# **NORTH YORKSHIRE COUNTY COUNCIL**

# **COMMONS ACT 2006 — SCHEDULE 2, PARAGRAPH 8**

# Notice of an application to correct mistaken registration of a building wrongly registered as village green at 42 and 44 Silver Street, Barton.

# **Application Reference Number: CA13 017**

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 North Yorkshire County Council by Mr John Paul Lawson, under Schedule 2(8) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014. The application seeks to deregister land registered as village green as described in the Schedule below.

The application, which includes documentary evidence and a plan of the land proposed for deregistration, 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, Business and Environmental Services, Commons Registration, County Hall, Northallerton, North Yorkshire DL7 8AD

To make an appointment to view the application and documentary evidence please ring 01609 780780 to contact the Common Land and Village Green Officer.

If the registration authority is satisfied that the land described below qualifies for deregistration it will so deregister the land.

Any person wishing to object to the deregistration of the land should send a statement of the facts on which the objection is based to "Common Land and Village Green Officer, North Yorkshire County Council, Business and Environmental Services, Commons Registration, North County Hall, Northallerton. Yorkshire DL7 8AD" or e-mail to commons.registration@northyorks.gov.uk on or before 2<sup>nd</sup> February 2018. Any representations that are to be taken into account by the Authority in reaching a decision on the application cannot be treated as confidential, 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.

Dated: 22 December 2017

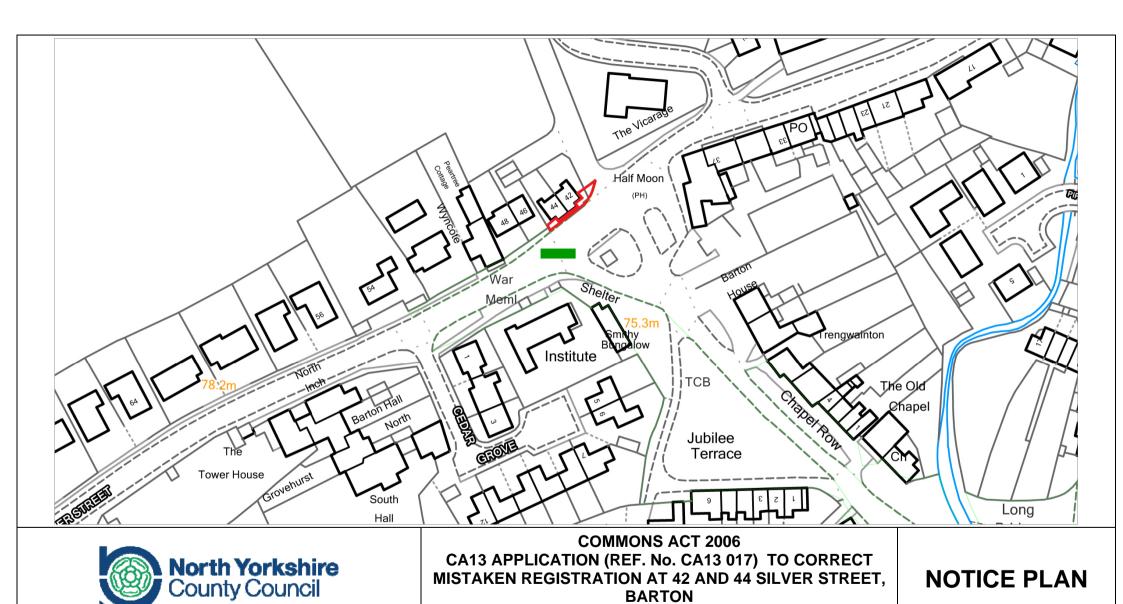
Barry Khan Assistant Chief Executive, Legal and Democratic Services

North Yorkshire County Council County Hall NORTHALLERTON

#### **Schedule**

Description of the village green claimed to have qualified for deregistration

Land known as 42 and 44 Silver Street, Barton, as edged red on the notice plan.



**LOCATION PLAN** 

BARTON GRANGE BARTON RICHMOND NORTH YORKSHIRE DL10 6HS

20th November 2017

NYCC County Hall Northallerton North Yorkshire

Dear Sirs

Commons Act 2006: Schedule 2

Re. Application to Correct Mistaken Registration of Village Green

Please find attached a completed Form CA13, together with supporting documentation and Fee.

