

NORTH YORKSHIRE COUNCIL

COMMONS ACT 2006 — SCHEDULE 2, PARAGRAPH 4

Notice of an application to register waste land of a manor as common land

Application Reference Number: CA13 030

Western Green, Long Preston

Application has been made to the North Yorkshire Council by The Open Spaces Society under Schedule 2(4) of the Commons Act 2006 and in accordance with Schedule 4(14) of the Commons Registration (England) Regulations 2014.

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

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

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

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

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

Any person wishing to make a representation regarding this amendment:

- should quote the Application No. CA13 030
- must state the name and postal address of the person making the representation and the nature of that person's interest (if any) in any land affected by the application.
- may include an e-mail address of the person making the representation
- must be signed by the person making the representation
- must state the grounds on which the representation is made
- should send the representation to: Commons Registration Officer, Commons Registration North Yorkshire Council, County Hall, Northallerton, North Yorkshire DL7 8AD or e-mail to commons.registration@northyorks.gov.uk on or before 10 January 2024

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

A summary of the effect of the application (if granted) is as follows: the Registration Authority will register the application land as common land.

Dated: 21 November 2023

Karl Battersby

Corporate Director – Environment
North Yorkshire Council

Schedule

Description of the land seeking to be registered as common land

Western Green, Long Preston, as edged red on the notice plan.



COMMONS ACT 2006

CA13 APPLICATION (Ref. No. CA13 030) SEEKING TO REGISTER LAND AS COMMON LAND KNOWN AS WESTERN GREEN, LONG PRESTON LOCATION PLAN

NOTICE PLAN

 Application site

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration

This section is for office use only

Official stamp

<p>COMMONS ACT 2006</p> <p>NORTH YORKSHIRE COUNCIL</p> <p>COMMONS REGISTRATION AUTHORITY</p> <p>DATE: 12 OCT 2023</p>

Application number

CA13 030

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

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

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

Note 1

*Insert name
of commons
registration
authority.*

1. Commons Registration Authority

To the: North Yorkshire Council

Tick the box to confirm that you have:

enclosed the appropriate fee for this application:

or

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

Note 2

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

2. Name and address of the applicant

Name:

The Open Spaces Society

Postal address:

c/o Frances Kerner
25a Bell Street,
Henley-on-Thames,
Oxfordshire

Postcode RG9 2BA

Telephone number:

[REDACTED]

Fax number:

[REDACTED]

E-mail address:

[REDACTED]

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.

3. Name and address of representative, if any

Name:

[REDACTED]

Firm:

[REDACTED]

Postal address:

[REDACTED]

Postcode

Telephone number:

[REDACTED]

Fax number:

[REDACTED]

E-mail address:

[REDACTED]

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 14 to the Commons Registration (England) Regulations 2014.

4. Basis of application for correction and qualifying criteria

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

To register land as common land (paragraph 2):

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

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

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

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

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

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

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

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

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

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

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

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

CL 242 (part of)

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:

Western Green was provisionally registered with other parcels of land. Following objections to entries in the land and right sections of the register, a hearing by a commons commissioner was held. At the hearing the parties present agreed to cancel the provisional registration of Western Green and the land was excluded from final registration. The land is therefore eligible for registration under para.4(5) of Schedule 2 to the Commons Act 2006.

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:

Western Green

Location:

Northwest of the village of Long Preston. No map has been provided. We are applying for all the land.

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

7. Declarations of consent

None required.

Note 8

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

8. Supporting documentation

1. Supporting documents:
Site Visit Photographs

2. Documents relating to the Commons Registration Act 1965 on which we rely are not included pursuant to r.16(3).

- a) Register of Common Land (CL242)
- b) Register Maps (Sheets 103 & 139)
- c) Application Nos.712, 516, 736, 737, ~~2119~~ [REDACTED]
- d) Objection No. 495. Objections relating to the rights section are not listed here.
- e) Commons Commissioner Decision ref: 268/D/325-329

Note 9

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

9. Any other information relating to the application

Type text here

Note 10

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

10. Signature

Date:

12 October 2023

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.

Continuation Sheet to Q5

Registration History

Land known as Long Preston Moor and Western Green was provisionally registered as common land in consequence of a registration of a right of common exercisable over it by Anthony Bradley (Application No.712). The application for the registration was made on 28 May 1968 and recorded in the land section and the rights section of the register of common land on 28 June 1968.

On 19 April 1968, Long Preston Parish Council (LPPC) had made an application (No.516) to provisionally register as common land, land which included Western Green. This application was noted in the register of common land on 28 August 1968. LPPC made two further applications on 29 May 1968, both of which were entered into the register of common land on 28 August 1968. Application No.736 was related to Western Green and the lane leading to it, and Application No.737 related to land north of Western Green. The Ramblers Association also made an application to register land, No. 2149 which was noted in the register of common land on 9 December 1969, but the application form has not survived.

An objection (No. 495) was made to the provisional registration of part of the land. The objection related to the roadside verge of part of Green Gate Lane; the Ramblers Association withdrew their application relating to this part of the application land. Several objections were made to the rights applications.

In 1974, the parish council wrote to the commons registration authority explaining that a mistake had been made and that the land known as Western Green should have been provisionally registered as a village green and not as common land. The parish council were informed that it was too late to register the land as a village green.

Following the objections made to the provisional registration, a hearing (Ref: 268/D/325-329) was held by a commons commissioner on 9 October 1980. At the hearing it was agreed between the parties that part of the land, *i.e.* Western Green, would be excluded from final registration.¹ This land is therefore eligible for registration as common land under para.4(5) of Schedule 2 to the Commons Act 2006.

Historical Evidence

The application land was situated in the township of Longpreston² in the parish of Longpreston and in the manor of Longpreston.

The Tithe Survey of 1839 describes Western Green as waste (Tithe Apportionment No. 204). This apportionment is recorded under the heading of Waste Water & Roads (see Figures 1 and 2).

