (5) I G Maintenance invoice to Hinderwell PC 03.11.2018**
- B (6) P F Marsay Ltd invoice to Hinderwell PC 02.12.2018**
- B (7) HM Land Registry Order 26.01.2011**
- B (8) NYCC/NYMNPA/HPC Village Imp Scheme Agreement 16.01.1992**
- B (9) Scarborough BC to Hinderwell PC Grant Aid 22.04.1991**
- B (10) Scarborough BC to Hinderwell PC Grant Aid 18.11.1991**
- B (11) Hinderwell PC Finance 01.11.2018**
- B (12) HM Land Registry Adjudication report Ref 2010/0362**
- B (13) Planning Application NYMNPA/2015/0700/FL**
- B (14) Village Improvement Scheme plans for Barrass 1992**
- B (15) Village Improvement Scheme plans for Barrass 1992**
- B (16) Hinderwell PC to Beckett & Spence 14.12.2018**



Est. 1887

RICHARDSON & SMITH

Chartered Surveyors

Auctioneers

Valuers

Estate Agents

Mrs C Barker
Hinderwell Parish Council
5 High Street
Hinderwell
Saltburn
Cleveland.
TS13 5JX

18th January 2020

hinderwellparish@tiscali.co.uk

Dear Carol

RE: LAND OFF HIGH BARRASS, STAITHES. TS13 5DE

1. INSTRUCTIONS & SPECIAL ASSUMPTIONS

I understand that you require me to advise on the market value of this property in relation to assessment of the appropriate fees for land registry. The valuation figure given below is as at the date of inspection. You have not specified any other special assumptions to be made in the preparation of the valuation.

2. CONFLICTS OF INTEREST

I can confirm that I am not aware of any conflict of interest that would prevent me from providing you with the report you require.

3. THE SURVEYOR

The report has been prepared by James Smith MRICS FNAEA. I can confirm that I have sufficient experience in valuing residential properties. I have been a qualified Chartered Surveyor since 1997 and have practiced in the North Yorkshire area for over 20 years. I am also member of the National Association of Estate Agents, practicing estate agency in this area.

4. RICS COMPLIANCE

In accordance with the Royal Institution of Chartered Surveyors we confirm that this valuation has been prepared in accordance with the International Valuation Standards of the latest edition of the RICS Valuation – Global Standards 2017 (the "Red Book").

5. INSPECTION

The property was inspected on Friday 17th January 2020. The weather was wet and raining at the time of the inspection.

6. SITUATION AND LOCATION

The land is positioned on the north side of a footpath known as High Barrass in the lower village of Staithes. Staithes is a picturesque fishing village on the North Yorkshire Coastline approximately 10 miles northwest of Whitby, in the National Park. See location plans attached at Appendix A.

Continued

email@richardsonandsmith.co.uk

Regulated by RICS

www.richardsonandsmith.co.uk



8 Victoria Square, Whitby, North Yorkshire. YO21 1EA
Tel: (01947) 602298 Fax: (01947) 820594



Partners: R.C. Smith

I.K. Halley FRICS

J.E.J. Smith MRICS FNAEA

7. DESCRIPTION

The land is in an area of paved garden bounded by low walls to 3 sides and a row of stainless steel planters on the fourth side. The land is slightly irregular in shape and extends to approximately 40 square meters in total. The space has a concrete surface with planting borders to the south and west sides. It is currently a community garden with a number of chairs and benches.

The village is popular with tourists and many of the nearby cottages are used as second homes and holiday lets. Many of the cottages in the village have little or no outside space which is useful for entertaining and amenity and adds significant value.

See photos at Appendix B.

8. SERVICES

It is understood that the property has no connections to mains services.

9. TENURE AND OCCUPATION

It is understood that the property is owned freehold with vacant possession and there are no restrictions or covenants.

10. PLANNING AND OTHER REGULATIONS

The property falls within the administrative area of the North York Moors National Park and is not part of a listed building, although it does lie in close proximity to listed buildings. The village is a Conservation Area with an article 4 direction adding further limitations.

The land could offer valuable private outside space to one of the many nearby cottages, or could offer scope for an extension to an adjoining house, although this is less likely.

11. CONTAMINATION

No specific enquiries have been made in this regard, however nothing we have seen during our inspection has given us cause for concern in this regard, though we reserve the right to amend this valuation should any such issues come to light.

12. VALUATION

The property market is relatively bullish at present, despite political uncertainty brought about by Brexit, etc. On the basis that the property has vacant possession, we set out our valuation as follows:

Valuation as at January 2020

It is our opinion that the market value of the whole interest in the freehold of the above property was in the region of £20,000 (Twenty thousand pounds) as at the date of inspection.

13. GENERAL ASSUMPTIONS AND TERMS OF ENGAGEMENT FOR VALUATIONS

The Valuer has inspected the property being valued on the basis of a visual inspection to cover as much of the exterior and interior of the property as was readily accessible without undue difficulty or risk to personal safety while standing at ground level within the boundaries of the site and adjacent public/communal areas and when standing at the various floor levels.

Unless subject to express agreement to the contrary, the following additional assumptions and special assumptions may have been made without verification:-

- i. The Valuer has acted as an external Valuer as defined by the Royal Institution of Chartered Surveyors.
- ii. The Valuer has undertaken such inspections and investigations as were, in the Valuer's reasonable professional judgement, appropriate and possible in the particular circumstances.
- iii. The Valuer has relied upon information supplied by the Client and/or Client's legal representative or other professional advisers relating to tenure, tenancies, rights of way, restrictive covenants and other relevant matters. The Valuer has not inspected the title deeds and has assumed that the property and its value are unaffected by any matters that were revealed by a local search and replies to the usual enquiries or by any statutory notice.

Barras R+S P2

- iv. The Valuer has had regard to the apparent state of repair and condition of the property but has not carried out a building or condition survey and the Valuer has not inspected those parts of the property which are covered, unexposed or inaccessible. Such parts were assumed to be in good repair and condition. The Valuer was not under a duty to arrange for the testing of electrical, heating, plant or other services. Where requested an indication of reinstatement cost for insurance purposes has been provided. The assessment was undertaken on reinstatement basis and is for guidance purposes only. The assessment includes architects and quantity surveyors fees, an allowance for debris clearance but be exclusive of VAT and ignoring inflation. An indication of costs for insurance purposes falls outside of the RICS Valuation Standards and does not represent a valuation for market or any other purposes.
- v. That vacant possession will be provided (unless valued as an investment and subject to an occupational lease).
- vi. The property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoing and good title can be shown.
- vii. The property and its value are unaffected by any matters that would be revealed in a local search, replies to usual pre-contract enquiries or any statutory notice that may indicate the property and its condition, use or intended use are, or will be, unlawful.
- viii. An inspection of those parts of the property which have not been inspected, or a survey inspection, would not reveal material defects or cause the Valuer to alter the valuation materially. We have not inspected woodwork or other parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect.
- ix. In the case of a building that has not yet been constructed, the Valuer will, unless otherwise instructed, provide a valuation in respect of the assumption that the development has been satisfactorily completed as at the date of valuation, in accordance with planning permission and other statutory requirements.
- x. That in the case of newly constructed residential property it has been built under the NHBC Buildmark Scheme, Zurich Municipal New Build and Rebuild Scheme, Housing Association Property Mutual Scheme, Premier Guarantee or for private and completed housing or equivalent, under the supervision of a professional consultant and that an appropriate certificate of satisfactory completion has been issued.
- xi. There is unrestricted access to the property and the property is connected and has the right to use, the reported mains services on normal terms. Sewers, mains services and the roads giving access to the property have been adopted and any lease provides rights of access and egress over all communal estate roadways, pathways, corridors, stairways and use of communal grounds, parking areas and other facilities.
- xii. There are no ongoing insurance claims or neighbour disputes.
- xiii. That no high alumina cement concrete or calcium chloride additive composite panels or any other potential deleterious or hazardous materials or techniques have been used in the construction of the property or have since been incorporated.
- xiv. That unless otherwise advised or an inspection reveals matters to the contrary, an assumption is made that no contamination or potentially contaminative use is, or has been, carried out at the property. Unless specifically instructed we will not take any investigation into the past or present uses of either the property or any adjoining or nearby land to establish whether there is the potential for contamination from these uses and an assumption will be made that none exists. However, should it be established subsequently that contamination exists at the property or on any neighbouring land or that the premises have been or are being put to any contaminative use this might reduce the values reported.
- xv. We have not made any specific enquiries of the Planning Authority and therefore will make the assumption that there are no known contraventions of planning law and that all buildings and structures which require planning consent and Building Regulation approval have the appropriate statutory consents.
- xvi. We have not made any enquiries of the Health and Safety Executive and will not make any statement that the property conforms to the necessary and legal requirements of this authority and or to the requirements of any legal enactment and we will assume that there are no contraventions that may affect the valuations.
- xvii. We have not made any enquiries to obtain a mining report and will assume, unless there is compelling visual evidence, that there is no potential subsidence which would affect the property.

- xviii. We have not carried out a detailed site inspection to ascertain the presence, or otherwise, of Japanese Knotweed. This is an invasive and insidious plant which can be expensive to clear from a site and its presence can cause damage to a building's fabric. Under the UK Wildlife and Countryside Act it is illegal to cause Japanese Knotweed to grow in the wild. Should further investigations reveal the presence of Japanese Knotweed on or adjacent to the site then a full report identifying the extent and cost of appropriate works should be undertaken and referred back to the Valuer for comment.

14. CONFIDENTIALITY

In accordance with the recommendations of the RICS, we would state that the report is provided solely for the purposes stated above. It is confidential to and for the use only of the party to whom it is addressed and no responsibility whatsoever is accepted to any third party for the whole or any part of its contents. Any such parties rely upon this report at their own risk. Neither the whole nor any part of this report or any reference to it may be included now, or at any time in the future, in any published document, circular or statement, nor published, referred to or used in any way without our written approval of the form and context in which it may appear.

15. DEFINITION OF MARKET VALUE

"Market Value" means the estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.

16. DISPUTE RESOLUTION & MONITORING

The firm operates a Complaints Handling Procedure in accordance with RICS guidelines. A copy is available upon request. The firm and valuer are registered with RICS Valuer Registration. Please note that our files may be subject to monitoring under the institution's conduct and disciplinary regulations.

I trust that this letter covers all the point you require, but if you have any questions please contact me.

Yours sincerely



James EJ Smith MRICS FNAEA
RICS Registered Valuer

Appendix A - Location Plans



Appendix B – Photos of the Property



Looking NW



Looking NE



Looking S

Barrass Upper Garden - History

Hinderwell Parish Council (HPC) has been approached by the residents of Staithes, North Yorkshire to assist them in legally claiming a piece of land for their community's continued benefit and use.

The history behind this endeavour is long but nonetheless worth explaining in order to clarify its legitimacy.

Staithes is an old fishing village, at the most North Easterly point of Yorkshire. The houses and cottages are tightly packed together on steep inclines down to the harbour. The cottages have little outdoor space and very few have a garden. This lack of space means that any "open areas" are much appreciated and over centuries the few open areas have been used and shared as places to dry and repair fishing nets and to dry washing/laundry. In recent times these open spaces have also been used for outdoor eating and leisure purposes.

Part of Staithes is known as the Barrass - sometimes called the Barriss. It once had cottages built on the upper part of it, but slum clearances between 1941 and 1946 saw the cottages demolished and an open area created. This area is bordered by cottages called Hill Cottage, Akenside and Glendevon and a right of way. This open area has been used for nearly 70 years by residents to dry fishing nets and washing, and more recently to sit out in.

In 1992 the North Yorks Moors National Park Authority (NYMNP) as part of a Village Improvement Scheme, cleared the area of debris and laid gravel on the upper part and laid paving on the lower part, and built a wall between the open space and the right of way and a low stone wall to separate the upper Barrass Garden from the lower Drying Ground, thus making this open space a safe place for residents to use.

See Exhibit B (8) NYCC/NYMNP/HPC Village Improvement Scheme Agreement 1992

In 1997 Beckett and Spence purchased Glendevon. They were registered as proprietors of that property under title number NYK196221 on 15/10/1997.

They then applied for title to the Drying Ground and the Barrass Garden. However their application in respect of both the Drying Ground and the Barrass Garden was rejected because, as stated in a letter dated 05/01/1998 from the York District Land Registry stating *"a good documentary title has not been deduced thereto and no relevant evidence of possession accompanies the application"*. See Exhibit B (12) Paragraph 8.

Glendevon has been a holiday cottage ever since. Initially Beckett and Spence used it for themselves, but for many years it has now operated as a commercial holiday let with its own website.

Undeterred by this rejection Beckett and Spence renewed their application and applied for First Registration to both the Drying Ground and the Barrass Upper Garden. On this occasion their application in respect of the Drying Ground was successful and they were registered as the proprietors of the Drying Ground on 26/03/1998 with a possessory title number NYK202116.

However their application in respect of the Barrass Upper Garden was again rejected. A letter dated 07.08.1998 from York District Land Registry said *"The land which has been omitted from the Registration, appears to form the remaining foundations of a demolished property, there is nothing to indicate occupation of that area"*

by a particular person or persons. Accordingly it has not been possible to grant any class of title in respect of that area of land".

See Exhibit B (12) Paragraph 8.

On 24/7/2009 Beckett and Spence applied for First Registration of the Barrass Upper Garden for the third time, this time based on at least 12 years adverse possession by Beckett and Spence and the previous owners of Glendevon. This application gave rise to 12 formal objections and the matter was referred to the Adjudicator.

The hearing taking place on 21/22 December 2010.

The outcome of this hearing was to conclude that *"Ms Beckett and Mr Spence have not demonstrated any title to the Disputed Land (Barrass Upper Garden) and that their application for registration must fail"*.

See Exhibit B(12) Paragraph 34

See Exhibit B (7) Land Registry ORDER to cancel application for title NYK370697

A planning application to NYMNPA from Beckett and Spence ref NYM/2015/0700/FL was in part, for permission to erect metal railings on the Barrass Upper Garden close to their property. In this application, the area known locally as the Barrass Upper Garden, was described as *"village's communal garden"*. They even wrote in their application about *"The recent intensification of use of the communal garden and recent installation of a rotary washing line"*. A map, as part of their application, showed the Barrass Upper Garden as "Land of no known ownership". In the NYMNPA's notes *"It is clear from some of the correspondence received by the Authority that the land of unknown ownership (second community space) is used by neighbours whose land it adjoins, for traditional uses such as drying clothes, sitting out and tending potted plants"*.

Beckett and Spence withdrew their application to fence across the Barrass Garden, after objections from 47 residents, but were allowed to proceed with increasing the height of the boundary walls around the lower Drying Area. See Exhibit B (13)

In late 2017 Hinderwell Parish Council (HPC) formed a Sub Committee solely to look at the issues with the Barrass Garden and the possibility of securing its title for the local community. Staithes Councillors had heard from many residents that they were worried that Beckett and Spence would once again try to apply for title to the area. Throughout all this time, the behaviour of Anne Beckett towards local residents was hostile. She often taunted them that she would soon have ownership of the upper area. Anne Beckett visits the village once a week to clean the holiday cottage Glendevon, always taking a "selfie" on the upper site and moving the pots and furniture which residents have placed there.

HPC met with NYMNPA and their legal advisor suggested we make an application to the Land Registry. Legal advice was also sought from Scarborough Borough Council's Legal Team from January 2018 onwards.

In February 2018 HPC contacted James and Ferelith Drummond, who are the descendants of Mr Mark Palmer, who was assumed to be the owner of the cottages that occupied the site of the Barrass Upper Garden until they were demolished in the 1940's. However, the Drummonds have no documentation to prove that they own the land and on 23/7/18 they sent us a copy of their Solicitor's advice *"You are not in a position to make an application to the Land Registry for ownership of the land because you can't say for certainty whether the land was owned by Mr Palmer or not. You are therefore not the legal owner nor are you claiming ownership. You are not in a position to say one way or*

another whether this was land owned by Mark Palmer or not. It may have been. It may not have been. You do not have legal title or deeds to prove it one way or another".
See Exhibit B (3)

In August 2018 HPC sought tenders to make a second public access into the Barrass Upper Garden from the main right of way to support the existing access from beside Hill Cottage. The original 1992 plans had allowed for an access gap, but for whatever reason, it was omitted. This resulted in work being carried out in October 2018, which was well received by residents and visitors.

See Exhibit B (4,5,14,15) and D (7&8)

On 9th November 2018 HPC arranged for a memorial seat to be placed in the Barrass Upper Garden. This was secured to the ground and has been well used ever since.
See Exhibit B (6)

In late 2018, Beckett and Spence installed 5 chrome planters on the Barrass Upper Garden. These were close to their property (Glendevon) but did not follow their boundary; instead they followed the same line as the railings they had applied for planning permission to install back in 2015. This was seen by all as the latest strategy by Beckett and Spence to build evidence to support another Title Claim.

Hinderwell Parish Council wrote to Beckett and Spence on 14.12.18 and asked for the planters to be removed as they prevented the local community from using all of the Barrass Upper Garden and the rotary drier.

See Exhibit B (16)

Correspondence between the two parties continues, but the planters have remained and residents now observe Mrs Beckett taking 'selfie' photos of herself tending the plants in them when she visits her property.

In 2019, further legal advice was taken, that advised the best way forward for our community was for Hinderwell Parish Council, on behalf of residents, to put in a claim with HM Land Registry for possessory title to the Barrass Upper Garden without including the triangle of land that Beckett and Spence want nearest to their property, that has the planters on it.

The advice was to get as many ST1 forms completed by local residents who have known and used the Barrass Upper Garden for very many years.

This is why we are now starting the process with HM Land Registry.

C Barker \ June 2020
Clerk
Hinderwell Parish Council



B3
ChubbBulleid

Incorporating T.G. Pollard & Co.
SOLICITORS

The Honourable J.R. Drummond



RC/JW/MISC-D

23 July 2018

DICTATED BY BUT SENT IN THE ABSENCE OF RICHARD CUSSELL

Dear Jamie

Re. Mark Palmer's Estate

I write further to our recent meeting. I have now had a quick look at the title deeds and documents we hold here. I am reminded that we have the Potash Mining Lease, a bundle of sale off conveyances, some plans and a Statutory Declaration from you. The best I can suggest in your response to Hinderwell Parish Council is to say that you have taken advice from me and in the circumstances the form ST3 is not really appropriate. ~~You are not in a position to make an application to the Land Registry for ownership of the land because you can't say for certainty whether it was land owned by Mr Palmer or not. You are therefore not the legal owner nor are you claiming ownership. You are not really in a position to say one way or another whether this was land owned by Mark Palmer or not. It may have been. It may not have been. You do not have legal title or deeds to prove it one way or another.~~

The land in question does not seem to have been fenced in or used by anyone in particular therefore I have difficulty in seeing how anyone can actually claim title to it without either:-

- (a) Evidence of deeds or,
- (b) Having exercised evidence of ownership, ie. using it and fencing it in for more than 12 years.

In short I am not entirely sure I can see how you can help them. Perhaps I am missing something?

Chubb Bulleid Limited trading as Chubb Bulleid Solicitors
Registered in England & Wales number 05386876
Registered Office: 7 Market Place Wells Somerset BA5 2RJ
VAT Registration Number 129 9121 61

Authorised and regulated by the Solicitors Regulation Authority
Service of process by email is not accepted

A list of directors is available for inspection at the registered address



WELLS OFFICE also at STREET and SOMERTON

7 Market Place, Wells, Somerset BA5 2RJ

T: 01749 836100 F: 01749 676300

DX44902 Wells

E: solicitors@chubb-bulleid.co.uk

www.chubb-bulleid.co.uk

With kind regards.

Yours sincerely

PP
Richard Cussell
Chubb Bulleid Solicitors

Direct Dial: [REDACTED]

Email: [REDACTED]

Please note that I will be on annual leave from 20th July to 20th August.

All matters will be dealt with by one of my colleagues during my absence and post and e-mails dealt with by return.