Yours faithfully

J P Lawson

Commons Act 2006: Schedule 2

# Application to correct non-registration or mistaken registration

| This section is for  | office use only  |   |   |
|--|--|---|---|
| Official stamp   |  | Application number  |   |
| COMMONS ACT 2006  NORTH YORKSHIRE COUNTY COUNCIL  REGISTRATION AUTHORITY   |  | CA 13 017  Register unit number allocated at registration (for missed commons only) |   |
| DATE 2 0 NOV 2017  |  |   |   |
| <ul> <li>Any person car</li> <li>All applicants si</li> <li>Applications mu<br/>applications car</li> <li>You will be requ</li> <li>5 of Schedule 2</li> </ul> | apply under Schedule 2 to the hould complete boxes 1-10.  Ist be submitted by a prescribe be submitted. Ask the registrative to pay a fee unless your attraction authority blication relate to any of paragr | ed deadline. From that date onwards r   | no further<br>ph 2, 3, 4 or<br>separate fee |
| authority.   | 1. Commons Registration Au To the: Tick the box to confirm that yo enclosed the appropriate fee foor   | u have:   | V   |

#### Note 2 2. Name and address of the applicant If there is more than one applicant. Name: LONG PAUL LAWSON list all their names and addresses in Postal address: full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated Postcode association. If you supply an email address in Telephone number: the box provided. you may receive communications Fax number: from the registration authority or other E-mail address: persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant. 3. Name and address of representative, if any Note 3 This box should be completed if Name: N/A a representative. e.g. a solicitor, is instructed for the Firm: purposes of the application. If so Postal address: 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 Postcode may receive communications from the Telephone number: registration authority or other Fax number: persons (e.g. objectors) via email. E-mail address:

|  | 4. Basis of application for correction and qualifying criteria  |                |  |  |
|--|---|----------------|--|--|
|  | Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.  |                |  |  |
|  | To register land as common land (paragraph 2):  |                |  |  |
|  | To register land as a town or village green (paragraph 3):  |                |  |  |
|  | To register waste land of a manor as common land (paragraph 4):   |                |  |  |
|  | To deregister common land as a town or village green (paragraph 5):   |                |  |  |
|  | To deregister a building wrongly registered as common land (paragraph 6):   |                |  |  |
|  | To deregister any other land wrongly registered as common land (paragraph 7):   |                |  |  |
|  | To deregister a building wrongly registered as town or village green (paragraph 8):   |                |  |  |
|  | To deregister any other land wrongly registered as town or village green (paragraph 9):   |                |  |  |
|  | For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.                                  |                |  |  |
|  | The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3)):                          |                |  |  |
|  | The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4)): |                |  |  |
|  | The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5)):                        |                |  |  |
|  | Please specify the register unit number(s) (if any) to which this application relates:  |                |  |  |
|  | VG 121  | <del>.</del> . |  |  |

Note 5
Explain why the land should be registered or, as the case may be, deregistered.

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

Under the 1965 Act an area of land which was part of the curtilege of Numbers 42 and 44 Silver Street, Barton was incorrectly registered as Village Green.

## Note 6

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

# Note 7

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

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

# 6. Description of land

Name by which the land is usually known:

42 and 44 Silver Street, Barton, Richmond.

### Location:

Curtilage of 42 and 44 Silver Street, Barton, Richmond.

V

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

# 7. Declarations of consent

I confirm that I, John Paul Lawson an the owner of the land which is the subject of this application.

On the date of provisional registration the land was within the curtilage of a building. Since the date of provisional registration the land has been at all times and still is within the curtilage of a building.

Note 8 List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

# 8. Supporting documentation

- Copy of map from NYCC Country Hall Showing extent- of Village Greens in Barton Area covered by this approcation is identified as GDS1.
- Photograph of 42 Jilver Street.
- Photograph of 44 Jilver Street.
- OS Map at Scale 1:500
- Cheque (fee)

# 9. Any other information relating to the application Note 9 List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

| Note 10 The application   | 10. Signature |             |  |
|---|---------------|-------------|--|
| must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association. | Date:         | 20.11.2017. |  |
|   | Signatures:   |             |  |