¹ It is not clear why the provisional registration of Western Green was cancelled by agreement. It is possible that the parish council continued to aspire to registration as a town or village green. It also is possible that, as there was agreement that no rights of common were exercisable over Western Green, the best way to proceed was to cancel its registration as common land.

² Long Preston is sometimes spelt as one word in the historical record.

Figure 1: Extract from Tithe Map for the township of Longpreston, parish of Longpreston. Western Green is in the centre of the map.



Source: '© Crown Copyright Images reproduced by courtesy of The National Archives, London, England. www.NationalArchives.gov.uk & www.TheGenealogist.co.uk'

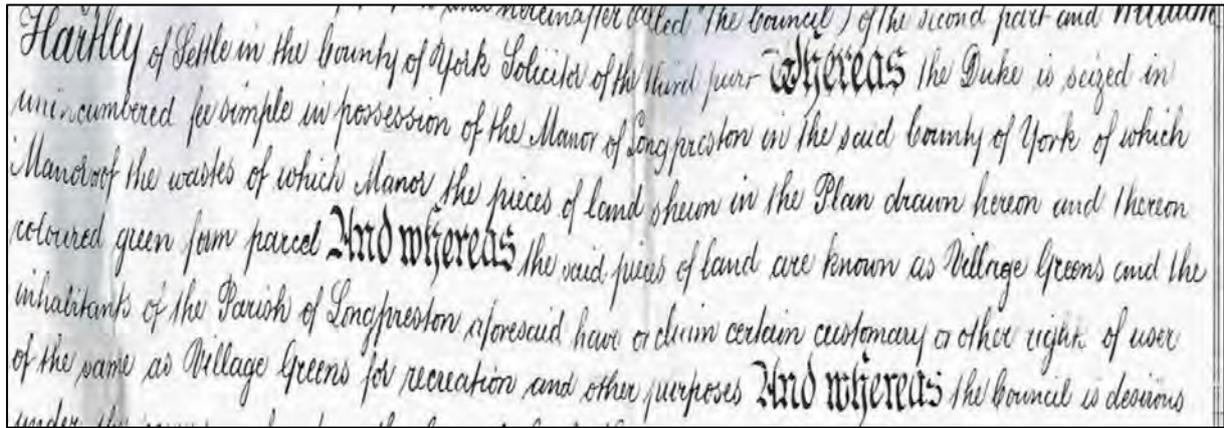
Figure 2: Tithe Apportionment No. 204 highlighted between red lines.

LANDOWNERS	OCCUPIERS	Numbers referring to the Plan.	NAME AND DESCRIPTION of LANDS AND PREMISES	STATE of CULTIVATION.	QUANTITIES in STATUTE MEASURE.			Amount of Rent-Charge apportioned upon the several Lands, and to whom payable.						REMARKS	
					a.	b.	c.	PAYABLE TO VICAR.			PAYABLE TO				
			Waste Water & Roads												
		39	Part of Long Preston Common			25	3	14							
		159	Part of Long Preston Common			9	3	12							
		77	Road from A to B between the Banks and Beacon Coppy			1	2	38							
		204	Western Green			2	1	8							
		553	Green Gate Lane from P to Q and R to S			3	1	1							
		707	Waste on each side of Long Preston Beck					2	3	1					
		208	Pinfold												
		110	Part of Cut					1	3						
		125	Righholmes Road from n to m					1	4						
		187	Longgillbeek Beck from V to W					2	3	3					
		227	Wether Lane from a to t					1							
		257	cut					1	1	4					
		573	Road to Daphodes							1	10				
		663	Mill Lane from H to I					3	2	3					
		693	Back with Platt Road from A to B					3	1	9					
		715	Whehouse Lane from n to o					1	1	8					
		736	Bendygate Lane from C to D					2	2	10					
		786	Gallaber Pitts Lane from E to F							2	11				
		793	Gallaber Lane from R to S							1	3	6			
		803	Orittle to Midstream					14	2	23					
		802	Road in Long Preston					6	3	18					
		556	Same top of Stone park							2	9				
		68	Cracorn Road							2	16				
		108	Road East of barn ends from V to W								3	10			
		177	Langbar Lane					10	2	20					
		194	Long Preston Beck from x to y							4	1	3	8		
								106	1	52					

Source: '© Crown Copyright Images reproduced by courtesy of The National Archives, London, England. www.NationalArchives.gov.uk & www.TheGenealogist.co.uk'

In 1896, the application land, along with other parcels of land situated in the manor of Longpreston, was conveyed by the lord of the manor, the Duke of Devonshire, to Longpreston Parish Council (see Figure 3 and transcription).

Figure 3: Extract from conveyance of the Duke of Devonshire to Longpreston parish council.



Source: The Devonshire Collections, Chatsworth, Long Preston Counterpart Conveyance, 31 Dec 1896.

Transcription of part of the extract at Figure 3.

‘...Whereas the Duke is seized in unincumbered fee simple in possession of the Manor of Longpreston in the said County of York of which Manor of the wastes of which Manor the pieces of land shewn in the Plan drawn hereon and thereon coloured green form parcel **And whereas** the said pieces of land are known as Village Greens and the inhabitants of the Parish of Longpreston aforesaid have or claim certain customary or other rights of user of the same as Village Greens for recreation and other purposes...’

It is well understood by historians that village greens frequently originated in manorial waste and it is therefore not unusual to find that Western Green was identified both as waste land of the manor of Longpreston and as a village green by the Duke of Devonshire.