Please contact one of my assistants:

Vashti Williamson tel: [REDACTED] / Claire Crew tel: [REDACTED] / Julie White tel: [REDACTED]

first of all for assistance and/or forwarding to the lawyer who will have conduct of your file.

HINDERWELL



PARISH COUNCIL

B 4

18th August 2018

To:

Sent To:
Mark Barrett
Isaac Gale
Gordon Ward
Jefferson Bldrs.

Hinderwell Parish Council is requesting quotes for a small building project in Staithes.

The work required is to make a pedestrian access to the upper part of the Barrass Garden, by making a gap in the existing wall and steps to the inner area. The existing wall's new ends to be made good.

The attached photographs show the location of the wall and the required access point.

The work needs to be completed before the end of October 2018.

Written quotes need to be returned to Hinderwell Parish Council at the address below, by Wednesday 5th September 2018, so they can be discussed at the Council meeting on 6th September.

We hope you are willing to send us a quote.

Thank you

Carol Barker
Clerk
Hinderwell PC

5 High Street, Hinderwell, Saltburn, Cleveland, TS13 5JX

Tel:



hinderwellparish@tiscali.co.uk

Upper Barrass Garden



INVOICE

DATE

03/11/18

FROM

to Hinderwell Parish Council, 5
High Street, Saltburn, Cleveland TS135JX

Pedestrian Access
made in the Upper
Barrass Garden and
3 steps put in

£ 360.00

Payment Made to

MR. I. Gale.

Many thanks
Isaac.

V.A.T.

TOTAL

£ 360.00

B5

INVOICE

DATE 03/11/18

FROM 1.2 Maintenance, 14 Power
Lane, Humberston, L21 3ZJ
TO Humberston Parish Council, 2
High Street, Humberston, L21 3ZJ

Isaac Gale

Maintenance Man

07975983584

01947840975

Enquire about any other
Maintenance Needs



Isaac Gale Maintenance

Maintenance up keep on holiday
properties, painting, decorating and tiling,
fencing and paving.

Payment made to

Mr I Gale



Maintenace

1/18

TAV

TATOT

£ 300.00



Chp 405/B
6

PF MARSAY LTD
16 Cliff Road
Staithes
Saltburn
Cleveland
TS13 5AE



INVOICE

Invoice Address	Invoice Date	02/12/2018
HINDERWELL PARISH COUNCIL	Order Number	

DESCRIPTION		
Grass Cutting road sides x 6 cuts		£2250.00
Staithes, Dale House, Hinderwell, Port Mulgrave & Runswick Bay.		£ 60.00
Extra cutting at side of bus stop at Staithes £60.00		
→ Repairing fencing in top cemetery		£ 250.00
Erecting 5 seats (Barrass, 2 in Cemetery, Rectory field gate, Soldier seat) & WW1 information lectern		£ 600.00
		£ 200.00
Staithes Play Area - Repairing fence with 4' x 3 posts & Yorkshire boards Back wiring all boards. Replacing hinges on gate		
LABOUR		£3360.00
MATERIALS		
GROSS		£3360.00
VAT @ 20%		£ 672.00
TOTAL		£4032.00

05



"ORDER" [B7]
to cancel
Application
~ 4K 370697
26/1/11

REF/2010/0362

**THE ADJUDICATOR TO HER MAJESTY'S LAND REGISTRY
LAND REGISTRATION ACT 2002**

IN THE MATTER OF A REFERENCE FROM HM LAND REGISTRY

BETWEEN

**ANNE ELIZABETH BECKETT and
DAVID TERENCE SPENCE**

APPLICANTS

and

**DAVID ERIC MORGAN and
VIVIENNE MARY ELIZABETH MORGAN**

RESPONDENTS

**Property Address: Land to the south of Glendevon,
the Barrass, Staithes, North Yorkshire.
Title Number: NYK370697**

Before: Angus Andrew sitting as Deputy Adjudicator to HM Land Registry

**Sitting at: Middlesbrough County Court
On: 21st and 22nd December 2010**

ORDER

The Adjudicator to HM Land Registry orders the Chief Land Registrar to cancel the original application dated 24th July 2009.

Dated 26th January 2011

Angus Andrew

Deputy Adjudicator

By Order of the Adjudicator to Her Majesty's Land Registry

NORTH YORKSHIRE COUNTY COUNCIL

NORTH YORK MOORS NATIONAL PARK COMMITTEE

VILLAGE IMPROVEMENT SCHEME AGREEMENT

I, the undersigned J WELFORD, Chairman Hindewell Parish Council
being the owner/occupier/tenant of (or otherwise state
position) _____
in consideration of the National Park Committee purchasing and supplying the materials specified
below, agree to carry out the work specified below to the satisfaction of the National Park Officer,
within one year of ~~receiving the materials~~ the date of this agreement, in accordance with the terms
and conditions attached hereto.

I understand that the contribution towards the cost will only be paid when the work has been
completed to the satisfaction of the National Park Officer.

I certify that I am/~~am not~~ receiving grant aid for this work from any other source (if receiving grant
aid, please give details) and that the owner of the land on which the work will be carried out has
consented thereto.

Work Restoration of paved areas and steps at the Barras,
(Location of work marked in red on attached plan) Statthies

Works to be as described in Mr Brown's quotation
dated 27th August plus the fixing of a handrail
(to be supplied)

Materials

Stone Paving }
Stone steps } To be delivered by the National Park Dept.
Handrail } to Loftus Employment Group Depot for collection
by Mr. Brown.

Sand, cement to be provided as required by Mr. Brown
+ the cost reimbursed by the National Park Committee
on sight of receipted invoices.

Contribution towards the cost of labour

On completion of the work to the satisfaction of the National Park Officer, the National Park
Committee will make a contribution of £ 500 towards the cost of labour.

Signed by the Applicant

Date 16/1/92

Address

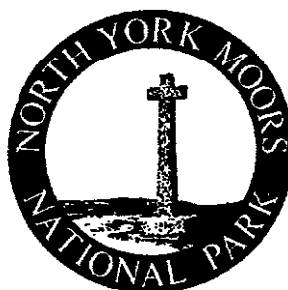
Signed by

on behalf of the North York Moors National Park Committee

(Terms and Conditions of aid are given overleaf)

North Yorkshire County Council
North York Moors National Park Committee
Village Improvement Scheme
Terms and Conditions

1. Offers of assistance are made on the understanding that no grant will be paid for any work carried out prior to acceptance of an offer of grant.
2. Grant will not normally be paid before completion of the work to the satisfaction of the National Park Officer.
3. All work grant-aided by the National Park Committee shall conform to the plans and specifications submitted and approved when making the offer of grant.
4. The applicant shall himself ensure at all times that work covered by the offer of grant aid conforms to all relevant statutory obligations.
5. The applicant shall carry out all work in accordance with proper and accepted practice and if the work is not carried out to the satisfaction of the National Park Officer then the National Park Committee shall be entitled to recover the materials supplied and ownership of such materials shall not pass to the applicant until the work is completed. Thereafter the applicant will maintain the work in a sound and reasonable condition.
6. The applicant shall disclose any financial contribution which may be received in respect of the work from any other body so far as such contribution have not previously been disclosed.
7. Claims for payment of grant must be supported by a statement of the costs incurred and the National Park Committee may reduce their contribution pro rata when the costs are lower than the estimates submitted with the original application.
8. The applicant shall be reasonable for meeting any claims against him, or against the National Park Committee resulting from negligence or public liability.
9. Any person authorised by the National Park Committee or the National Park Officer shall be entitled at all reasonable times to enter and inspect the work for the purpose of ascertaining that the terms and conditions of the offer are being complied with.
10. In the event of any breach of these terms and conditions, the National Park Committee may declare the offer to be void or may vary the amount to be paid or where the grant or any portion has been paid or goods or materials supplied, may require the amount paid to be repaid in full or in part or the goods and materials returned as the case may be.



Scarborough Borough Council

Department of Technical Services

Town Hall
St. Nicholas Street
Scarborough
YO11 2HG

Director of Technical Services:
M.D. Clements, B. Eng., F.I.C.E.
Chartered Engineer



If calling, please ask for **Mr. M. Corner**
All correspondence to be addressed to the Director

Your Ref:
Our Ref: **MC/RMF 19/1/18**

22nd April, 1991

Dear Mrs. Ellis,

Conservation Area Improvement Scheme
Application for Grant Aid Towards the
Cost of Implementing Works Under the
Village Improvement Scheme at The Barras, Staithes

Your request for Grant Aid towards the cost of implementing works under the Village Improvement Scheme at The Barras, Staithes, was considered by the Development Services Committee at their meeting on 16th April, 1991, when it was resolved that the Borough Council make a grant of 50% but not exceeding £850.00 towards the labour costs in accordance with the Conservation Area Improvement Scheme.

The grant has been made on the basis of the submitted estimates and plans, namely the lifting and relaying of stone flags and setts, replacing tarmac with stone flags, fitting a handrail and constructing stone walls within the area known as The Barras, Staithes.

The Grant is offered subject to the following conditions:

1. For the avoidance of doubt, the work shall be carried out in strict accordance with the details submitted with the application.
2. Payment of the Grant shall only be made following inspection of the completed works by a member of my staff.

/Continued

3. In the event of the works not being commenced within six months of the date of this letter, the offer of a Grant will be withdrawn. This will not prejudice any further application which may be submitted to the Council for reconsideration.
4. If the work is started it must be completed and the receipted final account presented within twelve months of the date of this letter if the Grant is to be claimed.

Yours sincerely,



Director of Technical Services.

Mrs. A.E. Ellis,
Clerk to Hinderwell Parish Council,
'Glaisdale House',
10 Porret Lane,
Hinderwell,
Saltburn.

Scarborough Borough Council

Department of Technical Services

Town Hall
St. Nicholas Street
Scarborough
YO11 2HG

Director of Technical Services:
M.D. Clements, B. Eng., F.I.C.E.
Chartered Engineer



B.10

[Redacted]
If calling, please ask for **Mr. M. Corner**
All correspondence to be addressed to the Director

Your Ref: /
Our Ref: **MC/RMF 19/1/18**

18th November, 1991

Dear Mrs. Ellis,

**Conservation Area Improvement Scheme - Application for
Grant Aid Towards the Cost of Implementing Works
Under the Village Improvement Scheme at The Barras, Staithes**

Your request for Grant Aid towards the cost of implementing works under the Village Improvement Scheme at The Barras, Staithes, was considered by the Development Services Committee at their meeting on 12th November, 1991, when it was resolved that the Borough Council make a further grant of £447.00, making a total of £1,297.00 in accordance with the Conservation Area Improvement Scheme.

The grant has been made on the basis of the submitted estimates and plans, namely the lifting and relaying of stone flags and setts, replacing tarmac with stone flags and fitting a handrail within the area known as The Barras, Staithes.

The Grant is offered subject to the following conditions:

1. For the avoidance of doubt, the work shall be carried out in strict accordance with the details submitted with the application.
2. Payment of the Grant shall only be made following inspection of the completed works by a member of my staff.
3. In the event of the works not being commenced within six months of the date of this letter, the offer of a Grant will be withdrawn. This will not prejudice any further application which may be submitted to the Council for reconsideration.
4. If the work is started it must be completed and the receipted final account presented within twelve months of the date of this letter if the Grant is to be claimed.

Yours sincerely,

[Redacted Signature]

Director of Technical Services.

Mrs. A.E. Ellis,
Clerk to Hinderwell Parish Council,
'Glaisdale House',
10 Porret Lane,
Hinderwell,
Saltburn.

B11

HINDERWELL PARISH COUNCIL **Finance – November 2018**

Income Received During past month:

<u>From</u>	<u>In Respect Of</u>	<u>Amount Banked</u>
NYCC	Cllr Chance grant for Cemetery Lectern	500.00
SBC	Final 50% of Precept and Model Agreement	15,154.28
→ Willans family	Memorial Bench	350.00
Scarecrow Committee	Soldier Seat	849.00
HSBC	Interest on Savings account	48.00
Welford	Assignment Fee	25.00

Expenditure

<u>Payee</u>	<u>Reason</u>	<u>Cost</u>	<u>VAT</u>	<u>Total</u>
Salaries/HMRC	Staff Salaries and NIC	£ 1657.47		£1657.47
Direct Delivery Solutions	Cemetery Grasscutting	£ 850.00	170.00	£1020.00
St Hilda's Old School	Room rental	£ 48.00		£ 48.00
→ TDP Ltd	Benches x 4	£1436.00	287.20	£1723.20
David Ogilvie Engs	Soldier Seat	£ 849.00	169.80	£1018.80
Wilf Noble BS	Topsoil and Sacks	£ 43.40	8.68	£ 52.08
Staithe Community Initiative	Section 137 Grant	£ 100.00		£ 100.00
GDM Hosting	Website annual fee	£ 64.99		£ 64.99
Mrs F Drummond	Legal Advice	£ 100.00		£ 100.00
PKF Littlejohn LLB	External Audit	£ 300.00	60.00	£ 360.00
Clear Business	Phone costs to 06.09.18	£ 32.98	6.60	£ 39.58
Shelley Signs	Cemetery Lectern	£1025.00	205.00	£1230.00
J Parker Ltd	Daffodil bulbs	£ 212.00	42.40	£ 254.40
Clerk	Misc items	£ 36.94		£ 36.94
Cartridgesave	Printer ink	£ 109.37	21.87	£ 131.24
St Hilda's Old School	Room Rental	£ 48.00		£ 48.00
		=====	=====	=====
		£ 6913.15	971.55	7884.70

PROPOSER:

SECONDER:

Signed:

(Chairman)

Date: 1st November 2018

Cash at bank as at 22.10.18 as per bank statement £ 24,902.14 in credit



Case
Hearing 21/22 Dec 2010

1312

REF/2010/0362

**THE ADJUDICATOR TO HER MAJESTY'S LAND REGISTRY
LAND REGISTRATION ACT 2002**

IN THE MATTER OF A REFERENCE FROM HM LAND REGISTRY

BETWEEN

**ANNE ELIZABETH BECKETT and
DAVID TERENCE SPENCE**

APPLICANTS

and

**DAVID ERIC MORGAN and
VIVIENNE MARY ELIZABETH MORGAN**

RESPONDENTS

**Property Address: Land to the south of Glendevon,
the Barrass, Staithes, North Yorkshire.
Title Number: NYK370697**

Before: Angus Andrew sitting as Deputy Adjudicator to HM Land Registry

**Sitting at: Middlesbrough County Court
On: 21st and 22nd December 2010**

Representation:

Mr G. Branchflower of counsel, instructed by Emsleys, solicitors, appeared on behalf of the Applicants.

Mr D. Crossley of counsel, instructed by Pinkney Grunwells LLP, solicitors appeared on behalf of the Respondents.

DECISION

KEYWORDS: *Documentary title - adverse possession – factual possession*

Cases referred to in my decision:

J.A Pye (Oxford) Limited v. Graham [2003] 1 AC 419

Asher and wife v Whitlock [1865] LR1 QB1

Additional cases referred to in argument:

Powell v. McFarlane [1979] 38 P&CR 452

DECISION

1. I shall direct the Chief Land Registrar to cancel the application dated 24th July 2009, made by Ms Beckett and Mr Spence.

THE APPLICATION

2. On 24th July 2009 Ms Beckett and Mr Spence applied for first registration of a small area of land adjacent to Glendevon in the North Yorkshire village of Staithes. The application form does not specify the class of title applied for, which in any event is a matter for the Registrar rather than the Adjudicator. The application was however supported by a statutory declaration sworn by Ms Beckett on 12th July 2009 and it is clear that the application was based on at least twelve years adverse possession by Ms Beckett and Mr Spence and the previous owners of Glendevon. The application gave rise to twelve formal objections. The Chief Land Registrar being unable to dispose of the objections by agreement, the matter was referred to the Adjudicator.
3. It seems that at an early stage the Chief Land Registrar cancelled the objections of two objectors, at their request, so that they were not parties to these proceedings. A further eight objectors failed to serve statements of

case and by my order of 30th July 2010 they were debarred from taking any further part in these proceedings save as witnesses for the remaining respondents which, at that time, were Mr and Mrs Morgan and Mr W.M. Wilson, who had both served statements of case. Finally by an order dated 24th September 2010 the objection of Mr W.M. Wilson was cancelled at his request. Thus by the time that the matter came before me on 20th December 2010 the only respondents left standing were Mr and Mrs Morgan although a number of the objectors gave evidence on their behalf at the hearing.

BACKGROUND

4. I inspected the property during the afternoon of 20th December 2010 in the presence of the parties and their representatives. The old fishing village of Staithes lies in the lea of the North Yorkshire moors. The houses and cottages are tightly packed together and there is little garden or open space. The cobbled streets run down a steep incline to the harbour.
5. Glendevon is an end-of-terrace property that fronts a cobbled area known as the Barrass. Ms Beckett and Mr Spence live in Leeds and Glendevon is their holiday home. Immediately to the south of Glendevon are two open areas of land. The first is separated from the Barrass by a low stone wall that has two ungated entrances. A number of local residents use this land to hang out washing and it is known locally as a "Drying Ground": I was told that there are a number of such drying grounds in the village. The Drying Ground is separated from the second open area of land, which I shall refer to as the "Disputed Land", by a stone retaining wall of about three feet in height so that the Disputed Land is some three foot higher than the Drying Ground. On the other side of the Disputed Land lies Hill Cottage which is owned by Mr and Mrs Morgan and rented by them to Mr Lindsay. The cottage itself is separated from the Disputed Land by a path or terrace that forms part of the title to Hill Cottage. A low stone wall separates the Disputed Land from the Barrass and also from much of the path that gives access to the rear of Hill Cottage

although at the rear it is possible to step from the path onto the Disputed Land. As will be seen the Disputed Land is a largely a gravelled area that in recent years has been transformed into a garden by Mr Lindsay.

6. The hearing took place on the 21st and 22nd December 2010. Ms Beckett and Mr Spence gave evidence and called Mr Blackwell, from whom they had purchased the property in 1997. Mr Morgan gave evidence on behalf of himself and his wife and also called nine other witnesses who were all current or former residents of the village.
7. Included in the hearing bundle were a petition and a large number of statements from other residents who supported Mr and Mrs Morgan and objected to the application of Ms Beckett and Mr Spence. Having considered that petition and those statements I place no weight on them for each of three reasons. Firstly because the witnesses did not attend for cross-examination. Secondly because many of the statements were in a pre-printed form to which the witnesses had simply inserted the number of years that they had lived in or owned property in the village prior to signing the statements. Thirdly because a number of the witnesses had clearly confused the Disputed Land with the Drying Ground.
8. Having purchased Glendevon from Mr and Mrs Blackwell in 1997 Ms Beckett and Mr Spence applied for first registration of title to Glendevon itself and also to the Drying Ground and the Disputed Land. Their application in respect of Glendevon was successful and they were registered as the proprietors of that property under title number NYK196221 on 15th October 1997. However their application in respect of the Drying Ground and the Disputed Land was rejected because, as stated in a letter from the York District Land Registry of 5th January 1998, *"a good documentary title has not been deduced thereto and no relevant evidence of possession accompanies the application"*. Undeterred by this rejection Ms Beckett and Mr Spence renewed their application for first registration of title to the Drying Ground and the Disputed

Land. On this occasion their application in respect of the Drying Ground was successful and they were registered as the proprietors of the Drying Ground on 26th March 1998 with a possessory title under title number NYK202116. However their application in respect of the Disputed Land was again rejected and in a letter dated 7th August 1998 to their solicitors the York District Land Registry wrote that: *"The land which has been omitted from the registration appears to form the remaining foundations of a demolished property, there is nothing to indicate occupation of that area by a particular person or persons. Accordingly it has not been possible to grant any class of title in respect of that area of land"*.