#### REMINDER TO APPLICANT

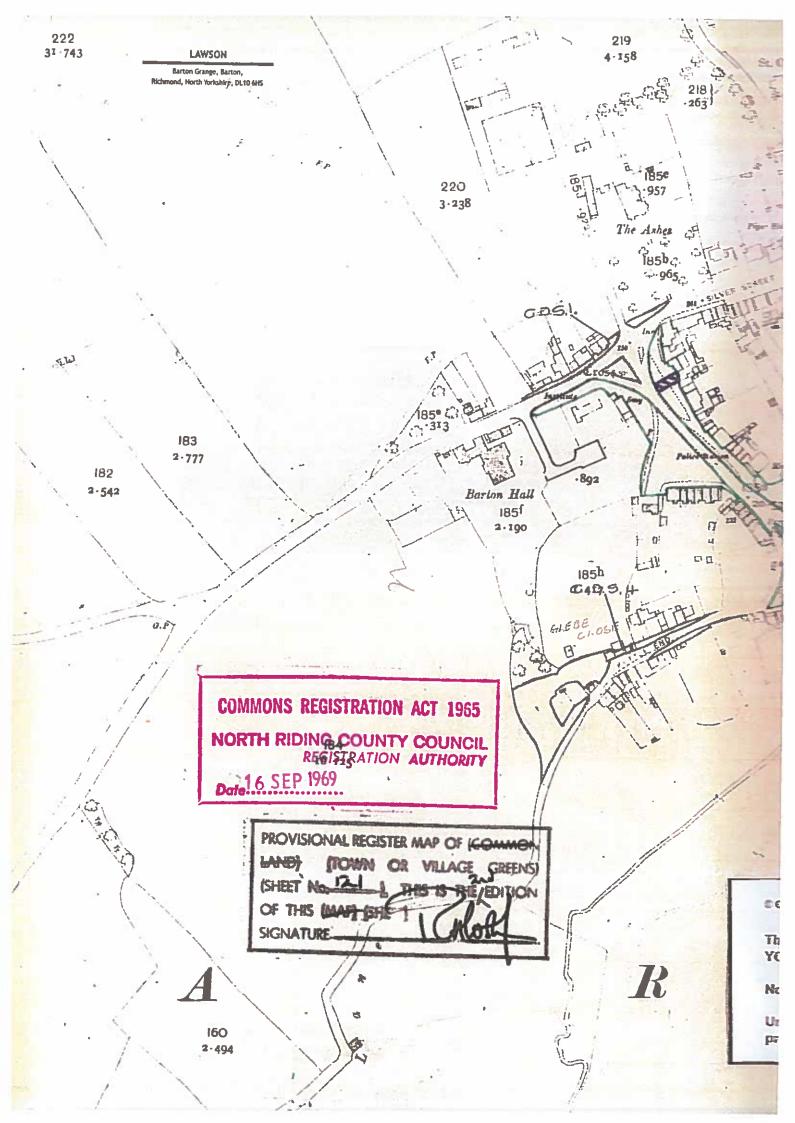
You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

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

#### Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

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



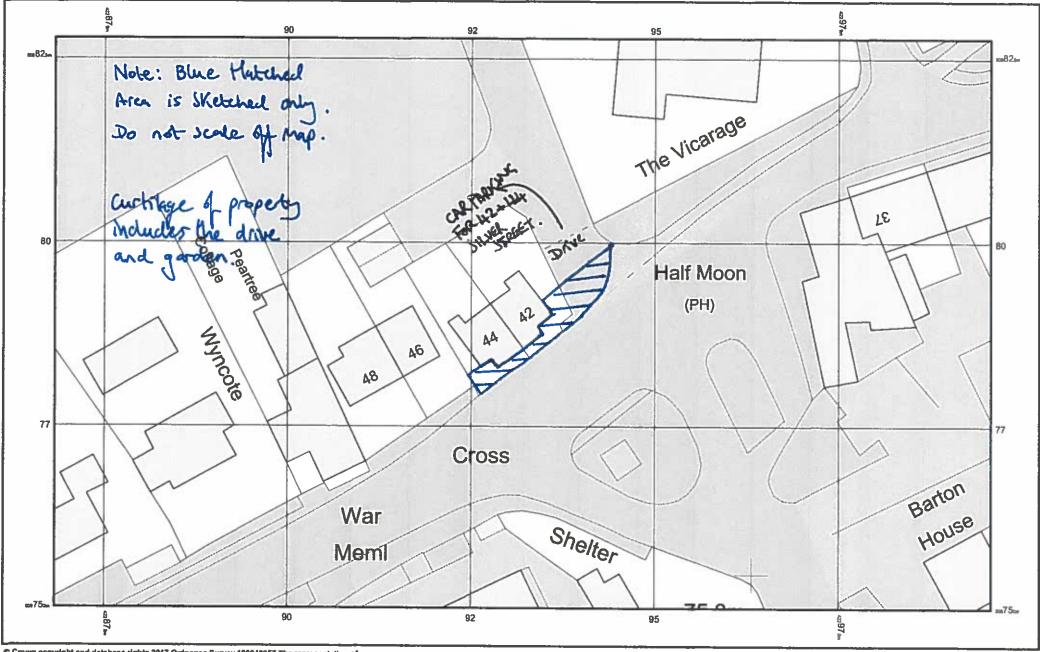






Barton Grange, Barton, Richmond, North Yorkshire, DL10 6HS





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25m

Scale 1:500

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