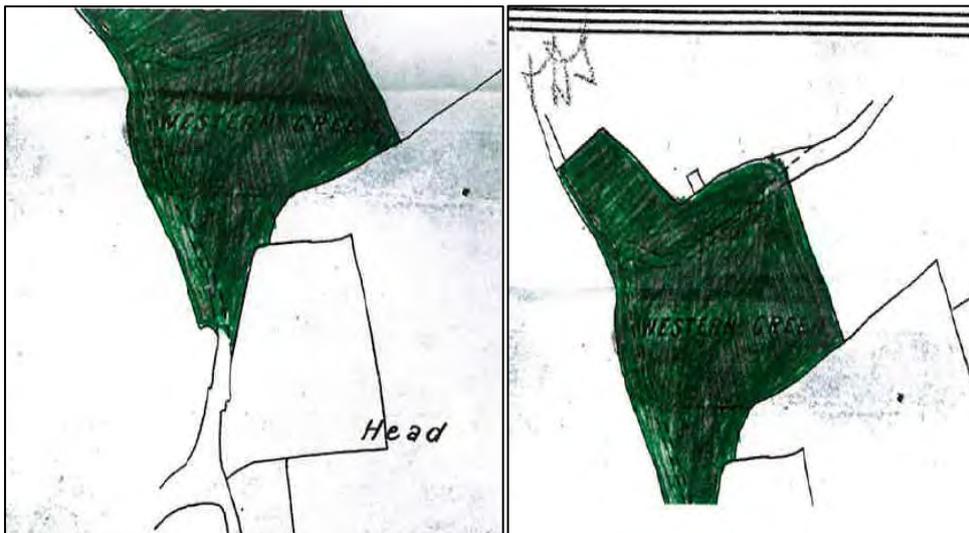
The plan accompanying the conveyance shows all the parcels of land subject to the conveyance shaded green. One of the parcels is marked as 'Western Green' (see Figures 4 and 5).

Figure 4: The parcels of land shaded green and situated in the centre of the village of Longpreston.



Source: The Devonshire Collections, Chatsworth, Long Preston Counterpart Conveyance, 31 Dec 1896.

Figure 5: The parcel of land shaded green in the northwest of the village of Longpreston. Two views show the extent of the land. The name Western Green can just be seen under the green shading.



Source: The Devonshire Collections, Chatsworth, Long Preston Counterpart Conveyance, 31 Dec 1896.

The conveyance and accompanying plan confirm that that the application land was waste land and that it was situated in the manor of Longpreston, *i.e.* it is of manorial origin.

Description of the Application Land

This description is supplemented by photographs which are in the Appendix.

The application land meets the descriptive character of waste land as defined in the case of *Attorney General v Hanmer*, i.e., the application land is open, uncultivated and unoccupied.³

Open

Western Green is situated on a sloping hillside and comprises scrubby woodland with a few patches of grassland between the trees. The bridleway, unsurfaced north of Town Head and open on both sides where it traverses the application land, curves through the site in a north direction and then exits on the east to join Green Gate Lane. The bridleway forms part of the Pennine Bridleway and there is no gate or other physical structure at each end where the bridleway enters and leaves the application land. The application land is bounded in places by walls only where it meets adjacent enclosures. The walls do not render the land enclosed because invariably in any locality, there is a customary obligation to form and maintain a physical boundary against a common. This means that the application land is open.

Uncultivated

There is no engagement with farming or activity with the soil which causes it to be broken for productive purposes and therefore the land can be described as uncultivated.

Unoccupied

There is no profitable use of the land to the exclusion of others and therefore the land can be described as unoccupied.

In summary the application land is waste land of the manor of Longpreston.

³ *Attorney General v Hanmer* (1858) 2 LJ Ch 837.

APPENDIX
Photographs

Figure 1: Moor Lane from Long Preston where it passes Town Head and becomes unsealed and enters the application land.



Figure 2: Informal footpath between the trees – clearly regular local usage.



Figure 3: Looking across to the north boundary wall.



Figure 4: View across woodland looking south.



Figure 5: Looking west from centre of the application land.



Figure 6: View looking southwest across Ribblesdale.



Figure 7: Looking southwest into the site.



Figure 8: Junction with Green Gate Lane.



Register of

COMMON LAND

See Overleaf
for Notes

LAND SECTION—Sheet No. 1

<i>No. and date of entry</i>	<i>Description of the land, reference to the register map, registration particulars etc.</i>
1 28th June 1968	<p>The piece of land known as Long Preston Moor and Western Green in the Parish of Long Preston in the Rural District of Settle in the West Riding of the County of York, as marked with a green verge line inside the boundary on Sheets 103, and 139 of the register map and distinguished by the number of this register unit. Registered in consequence of Application No.712 made 28th May, 1968 by Anthony Bradley, Milestone, Church Street, Settle. (See Entry No. 2 below)</p> <p>(Registration provisional)</p>
2 5th September 1981	<p>In pursuance of Section 6(2) of the Commons Registration Act 1965 in accordance with a Notice of Final Disposal of Disputed Registration dated 11th August 1981, made by L.J. Morris Smith Commons Commissioner the registration at Entry No. 1 above which was disputed became FINAL on 26th March 1981 with the following modification; namely the exclusion from the land marked Western Green on the register Map. (Ref: 268/D/325)</p>

No. and date of note	Notes	No. and date of note	Notes
1 28th August 1968	<p style="text-align: center;">516</p> <p>The application of Long Preston Parish Council made 19th April, 1968 is noted in respect of that part of the land in entry No. 1 known as Long Preston Moor, commencing at the Parish Boundary and finishing at the point immediately to the north of the figure 875.</p>	5 6th January 1971	<p>The objection No. 495 of William Wildman Bailie, Kirklea, Long Preston, made the 30th September, 1970, is noted in respect of registration entry No. 1 in this section. (See Entry No. 2 overleaf)</p>
2 28th August 1968	<p style="text-align: center;">736</p> <p>The application of Long Preston Parish Council made 29th May, 1968 is noted in respect of that part of the land in entry No. 1 lying to the west of Edge Lane and known as Western Green and Lane leading to it.</p>	6 27th June 1973	<p>The application No. 2149 of the Ramblers Association noted at note 4 below is withdrawn in respect of the land contained in Objection No. 495.</p>
3 28th August 1968	<p style="text-align: center;">737</p> <p>The application of Long Preston Parish Council made 29th May, 1968 is noted in respect of that part of the land in entry No. 1 known as The Edge and Edge Lane and stretching from a point immediately to the North of the figure 875 to the junction of Edge Lane with Green Gate Lane and the lane leading to Western Green.</p>		
4 9th December, 1969	<p>The application of Ramblers Association 124 Finchley Road, London, N.W.3 No. 2149 made 8th December, 1969 is noted in respect of the registration at entry number 1. (See note 6 below)</p>		

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority

WEST RIDING COUNTY COUNCIL.