9. On the basis of the evidence given at the hearing I find it somewhat surprising that Ms Beckett and Mr Spence were registered as the proprietors of the Drying Ground, albeit with a possessory title, but that is not a matter in issue before me.
10. As observed in HM Land Registry's letter of 7th August 1998 the Disputed Land was originally occupied by what must have been a small cottage that, on the basis of the documents included in the hearing bundle, was probably demolished either during or shortly after the Second World War.
11. On 18th July 1955 Miriam and Robert Ironside purchased Glendevon from Miriam's sister Lily Watson subject to the payment of a small annual rent charge to the Grinkle Estate. The conveyance of that date included neither the Disputed Land nor the Drying Ground. Robert Ironside died on 28th August 1962 but his wife, Miriam, remained in occupation until about 1977 when it seems that she moved to more suitable accommodation in the new village of Staithes. After her move Glendevon was occasionally occupied either by members of her family or let out for a few weeks a year as a holiday cottage.

12. On 12th February 1987 Miriam Ironside sold Glendevon, the Drying Ground and the Disputed Land to Susan and John Blackwell. By a conveyance of that date she conveyed to the Blackwells *"all the estate and interest of the Vendor"* in the Drying Ground and the Disputed Land and her title to those areas was supported by a statutory declaration. As that declaration is at the heart of this dispute it is appropriate to recite the relevant paragraphs in full:-

"3. On the nineteenth day of October one thousand nine hundred and fifty nine my said late Husband and I purchased two plots of land adjoining the cottage from Mark Palmer the owner of the Palmer Estate.

4. Shortly after purchasing the said land we arranged for concrete posts to be put in all the way round from the rear of the cottage to the front and had fencing put up around the posts to prevent trespassers or other encroachment by third parties. From time to time the fencing has been renewed as it has fallen into despair.

5. The cottage is shown on the plan now produced to me and marked "M.I." and thereon edged red and the land adjoining is edged blue [the Drying Ground and the Disputed Land are shown as two separate plots but are together edged blue].

6. The land edged blue on the plan has been used principally as a drying ground and occasionally part has been used as a garden and from time to time one or two neighbours would use it as a drying ground if they had no land of their own or other facilities but whenever this was done it was always by express permission of my late Husband and/or myself.

7. My late Husband died on the twentieth day of August one thousand nine hundred and sixty two leaving me solely and beneficially interested in both the cottage and adjoining land.

8. *I last lived in the cottage in one thousand nine hundred and seventy seven since when it has occasionally been occupied either by members of my own family or let out for a few weeks a year as a holiday cottage.*

9. *The only query arising from my title to the land edged blue [that is the Drying Ground and the Disputed Land] was an enquiry made by a Mr Barker some seven or eight years ago but once he had seen the evidence of my title deeds he did not press the matter further.*

10. *Apart from the above there has never been any claim adverse to the title of either myself or my late husband to the cottage or the drying ground."*

13. Mr and Mrs Morgan suggested that the Disputed Land had been fenced by the local authority, rather than the Ironsides, following the demolition of the cottage that had previously occupied the Disputed Land. However the only evidence that was adduced to support their suggestion was a copy of a letter dated 9th October 1961 from the clerk to the local authority to Sir Mark Palmer confirming a decision "to proceed with the demolition, fence and claim" another plot of land in the village. That is not evidence that the Drying Ground and the Disputed Land were fenced by the local authority and certainly there is no evidence that they have ever claimed it. I see no reason to go behind the declaration of Miriam Ironside and consequently I find that both the Disputed Land and the Drying Land were fenced by the Ironsides either in late 1959 or early 1960.

14. Although the Disputed Land and the Drying Ground were separately fenced they formed a continuous slope from Hill Cottage that followed the natural contours of the land. It is clear that the Blackwells made very little use of either the Disputed Land or the Drying Ground and in his evidence Mr

Blackwell accepted that they were at times something of "an eyesore". In 1992 the North York Moors National Park proposed improving the appearance of the Drying Ground and the Disputed Land and they sought permission from Mr Blackwell who they considered to be the owner of the land. There was a suggestion that following the improvement works the land would be leased, at a nominal rent, to the parish council who would then maintain it and heads of terms were drafted but nothing came of the proposal. Nevertheless the North York Moors National Park proceeded with the project and Mr Cooks, who gave evidence at the hearing, led the team that completed the work and I refer to his evidence in more detail below.

15. Mr Blackwell made a small contribution of £301.33 to the cost of the work that covered the team's travel expenses but did not include either the cost of materials or any employment costs. Certainly the work was completed by 23rd November 1992 when Mr Blackwell was invoiced for the travel expenses. These works resulted in the separation of the Disputed Land from the Drying Ground by a stone retaining wall and the erection of low stone boundary walls as described in paragraph 5 above. The Drying Ground was largely surfaced with flags and paving stones whilst the Disputed Land was covered in gravel.
16. The Blackwells also lived in Leeds and used Glendevon as a holiday home. Ms Beckett and Mr Spence were their friends and they allowed them to use Glendevon for holidays. On 5th September 1997 the Blackwells sold Glendevon together with the Drying Ground and the Disputed Land to Ms Beckett and Mr Spence. Again, in respect of the Drying Ground and the Disputed Land, they transferred "*such right or interest*" that they had in the land to Ms Beckett and Mr Spence. Again their title to that land was supported by a short statutory declaration. At paragraph 3 they state: "*We believe that there are no title deeds to the land hatched blue on the plan [that is the Drying Ground and the Disputed Land] which along with the remainder of Glendevon is occupied by ourselves for a total of approximately 14 weeks per year when the same is used by ourselves as a holiday cottage*". Given the concessions

made by Mr Branchflower at the hearing it is unnecessary to recite further from this declaration.

17. It is apparent that after purchasing Glendevon in 1997 Ms Beckett and Mr Spence made little use of the Disputed Land. They completed some drainage works on the land to prevent water flooding the kitchen to Glendevon that runs behind the Disputed Land. They also stored some rubble on the Disputed Land during the renovation of Glendevon but that was removed following a complaint. In July 2007 Mr H.E. Lindsay took a tenancy of Hill Cottage from Mr and Mrs Morgan having previously been the tenant of another property in Staithes. During the spring of 2008 Mr Lindsay created a garden on the Disputed Land and he has continued to use the Disputed Land as such. Mr Lindsay's evidence was that he did not ask anyone's consent before creating the garden. The evidence of Ms Beckett and Mr Spence was that Mr Lindsay first sought their permission and that they agreed to his placing a few plant pots on the Disputed Land on a temporary basis. The issue is relevant in determining who has been in factual possession of the Disputed Land since the spring of 2008. I prefer the evidence of Mr Lindsay for each of two reasons.
18. Firstly because it is apparent that most of the inhabitants of the village including Mr Lindsay believed the Disputed Land and indeed the Drying Ground to be communal land owned by the local authority. That belief was wrong but it is nevertheless perfectly understandable given that the landscaping and improvement works were carried in 1992 by the Whitby Environmental Improvement Project at the request of the North York Moors National Park. I have no doubt that it was this erroneous belief that resulted in such a large number of objections to the application by Ms Beckett and Mr Spence to register title to the Disputed Land. Nevertheless given his belief that the Disputed Land was communal land there is absolutely no reason why Mr Lindsay would have sought permission from Ms Beckett and Mr Spence to use the Disputed Land as a garden.

19. Secondly because discrepancies in the evidence of Ms Beckett and Mr Spence, when taken as a whole, led me to the conclusion that they were not reliable witnesses. Ms Beckett, in her statutory declaration of 15th July 2009, failed to disclose the two previous rejected applications to HM Land Registry and in their joint statement of case, which includes as statement of truth, they did not disclose any of the documents relating to those applications nor did they refer to them. Again in the declaration of 15th July 2009 Ms Beckett states that the Disputed Land *"has been used as garden land in connection with the use of Glendevon as a holiday cottage"*. That statement is clearly not true. In her oral evidence Ms Beckett accepted that her declaration had been *"confusing"*; misleading would be a more appropriate description. I also have concerns about a copy letter dated 4th November 2008 to Mr Eric Morgan that is recorded, in their statement of case, as a document upon which they intended to rely. The letter records their consent to Mr Lindsay's use of the Disputed Land and bears the hand-written legend *"send by recorded delivery"*. When receipt of this letter was challenged by Mr Morgan, in his statement of case, Ms Beckett explained that she simply drafted the letter *"as a contemporaneous record of the meeting on my work computer"* whilst Mr Spence said that the letter had not been sent because they decided to register their title to the Disputed Land. I do not find these explanations convincing. One would not draft a contemporaneous record of a conversation in the form of a letter and the application to register the Disputed Land was not made for a further eight and a half months.
20. Consequently I find that Mr Lindsay rather than Ms Beckett and Mr Spence have been in factual possession of the Disputed Land since the spring of 2008. As an aside I would add that both Mr Lindsay and Mr and Mrs Morgan would have difficulty in ever claiming title to the Disputed Land because they clearly consider themselves as custodians of the land for the benefit of the local community and therefore do not have the necessary intention to possess it.

REASONS FOR MY DECISION

21. Ms Beckett and Mr Spence claimed a documentary title to the Disputed Land and, in the alternative, title based on adverse possession.
22. Their claim to a documentary or paper title rests on Miriam Ironside's statutory declaration and an "acknowledgement" made between Mark Palmer and Mr and Mrs Ironside on 19th October 1959 that, it will be recalled, was the date upon which Miriam Ironside claimed to have purchased the Drying Ground and the Disputed Land from Mark Palmer. As far as the statutory declaration is concerned the only evidence of a documentary title is Miriam Ironside's assertion, at paragraph 3, that she purchased the Drying Ground and the Disputed Land from Mark Palmer and her statement in paragraph 9 that a Mr Barker saw evidence of her title deeds. The "acknowledgement" of 19th October 1959 was certainly delivered to Mr and Mrs Blackwell and thence to Ms Beckett and Mr Spence on completion of their respective purchases. The acknowledgement is listed on the schedule of documents that accompanied the first application for first registration of title in 1997. However, in contrast to all the other title documents it seems that the acknowledgement has been lost and surprisingly no copy of it appears to exist.
23. Miriam Ironside's declaration is something of an enigma and I find it surprising that it was accepted by the Blackwells' solicitors without further enquiry. On one level it does imply that the Ironsides had a documentary title to the Drying Ground and the Disputed Land and yet it is common ground that, the acknowledgement apart, no title deeds to that land were delivered to the Blackwells on completion. In such circumstances one would expect an explanation for the lost or missing deeds and yet the declaration is totally silent in that respect.

24. Furthermore the implication that Miriam Ironside had documentary title to the Drying Ground and the Disputed Land is contradicted by the tenor of the declaration and the wording of the conveyance of 12th February 1987, that are consistent with a claim to a possessory title based on adverse possession. Indeed it is apparent that Ms Beckett and Mr Spence believed that they had acquired such a title because, having purchased Glendevon and the adjoining land, they purchased insurance cover from the Royal and SunAlliance in respect of the risk resulting from their title to the Drying Ground and the Disputed Land being "*founded on adverse possession and limitation*".
25. Mr Branchflower asked me to infer that the acknowledgement of 19th October 1959 was a receipt for the purchase money that, it is suggested, was paid by the Ironsides to the Palmer Estate for the Drying Ground and the Disputed Land. However as Mr Crossley pointed out the acknowledgement could equally have been a receipt for monies paid to the Palmer Estate to redeem the rent charge to which Glendevon was previously subject. It is apparent that the acknowledgement was produced to HM Land Registry in 1997 and that they did not regard it as evidencing a good documentary title to either the Disputed Land or the Drying Ground. Ultimately it is for Ms Beckett and Mr Spence to produce the acknowledgement or at least a copy of it, if they wish to rely upon it as evidencing good documentary title. In the absence of the acknowledgment or a copy of it I am not prepared to make the inference suggested by Mr Branchflower and even if I did I do not accept that a receipt of purchase monies would, of itself, constitute a good documentary title to the land.
26. As the Blackwells recorded in their declaration of 11th September 1997 "*there are no title deeds*" to the Disputed Land and for each of the above reasons I reject the assertion that Ms Beckett and Mr Spence have shown a documentary title to that land.

27. Consequently if Ms Beckett and Mr Spence are to succeed it must be on the basis of a possessory title acquired by adverse possession. In his skeleton argument Mr Branchflower conceded that in asserting such a title he could not rely upon the possession of the Disputed Land by either the Blackwells or his clients. It was a wise concession because it was apparent that their limited use of the Disputed Land did not amount to factual possession of that land within the meaning of J.A Pye Oxford (Limited) v Graham [2003] 1 AC 419. Consequently Ms Beckett and Mr Spence must rely upon the possession of the Ironsides and in particular that of Miriam Ironside, to establish a possessory title that was subsequently conveyed to the Blackwells and then to themselves. It was common ground that the Disputed Land was fenced by early 1960 at the latest and thus if the Ironsides were in factual possession of the Disputed Land from that time until 1972 with the intention to possess it the paper title would have been extinguished and a possessory title established.
28. As with the documentary title the principal evidence relied on, in asserting a possessory title, is the statutory declaration of Miriam Ironside who lived at Glendevon until 1977. There was perhaps some support for Miriam Ironside's declaration in Mr Blackwell's evidence when he said that in 1987, when he and his wife purchased Glendevon: *"there was a line of concrete fence posts running along the boundary and perimeter of each plot [that is the Drying Ground and the Disputed Land]. The fencing had fallen into some disrepair but parts of the wire meshing and the original concrete fence posts were still intact"*.
29. However set against this was the evidence of three witnesses who have lived in Staithes for many years and whose memories recall both the Drying Ground and the Disputed Land as it was when Miriam Ironside lived at Glendevon. Mr D.G. Porritt purchased 5 Barrass Square in 1975 and has lived there ever since. Although some three years after the limitation period would have expired his evidence contradicted the declaration of Miriam Ironside. He said that in 1975 all that remained of the fencing were a few concrete posts with

the remains of an old rusty wire mesh link fence on the floor that he described as "*completely rotten*". The Disputed Land, he said, was full of rubble and covered in nettles.

30. Mr M.W. Wilson purchased a cottage in the village in 1970 and has used it regularly ever since. Even at that time he describes the Disputed Land as being unused, untidy and overgrown and although there may have been an earlier post and wire fence he "*never saw and never felt any attempt had been made to exclude the public*". Finally there was the evidence of Mr M. Crooks who had supervised the team that had landscaped the Drying Ground and the Disputed Land in 1992. He was born in 1953 and has lived in the village all his life and at the hearing said that his memories go back to 1962. He described the Disputed Land, in those years, as "*waste land*" that was used by villagers to deposit the ash from their coal fires. He had little recollection of any fencing or at least any fencing that excluded the villagers from gaining access to the Disputed Land.
31. Although I am reluctant to set aside a statutory declaration sworn many years ago that has been relied on by subsequent purchasers of Glendevon nevertheless I found this evidence compelling especially when having regard to the ambiguities in Miriam Ironside's declaration to which I have already referred. The most that can be said is that the Ironsides fenced both the Disputed Land and the Drying Ground but that thereafter the fencing fell into disrepair and the Disputed Land in particular was used by villagers as described by Mr Crooks. Consequently it follows that the Ironsides were not in factual possession of the Disputed Land with the necessary intention to possess it, for the requisite twelve years that would have been required to extinguish the paper title.
32. Even if the Disputed Land had remained fenced for the necessary twelve years I do not consider, on the facts of this case, that fencing alone would have been sufficient to establish possession within the meaning of Pye

although I do not have to decide the case on that basis. It is clear that no use was made of the Disputed Land until 1992, other than that described by Mr Crooks. His evidence, supported by a photograph taken when the landscaping work commenced in 1992, was that underneath the vegetation was a considerable amount of rubble that was presumably left when the original cottage was demolished. I am far from convinced that fencing alone, without any use of the Disputed Land, could be said to constitute possession in particular when the fencing of that land could be explained as a precautionary measure to prevent people from entering a potentially dangerous site with a vertical drop of some eight or ten feet on the far side of the Disputed Land from the Barrass. However, as I say, I do not have to decide the case on that ground.

33. Mr Branchflower drew my attention to Asher and wife v Whitlock [1865] LR1 QB1. That case is authority for the proposition that a person in possession of land can recover possession from anyone other than the true owner or someone claiming under the true owner. However I do not see that the case assists Ms Beckett and Mr Spence. Neither they nor the Blackwells were ever in possession of the Disputed Land and it is clear that even if the Ironsides were originally in possession of the Disputed Land it had been abandoned long before the paper title had been extinguished.

34. Consequently and for each and all of the above reasons I conclude that Ms Beckett and Mr Spence have not demonstrated any title to the Disputed Land and that their application for registration must fail.

COSTS

35. At the hearing I directed that both parties should submit detailed costs schedule within twenty-one days. I have now received those schedules: Ms Beckett's and Mr Spence's costs are put at £17,818.48 whilst Mr and Mrs Morgan's costs are put at £41,292.46.

36. I am surprised at the extent of Mr and Mrs Morgan's costs not least because it is apparent that much of the preparatory work was undertaken by Mr Morgan himself. Nevertheless that is not a matter for me because at the conclusion of the hearing both Mr Branchflower and Mr Crossley said that in the event of my making a cost order they would prefer a detailed rather than a summary assessment.
37. Both parties should submit written representations on costs within fourteen days and upon receipt of those submissions I will give further consideration to the matter.

BY ORDER OF THE ADJUDICATOR

Angus Andrew

ANGUS ANDREW

DATED: 26th day of January 2011



Tribunals Service

Adjudicator to HM Land Registry

The Adjudicator to HM Land Registry

7th Floor, Victory House
30-34 Kingsway
London WC2B 6EX

Tel:
Fax:
Typetalk:
DX:
Email:
Website:



Pinkney Grunwells Solicitors
DX 61807 Scarborough

Your Ref: PMW/HAS/47125

Our Ref: REF/2010/0362

27 JAN 2011

26 January 2011

Dear Sir/Madam,

NYK370697

**(1) Anne Elizabeth Mary Beckett and (2) David Terence Spence vs. Stephen Fathers and
Christina Fathers and others
Land to the West of Glendevon, the Barass, Staithes.**

Please find enclosed a copy of the Decision and Order of the Adjudicator to HM Land Registry.

Yours faithfully,



Danny Anderson
For the Adjudicator



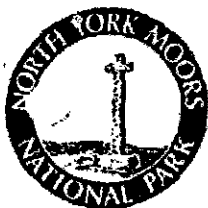
INVESTOR IN PEOPLE

DIR05B.DOT



CUSTOMER SERVICE EXCELLENCE

Page 1 of 1



25 SEP 2015

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmstrey
York
YO62 5BP

Telephone: 01439 772700
Email: planning@northyorkmoors.org.uk
Website: www.northyorkmoors.org.uk

Householder Application for Planning Permission for works or extension to a dwelling. Town and Country Planning Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title: Mr/Mrs First name: David/Anne
Last name: Spence/Beckett
Company (optional):
Unit: 80 House number: House suffix:
House name:
Address 1: Prendas Walk
Address 2: Crossgates
Address 3:
Town: Leeds
County: West Yorkshire
Country:
Postcode: LS15 8HS

2. Agent Name and Address

Title: Mr First name: Michael
Last name: Miller
Company (optional): Michael Miller BA (Hons) ARCID MCIAT Architectural Consultant
Unit: 16 House number: House suffix:
House name:
Address 1: Park View
Address 2: Glaisdale
Address 3:
Town: Whirby
County: North Yorkshire
Country:
Postcode: YO21 2PP

3. Description of Proposed Works

Please describe the proposed works:

Proposed raising of boundary wall to Yard area with railing on wall top.
Walling up existing access gateway to yard from public footpath.
Railing to protect light well.
Re-grading existing Yard to form terraced Yard.
New gate to existing Yard access.

3. Description of Proposed Works (continued)

Has the work already started? ☐ Yes ☒ No

If Yes, please state when the work was started (DD/MM/YYYY):

(date must be pre-application submission)

Has the work already been completed? ☐ Yes ☒ No

If Yes, please state when the work was completed (DD/MM/YYYY):

(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

5. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☐ Yes ☒ No

Is a new or altered pedestrian access proposed to or from the public highway? ☒ Yes ☐ No

Do the proposals require any diversions, extinguishments and/or creation of public rights of way? ☐ Yes ☒ No

If Yes to any questions, please show details on your plans or drawings and state the reference number(s) of the plan(s)/drawing(s):

See section 10.