Register unit No. C.L.242

Edition No. 1

Register of COMMON LAND.

RIGHTS SECTION—Sheet No. 1

See Overleaf
for Notes

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
1. 28th June, 1968	712 28th May, 1968	Anthony Bradley. Millstone, Church Street, Settle, (Owner)	1390 sheep days, each sheep day giving the right to graze 1 sheep and followers for each day over the whole of the land comprised in this register unit. (Registration provisional)	Mean Beck. Long Preston as shown edged red on the supplemental map bearing the number of this registration.
		* For modification on finality see Entry No. 10 below		
2. 31st October 1968.	872 13th June, 1968	Robinson Norcross Skirbeck, Long Preston, Skipton. Owner.	3750 sheep days, each sheep day giving the right to graze 1 sheep and followers during the months of January to May (inclusive) in each year, over the whole of the land comprised in this register unit. (Registration provisional)	Skirbeck, Long Preston, as shown edged red on the supplemental map bearing the number of this registration.
3. 5th November 1968.	838 10th June 1968	Thomas Kinder, Mearbeack Low Farm, Long Preston, Skipton. Tenant. Deceased	950 sheep days, each day giving the right to graze 1 sheep during the months of January, February, March, April and May in each year, over the whole of the land comprised in this register unit. (Registration provisional)	Mearbeack Low Farm, Long Preston, Skipton, as shown edged red on the supplemental map bearing the number of this registration.

No. and date of note	Notes	No. and date of note	Notes
1 25th August, 1970	The objection No.70 of Anthony Bradley Church Street, Settle made the 30th April, 1970 is noted in respect of registration entry No.3 in this section.	5 25th August, 1970	Every objection to the registration, whether as common land or as a town or village green, of any land comprised in this register unit has effect as an objection to any registration (whenever made) under section 4 of the Commons Registration Act, 1965 of any rights over that land, whether that registration appears in this register or in the Register of Town or Village Greens. If any of the land is also registered as a town or village green, a note to that effect will appear in each section of this register unit.
2 25th August, 1970	The objection No.72 of Robinson Norcross of Skirbeck Long Preston, Skipton made the 30th April, 1970 is noted in respect of registration entry No. 3 in this section.		
3 25th August, 1970	The objection No. 69 of Anthony Bradley Church Street, Settle made the 30th April, 1970 is noted in respect of registration entry No. 6 in this section. (See Note 8 below)	6 26th August 1970	The registration at entry No.6 above is in conflict with the registration at entry No.3 above and each of those registrations is accordingly to be treated as an objection to the other to the extent of the conflict.
4 25th August, 1970	The objection No. 71 of Robinson Norcross, Skirbeck Long Preston Skipton, made the 30th April, 1970 is noted in respect of registration entry No.6 in this section. (See note 7 below)	10 7th December	See entry No. 10 below Registration entry No. 6 having been withdrawn the cause of the conflict has now been resolved
7 13th November 1970	The objection of Robinson Norcross noted at Note 4 above has been withdrawn	1970	
8 13th November 1970	The objection of Anthony Bradley noted at Note 3 above has been withdrawn	11 8th December 1970	The objection No. 207 of Anthony Bradley Church Street Settle made the 28th September 1970 is noted in respect of registration entry No. 5 in this section. (See note 13 below)
9 24th Nov. 1970	The objection No. 200 of Long Preston Parish Council is noted in respect of Registration Entries Nos. 1,2,3,4,5 & 6 in this section (Objection withdrawn subject to modifications - 26/3/1981)	12 8th December 1970	The objection No. 317 of Robin Norcross Skirbeck Farm Long Preston Skipton made the 28th September 1970 is noted in respect of registration entry No. 5 in this section. (See note 14 below)

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority
WEST RIDING COUNTY COUNCIL

Register unit No. C.L. 242
Edition No. 1

Register of COMMON LAND

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 2

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
4 12th February, 1969	1214 26th June, 1968	Annie Kathleen Stoney, Hole House, Wigglesworth, Skipton. (Owner)	260 sheep days, each sheep day giving the right to graze 1 sheep and followers during the months of January to May (inclusive) in each year, over the whole of the land comprised in this register unit. (Registration provisional)	Town Head Farm, Long Preston, Skipton as shown edged red on the supplemental map bearing the number of this registration.
5	2453	Miss Alison Mary Preston, C/o T.B. Jackson, Esq., Auctioneer & Estate Agent, Victoria Buildings, Carnforth, Lancs. (Owner)	1620 sheep days over the whole of the land comprised in this register unit. (Registration provisional) (see entries Nos, 8 and 9 below)	Part of Mearbeck Farm, Long Preston as shown edged red on the supplemental map bearing the number of this registration.
6	2453	Miss Alison Mary Preston, C/o T.B. Jackson, Esq., Auctioneer & Estate Agent, Victoria Buildings, Carnforth, Lancs. (Owner)	207 sheep days over the whole of the land comprised in this register unit. (Registration provisional) (see entry No. 7 below)	Part of Mearbeck Farm, Long Preston as shown edged red on the supplemental map bearing the number of this registration.
7 7th December 1970			REGISTRATION AMENDMENT Entry No. 6 above is cancelled under Section 5 of the act	

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority

WEST RIDING COUNTY COUNCIL

Register unit No. C.I. 242

Edition No. 1

Register of COMMON LAND

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 3

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
8 8th February, 1971.	2453 24th December, 1969.	REGISTRATION AMENDMENT : entry No. 5 above is replace by entry No. 9 below.		
9 8th February, 1971	2453 24th December, 1969.	Miss Allidon Mary Preston, C/o T.B. Jackson Esq., Auctioneer and Estate Agent, Victoria Buildings, Carnforth, Lancs. (Owner)	* ^{in each year} during the months of January to May (inclusive) 670 sheep days over the whole of the land comprised in this register unit. (Registration amendment)	Part of Mearbeck Farm, Long Preston, as shown edged red on the supplemental map bearing the number of this registration.
10 5th September 1981			* for modifications on finality see Entry No. 10 below	
		In pursuance of Section 6(2) of the Commons Registration Act 1965 in accordance with a Notice of Final Disposal of Disputed Registration dated 11th August 1981, made by L.J. Morris Smith Commons Commissioner, the registration at Entry Nos. 2, 3 & 4 became FINAL on the 26th March 1981 and the registrations at Entry Nos. 1 & 9 became FINAL on the same date with the following modifications; namely: Entry No. 1 - Column 4 - after the words "each day" insert the words " during the months of January to May (inclusive) in each year." Entry No. 9 - Column 4 - after the word "days" insert the words "during the months of January to May (inclusive) in each year"		

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

Registration authority

WEST RIDING COUNTY COUNCIL

Register unit No. C.L. 242

Edition No. 1

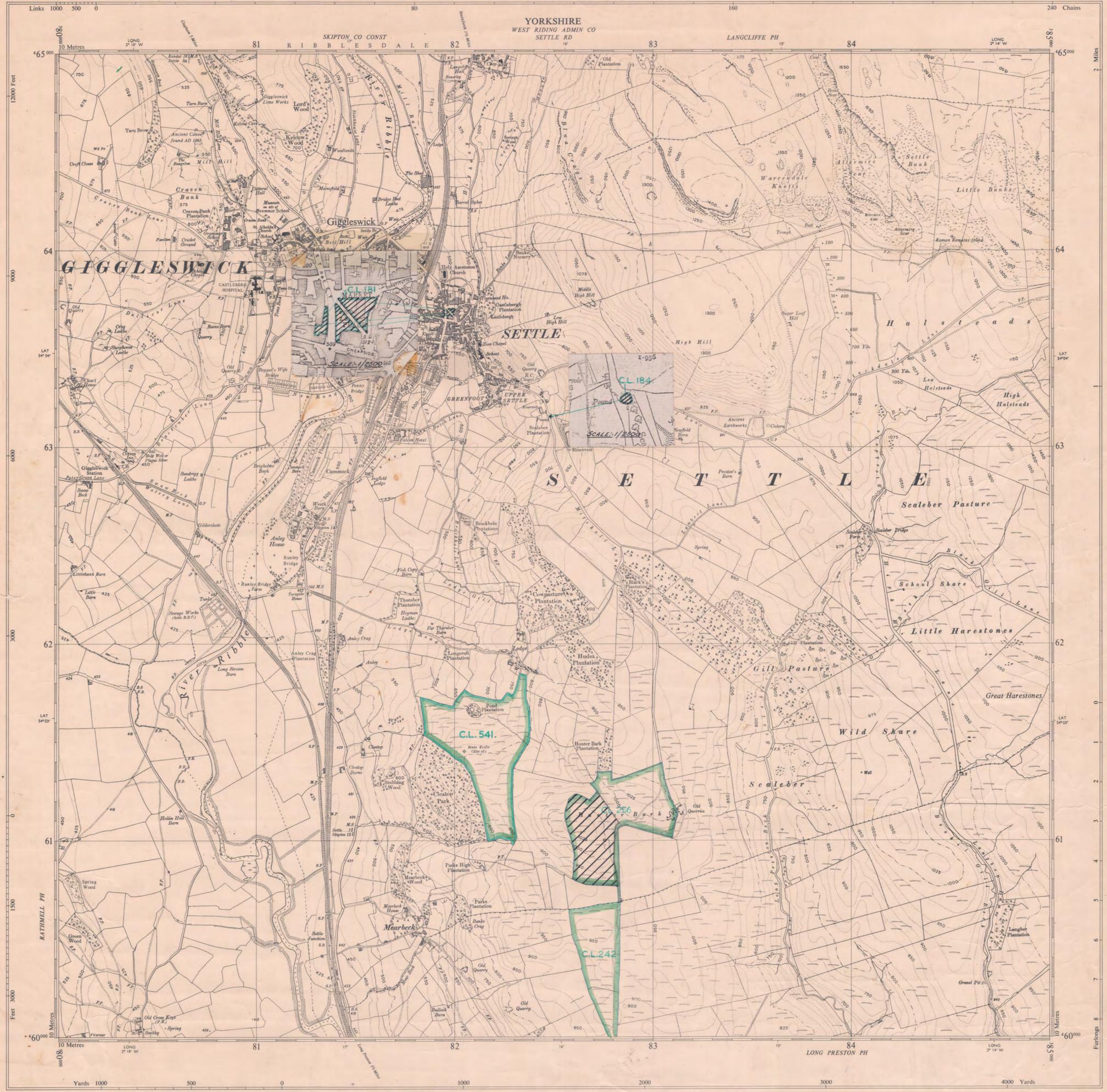
Register of COMMON LAND

OWNERSHIP SECTION—Sheet No. 1

See Overleaf
for Notes

1 <i>No. and date of entry</i>	2 <i>No. and date of application</i>	3 <i>Name and Address of person registered as owner</i>	4 <i>Particulars of the land to which the registration applies</i>
1 9th August, 1983		Andrew Robert Buxton Duke of Devonshire The above registration was made in pursuance of Section 8(2) of the Commons Registration Act 1965 in accordance with a Direction dated 28th July, 1983 made by L. J. Morris Smith, Commons Commissioner Ref: 268/U/268	The whole of the land comprised in this register unit

N.Y.



Crown Copyright Reserved

Roads, Ministry of Transport Class I	Fenced	Unfenced
Other Roads, (not classified by Ministry of Transport)		
Footpaths		
Railways, Double Track	Station	Bridge over Cutting
Single Track & Tramway	Yard	Level crossing
Electricity Transmission Lines with Pylons		Embankment
Pipe Line (Oil, Water)		Pipe Line
Trigonometrical Station	Signal Box	Signal Post
Guide Post	Mile Post	Mile Stone
	Boundary Stone	Boundary Post

INDEX TO ADDING SHEETS

SD 76 NE	SD 86 NW	SD 86 NE
SD 76 SE	SD 86 SW	SD 86 SE
SD 75 NE	SD 85 NW	SD 85 NE

The representation on this Map of a Road, Track, or Footpath, is no evidence of the existence of a right of way.