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).


Please tick if the full contact details are not known, and then complete as much possible: ☐

Officer name:

Reference:

Date (DD MM YYYY):
(must be pre-application submission)

Details of the pre-application advice received:



7. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development? ☐ Yes ☒ No

If Yes, please mark their position on a scaled plan and state the reference number of any plans or drawings:

Will any trees or hedges need to be removed or pruned in order to carry out your proposal? ☐ Yes ☒ No

If Yes, please show on your plans which trees by giving them numbers e.g. T1, T2 etc, state the reference number of the plan(s)/drawing(s) and indicate the scale.

8. Parking

Will the proposed works affect existing car parking arrangements? ☐ Yes ☒ No

If Yes, please describe:

9. Authority Employee / Member

With respect to the Authority, I am:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

If Yes, please provide details of the name, relationship and role

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know
Walls			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roof			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Windows			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Doors			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Boundary treatments (e.g. fences, walls)	Natural stone	Natural stone Wrought iron wall top fence & gates. Wrought iron fence & gate to light well.	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle access and hard-standing			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lighting			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Others (please specify)			<input checked="" type="checkbox"/>	<input type="checkbox"/>

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☒ Yes

☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

169.01 Site Layout as Existing 169.06 Site Location Plan
 169.02 Site Elevations as Existing 169.07 Planning Statements, Design & Access/Heritage/Flood Risk
 169.03 Site Layout as Proposed
 169.04 Site Elevations as Proposed

N4M NPA/2015/0700/FL

LIGHTWELL

Guard rail around lightwell as shown on drawing 161.05

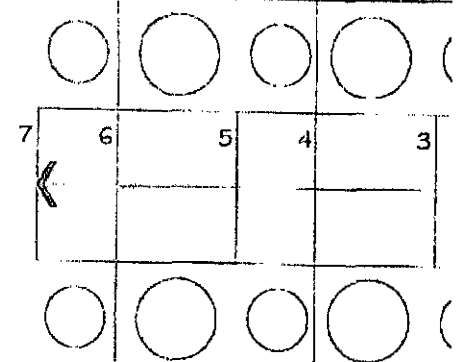
GLENDDEVON

Yard to be levelled to form Terraced area. Steps to be retaining walls with natural stone face to match existing. Existing flags & setts to be re-used & supplement with matching as required.

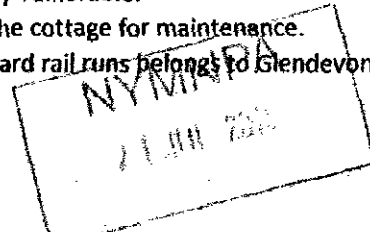
TERRACE

Existing wall to be raised by 2 no courses natural stone to match existing & top finished with flat sawn stone coping bed in cement mortar as existing. Shown by brown shading.

Land of no known ownership



- 6) The wall raise, the gate and the wall infill are to improve security of the application site
- 7) The guard rail with gate around the light well is to improve safety at the rear of the cottage. There is a drop of around 2.5 M into Glendevon's light well. The village's communal garden which is the upper plot behind the application site is directly adjacent to the light well and there is no barrier there for protection. The recent intensification of use of the communal garden and the recent installation of a rotary washing line has increased the risk of a fall due to an increase in users. Someone stepping back from the line could easily fall into the light well and injure themselves. Children and pets are especially vulnerable. The gate to the guard rail is to allow access to the rear of the cottage for maintenance. The triangle of land behind the cottage along which the guard rail runs belongs to Glendevon and is not part of the communal garden.



Designing Out Crime

The Government produced a booklet in 2004 'Safer Places – The Planning System and Crime Prevention'. The booklet is intended to encourage greater attention to the principles of crime prevention to inform best practice in Planning. The booklet talks about 'designing out' crime. In our view some relevant points apply to this development – see below quotations from the document

- 1) Crime and anti-social behaviour are more likely to occur if it is unclear whether space is public or private. (Page 30) Currently the area does not look like private space
- 2) Places should have a clear distinction between public, semi-private/ communal and private space. The site is in private ownership and the gate and railing will subtly show the differences between the public areas and the private areas in the Square (page 30)
- 3) Sensitive placement and appropriate selection of physical barriers- gates -fences-walls and hedges – create safe places that are also attractive (page 30)
- 4) All planning applications should demonstrate how crime prevention measures have been considered (page 49)
- 5) Crime prevention can be a material planning consideration in the determination of planning applications (Page 49)

When the current problems with crime are resolved on the application site then the CCTV recently installed can be taken down as it will no longer be necessary

Open Space/Visual Amenity/History

Commentators have mentioned that this development would mean loss of open space/ visual amenity. As the area is in private ownership there is no right of public access to the application site so it is not open in the sense of 'open access'

The way the area looks aesthetically will not change by the boundary treatment being applied for – the wall raise will be of materials and design matching what is currently in situ- it will still be open visually. The gate (see through) and guard rail (see through) design will match exactly what is already present in Barrass Square – simple, low key and subtle

The infill of the entrance on High Barrass will make no difference visually to visitors and residents who traverse the footpath either direction. This entrance is unnecessary and confuses the public as they pass along High Barrass into Barrass Square and vice versa. There is no reason for the public to cross the application site to or from Barrass Square

NYMNP/2015/0700/FL.

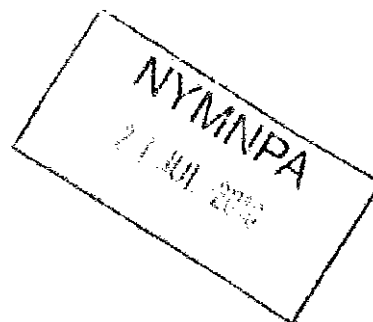
The reinstatement of the gate will be a return to what Barrass Square looked like historically. The gate's design will be open so that an open view can be made into the area so nothing will be lost.

→ The view into the village's communal garden will be preserved from inside the proposed development and from outside it along the footpath and into Barrass Square

→ The overall effect will retain and preserve the boundary lines, open character and appearance of the site as it exists in this Conservation Area and preserve and enhance it

Anne Beckett and Dave Spence

21 July 2016



6


Application No: NYM/2015/0700/FL

Main Issues continued

It is the topography which results in a settlement that lies at differing levels having an irregular layout pattern. When viewed from the lowered areas such as Barrass Square the buildings appear to climb up the slope on top of each other.

In assessing the application site the Authority's records dating from 1892 to 1928 indicate there was a former building attached to Glendevon which occupied the application site. This evidence concurs with some of the third party comments that the site was once home to a dwellinghouse, possibly two. There are no records as to whether it was used to dry fishing nets as some have suggested. It would appear that the site didn't become an open area until the mid-1900's when far more of a change took place i.e. the buildings were removed from the site. This implies that the area may not have been a drying area for any significant length of time.

Glendevon fronts onto Barrass Square and is built into the cliffside which means that the back of the property when stood on the land of unknown ownership is below the ground level and one looks down onto the rear windows of properties close to the lightwell. The adjoining property Akenside is built onto the back of Glendevon (clay pantile roof) and the first floor windows at the rear of this property look out onto the land of unknown ownership.



It is clear from some of the correspondence received by the Authority that the land of unknown ownership (second communal space) is used by neighbours whose land it adjoins for traditional uses such as drying clothes, sitting out and tending potted plants.

Impact on Staithes Conservation Area

Paragraph 64 of the National Planning Policy Framework (NPPF) states that permission should be refused for development that fails to take up opportunities for improving the character and quality of an area.

The Building Conservation team have been consulted on the application and whilst an objection was lodged to the original proposal to install railings on the wall top Officers have since worked with the applicant to secure a revision which simply adds two courses of stone to the wall.


This type of traditional boundary treatment is supported as it is typical of the Conservation Area and will add strength and interest to the streetscape.

Conclusion

Some of the many comments raised are considered to be on non-planning grounds concerning land ownership and irregular land use. This is not uncommon with small yards, courts, garths and other pieces of ground in Staithes.

The applicant wishes to subtly upgrade the area of ground within and around Glendevon with a view to sensitively delineating the differences between the public areas and the semi-private areas. The primary objective is safety and security inside the yard however the external works to the boundary wall and the lightwell requiring planning permission has given third parties and the Parish Council cause for concern.

The applicant has advised that when the current problems with crime are resolved on the application site then CCTV recently installed can be taken down as it will no longer be necessary.



1991/2 original Plans which include an access ~~for~~ onto garden area & use with public seating

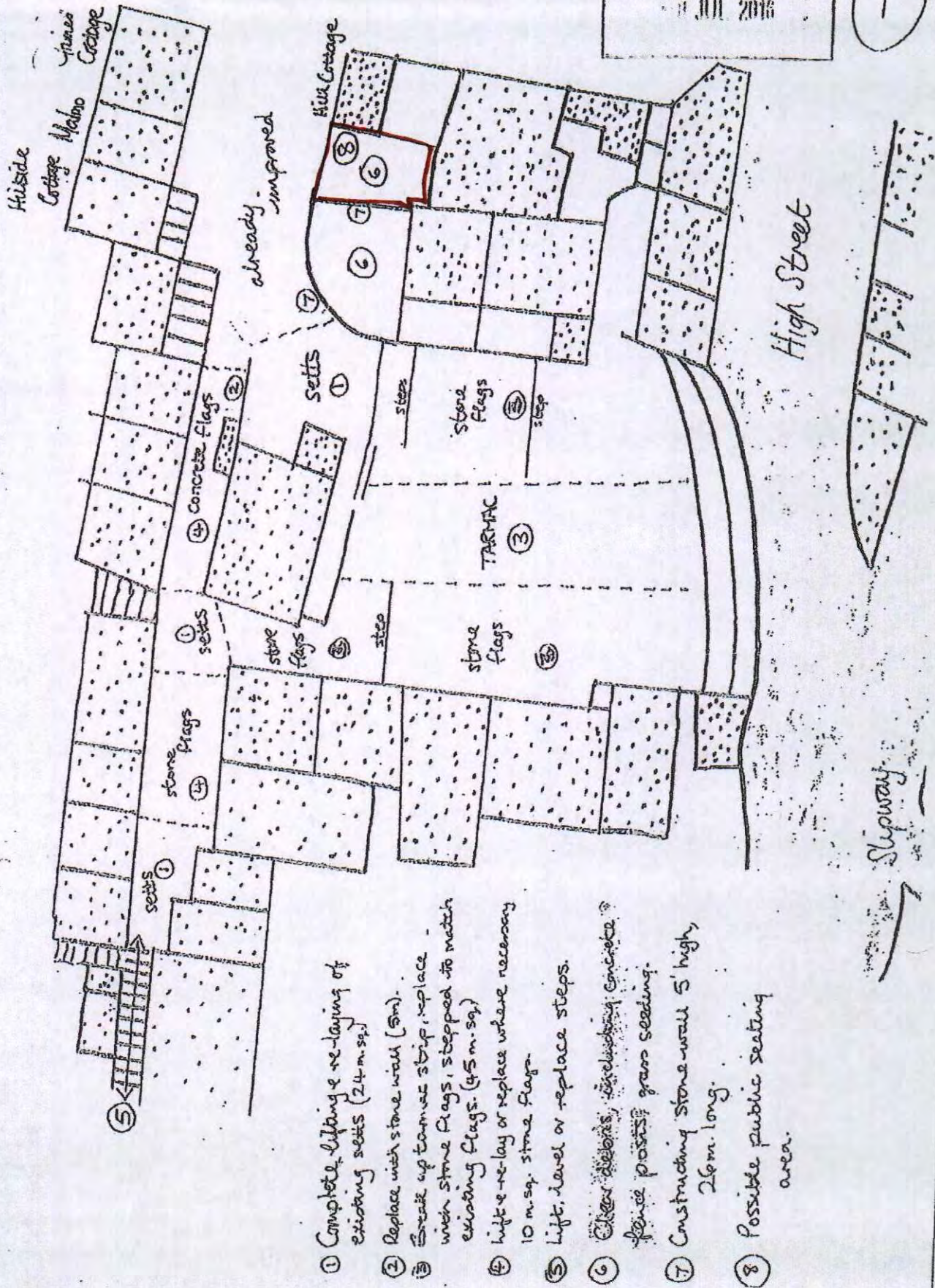
BARRASS Garden outlined in RED

NYMNPA

1 JUL 2016

B
14

NOT TO SCALE



- ① Complete lifting & re-laying of existing sets (24 m. sq.)
- ② Replace with stone wall (5m).
- ③ Break up tarmac strip, replace with stone flags, stepped to match existing flags. (45 m. sq.)
- ④ Lift & re-lay or replace where necessary 10 m. sq. stone flags.
- ⑤ Lift, level or replace steps.
- ⑥ Clear debris, including concrete fence posts, grass seeding.
- ⑦ Constructing stone wall 5' high, 26m. long.
- ⑧ Possible public seating area.

1991-1992 Plans for Barrass garden

B
15

Boundary wall showing
intended gap for access

(2)

NYMNPA
2 JUL 2010

MT. PLEASANT



HILL COTTAGE

Retaining wall (may need
metal pin along top)

BARRASS UPPER
GARDEN

level, topsoil
and grass

level & pave
rec. Make
intusions for two
dry driers.

Small retaining
walls.

Existing concrete
path (possibly paved)

grass sloping
area

Pave small area
at bottom.

BARRASS

low (18"-20" high)
wall to demarcate
area from path.
Leave ungated
entrances at the
three levels.
high barriers

...

...

retire 1.

woods have been cleared
area should be sprayed
early/mid Sept to discourage
regrowth.

Remove all concrete
fence

HINDERWELL

B 16



PARISH COUNCIL

14th December 2018

Anne Elizabeth Mary Beckett
David Terence Spence
80 Pendas Walk
Crossgates
Leeds
LS15 8HS

Dear Sir/Madam

Hinderwell Parish Council has been made aware that either yourselves or the tenants or occupiers of your property at Glendevon Cottage, Staithes have recently placed five large steel plant pots in the Community Garden area of the Barrass, Staithes.

The pots have been securely bolted to the ground and are obstructing the community use of the rotary drier, please see attached photograph. Checks of HM Land Registry Title Numbers NYK196221 and NYK 202116 clearly show that the plant pots are not located within the boundaries of your own property.

We have obtained the opinion of our Borough Legal Department and hereby advise that you are required to remove the five plant pots from the Community Garden and make good any damage caused by their removal, within 28 days of the date of this letter. If you fail to remove the said pots within this time limit we will, at your risk and cost, have them removed.

The pots and any other associated recoverable items will be returned to you upon payment of our costs and upon receipt of a written undertaking by yourselves that no repetition of this or any similar action will occur.

Yours faithfully

Mrs C Barker
Clerk
Hinderwell Parish Council

5 High Street, Hinderwell, Saltburn, Cleveland, TS13 5JX

Tel: [REDACTED]

hinderwellparish@tiscali.co.uk

EXHIBIT C

Residents' Statements

- C (1) Harry Lindsey
- C (2) John Kellett
- C (3) John Edward Hamlin
- C (4) Cyril Shaw
- C (5) David Eric Morgan
- C (6) Alan Thomas Roe
- C (7) Robert John Shaw
- C (8) Jill Turton
- C (9) Barbara June Wilson
- C (10) Stephen Fathers
- C (11) Winifred Craig
- C (12) Sally Cook
- C (13) Melissa Cotter
- C (14) Ed Everard
- C (15) Christina Joan Fathers
- C (16) Derek Fields
- C (17) Norman Alfred Fowler
- C (18) Keith Gregory
- C (19) Amanda Gregory
- C (20) Colin Harrison
- C (21) Elizabeth Ann Hinchley
- C (22) William Hinchley
- C (23) Stephen Iredale
- C (24) Darren Johnson
- C (25) Lynda Patricia Kellett
- C (26) Jonathan Lawson
- C (27) Elizabeth Lindley
- C (28) David Harry Linley
- C (29) Alison Louise Milnes
- C (30) William Musgrave
- C (31) Katherine Rider
- C (32) Maureen Susan Selby
- C (33) Melanie Smith
- C (34) David Smith
- C (35) Laurence Stroud
- C (36) Stephen White
- C (37) Elizabeth Wilson
- C (38) Sarah Elizabeth Wilson
- C (39) Carol Wisdom
- C (40) Grecia Esther Young
- C (41) Glynis Clemo
- C (42) Sarah Jane Cooper
- C (43) Eliza Conway
- C (44) Simon Michael Cook
- C 45 Carol TRAUNTER
- C 46 Ian Geoffrey PRIOR

CI

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

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.

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: Harry Lindsey

of:

LINDEN COTT, CHAPEL YARD STATHES
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

Hinderwell parish Council

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I am Supporting the Application by
Hinderwell parish Council

3 Property: The Boreas Community Garden
Drying Area Stathes

☒ The land is clearly identified on the attached plan and
shown: Edged in Red

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

Spring 2008 to Date or Early 2008
or as far back as I can Recall

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I have lived in Storthes Hill Cott Barrow for 9 years from 2007 to 2016
I hung my washing to dry on the shared facilities and used the garden for tending plants and for leisure, I have placed and tended my plants and enjoyed the use of the seat placed by the Residents. I am aware that lots of other Residents/visitors have freely used the area as a community space. It's always been available for the free unchallenged use by Residents and visitors, I cannot recall a time when it has not been available.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

Garden is enclosed by a low stone wall and the access has been via the access path next to Hill Cott by stepping down into the garden area. Recently I have used the wider entrance in the wall made by Parish Council.

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:
- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

HARRY LINDSEY

Date:

16-6-2020

HM Land Registry

Continuation sheet for use with
application and disposition forms



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

For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Before each continuation, state panel
to be continued, for example 'Panel
12 continued'.

1 Continued from Form: Title number(s):

2

PHOTOS OF MY FORMER
GARDEN WHEN I LIVED AT
HILL COTTAGE.

WHEN I MOVED IN, IT WAS
ALL RUBBLE. I CLEANED
IT UP AND MADE A GARDEN
FOR EVERYONE TO ENJOY.

[REDACTED]
Harry Lindsey

Linden Cott

Chapel yard

TS13 5BS

16-6-2020

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.

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HM Land Registry
Statement of truth in support of
an application for registration based
upon adverse possession

ST1²

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **JOHN KELLETT**
of: **CASTLETON HOUSE**
HIGH BARRASS STAITHES TS13
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL.

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING HINDERWELL PARISH COUNCIL APPLICATION.

3 Property:

BARRASS COMMUNITY GARDEN / DRYING AREA

- ☒ The land is clearly identified on the attached plan and shown: **EDGED IN RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

IN POSSESSION OF CASTLETON HOUSE SINCE 1989

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED A PROPERTY IN HIGH BARRAS FOR 30 YEARS I HAVE USED THE AREA FOR DRYING CLOTHES INCLUDING NAPPIES ON A DRYING FRAME. OUR 4 CHILDREN HAVE REGULARLY PLAYED THERE WITH STAITHE'S CHILDREN AND OUR GRANDCHILDREN ARE NOW USING THE SPACE WITHOUT HINDERANCE WE HAVE PLACED PLANT POTS THERE AND FOR 30 YEARS WE HAVE ENJOYED USE OF THE SPACE TO SOCIALISE WITH FRIENDS AND NEIGHBOURS

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW WALL AND WE USED TO ENTER VIA THE UNGATED ENTRANCE RECENTLY CLOSED OR VIA THE PATH NEAR TO HILLSIDE COTTAGE BUT WE NOW USE THE NEW ENTRANCE.

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:
- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name: JOHN HARVEY KELETT

Date: 16-6-2020

Where the application is being made under Schedule 8 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: JOHN EDWARD HAMLIN
of: 3 DARLINGTON TERRACE
STATHEE TS13 5DJ
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING
THE APPLICATION BY HINDERWELL
PARISH COUNCIL

3 Property: THE BARAD COMMUNITY
GARDEN / DRYING AREA IN STATHEE

☒ The land is clearly identified on the attached plan and shown: EDGED IN RED

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

EARLY IN 2008 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED A PROPERTY
IN STATUTES FOR 25 YEARS
AND HAVE USED THE SHARED
BARAD COMMUNITY GARDEN
HELPING PLANT & LOOK
AFTER PLANTS & FLOWERS. I
HAVE ENJOYED THE
COMMUNITY GARDEN, A
RARE PRIVILEGE AS WE
DO NOT HAVE A GARDEN
OF OUR OWN (LIKE MANY
HOUSES IN STATUTES) →

IT HAS ALWAYS BEEN
AVAILABLE FOR USE

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN IS CURRENTLY
ENCLOSED BY A LOW STONE
WALL AND I HAVE RECENTLY USED
THE LOWER ENTRANCE MADE BY THE
PARISH COUNCIL

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

John Edward Hamlin

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

- 1 I: **EMIL SHAW**
of: **1 KILTON LANE BLOTTON TS12 2QA**
make this statement in support of an application to Land Registry for registration based upon adverse possession.
- 2 Status
I am
☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:
HINDMERE PARISH COUNCIL
who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:
I AM SUPPORTING THE APPLICATION BY HINDMERE PARISH COUNCIL.
- 3 Property:
BARNASS COMMUNITY GARDEN / DAYING AREA STAIRHOS
☒ The land is clearly identified on the attached plan and shown: **EDGED RED**
☐ The land is currently registered under title number(s):
- 4 Period of adverse possession:
2005. TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

PLAYED WITH MY GRAMMERS
TITHE,

ALSO PLANTED FLOWERS IN
TUBS

MY SON R. SHAW LIVES
OPPOSITE AT NO 4.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

TWO WAS ORIGINALLY ~~A~~ AN
UNFENCED TO THE LAND
VIA THE TOP PATH, WHICH
I. USED / NOW IT'S HAS BEEN

7 Permission to possess

OPUNE VIA BARNES

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

CHRIC SHAW

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^{CS}

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: DAND ERIC MORGAN

of: NESS HALL, STATION RD, RAUENSCAR,
SCARBOROUGH, YO13 0LX
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN
DRYING AREA, STAITHES

- ☒ The land is clearly identified on the attached plan and
shown: OUTLINED IN RED INK
☐ The land is currently registered under title number(s):

4 Period of adverse possession: PARISHIONERS OF
HINDERWELL PARISH COUNCIL WERE FREELY USING
THIS LAND WHEN I BOUGHT HILL COTTAGE IN 1999
AND WERE STILL FREELY USING ~~THE GARDEN~~ IT WHEN
I SOLD IT IN 2016 AND I HAVE SEEN THEM USING IT SINCE
THEN

NGM

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

FOR 8 YEARS FROM 1999 I USED TO SIT LOOKING OVER THIS AREA WHICH WAS AVAILABLE FOR ALL TO USE. WHEN MY TENANT IMPROVED THE AREA WITH FURTHER PLANTING IT WAS FREQUENTLY USED AS A QUIET SITTING AREA AND DRYING AREA.

(I OWNED HILL COTTAGE FROM 1999 TO 2016, THIS COTTAGE BEING IMMEDIATELY ABOVE THIS AREA)

I LAST SAW THE AREA ON 7TH SEPTEMBER 2019 WHEN I WAS IN STRATHES, AND A NUMBER OF VILLAGERS WERE USING IT, IT WAS ALWAYS AVAILABLE TO ALL

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE AREA IS ENCLOSED BY A LOW STONE WALL AND UNTIL THE PARISH COUNCIL MADE A SEPARATE WIDER ENTRANCE IN OCTOBER 2018, ACCESS WAS BY THE PATH BELOW HILL COTTAGE.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: DAVID ERIC MORGAN

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

C6
TUV

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ALAN THOMAS ROE

of: 3 BROOMHILL, STAITHE

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

BARRATS COMMUNITY GARDEN/ DRYING
AREA, STAITHE

- ☒ The land is clearly identified on the attached plan and shown: IN RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

1987 - PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I PLAYED ON THOSE GROUNDS ALMOST DAILY BETWEEN THE AGE OF FIVE AND FIFTEEN, I'VE DRIED MY WASHING ON THERE, I'VE EATEN MY LUNCH ON THERE WHILE WORKING AROUND THE VILLAGE, I'VE GROWN HERBS ON THERE AND I'VE DATED GIRLS ON THERE. MY MOTHER DID THE SAME BEFORE ME, AS DID MY GRANDFATHER. MY FAMILY HAS HAD UNLIMITED ACCESS AND USAGE OF THAT GROUND FOR FOUR GENERATION THAT I PERSONALLY AWARE OF AND MANY MORE BEFORE MY TIME.

IT MUST STAY FOR THE NEXT GENERATION

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

ALAN THOMAS ROE

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^{C7}

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ROBERT JOHN SHAW
of: 4, BARRASS SQ, STAITHES, IMBURN
BY THE SEA, CLEVELAND, TS13 5DF.
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HUNDERWELL PARISH COUNCIL.

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE APPLICATION
BY HUNDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN/
DRYING AREA, STAITHES.

- ☒ The land is clearly identified on the attached plan and
shown: EDGED RED

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

AS FAR BACK AS I CAN RECALL.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

5 Acts of adverse possession:

I HAVE LIVED IN NO 4 BARRACKS SQ FOR THE LAST 5 1/2 YEARS

THE AREA HAS ALWAYS BEEN AVAILABLE FOR MYSELF AND OTHER RESIDENTS TO USE. I USE THE AREA DAILY TO DRY MY WASHING. I HAVE FURNITURE THERE AND PLANT POTS. I USE THE SPACE TO PLANT VEGETABLES + HERBS WITH MY DAUGHTER AS WE DON'T HAVE A GARDEN AND I WANT TO HELP HER LEARN HOW FOOD / VEGETABLES COME FROM. IT IS ALSO A GOOD MAKING SPACE FOR OTHER

6 Enclosure of the land:

RESIDENTS / VISITORS. THE CHAUNEN HAS A LOW STONE WALL + ACCESS HAS BEEN NEXT TO HILLINGDON COLLEGE. RECENTLY AN ADDITIONAL ACCESS HAS BEEN MADE THROUGH THE WALL

7 Permission to possess

MARKS EVERY EASIER

The possession has been
☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name: ~~Robert~~ John Shaw.

Date: 16-6-2020

HM Land Registry

Continuation sheet for use with
application and disposition forms

CS

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Before each continuation, state panel
to be continued, for example 'Panel
12 continued'.

1	Continued from Form:	Title number(s):
2	<p>ROBERT SHAW, 4 BARRASS SQUARE</p> <p>AS ONE OF THE ORGANISERS OF SPAINES FESTIVAL OF ARTS & HERITAGE, I AM RESPONSIBLE FOR PLACING ARTWORKS AROUND THE VILLAGE.</p> <p>IN 2016 WE PLACED THE GIANT WHALE MADE BY JANET EASTON IN THE BARRASS COMMUNITY GARDEN.</p> <p>THOUSANDS OF PEOPLE ENJOYED THE SPECTACLE OVER THE WEEKEND, AND MANY PEOPLE ENTERED THE GARDEN TO BE NEAR THE WHALE. NO PERMISSION WAS SOUGHT SINCE THIS LAND DOES NOT BELONG TO ANY ONE ROBERT JOHN SHAW [REDACTED]</p>	

WARNING

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

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State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **JILL TURTOW**
of: **EAST VIEW, HIGH ST. STAIRIES**
TS13 5BA.
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

**I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL**

3 Property:

**THE BARLASS COMMUNITY GARDENS/
DRYING AREA STAIRIES**

- ☒ The land is clearly identified on the attached plan and shown: **IN RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

1999

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED A PROPERTY IN STAITHERS CALLED EAST VIEW ON THE CORNER OF BARRASS SQUARE. I HAVE HUNG MY WASHING THERE AND PLACED A BENCH THERE FROM WHICH TO ENJOY THE GARDEN AND TO SHARE THE SPACE WITH FRIENDS & FELLOW RESIDENTS. I HAVE FREELY USED THE AREA AS A COMMUNITY SPACE. IT HAS ALWAYS BEEN AVAILABLE FOR THE FREE USE BY RESIDENTS & VISITORS. I CANNOT RECALL A TIME WHEN IT HAS NOT BEEN AVAILABLE TO ALL.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN IS ENCLOSED BY A LOW WALL. I HAVE USED THE ENTRANCE ALONG THE SIDE OF HILLSIDE UNTIL ANOTHER ENTRANCE WAS MADE BY THE COUNCIL IN OCT 2018

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:
- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name: JILL TARTON

Date: 16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Before each continuation, state panel to be continued, for example 'Panel 12 continued'.

1 Continued from Form: Title number(s):

2 THIS AREA IS ALSO IMPORTANT TO ME AS I HAVE NO OUTSIDE SPACE IN WHICH TO DRY WASHING OR TO SIT OUT WITH A DRINK AND ENJOY THE SUNSHINE. ITS AN IMPORTANT AREA IN WHICH TO MEET WITH FRIENDS & NEIGHBOURS AND IT WOULD ALTER MY LIFE HERE IF THIS WERE TAKEN AWAY. I WOULD BE VERY KEEN TO ^{HELP} MAKE THIS AN EVEN MORE ATTRACTIVE SPACE WITH SEATING, PLANTS, FURNITURE. PLEASE CONSIDER THE VALUE OF THIS SPACE TO THE WELLBEING OF RESIDENTS.

JILL TARTON

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.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: BARBARA JUNE WILSON

of: HILLSIDE COTTAGE, HIGH BARRASS,
STAITHES TS13 5DE

make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
- ☐ a person who was previously in adverse possession
- ☒ making this statement on behalf of:
HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE
APPLICATION BY HINDERWELL
PARISH COUNCIL.

3 Property:

THE BARRASS COMMUNITY GARDEN/
DRYING AREA, STAITHES

- ☒ The land is clearly identified on the attached plan and
shown: OUTLINED IN RED
- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SPRING 2004 BUT WE WERE
TOLD IT WAS IN COMMUNITY USE
FOR A LONG TIME BEFORE THAT -

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

BARBARA JUNE WILSON

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^{C10}

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: STEPHEN FATHERS
of: BARRASS HOUSE, BARRASS SQUARE
STAITHES TS13 5DF
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following

reasons: I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL TO GAIN
POSSESSION OF THE AREA SHOWN ON
THE ATTACHED MAP TO SAFEGUARD THE AREA THE PUB

3 Property:

THE BARRASS COMMUNITY GARDEN
UPPER DRYING AREA IN STAITHES

- ☒ The land is clearly identified on the attached plan and
shown: OUTLINED IN RED

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

2001 - 2019

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

5 Acts of adverse possession:

AS OUR COTTAGE IS NEXT TO THE DRYING AREAS WE HAVE USED IT AS A COMMON PLACE TO MEET OTHER RESIDENTS AND VISITORS. THE AREA BENEFITS FROM BEING AN IMPORTANT OPEN SPACE THAT ATTRACTS THE SUN FOR LONG PERIODS. I HAVE HELPED KEEP THE AREA TIDY AND I HAVE ALWAYS UNDERSTOOD THAT THE AREA IS COMMON VILLAGE SPACE. NO ONE HAS EVER ASKED ME TO LEAVE THIS SPACE AND I HAVE USED THE AREA FREQUENTLY TO HANG OUT WASHING AND READ BOOKS WHILE SITTING ON THE COMMUNAL BENCH SINCE 2001. ALL OUR FRIENDS AND FAMILY HAVE USED THIS AREA FREELY WITHOUT INTERFERENCE.

6 Enclosure of the land:

WHEN WE FIRST USED THE DRYING AREAS WE USED TO GAIN ACCESS VIA THE PATH NEXT TO HILL COTTAGE. NOW WE USE THE NEW MORE CONVENIENT STEPS. THE LAND IS DEFINED BY A LOW STONE WALL.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: **STEPHEN FATHERS**

Date: **16-6-2020**

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 (C11)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	I: MRS WINIFRED CRAIG of: 22 CLIFF ROAD STAITHES SALT BURN TS13 5AE make this statement in support of an application to Land Registry for registration based upon adverse possession.
2	Status I am <input type="checkbox"/> the person currently in adverse possession <input type="checkbox"/> a person who was previously in adverse possession <input checked="" type="checkbox"/> making this statement on behalf of: HINJERWELL PARISH COUNCIL who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I am sup I AM SUPPORTING THE APPLICATION OF HINJERWELL PARISH COUNCIL
3	Property: THE BARRASS COMMUNITY GARDEN/DRYING AREA. <input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: EDGED IN RED <input type="checkbox"/> The land is currently registered under title number(s):
4	Period of adverse possession: 1934 to PRESENT.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

FROM WHEN THE COTTAGES CAME DOWN THIS LAND WAS FREELY USED FOR STACKING CRAB POTS ANY FISHING LINES AND FOR ALL RESIDENTS AS A DRYING AREA FOR CLOTHES ETC.

I AM AWARE THAT OTHER RESIDENTS HAVE FREELY USED THIS.

IT HAS ALSO BEEN USED FOR A GARDEN FOR QUITE SOME TIME.

I PERSONALLY CANNOT RECALL WHEN IT HAS NOT BEEN AVAILABLE TO ANYONE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND/GARDEN IS ENCLOSED BY A LOW STONE WALL AND ACCESS HAS BEEN VIA THE ACCESS PATH NEXT TO HILLSIDE COTTAGE BY STEPPING DOWN INTO THE GARDEN AREA. RECENTLY I HAVE NOTICED A WIDER ENTRANCE IN THE WALL MADE BY THE PARISH COUNCIL.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

WINIFRED CRAIG MRS

Date: 16-6-2020

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

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Before each continuation, state panel to be continued, for example 'Panel 12 continued'.

1 Continued from Form: Title number(s):

2 I REMEMBER AS A CHILD IN THE 1940S THE WALL OF THE OUTER COTTAGE WHICH WAS BULGING GAVE WAY AND THE WALL GAVE WAY AND LEFT A GAPING HOLE THE COTTAGES WERE THEN DEMOLISHED AS FAR AS I CAN REMEMBER. I THINK BY THE THEN COUNCIL AND THE LAND LEFT WAS USED BY ALL.

WINIFRED CRAIG (MRS)

16-6-2020

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.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^{C12}

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: Sally Cook
of: 19 Porret Lane, Hinderswell, N. Yo/MS
TS135JT
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

Hinderswell Parish Council

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I am supporting the application
by Hinderswell Parish Council.

3 Property: The Barrows Community
Garden / Drying area Stairies

- ☒ The land is clearly identified on the attached plan and
shown:
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

Spring 2008 to date

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

My family's from Staines. I was brought up here and my parents still lived in the village until recently. As a child most of my free time was spent in the lower village and we often played in this area. I have seen washing drying on the shared facilities and seen others there tending plants. I have enjoyed using the seat placed there by fellow residents. I am aware that lots of other residents/visitors have freely used the area as a community space. In my lifetime (of 51 years) it has always been available for the free unchallenged use by residents and visitors. I ^{definitely} cannot recall a time when it has not been available.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

The land/garden is enclosed by a low stone wall and access has been via the access path next to Hillside Cottage by stepping down into the garden area. Recently I have used the wider entrance in the wall made by the Parish Council in October 2018.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

SALLY COOK.

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

(C13)
ST1

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **MELISSA COTTER**
of: **SEACREST HIGH ST, STAITHES,
SALTBURN BY THE SEA TS13 5BH**
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

**1 I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL**

3 Property:

**THE BARRASS COMMUNITY GARDEN/
DRYING AREA, STAITHES**

- ☒ The land is clearly identified on the attached plan and
shown: **IN RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SPRING 2001 TILL PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I USED IT FOR HANGING
OUT MY WASHING WHEN I
LIVED ON BARRASS SQUARE.
I STILL PASS IT REGULARLY
AND SEE PEOPLE SITTING
AND HAVING BREAKFAST

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

I USED TO USE THE PATH
ON THE EDGE NEXT TO HIGH HOUSE
HILL COTTAGE TO GET IN NOW I
USE THE ENTRANCE ON THE HIGH
BARRAS PATH

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

MELISSA COTTER

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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.

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	<p>I: ED EVERARD</p> <p>of: BALMORAL HOUSE, CHURCH STREET STAITHES TS13 5DB</p> <p>make this statement in support of an application to Land Registry for registration based upon adverse possession.</p>
2	<p>Status</p> <p>I am</p> <p><input type="checkbox"/> the person currently in adverse possession</p> <p><input type="checkbox"/> a person who was previously in adverse possession</p> <p><input checked="" type="checkbox"/> making this statement on behalf of:</p> <p>HINDERWELL PARISH COUNCIL</p> <p>who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:</p> <p>I AM SUPPORTING THE VIEWS AND RECOMMENDATION OF HINDERWELL PARISH COUNCIL</p>
3	<p>Property:</p> <p>THE BARRASS COMMUNITY AREA, STAITHES</p> <p><input type="checkbox"/> The land is clearly identified on the attached plan and shown: IN RED</p> <p><input type="checkbox"/> The land is currently registered under title number(s):</p>
4	<p>Period of adverse possession:</p> <p>I HAVE KNOWN STAITHES FOR 60 YEARS AND LIVED HERE FOR 11 YEARS. THIS HAS BEEN AN AREA USED BY THE COMMUNITY FOR AS LONG AS I CAN REMEMBER</p>

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

RESIDENTS AND VISITORS NOT ENJOYING OUTSIDE SPACE CAN AND HAVING BEEN USING THE AREA FOR YEARS. THERE IS A BENCH MEMORIAL SEAT DONATED TO THE VILLAGE. LOCATED WITHIN THE AREA

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN AREA IS ACCESSED FROM A PUBLIC FOOTPATH

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

EDWARD J. EVERARD

Date: 16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: CHRISTINA JOAN FATHERS
of: BARRASS HOUSE, BARRASS SQUARE
STAITHES TS13 3DF
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following

reasons: I am supporting the Application
by Hinderwell Parish Council.

3 Property:

The Barrass Community Garden/Drying
Area - Staithes

- ☒ The land is clearly identified on the attached plan and
shown: in red
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

Summer 2001 to Present

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I have jointly owned a property in Staithe for eighteen years. I have used the shared facilities for drying my washing, relaxing and enjoying the garden, often tending plants. Friends and family regularly sit on the terrace enjoy a drink and a chat, in the open space. Beautiful plants were grown by the resident of Hill Cottage, and locals, residents and visitors stopped and admired, using the top pathway. The land has always been freely available for anyone wishing to use it, whilst I've been in Staithe.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

The land/garden is enclosed by a low stone wall. Access was by a path next to Hill Cottage. More recently I have used the wider entrance in the bottom corner made by the Parish Council in October 2018.