Price 5/- net.

KEY TO COLOURING AND SYMBOLS

Colouring and/or Symbol
 Black line verged yellow inside the boundary and the word "Exempted".
 Black line verged green inside the boundary and the appropriate register unit number.
 Red line suitably lettered, or lettering alone.

Black hatching, and where necessary, lettering as well.
 Black interrupted line.
 Other colourings and symbols:—

COMMONS REGISTRATION ACT, 1965
 Provisional Register Map of Common Land/Town or Village Greens

KEY TO COLOURING AND SYMBOLS

Meaning
 Boundary of land to which, by virtue of an order under Section 11 of the Act, the provisions of Sections 1 to 10 thereof do not apply.
 Boundary of land comprised in the register unit shewn.

Limit of land over which a registered right of common is exercisable or to which a registration of ownership applies, so far as that limit does not coincide with the boundary of land comprised in a register unit, and cannot conveniently be described by reference to any feature appearing on the map.
 Land which has been removed from the register under Section 13 of the Act, or of which the registration has been cancelled.
 Any boundary of the Registration Area falling within the map.

(Sheet No. 103) This is the 1st edition of this sheet

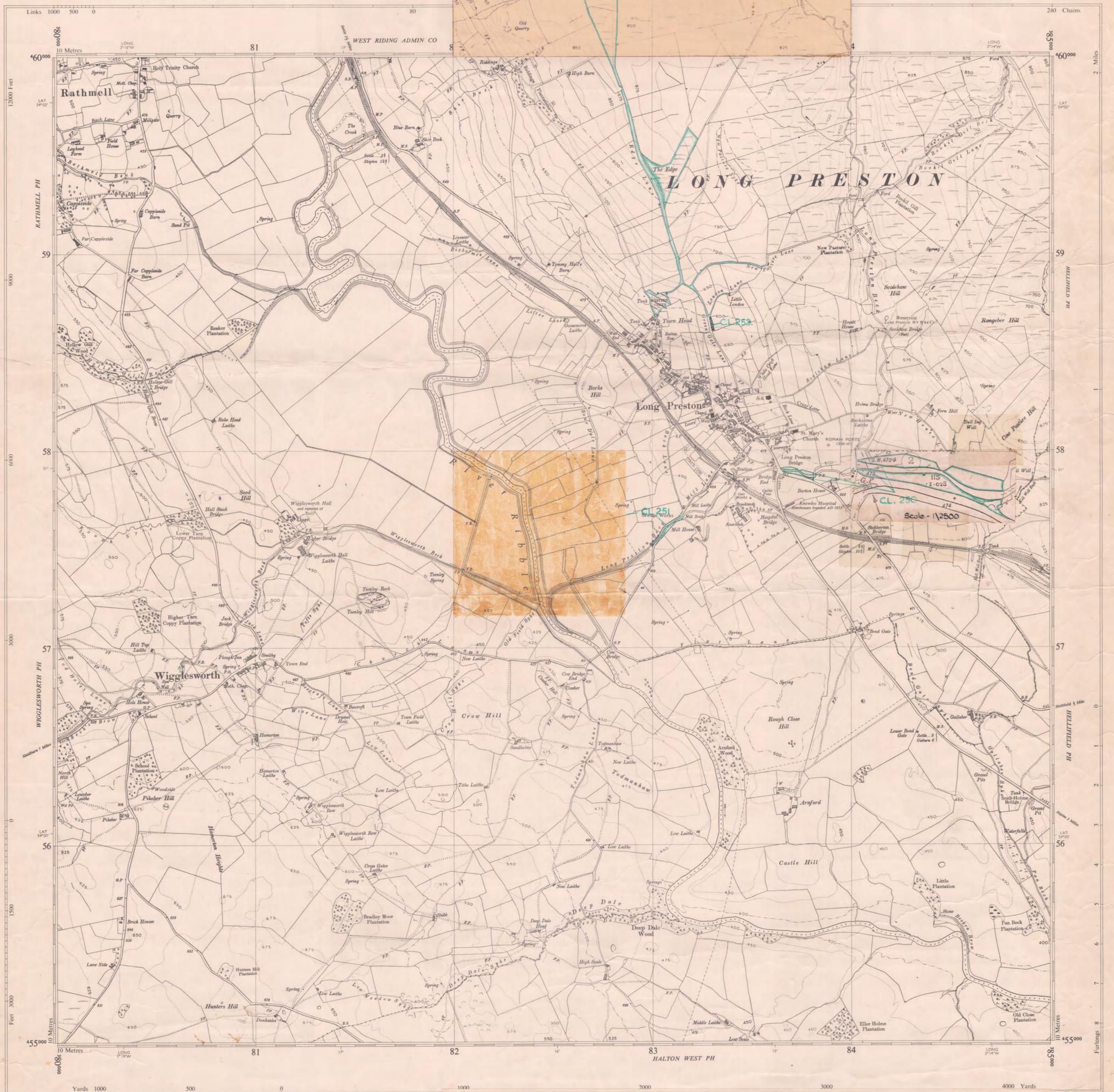
Official Stamp

COMMONS REGISTRATION ACT 1965
 WEST RIDING COUNTY COUNCIL
 REGISTRATION AUTHORITY
 21 JUN 1968

Signed: [Signature]
 Officer in charge of Registrations

Revised Price 7/0 net.

O.S.
Revised Price 8/6 net.



Crown Copyright Reserved

INDEX TO ADJOINING SHEETS

SD 76 SE	SD 86 SW	SD 86 SE
SD 76 NE	SD 86 NW	SD 86 NE
SD 75 SE	SD 85 SW	SD 85 SE

Price 5/- net.

KEY TO COLOURING AND SYMBOLS

Colouring and/or Symbol
 Black line verged yellow inside the boundary and the word "Exempted".
 Black line verged green inside the boundary and the appropriate register unit number.
 Red line suitably lettered, or lettering alone.

Black hatching, and where necessary, lettering as well.
 Black interrupted line.
 Other colourings and symbols:—

COMMONS REGISTRATION ACT, 1965
 Provisional Register Map of Common Land/Town or Village Greens

MEANING
 Boundary of land to which, by virtue of an order under Section 11 of the Act, the provisions of Sections 1 to 10 thereof do not apply.
 Boundary of land comprised in the register unit shown.

Limit of land over which a registered right of common is exercisable or to which a registration of ownership applies, so far as that limit does not coincide with the boundary of land comprised in a register unit, and cannot conveniently be described by reference to any feature appearing on the map.
 Land which has been removed from the register under Section 13 of the Act, or of which the registration has been cancelled.
 Any boundary of the Registration Area falling within the map.

Other Symbols:
 Roads, Ministry of Transport Class I
 Other Roads, (not classified by Ministry of Transport)
 Footpaths
 Railways, Double Track
 Single Track & Tramway
 Electricity Transmission Lines with Pylons
 Pipe Line (Oil, Water)
 Trigonometrical Station
 Signal Box
 Signal Post
 Post Office
 Well
 Guide Post
 Mile Post
 Mile Stone
 Boundary Stone
 Boundary Post

(Sheet No. 139) This is the 1st edition of this sheet

COMMONS REGISTRATION ACT, 1965
 WEST RIDING
 REC.
 28 JUN 1968

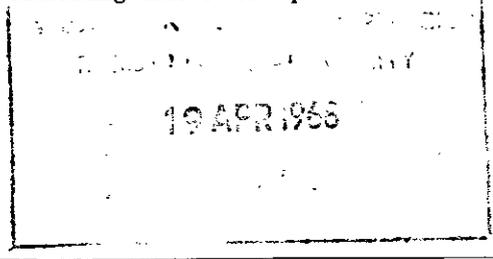
Signed _____
 Officer in charge of Registrations

Revised Price 8/6 net

04

Form 7
This form is for official use only.

Official stamp of registration authority indicating date of receipt



Application No. 516

Register Unit No(s):

CL 242
CL
CL

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority (see Note 1).

To the COUNTY COUNCIL OF THE WEST RIDING OF YORKSHIRE

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

JOHN PHILIP COX,
CLERK TO LONG PRESTON PARISH COUNCIL,
8, RIBBLESDALE ESTATE,
LONG PRESTON,
SKIPTON,
YORKSHIRE.

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

~~NIL~~

Part 3.

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

(See Notes 2, 3 and 4).

Name by which usually known LONG PRESTON MOOR.

Locality

~~O.S. FIELD No. 39.~~ 'LONG PRESTON'

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

Colour on plan herewith?



GREEN

Part 4.

(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases)

Does the prescribed fee of £5 accompany this application? If not, state why it is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

NIL

**The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.*

*Signature of applicant or of person on applicant's behalf.

[Redacted Signature]

(CLERK TO LONG PRESTON PARISH COUNCIL)

Date *29th February, 1968.*

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

*Insert full name.

I, JOHN PHILIP COX
solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

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

~~2. I am~~ to the applicant and am duly authorised by the applicant to make the foregoing application.

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

*Strike out this paragraph if there is no plan.
*Insert "marking" as on plan (see Note 5).

4. "The plan now produced and shown to me marked " A " is the plan referred to in the application.

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

Declared by the said.....

JOHN PHILIP COX

at SETTLE

in the COUNTY of YORKSHIRE

this 29th day of FEBRUARY 19 68

Before me,

Signature 

Address 5 Park Avenue

Heelifer

Qualification J.P.

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

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the *Greater London Council*.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

(a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;

(b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbary); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises *the whole of the land* in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)
19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as common land, it will be provisionally registered as such, or

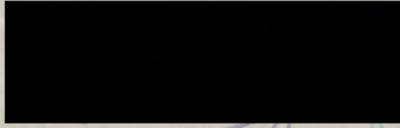
(b) if it is already registered as common land, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.

THIS IS THE EXHIBIT MARKED "A" REFERRED TO IN THE
STATUTORY DECLARATION OF JOHN PHILIP COX (CLERK TO
LONG PRESTON PARISH COUNCIL) MADE THIS 29th FEBRUARY, 1968.
BEFORE ME,



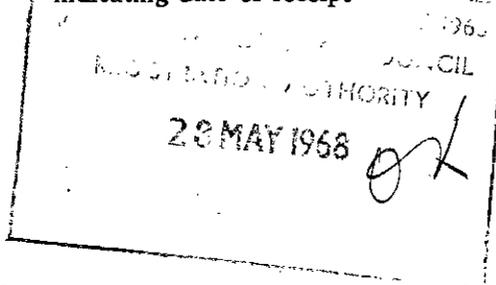
J.P.

File 516

CR Form 9.

This section for official use only.

Official stamp of registration authority indicating date of receipt



Application No. 712

Register Unit No(s)
C.L. 242

COMMONS REGISTRATION ACT 1965

Application for the registration of a right of common

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application may be rejected.

Insert name of registration authority (see Note 1).

To the *West Riding County Council*

Application is hereby made for the registration of the right of common of which particulars are set out below.

Part 1.

(Give Christian names or fore-names and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Note 2 for information as to who may apply.)

Name and address of the applicant or (if more than one) of every applicant.

*Anthony Bradley
Milestone
Church St.
Settle*

Part 2.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

Part 3.

(Read Note 2 and insert "owner" "tenant" or as the case may be. If there is more than one applicant the capacity of each must be stated against his name in this space.)

Capacity in which the applicant is entitled to apply for registration.

owner

Part 4.

(See Notes 3 and 4.)

Description of the land over which the right of common is exercisable.

Name by which commonly known Long Preston Moor
Locality Long Preston Western Green
Colour on plan* edged red Plan A

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

Part 5.

(See Notes 3 and 7. If the right is exercisable only during limited periods, full particulars of these periods must be given.)