7 Permission to possess

The possession has been:

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:
- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name: **CHRISTINA JOAN
FATHERS**

Date: **16-6-2020**

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^{C16}

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	<p>I: DEREK FIELDS</p> <p>of: PORTHOLE COTTAGE, 2. BOATHOUSE YARD STAITHE, SALTBURN BY THE SEA TS13 5BN</p> <p>make this statement in support of an application to Land Registry for registration based upon adverse possession.</p>
2	<p>Status</p> <p>I am</p> <p><input type="checkbox"/> the person currently in adverse possession</p> <p><input type="checkbox"/> a person who was previously in adverse possession</p> <p><input checked="" type="checkbox"/> making this statement on behalf of: HINDERWELL PARISH COUNCIL</p> <p>who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I AM SUPPORTING THE APPLICATION BY HINDERWELL PARISH COUNCIL</p>
3	<p>Property:</p> <p>THE BARRASS COMMUNITY GARDEN / DRIVE AREA, STAITHE</p> <p><input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: IN RED</p> <p><input type="checkbox"/> The land is currently registered under title number(s):</p>
4	<p>Period of adverse possession:</p> <p>2001 TO DATE, I RECALL THE WHOLE COMMUNITY USING THE GARDENS & DRIVING AREA</p>

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STATHES, PORTHOLE COTTAGE FOR 18 YEARS I HAVE USED THE AREA TO RELAX AND MEET OTHER MEMBERS OF THE COMMUNITY, I HAVE PLACED PLANTS IN THIS AREA AND MANY OTHER RESIDENTS ALSO USED THE GARDENS TO RELAX AND ENJOYING THE SPACE AS MANY RESIDENTS IN STATHES DONT HAVE OUTSIDE SPACE AT THEIR HOME. IT HAS ALWAYS BEEN AVAILABLE TO USE I CANNOT RECALL A TIME WHEN IT HAS NOT BEEN AVAILABLE TO ALL

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN / DRYING AREA IS ENCLOSED BY A LOW STONE WALL ACCESS VIA HILLSIDE COTTAGE PATH AND STEPPING DOWN INTO THE GARDEN I USE THE WIDER ENTRANCE IN THE WALL

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

DEREK FIELDS

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 C17

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: NORMAN ALFRED FOWLER
of: 70 STATHES LANE, STATHES
SALTBURN
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING HINDERWELL
PARISH COUNCIL'S APPLICATION

3 Property:

THE BARRAS COMMUNITY GARDEN/
DRYING AREA, STATHES

- ☒ The land is clearly identified on the attached plan and
shown: EDGED IN RED INK
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

IN MY KNOWLEDGE AT LEAST
30 YEARS

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN LOWER
STATHES FOR 35 YEARS

TO MY KNOWLEDGE, RESIDENTS
HAVE USED THE AREA TO MEND / DRY
CRAB POTS / NETS.

THE LAND WAS WALLED IN WITH
ACCESS FROM HILLSIDE COTTAGE
BUT RECENTLY THE BETTER ACCESS
BY H'WELL PC IS THE BEST ENTRY
POINT

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

LOW BOUNDARY WALLS
+ 2 ENTRANCES

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert name and address of any known freehold owner of the land or person thought to be the freehold owner (such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land) and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'. If the land is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

Insert details of any past or present contact with the freehold owner of the land or person thought to be the freehold owner and/or any tenants and/or mortgagees, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert details of such property. Where the title to this other property is registered, please quote the relevant title number(s) and provide copies of the relevant pre-registration title deeds. Where the title to this other property is unregistered, please confirm whether this is freehold or leasehold and provide copies of the relevant title deeds.

Insert other relevant details, (if any).

8 Details of any known freehold owner of the land or person thought to be the freehold owner and related persons:

NONE

9 Contact with freehold owner of the land and related persons:

NONE

10 Other property owned during the period referred to in panel 4 by the person making this statement or the person on behalf of whom this statement is made:

NONE

11 Other relevant details

I WAS A MEMBER OF HINDERWELL PARISH COUNCIL AS FAR BACK AS THE MID 1980'S.

IN 2003 AT THE JULY MEETING OF THE COUNCIL, THE CLERK, PENNY FENTON, WAS ASKED TO PURSUE THE OWNER OF THE LAND, TO CONFIRM IT WAS NOT IN ANY ONE PERSON'S OWNERSHIP.

THE COUNCIL WANTED TO CLAIM THE LAND FOR A COMMUNITY GARDEN.

I ENCLOSE A COPY OF HER HANDWRITTEN NOTES FROM THE MEETING DATED 3/7/2003

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

Heenan Alastair

Date: *16-6-2020*

19/03-04

Powers of Parish Council to acquire land.

3/7/03

Resolved that the clerk shall carry out a land Registry Search on small derelict area of land located on High Barras, Staithes with a view to claiming this land for a community Garden.

20/03-04

August meeting - Planning

3/7/03 ✓

Sub-Committee

Resolved to establish a sub-committee to meet on Monday 4th August to consider any planning applications and expenditures received during summer recess. Sub-Committee to consist of Councillors B. Christen, N. Fowler, M. Dalton, C. Bettley.

21/03-04

Railings - Garth Ends, Staithes

3/7/03 ✓

The section of railings along Garth Ends, Staithes are to be replaced as part of the Harbour Improvement works (S23) and H.P.C. have been asked to assume responsibility for the future maintenance of the railings. Resolved to accept responsibility for said railings and to pursue additional funding under the model agreement.

22/03-04

Co-option of Councillors

3/7/03 ✓

Clerk had received requests for co-option from two local residents, a Mr Alan Barwick of Hinderwell and Mr Graham Palmer of Port Mulgrave. Resolved to co-opt both individuals (Mr Barwick to Hinderwell ward & Mr Palmer to Staithes ward).

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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.

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	<p>I: KIRSTIN GREGORY</p> <p>of: BANK HOUSE HIGHEST STAITHE TSV35BH</p> <p>make this statement in support of an application to Land Registry for registration based upon adverse possession.</p>
2	<p>Status</p> <p>I am</p> <p><input type="checkbox"/> the person currently in adverse possession</p> <p><input type="checkbox"/> a person who was previously in adverse possession</p> <p><input checked="" type="checkbox"/> making this statement on behalf of: HINDERWELL PARISH COUNCIL</p> <p>who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I SUPPORT THE APPLICATION BY HINDERWELL PARISH COUNCIL</p>
3	<p>Property: BARRASS COMMUNITY GARDEN + DRIVING AREA, STAITHE</p> <p><input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: IN RED</p> <p><input type="checkbox"/> The land is currently registered under title number(s):</p>
4	<p>Period of adverse possession: SPRING 2008 (APPROX)</p>

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN BANK
HOUSE STAIRS FOR
18 1/2 YEARS.

I HAVE HUNG MY WASHING
ON THE FACILITIES AND
HAVE USED THE GARDEN.

I HAVE OFTEN SAT IN
THE GARDEN, DRINKING
COFFEE, WITH FRIEND

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND/GARDEN IS ENCLOSED
BY A LOW STONE WALL AND
ACCESS HAS BEEN VIA THE
ACCESS PATH NEX TO HILLSIDE COTTAGE
RECENTLY I HAVE ACCESSED VIA THE WIDER
ENTRANCE IN THE WALL MADE
BY THE PARISH COUNCIL IN
OCT 2018

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

K. SNEYDER

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^(C19)

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: AMANDA GREGORY
of: BANK HOUSE, HIGH ST., STAITHESS
TS13 5BH
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:
HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I SUPPORT THE APPLICATION BY
HINDERWELL PARISH COUNCIL

3 Property: DARRASS COMMUNITY GARDEN
+ DRIVING AREA, STAITHESS.

- ☒ The land is clearly identified on the attached plan and shown: EDGED RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:
SPRING 2008 - 15H

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

THIS AREA HAS ALWAYS BEEN USED BY MYSELF AND FAMILY TO DRY OVERSIZED LAUNDRY AND AS A GENERAL RELAXATION AREA, ESPECIALLY SITTING ON THE SEAT AND ENJOYING THE AESTHETICS OF THE PLANTS AND SURROUNDING AREA.

THIS AREA HAS BEEN AVAILABLE AS LONG AS I CAN REMEMBER.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

SURROUNDED BY A LOW STONE WALL WITH STEPS BY HILLSIDE COTTAGE INTO THE GARDEN.

THERE'S A SECOND ENTRANCE PUT INTO THE WALL, POSSIBLY BY THE PARISH COUNCIL.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

AMANDA GILSON

Date:

16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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HM Land Registry

Statement of truth in support of
an application for registration based
upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: COLIN HARRISON

of: ARNCLIFFE HOUSE, 6 COWBAR BANK, STAITHES
TS13 5BZ

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

LEGAL ENTITY, NOT AN INDIVIDUAL, THEREFORE I AM SUPPORTING HINDERWELL PARISH COUNCIL'S APPLICATION.

3 Property:

LAND ON THE NORTH SIDE OF HIGH BARRAS,
STAITHES BEING THE BARRAS COMMUNITY GARDEN
DRYING AREA

- ☒ The land is clearly identified on the attached plan and shown: EDGED RED

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

C. 1965 TO PRESENT I.E. AS FAR BACK AS I
CAN RECALL

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STAITHESS SINCE I WAS BORN IN 1960. EXCEPT FOR A SPELL FROM 1988 TO 1996. AS A BOY I WOULD PLAY WITH MY FRIENDS ON THE LAND AND OTHER RESIDENTS WOULD USE THE LAND AS A DRYING GROUND AND FOR TEMPORARY STORAGE OF FISHING GEAR. I AM AWARE THAT MANY OTHER RESIDENTS HAVE FREELY USED THE AREA AS A COMMUNITY SPACE, WITHOUT CHALLENGE, AND I CANNOT RECALL A TIME WHEN IT HAS NOT BEEN SO AVAILABLE AND SO USED.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

IT IS ENCLOSED BY A LOW STONE WALL. ACCESS WAS VIA A PATH NEXT TO HILLSIDE COTTAGE AND THEN STEPPING DOWN TO THE GARDEN AREA. MORE RECENTLY I HAVE MADE USE OF AN ENTRANCE IN THE WALL MADE BY THE PARISH COUNCIL IN OCTOBER 2018.

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:
- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name: COLIN HARRISON

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1⁽²¹⁾

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ELIZABETH ANN HINCHLEY

of: 2 STATION HOUSE, WHITE GATE CLOSE
STAITHES, TS13 5BB

make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL (HPC)

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN/
DRYING AREA, STAITHES

- ☒ The land is clearly identified on the attached plan and
shown: EDGED RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM 1967 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

~~W~~ I ALWAYS ^{THOUGHT} IT WAS FOR
PEOPLE IN THE COTTAGES TO USE.
I USED TO SEE PEOPLE HANGING
THEIR WASHING OUT THERE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE
WALL AND ACCESS WAS BY THE PATH
NEXT TO HILLSIDE COTTAGE, DOWN STEPS.
RECENTLY I HAVE BEEN TOLD OF THE
NEW OPENING MADE BY THE PARISH
COUNCIL

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: WILLIAM HINCHLEY
2 STATION HOUSE WHITEGATE CLOSE
of: STAITHES TS13 5BB
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following

reasons: I AM SUPPORTING THE
APPLICATION OF HINDERWELL
PARISH COUNCIL

3 Property: THE BARRAS COMMUNITY
GARDEN / DRYING AREA

☒ The land is clearly identified on the attached plan and
shown: Edged in Red

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

1948 - PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

IN MY CHILDHOOD IT WAS USED FOR STORING FISHING GEAR AND WASHING DRYING. WE WOULD PLAY THERE. WHEN WALKING BY THERE MOST DAYS I HAVE OFTEN SEEN PEOPLE SITTING THERE HAVING BREAKFAST. I VISITED THE WHALE AT THE ART FESTIVAL. AT TIMES I HAVE SEEN IT BEING USED FOR WASHING.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

6 Enclosure of the land: THE LAND/GARDEN IS ENCLOSED BY A LOW STONE WALL AND ACCESS HAS BEEN VIA THE ACCESS PATH NEXT TO HILLSIDE COTTAGE. I WALK PAST THERE NEARLY EVERYDAY

Place 'X' in the appropriate box(es) and complete the statement if applicable.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

WILLIAM HINCHLEY

Date: 16 - 6 - 2020

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WARNING

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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.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

(C23)
ST1

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: STEPHEN ICEGALL
of: 1 CHURCH BANK STATION TS13 5BZ

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDLEWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM WRITING THIS TO SUPPORT
THE APPLICATION FROM
HINDLEWELL PARISH COUNCIL

3 Property:

THE BARRASS community garden
/ drying area

- ☒ The land is clearly identified on the attached plan and shown: in red
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SUMMER of 1988 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

FOR AS LONG AS I HAVE KNOWN IT (1988) THIS AREA WAS ALWAYS A COMMUNAL DRYING GROUND FOR RESIDENTS IN THAT AREA OF THE VILLAGE. AN AREA USED BY A NUMBER OF PEOPLE, ALSO USED TO STAKE PEOPLE LADDERS WHICH WERE REGULARLY USED FOR VILLAGE EVENTS (I.E. LIFEBOAT DAY)

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

IT IS ENCLOSED BY A LOW STONE WALL WITH ACCESS NEXT TO HILLSIDE COTTAGE. A NEW ENTRANCE WAS OPENED BY THE PARISH COUNCIL AS ADDITIONAL ACCESS:

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

STEPHEN JAMES IREDALE

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: DAWN JOHNSON
of: 18 ASHDOWN ROAD WAKEFIELD WF15CU

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDSALL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION BY HINDSALL PARISH COUNCIL

3 Property:

THE BARNES COMMUNITY GARDEN
DRYDEN AREA SKITHES

- ☒ The land is clearly identified on the attached plan and shown: IN RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SPRING 2008 TO DATE OF ENTRY 2008

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED A KENSINGTON COTTAGE IN STAINTHROP SINCE 2014 AND MY BEDROOM LOOKS OUT ONTO THE AREA. WE HAVE WASHING ON THE LAND AND HAVE A FEW PLANTS GROWING IN POTS. WE OFTEN SIT THERE AS IT IS SUCH A QUIET SPOT AND GETS BETTER LIGHT THAN THE FRONT OF OUR COTTAGE. AS FAR AS I WAS AWARE IT HAS ALWAYS BEEN A COMMUNITY SPACE AND IS USED BY ALL RESIDENTS FREELY.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE WALL AND IS ACCESSED BY STOPS MADE BY COUNCIL IN 2018

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: DANNEN JOHNSON

Date: 16-6-2020

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WARNING

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1^(C25)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **LYNDA PATRICIA KELLETT**
of: **CASTLETON HOUSE, HIGH BARRASS**
STAITHES, TS13 3WENSLEY DRIVE
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am:

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

1 **AM SUPPORTING THE APPLICATION BY HINDERWELL PARISH COUNCIL TO GAIN POSSESSION OF OF THE AREA TO SAFEGUARD IT FOR THE PUBLIC.**

3 Property:

**THE BARRASS COMMUNITY GARDEN/
DRYING AREA, STAITHES**

☒ The land is clearly identified on the attached plan and shown: **IN RED**

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SUMMER 1989 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED A PROPERTY IN STAITHESS CALLED CASTLETON HOUSE FOR 30 YEARS. I HAVE USED THE AREA TO HANG OUT WASHING - THIS WAS IMPORTANT AS I HAVE FOUR CHILDREN WHO HAVE SPENT MOST OF THEIR HOLIDAYS HERE. THEY HAVE FOND MEMORIES OF PLAYING SAFELY IN THIS AREA. WHICH IS IN VERY CLOSE PROXIMITY OF OUR PROPERTY. WE HAVE ALWAYS HAD ACCESS TO THIS AREA AS A PLEASANT OPEN AREA AMIDST THE SURROUNDING COTTAGES. I HAVE OFTEN ENJOYED SITTING IN THE AREA WHICH PROVIDES A SUNNY ASPECT - OUR COTTAGE DOES NOT RECEIVE ANY SUN.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

I HAVE USED THE ACCESS VIA THE PATH AND LOW STONEWALL BELOW HILLSIDE COTTAGE. THE CHILDREN USED TO ACCESS IT EASILY BEFORE THE HIGHER DIVIDING WALL WAS BUILT. NOW WE ENTER THROUGH THE NEW STEPS.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert name and address of any known freehold owner of the land or person thought to be the freehold owner (such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land) and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'. If the land is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

Insert details of any past or present contact with the freehold owner of the land or person thought to be the freehold owner and/or any tenants and/or mortgagees, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert details of such property. Where the title to this other property is registered, please quote the relevant title number(s) and provide copies of the relevant pre-registration title deeds. Where the title to this other property is unregistered, please confirm whether this is freehold or leasehold and provide copies of the relevant title deeds.

Insert other relevant details, (if any).

8 Details of any known freehold owner of the land or person thought to be the freehold owner and related persons:

NO-ONE. FOR THE TOTAL TIME WE HAVE BEEN HERE IT HAS BEEN AVAILABLE TO USE WITHOUT ANY HINDRANCE. I HAVE ALWAYS REFERRED TO IT AS THE COMMON DRYING AREA.

9 Contact with freehold owner of the land and related persons:

NONE

10 Other property owned during the period referred to in panel 4 by the person making this statement or the person on behalf of whom this statement is made:

NONE

11 Other relevant details

MY FOUR CHILDREN SPENT HOURS PLAYING IN AND AROUND THE AREA SAFELY. I WANT THE AREA TO REMAIN A COMMUNITY AREA WITH ACCESS TO BE ABLE TO DRY WASHING AND SIT IN AN OPEN AREA NEAR TO MY COTTAGE AS MY FRONT DOOR OPENS DIRECTLY ONTO THE PATH. WHEN MY MOTHER-IN-LAW WAS ALIVE IT WAS THE ONLY PLACE SHE COULD SIT OUTSIDE AS SHE FOUND WALKING DIFFICULT. THIS AREA NEEDS TO BE KEPT AVAILABLE FOR THE NEXT GENERATION WHO WILL BE ABLE TO ENJOY A GARDEN AREA (WHERE COTTAGES DON'T HAVE ONE). VISITORS WALKING DOWN FROM THE CARPARK OFTEN STOP AND HAVE A CHAT.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)



Print full name:

LYNDA PATRICIA KELLETT.

Date: 16-6-2020

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WARNING

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 (26)

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Insert full name.

JONATHAN LAWSON

Insert full address.

STEKWER 9
72SS H

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: JONATHAN LAWSON

of: STEKWER 9

72SS HA THE NETHERLANDS

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN
DRYING AREA STAITHES

- ☒ The land is clearly identified on the attached plan and shown: IN RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

AS FAR BACK AS I CAN RECALL

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

SONATHAN LAWSON.

Date: **16-6-2020**

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1²⁷

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Insert full name.

Insert full address.

Place 'X' in one box only.

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Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

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State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ~~ELIZABETH~~ LINDLEY

of: 9 THE WARREN, HINDERWELL, TS13 5JL

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION BY
HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN/DRYING
AREA STARTS .

- ☒ The land is clearly identified on the attached plan and shown:

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SPRING 1991 - 2004

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I USED THIS SPACE WHEN I LIVED IN WESTGATE, STAITHS AS I HAD NOWHERE TO DRY MY WASHING.

I STILL USE THIS PATH WHEN I VISIT STAITHS AND OFTEN SEE PEOPLE USING THIS COMMUNAL SPACE, ENJOYING THE SPACE AND CHATTING TO EACH OTHER

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

I ACCESSED THE DRYING SPACE VIA THE PATH NEXT TO HILLSIDE COTTAGE TO DRY MY WASHING WHILST A RESIDENT. RECENTLY I HAVE USED THE ENTRANCE IN THE WALL ON HIGH BACKLASS PATH MADE BY THE PC

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: ELIZABETH LINDLEY

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 (c28)

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: DAVID HARRY LINLEY
of: ENDEAVOUR, 1 HIGH ST, STAITES TS13 5B1
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL (HPC)

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING The Application
by HPC

3 Property:

THE BARRASS COMMUNITY GARDEN
DRIVING AREA

- ☒ The land is clearly identified on the attached plan and shown: RED

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

2013 to PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STATHES SINCE
MAY 2013

THE OCCUPANT AT HILL HOUSE
~~IS~~ IS A FRIEND AND NEIGHBOUR
AND I REGULARLY STOP BY AND
SIT IN THE DRYING YARD / GARDEN IN
QUESTION MOST WEEKS FOR LEISURE
PURPOSES.

THE SEAT IN THE GARDEN HAS
BEEN UTILISED BY MYSELF AND
OTHER RESIDENTS.

THERE HAVE BEEN REGULAR GROUPS
AND INDIVIDUALS USING THE AREA
FREELY AND UNCHANGED LIKE MYSELF.
IT HAS NEVER BEEN UNAVAILABLE FOR
ACCESS DURING MY TIME LIVING HERE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

I REGULARLY ACCESSED IT BY THE
PATH ADJOINING HILL COTTAGE

RECENTLY IVE USED THE ENLARGED
ENTRANCE MADE BY OUR HBC

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name: DAVID HARRY LINLEY

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

(C29)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **ALLISON LOUISE MILNES**
of: **19 CROMWELL RD YORK YO1 6DU**

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

**I am supporting THE APPLICATION BY
HINDERWELL PARISH COUNCIL (HPC)**

3 Property:

**THE BARRASS COMMUNITY GARDEN/
DRYING AREA**

- ☒ The land is clearly identified on the attached plan and shown: **RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM AROUND 1994 - PRESENT.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession: A REGULAR VISITOR TO STAITHES WITH MY FAMILY IN THE 1990S I USED TO STAY AT NO. 4 AND USED THE PRYING AREA ON A NUMBER OF OCCASIONS. I WAS ONCE TOLD THAT IT WAS FOR RESIDENTS ONLY AND NOT HOLIDAY-MAKERS. I OFFERED TO TAKE DOWN MY WASHING BUT WAS THEN TOLD I COULD USE THE SPACE BUT I SHOULD LET RESIDENTS HAVE PRIORITY. MORE RECENTLY AS PART OF STAITHES FESTIVAL WE INSTALLED AN ARTWORK THERE WHICH WAS ENJOYED BY EVERYONE. I'VE BEEN AWARE OF THE GARDENING WORK UNDERTAKEN BY VILLAGE RESIDENT HARRY ON BEHALF OF THE COMMUNITY AND HAVE OFTEN SEEN RESIDENTS AND VISITORS USING THE SPACE TO SIT AND CHAT.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

PEOPLE USED TO USE THE ENTRANCE NEXT TO HILL COTTAGE BUT NOW THERE IS AN OPENING FROM THE MAIN PATHWAY

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

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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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name: **ALLISON LOUISE MILNES**

Date: **16-6-2020**

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

c 30

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	<p>I: WILLIAM MUSGRADE of: 31 SEATON CLOSE STAITHE, ISLE SAU make this statement in support of an application to Land Registry for registration based upon adverse possession.</p>
2	<p>Status</p> <p>I am</p> <p><input type="checkbox"/> the person currently in adverse possession</p> <p><input type="checkbox"/> a person who was previously in adverse possession</p> <p><input checked="" type="checkbox"/> making this statement on behalf of:</p> <p>HINDERWICH PARISH COUNCIL</p> <p>who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:</p> <p>I AM SUPPORTING PARISH COUNCIL'S APPLICATION</p>
3	<p>Property:</p> <p>THE BARRASS COMMUNITY GARDEN, DRYING AREA</p> <p><input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: IN RED</p> <p><input type="checkbox"/> The land is currently registered under title number(s):</p>
4	<p>Period of adverse possession:</p> <p>ASO TO PRESENT</p>

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

GREW UP IN PUNSAWICK Bay
I HAVE LIVED IN STATUES
FOR OVER 60 YRS.

THIS AREA HAS ALWAYS BEEN
OPEN FOR DRIVING ACCESS
FOR PEOPLE NEAR BY

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THIS LAND WAS OPEN &
UNFENCED.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert name and address of any known freehold owner of the land or person thought to be the freehold owner (such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land) and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'. If the land is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

Insert details of any past or present contact with the freehold owner of the land or person thought to be the freehold owner and/or any tenants and/or mortgagees, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert details of such property. Where the title to this other property is registered, please quote the relevant title number(s) and provide copies of the relevant pre-registration title deeds. Where the title to this other property is unregistered, please confirm whether this is freehold or leasehold and provide copies of the relevant title deeds.

Insert other relevant details, (if any).

8 Details of any known freehold owner of the land or person thought to be the freehold owner and related persons:

NONE

9 Contact with freehold owner of the land and related persons:

NONE

10 Other property owned during the period referred to in panel 4 by the person making this statement or the person on behalf of whom this statement is made:

NONE

11 Other relevant details

I WANT THE BARRASS
GARDEN AREA TO REMAIN
OPEN FOR ALL.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

WILLIAM MUSGRAVE.

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1(c3)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: KATHERINE RIDER
of: 1 LOWBAR BANK, STAITHES TS13 5BZ
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN / DRYING
AREA

☒ The land is clearly identified on the attached plan and shown: IN RED

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SUMMER OF 1983 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STAITHES SINCE 1988 AND HAVE ALWAYS KNOWN THE BARRASS COMMUNITY GARDEN AS A FREELY USED SPACE BY RESIDENTS AND VISITORS.

FOR AS LONG AS I CAN REMEMBER THE LAND HAS BEEN USED AS A COMMUNAL DRYING GROUND FOR WASHING AND HAS BEEN A PLEASANT PLACE TO SIT

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE WALL WITH ACCESS FROM A PATH NEXT TO HILLSIDE COTTAGE.

THERE IS ALSO A SECOND ENTRANCE TO THE LAND MORE RECENTLY OPENED BY THE PARISH COUNCIL.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

KATHERINE RIDER

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 (C 32)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: MARKEEN SUSAN SELBY
of: TOFFEE CRACKLE HOUSE HIGH ST

make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

(HPC) HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE
APPLICATION BY HPC

3 Property:

THE BARBASS COMMUNITY
GARDEN/DRYING AREA STRIP

- ☒ The land is clearly identified on the attached plan and
shown: RED

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SEP 2000 to present

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession: SINCE 2000
MY FRIEND WENDY LIVE
IN THE BARRAS & ALWAYS
USED THIS AREA TO DRY
HER CLOTHES

I MANAGE SUNNY DENE
BARRAS SQUARE AND ALL
GUESTS ARE ADVISED THAT
THIS IS A PUBLIC AREA TO
HANG WASHING.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

The land/garden is enclosed by
a low stone wall and access has
been via the access path next to
Hillside Cottage by stepping down into the

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Garden Area, Recently I
HAVE USED THE WIDE PATH
ON THE MAIN PATH

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) will be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

MAJREEN SUSAN SAEY

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

33

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.

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edge of red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: *HELANIE SMITH*

of: *EBOR HOUSE, MOUNT PLEASANT, STAITHES*

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession, but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION BY HINDERWELL PARISH COUNCIL.

3 Property:

THE BARRASS COMMUNITY GARDEN / DRYING AREA, STAITHES.

- ☒ The land is clearly identified on the attached plan and shown: *IN RED*
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM JULY 1999 TO THE PRESENT.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STAITHES SINCE 1999. NEARLY EVERYDAY I WALK PAST THIS AREA. AS FAR AS I AM AWARE IT HAS ALWAYS BEEN USED BY LOCAL RESIDENTS FREELY AS A COMMUNITY SPACE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE WALL, WITH ACCESS VIA A PATH NEXT TO HILLSIDE COTTAGE. (THE PARISH COUNCIL MADE A WIDER ENTRANCE TO THE GARDEN IN OCTOBER 2018).

7 Permission to possess

The possession has been:

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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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.

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

MELANIE BESSIE SMITH

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1 (C 34)

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.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **DAVID SMITH**
of: **ERBOR HOUSE MOUNT PLEASANT STAITHES**
make this statement in support of an application to Land **TS13**
Registry for registration based upon adverse possession. **509**

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

**I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL**

3 Property:

**THE BARRAS COMMUNITY
GARDEN/DRYING AREA STAITHES**

- ☐ The land is clearly identified on the attached plan and
shown: **IN RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM JULY 1999 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STATHES SINCE 1999. DURING THIS TIME I HAVE PASSED THIS AREA ON A DAILY BASIS AND AS FAR AS I AM AWARE IT HAS ALWAYS BEEN USED BY BOTH LOCAL RESIDENTS AND VISITORS FOR NUMEROUS REASONS. IT HAS BEEN OF PARTICULAR IMPORTANCE TO RESIDENTS WHO DO NOT HAVE DRYING FACILITIES OUTSIDE THEIR OWN PROPERTIES.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND/GARDEN IS ENCLOSED BY A LOW STONE WALL AND ACCESS HAS BEEN VIA THE ACCESS PATH NEXT TO HILLSIDE COTTAGE. HOWEVER A WIDER ENTRANCE WAS MADE IN THE WALL IN OCTOBER 2018 BY THE PARISH COUNCIL.

7 Permission to possess

The possession has been

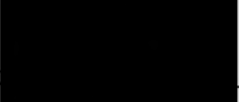
☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement) 

Print full name: DAVID SMITH.

Date: 16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

(C 35)

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: LAWRENCE STONE
of: SINGING WATER, HIGH STREET, STAITHES, SATSWAN
TS13 5BH.
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUBMITTING THE APPLICATION BY
HINDERWELL PARISH COUNCIL

3 Property: THE BARNASS COMMUNITY
GARDEN/DAYING AREA, STAITHES.

☒ The land is clearly identified on the attached plan and
shown: AED

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM JANUARY 1994 TO THE
PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED HERE SINCE JAN 1994, AND WALKED PAST THIS AREA ALMOST DAILY, AND OFTEN NOTICED RESIDENTS PUTTING OUT WASHING AND WOULD HAVE A CHAT WITH THEM. ON A SUNNY DAY MANY WOULD GATHER FOR A CUPPA AND A CHAT, SITTING ON THE WALL. IT WAS UNDERSTOOD BY ME TO BE A 'FACE' AREA, OPEN TO ALL.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THIS GARDEN IS ENCLOSED BY A LITTLE STONE WALL AND ACCESS WAS NEXT TO HILLSIDE COTTAGE, VIA A FEW STEPS DOWN. I RECENTLY GAINED ACCESS VIA THE NEW PARISH COUNCIL ENTRANCE (OCT 2009) WHICH IS MORE EASILY ACCESSABLE.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

MR. LAWRENCE STRONG

Date: 16-6-2020

Statement of truth in support of an application for registration based upon adverse possession

ST1C36

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: STEPHEN WHITE
of: PORTHOUSE COTTAGE, 2 BATHOUSE VED
STATHERS, SAULTWENBY THE SEA, TS13 5BN.
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HUNDEWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

I AM SUPPORTING THE APPLICATION BY
HUNDEWELL PARISH COUNCIL.

3 Property:

THE BALLASS COMMUNITY GARDEN/
DEYING AREA, STATHERS.

- ☒ The land is clearly identified on the attached plan and
shown: RED

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

2001 TO DATE, I RECALL THE WHOLE
COMMUNITY USING THE GARDENS
& DEYING AREA.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED IN STATHES, PORTHOLE COTTAGE FOR 18 YEARS, I HAVE USED THE AREA TO RELAX AND CHAT UP WITH OTHER MEMBERS OF THE COMMUNITY. I HAVE PLANTED PLANTS, LOTS OF OTHER RESIDENTS ALSO USED THE GARDEN'S TO RELAX AND ENJOYING THE SPACE AS SOME DON'T HAVE A GARDEN IN THEIR HOME. IT HAS ALWAYS BEEN AVAILABLE FOR USE, I CANNOT RECALL A TIME WHEN IT HAS NOT BEEN AVAILABLE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN / AREA IS ENCLOSED BY A LOW STONE WALL ACCESS VIA TULLSIDE COTTAGE PATH AND STOPPING DOWN INTO THE GARDEN. I USE THE WIDER ENTRANCE IN THE WALL.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

if the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement) _____

Print full name: STEPHEN

DORRHOKE COTTAGE, 2 BOATHOUSE
YARD STAIRS.

Date:

16 - 6 - 20 20

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

(C)
37

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If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ELIZABETH WILSON
of THE NOOK HIGH ST STAITHES.

make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons.

I AM SUPPORTING THE APPLICATION BY
HINDERWELL PARISH COUNCIL.

3 Property:

THE BARRASS COMMUNITY GARDEN
DYRING AREA STAITHES

☒ The land is clearly identified on the attached plan, and
shown: RED

☐ The land is currently registered under title number(s)

4 Period of adverse possession:

SPRING 2008 TO DATE OR EARLY
2008 OR AS FAR BACK AS I CAN
RECALL etc etc.

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I USED TO MEET FRIENDS THERE, WHILE THEY HUNG THEM WASHING OUT WE USED TO HAVE COFFEE, CHAT WHILE OUR CHILDREN PLAYED AND PLANTED FLOWERS.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND/GARDEN IS ENCLOSED BY A LOW STONE WALL AND ACCESS HAS BEEN VIA THE ACCESS PATH NEXT TO HILLSIDE COTTAGE BY STEPPING DOWN INTO THE GARDEN AREA. RECENTLY I HAVE USED THE WIDER ENTRANCE IN THE WALL MADE BY THE PARISH COUNCIL IN OCT 2018.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert name and address of any known freehold owner of the land or person thought to be the freehold owner (such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land) and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'. If the land is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

Insert details of any past or present contact with the freehold owner of the land or person thought to be the freehold owner and/or any tenants and/or mortgagees, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert details of such property. Where the title to this other property is registered, please quote the relevant title number(s) and provide copies of the relevant pre-registration title deeds. Where the title to this other property is unregistered, please confirm whether this is freehold or leasehold and provide copies of the relevant title deeds.

Insert other relevant details, (if any).

- 8 Details of any known freehold owner of the land or person thought to be the freehold owner and related persons:

NONE I HAVE ALWAYS BELIVED IT TO BE PUBLIC OF COMMUNITY LAND, NOT OWNED BY ANYONE IN PARTICULAR.

ALWAY BEEN TOLD IT WAS VILLAGE LAND FOR EVERYONE'S USE.

- 9 Contact with freehold owner of the land and related persons:

NONE SEE ABOVE.

- 10 Other property owned during the period referred to in panel 4 by the person making this statement or the person on behalf of whom this statement is made:

NONE

- 11 Other relevant details

I HOPE THAT THE PARISH COUNCL KEEP OWNERSHIP OF THIS LAND SO THAT MY FAMILY AND OTHER FAMILIES CAN STILL ENJOY THIS LAND.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

ELIZABETH WILSON.

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

(C 38)

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.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I, **SARAH ELISABETH WILSON**

of **THE COTTAGE, BEDOMHILL STAITHES
TS13 5DL**

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

**I AM SUPPORTING THE APPLICATION BY
HINDERWELL PARISH COUNCIL TO GAIN POSSESSION
OF THE AREA TO SAFEGUARD IT FOR THE PUBLIC.**

3 Property:

**THE BARRASS COMMUNITY GARDEN/
UPPER DRYING AREA, STAITHES**

☒ The land is clearly identified on the attached plan and shown: **IN RED**

☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM 1970 TO PRESENT

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name: SARAH ELISABETH WILSON

Date: 16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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Statement of truth in support of an application for registration based upon adverse possession

ST1 (239)

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: **CAROL WISDOM**
of: **SINGING WATERS, HIGH STREET,**
SMITHES, SALTBURN, TS13 5BH.
make this statement in support of an application to Land
Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession
but who cannot make this statement for the following
reasons:

**I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL**

3 Property:

**THE BARRASS COMMUNITY GARDEN
DRYING AREA, SMITHES**

- ☒ The land is clearly identified on the attached plan and
shown: **IN RED**

- ☐ The land is currently registered under title number(s):

4 Period of adverse possession:

**FROM AUGUST 1996 TO
PRESENT**

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE LIVED HERE SINCE 1996 AND HAVE WALKED PAST THIS AREA FREQUENTLY. TO MY KNOWLEDGE IT HAS ALWAYS BEEN AVAILABLE FOR LOCAL PEOPLE TO USE FOR DRYING WASHING.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE WALL AND ACCESSED BY A PATH NEXT TO HILLSIDE COTTAGE, STEPPING DOWN INTO THE DRYING/GARDEN AREA. SINCE OCTOBER 2018 I HAVE USED THE WIDER ENTRANCE IN THE WALL

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: CAROL WISDOM

Date: 16-6-2020

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	I: GRECIA ESTHER YOUNG THE COTTAGE, BECKSIDE, of: STAITHES SALTBURN-BY-THE SEA TS13 5BJ make this statement in support of an application to Land Registry for registration based upon adverse possession.
2	Status I am <input type="checkbox"/> the person currently in adverse possession <input type="checkbox"/> a person who was previously in adverse possession <input checked="" type="checkbox"/> making this statement on behalf of: HINDERWELL PARISH COUNCIL who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I AM SUPPORTING THE APPLICATION BY HINDERWELL PARISH COUNCIL
3	Property: THE BARRASS COMMUNITY GARDEN/DRYING AREA STAITHES <input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: IN RED <input type="checkbox"/> The land is currently registered under title number(s):
4	Period of adverse possession: JUNE 2004 TO THE PRESENT DATE

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I ENJOYED THE GARDEN HARRY CREATED AND CARED FOR IN THAT AREA, AND OVER THE YEARS HAVE CHATTED WITH LOCALS ENJOYING THE SPACE, HAVING BREAKFAST, ENJOYING MORNING COFFEE AND HANGING WASHING OUT.

THIS IS MY MAIN ROUTE OUT OF THE VILLAGE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

ACCESS USED TO BE VIA THE ENTRANCE AT THE TOP BUT RECENTLY THE PARISH COUNCIL CREATED AN ENTRANCE IN THE WALL ON HIGH BARRASS PATH.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

GRECIA ESTHER YOUNG.

Date: 16 - 6 - 2020

(C-41)
ST1

HM Land Registry
Statement of truth in support of
an application for registration based
upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: GLYNIS CLEMO
of: 3 DARLINGTON TERRACE STAITHES
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:
Hinderwell Parish Council

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I am supporting the application by
HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN/
DRYING AREA STAITHES

- ☒ The land is clearly identified on the attached plan and shown: RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

SPRING ~~2000~~ 1994 TO PRESENT

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I have owned a property in Stanthorpe since 1994. I have spoken to people who tend the garden. I have visited the "Whale" art installation. It has been a plot of land in "common use" by the village during all this time.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE LAND IS ENCLOSED BY A LOW STONE WALL AND ACCESS WAS VIA THE PATH NEXT TO HILLSIDE COTTAGE BUT NOW PEOPLE USE THE ENTRANCE MADE BY THE PARISH COUNCIL ON HIGH PARISH PATH

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

Insert name and address of any known freehold owner of the land or person thought to be the freehold owner (such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land) and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'. If the land is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

Insert details of any past or present contact with the freehold owner of the land or person thought to be the freehold owner and/or any tenants and/or mortgagees, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert details of such property. Where the title to this other property is registered, please quote the relevant title number(s) and provide copies of the relevant pre-registration title deeds. Where the title to this other property is unregistered, please confirm whether this is freehold or leasehold and provide copies of the relevant title deeds.

Insert other relevant details, (if any).

8 Details of any known freehold owner of the land or person thought to be the freehold owner and related persons:

NONE - THOUGHT IT WAS A
DRYING AREA FOR PUBLIC USE
AND TRADITIONAL IN STATHES

9 Contact with freehold owner of the land and related persons:

NONE

10 Other property owned during the period referred to in panel 4 by the person making this statement or the person on behalf of whom this statement is made:

NONE

11 Other relevant details

Since living in Stathes I am aware of "common" areas of land - often used as sitting areas for local people, and as clothes drying areas. These small land plots are part of the village history - laundry drying, places to sit, places for children to play, places for nets to be mended. An important part of Stathes' social history.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name:

GLYNIS CATHLEEN CLEMO

Date:

16-06-2020

(642)
ST1

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: SARAH JANE COOPER

of: BROUGH HOUSE, BROUGH, DERBYSHIRE
S33 9HG

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION BY
HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN/DRYING
AREA, STAITHES

- ☒ The land is clearly identified on the attached plan and shown: **EDGED RED**
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

AS FAR BACK AS I CAN RECALL

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I have owned a property in Staithes, on Barrass Square called 3, Seacrest Cottage for 6 years. I have used the land in question to dry washing, an area to sit in and my children play there when we visit. I have always believed that this land was for the Staithes Community, residents and visitors and have such told guests of Seacrest cottage that this is to be used as such. I cannot recall a time when I have ever been told this is not true, or it hasn't been available

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

The land is enclosed by a low stone wall and access has been via the access path next to Hillside Cottage. I have recently used the wider entrance in the wall made by the PC.

7 Permission to possess

The possession has been

☒ without the consent, licence or permission of anyone at any time

☐ by virtue of the following consent, licence or permission, which has expired or determined:

☐ by virtue of the following consent, licence or permission:

* PC - Parish Council

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):



Print full name: SARAH JANE COOPER

Date: 16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

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.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

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For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: ELIZA CONWAY
of: 47 TOTON LANE, STAPLEFORD
NOTTINGHAM NG9 7HB
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

HINDERWELL PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I AM SUPPORTING THE APPLICATION
BY HINDERWELL PARISH COUNCIL

3 Property:

THE BARRASS COMMUNITY GARDEN
AND DRYING AREA IN STAITHES

- ☒ The land is clearly identified on the attached plan and shown: RED
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

FROM EARLY 2008 TO DATE

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession:

I HAVE OWNED SEALEY COTTAGE, HIGH BARRASS, STATHES FOR OVER 18 YEARS. IT IS JUST A FEW YARDS FROM THE GARDEN AREA WHICH WE HAVE SEEN USED BY MANY MEMBERS OF THE LOCAL COMMUNITY, AND VISITORS, THROUGHOUT THIS TIME. IT HAS BEEN USED BY RESIDENTS AS A GARDEN AND DRYING AREA AND BY VISITORS AS SOMEWHERE TO SIT AND RELAX. WE HAVE USED IT MANY TIMES OURSELVES AND WHEN OUR CHILDREN WERE YOUNG THEY PLAYED THERE.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6 Enclosure of the land:

THE GARDEN AREA IS ENCLOSED BY A LOW STONE WALL AND ACCESS HAS BEEN VIA THE ACCESS PATH NEXT TO HILLSIDE COTTAGE, BY STEPPING DOWN. RECENTLY I HAVE USED THE WIDER ENTRANCE IN THE WALL MADE BY THE PARISH COUNCIL IN

7 Permission to possess

OCTOBER 2018

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name:

ELIZA CONWAY

Date:

16-6-2020

Statement of truth in support of an application for registration based upon adverse possession

C - 44
511

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: *Simon Michael Cook*
of: *19 Porret Lane. HINDERWELL*
North Yorkshire TS13 5JT
make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of:

Hinderwell Parish Council.

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:

I am Supporting the application by Hinderwell Parish Council.

3 Property:

*The Barrass Community Garden/
Drying area Staithes.*

- ☒ The land is clearly identified on the attached plan and shown: *Edged in red.*
☐ The land is currently registered under title number(s):

4 Period of adverse possession:

Spring 2008 to date.

establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5. *Use or exercise of possession.*

During visits made by me to the village in the late 80's I would pass the time of day chatting with friends who were maintaining the area for village use as part of the government training schemes been run at the time.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock on it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom, and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

6. *Enclosure of the land:*

The Drying area/Garden is enclosed by a low stone wall and access has been via the access path next to Hillside Cottage, by stepping down into the garden area. Recently I have used the wider entrance.

7. *Permission to possess*

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

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WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement):

Print full name: *Simon Michael Cook*

Date:

16-6-2020

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

HEPC
COPY
Estate
C45

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.

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1	I: CAROLE TRAUNTER of: BRYHER HOUSE, HIGH BARRASS STATHTES TS13 5DE make this statement in support of an application to Land Registry for registration based upon adverse possession.
2	Status I am <input type="checkbox"/> the person currently in adverse possession <input type="checkbox"/> a person who was previously in adverse possession <input checked="" type="checkbox"/> making this statement on behalf of: HINDERWELL PARISH COUNCIL who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I AM SUPPORTING THE APPLICATION BY HINDERWELL PARISH COUNCIL
3	Property: THE BARASS COMMUNITY GARDEN/ DRYING AREA, STATHTES <input checked="" type="checkbox"/> The land is clearly identified on the attached plan and shown: <input type="checkbox"/> The land is currently registered under title number(s):
4	Period of adverse possession: SPRING 2008 TO DATE AUTUMN

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

Place 'X' in the appropriate box(es) and complete the statement if applicable.

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

Insert details.

5 Acts of adverse possession:

I HAVE OWNED A PROPERTY IN HIGH BARRASS, STATHES CALLED BRYHER HOUSE FOR 18 YEARS (SINCE AUGUST 2002)

I HAVE SUPPLIED AND TENDED PLANTS IN THE GARDEN AND USED THE SEATS PLACED THERE BY MY FELLOW RESIDENTS.

I KNOW THAT LOT OF OTHER RESIDENTS AND VISITORS HAVE USED AND ENJOYED THE AREA BEING A COMMUNITY SPACE WHICH HAS ALWAYS BEEN AVAILABLE FOR THEIR FREE UNCHALLENGED USE. IT HAS NEVER BEEN UNAVAILABLE FOR SUCH A PURPOSE IN ALL THE TIME I'VE OWNED MY HOME.

6 Enclosure of the land:

THE GARDEN SPACE IS ENCLOSED BY A STONE WALL. ACCESS HAS BEEN VIA THE PATH NEXT TO HILLSIDE COTTAGE. RECENTLY I HAVE USED THE WIDER ENTRANCE IN THE WALL MADE BY THE PARISH COUNCIL IN OCTOBER 2018

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

- ☐ by virtue of the following consent, licence or permission:

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name:

CAROLE TRAUNTER

Date:

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WARNING

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HPS
Copy
late
C46

HM Land Registry

Statement of truth in support of an application for registration based upon adverse possession

ST1

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

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Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Place 'X' in the appropriate box(es) and complete the relevant statement.

State reference, for example 'edged red'.

Insert title number(s) if the land is already registered. If only part of a registered title is affected the affected land should be clearly identified on an attached plan or by means of an existing reference on the title plan.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

1 I: IAN GEOFFREY PRIOR
of: BRYNER HOUSE, HIGH BARRASS, STAITHES TS13 5DE

make this statement in support of an application to Land Registry for registration based upon adverse possession.

2 Status

I am

- ☐ the person currently in adverse possession
☐ a person who was previously in adverse possession
☒ making this statement on behalf of: HINDERWELL
PARISH COUNCIL

who is currently or was previously in adverse possession but who cannot make this statement for the following reasons: I AM SUPPORTING THE APPLICATION

BY HINDERWELL PARISH COUNCIL

3 Property: THE BARRASS COMMUNITY GARDEN
AND DRIVING AREA, STAITHES

☒ The land is clearly identified on the attached plan and shown:

☐ The land is currently registered under title number(s):

4 Period of adverse possession: SINCE 2002 AT
LEAST SINCE WE BOUGHT OUR HOUSE AND
MOVED IN

Insert details of the acts relied on as establishing the necessary factual possession and intention to possess. Include details of the use made of the land by the owner and others.

5 Acts of adverse possession: I HAVE SINCE 2002 AND LIVING OPPOSITE PLACE FLOWER ON THIS AREA WHICH I HAVE TENDED DURING LIFEBOAT WEEKEND IN AUGUST EVERY YEAR A GROUP OF CANOEIST USE THE AREA FOR STORING THEIR ~~RED~~ CANOES AND EQUIPMENT. WE USE THE AREA AND ENCOURAGE VISITORS TO USE THE AREA FOR ~~AND~~ PICNICS. MANY OTHER PEOPLE MAKE USE OF THE AREA WHICH HAS ALWAYS BEEN AVAILABLE WITHOUT ANY HINDERANCE

Insert details of the extent, if any, to which the land has been and/or is enclosed by fences or other boundary features. Specify the nature of these features, who erected them and when, and by whom they have been maintained. If there is a gate, specify whether there is a lock for it and, if so, who has the key. If any previous boundary features have been removed, specify when, by whom and in what circumstances this was done.

6 Enclosure of the land: ALL SIDES HAVE SINCE 2002 BEEN BALLED OR DEFINED BY A LIGHT WELL. I MYSELF FIXED TWO CORNER STONE BACK INTO PLACE WHEN I SAW THEY HAD BECOME LOOSE

Place 'X' in the appropriate box(es) and complete the statement if applicable.

7 Permission to possess

The possession has been

- ☒ without the consent, licence or permission of anyone at any time
- ☐ by virtue of the following consent, licence or permission, which has expired or determined:

Insert details of, for example, any tenancy or licence under which possession has been enjoyed, including the date of its expiry or determination.

- ☐ by virtue of the following consent, licence or permission:

Insert details.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

14 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement)

Print full name: *IAN GEOFFREY PRIOR*

Date:

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WARNING

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EXHIBIT D
Photographs

- D(1) Rob Shaw and Eric Morgan in the garden 2017**
- D (2) Whale installation for Art weekend 09.09.2016**
- D (3) Jill Turton's family 2019**
- D (4) Harry Lindsey in his garden Spring 2009**
- D (5) Harry Lindsey in his garden Spring 2009**
- D (6) Village Improvement works x 17 in 1992**
- D (7) Hinderwell PC site meeting 16.08.18**
- D (8) Hinderwell PC evidence of new access steps in wall Oct 2018**
- D (9) Hinderwell PC evidence of memorial seat Oct 2018**
- D (10) Tina Father's photo of boy in garden July 2019**
- D (11) Tina Father's photo of adults celebrating in garden 01.01.2018**

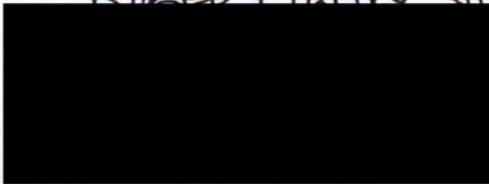
Harry Lindsay's garden

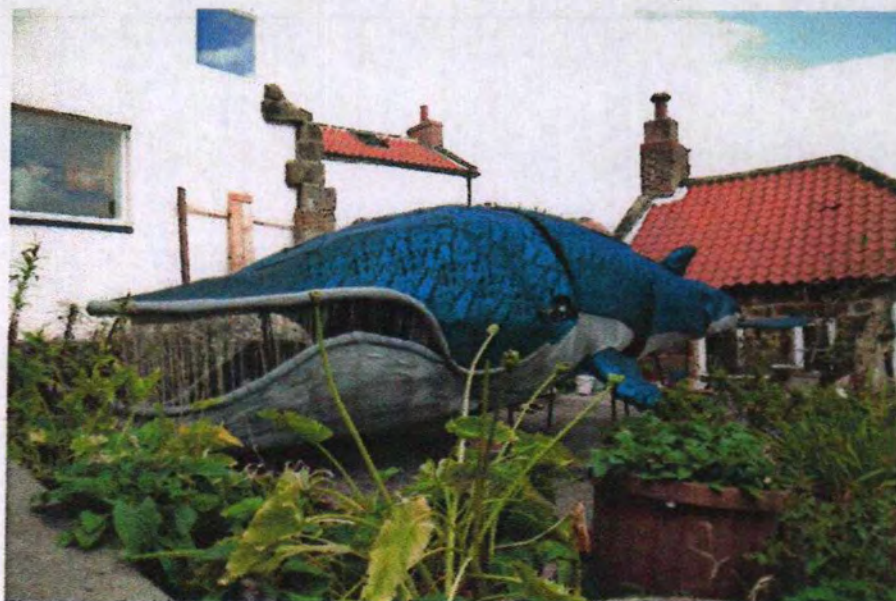
D 1



Rob Shaw (4 Barrass Sq) and Eric Morgan (formerly of Hill Cottage)
checking plans at the Barrass Community garden, 2017

Rob Shaw + Eric Morgan Shaw .





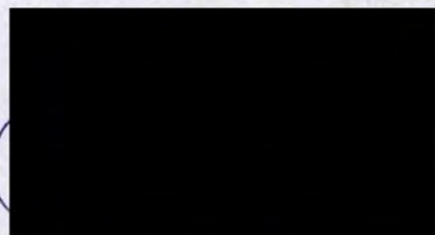
Giant Whale Installation, Barrass Community Garden,
Staithes Festival of Arts and Heritage, 9th September 2016
with Artist Janet Easton and neighbour John Wilson of Hillside Cottage

ROBERT SHAW - FESTIVAL ORGANISER

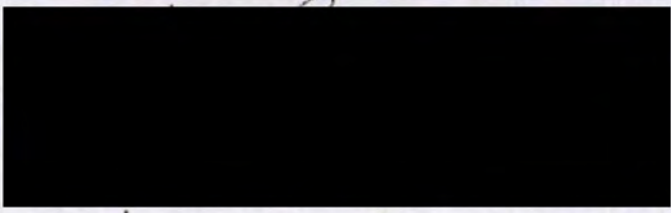


My sister, my niece and her son Sam
on the bench we donated in Barrass Garden, 2019.

Jill Turton



Harry Lindsay's garden



Harry Lindsay



1

Harry Lindsay



Harry Lindsay's garden

Harry Lindsay

D 6-1





D 6-2



D6-3



D6-4



D6

D6-5



D6

D6-6



Hinderwell Parish Council - at Barras Garden, Staithes 16-8-201
 photo's taken during site mtg of HPC to identify site of new enhan

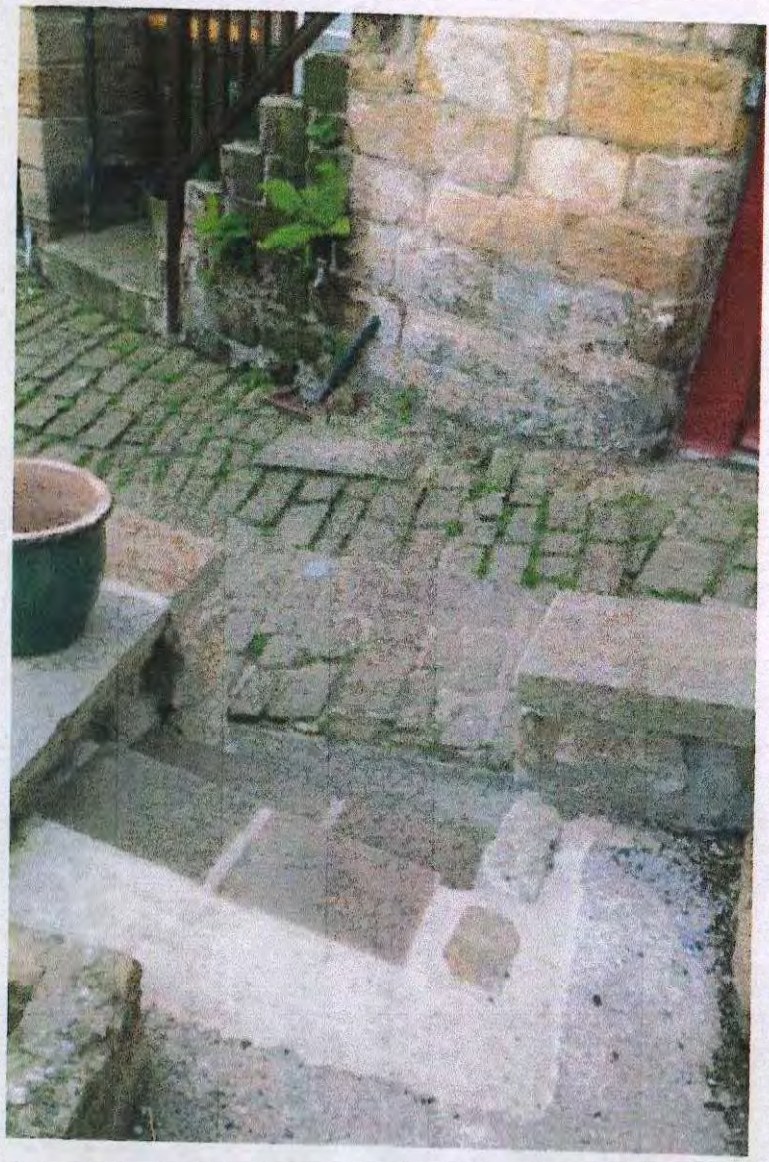


D
 F



Present - N Fowler, C Rogers, An-Watson & clerk CBarker

Hinderwell Parish Council's
 Photo's of newly completed access steps
 at Barnes Garden, Staithes
 October 2018



PHOTO'S of memorial bench sited in
Bonass Garden, Stawthorpe, OCT 2018

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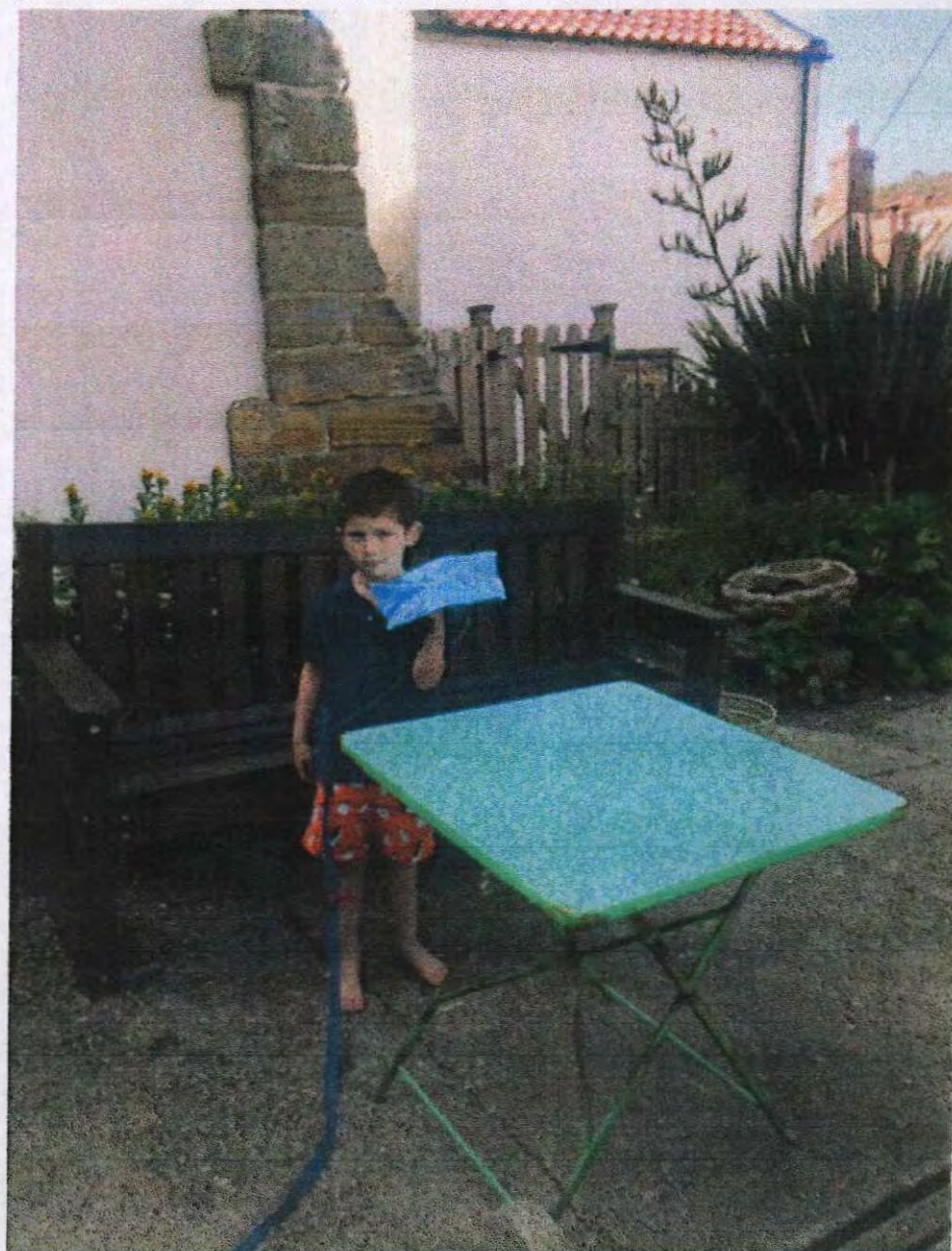


Photo supplied by Tina Fathers.
Taken 2019 July



New Years Eve Party 2017-2018
photo Taken by Tina Fathers, Barrass House,