Description of the right of common.

1390 sheep days

One sheep day means the right to graze one sheep and followers for one day

Part 6.

(See Note 4. If the right is not attached to any land, the fact should be stated here.)

Description of the farm, holding or other land to which the right is attached, if any.

near Beck: Long Preston

Parish number 49/462/4

edged blue Plan B

Part 7.

(See Note 8.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 8, and give the appropriate particulars required by that note.

*Signature(s) of applicant(s) or of person on his or their behalf

*The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

[Redacted signature area]

Date

Statutory Declaration in Support

(S. 6)

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

**Insert full name(s).*

[I] ~~[We]~~ *Anthony Bradley*

**Strike out this paragraph if it does not apply.*

**Insert capacity in which acting.*

solemnly and sincerely declare as follows:

1. [I am] ~~[We are]~~ the person(s) who [has] ~~[have]~~ signed the foregoing application.
2. ~~I am~~ ~~to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on [his] [their] behalf.~~

3. [I] ~~[We]~~ have read the Notes on the back of the application form and believe that [I] ~~[we]~~ ~~[the applicant(s)]~~ [am] ~~[are]~~ ~~[is]~~ entitled, in the capacity or respective capacities stated in the application, to apply for the registration under the Commons Registration Act 1965 of the right of common described in the application.

**Strike out this paragraph if there is no plan.*

**Insert "marking" as on plan (see Note 6).*

4. 'The plan now produced and shown to me marked " *A* " is the plan referred to in part 4 of the application.

5. 'The plan now produced and shown to me marked " *B* " is the plan referred to in part 6 of the application.

And [I] ~~[we]~~ make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said *Anthony Bradley*



at *Seale*
in the *County* of *York*
this *24th* day of *May* 19 *68*

Before me,
Signature
Address *3, Park Avenue*
Heelifea.
Qualification *J.P.*

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

Notes

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land over which rights of common are claimed. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

It is not necessary for the land over which a right of common is exercisable to be registered before an application for the registration of the right itself is made: see Note 9.

2. Who may apply for registration

An application for the registration of a right of common may be made—

- (a) by the owner of the right;
- (b) where the right is attached to any land, and is comprised in a tenancy of the land, by the landlord, the tenant, or both of them jointly;
- (c) where the right belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

In a case where the landlord and the tenant of any land are both entitled to apply for the registration of a right of common attached to the land, they may consider it advisable to apply jointly, because—

- (a) if two separate applications relating to the same right are accepted for registration and differ in any material particular, a conflict arises, and each registration has to be treated as an objection to the other. Such a case would normally have to be referred to a Commons Commissioner for decision;
- (b) if a joint application is submitted, and is accepted for registration, both applicants will be entitled to appear before the Commons Commissioner in support of the registration, should any objection to it be referred to him;
- (c) a person entitled to make an application who is content to leave it to another person (independently so entitled) to make it will, on the other hand, have no right to appear at the hearing of any objection to the registration and may have no claim against that other person if for any reason the right is not registered or the registration does not become final, or becomes final with modification.

Where the Church Commissioners apply for the registration of a right belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 3.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 3.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory hooklet "Common Land", available free from local authorities, from which the following extract is taken:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbary); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common'."

This extract must not be taken as an authoritative statement of the law. Anyone who is not sure whether a right is registrable under the Act should seek legal advice.

4. Land descriptions

(a) *For purposes of part 4.* Except where the land has already been registered under the Act (as to which see below and Note 5), the particulars asked for at part 4 of the form must be given, and a plan must accompany the application. The particulars in part 4 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration. (See Note 6.)

Where the land has already been registered and comprises the whole of the land in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 5). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, a river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 4 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

(b) *For purposes of part 6.* If the right is attached to any farm, holding or other land, that land should be described in part 6. This may be done either by a plan prepared as explained in (a) above, or, alternatively, by reference to the numbered parcels on the most recent edition of the ordnance map (quoting the edition), supplemented, where necessary to describe part of a parcel, or any land not numbered on the ordnance map, by a plan prepared in accordance with (a) above. Sufficient particulars of the locality must in any case be given to enable the land to be identified on the ordnance map.

If the right is held in gross, that is, not attached to any land, that fact should be stated in part 6.

5. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting the land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search O.S.C. must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. It is also possible that the land is exempt from registration: the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. If the land is exempt, the certificate will say so, and it will not be possible to register rights of common over it under the Act, but such rights as exist will not be prejudiced by non-registration.

6. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialing is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter "A". On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)

19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

7. Grazing rights

The right of common consists of or includes a right to graze animals, or animals of any class, the application must state the number of animals, or the numbers of animals of different classes, to be entered in the register. This presents no difficulty where the right to graze is already limited by number. However, for registration purposes grazing rights not limited by number (sometimes called rights "sans nombre", or without stint) must be quantified. This means that the applicant must enter in part 5 of the application form the number of animals, or the numbers of animals of different classes, which he believes himself entitled to graze. If the application is accepted, the right of grazing will be provisionally registered in accordance with the number or numbers which have been so entered. When the registration has become final the right of grazing will be exercisable in relation to animals not exceeding the number or numbers registered or such other number or numbers as Parliament may later determine. The applicant should not insert a figure higher than that which he believes himself entitled to. If he puts in an excessive figure the provisional registration is likely to be objected to. In that case, unless the registration authority permits it to be cancelled, or the objection is withdrawn, the matter will in due course be referred to a Commons Commissioner for decision, and if the Commissioner orders the figure to be reduced he may also order the applicant to pay the costs of the objector.

8. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January 1967 and ends on 30th June 1968, and the second begins on 1st July 1968 and ends on 2nd January 1970.

There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5 unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the right of common did not become registrable until after 30th April 1968.

If (a) applies, the applicant should quote in part 7 of the form the number on the acknowledgment from the registration authority. If (b) applies, he should explain in part 7 why the right was not registrable until after 30th April 1968.

9. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be told whether the application has been accepted or rejected. If it is accepted, then—

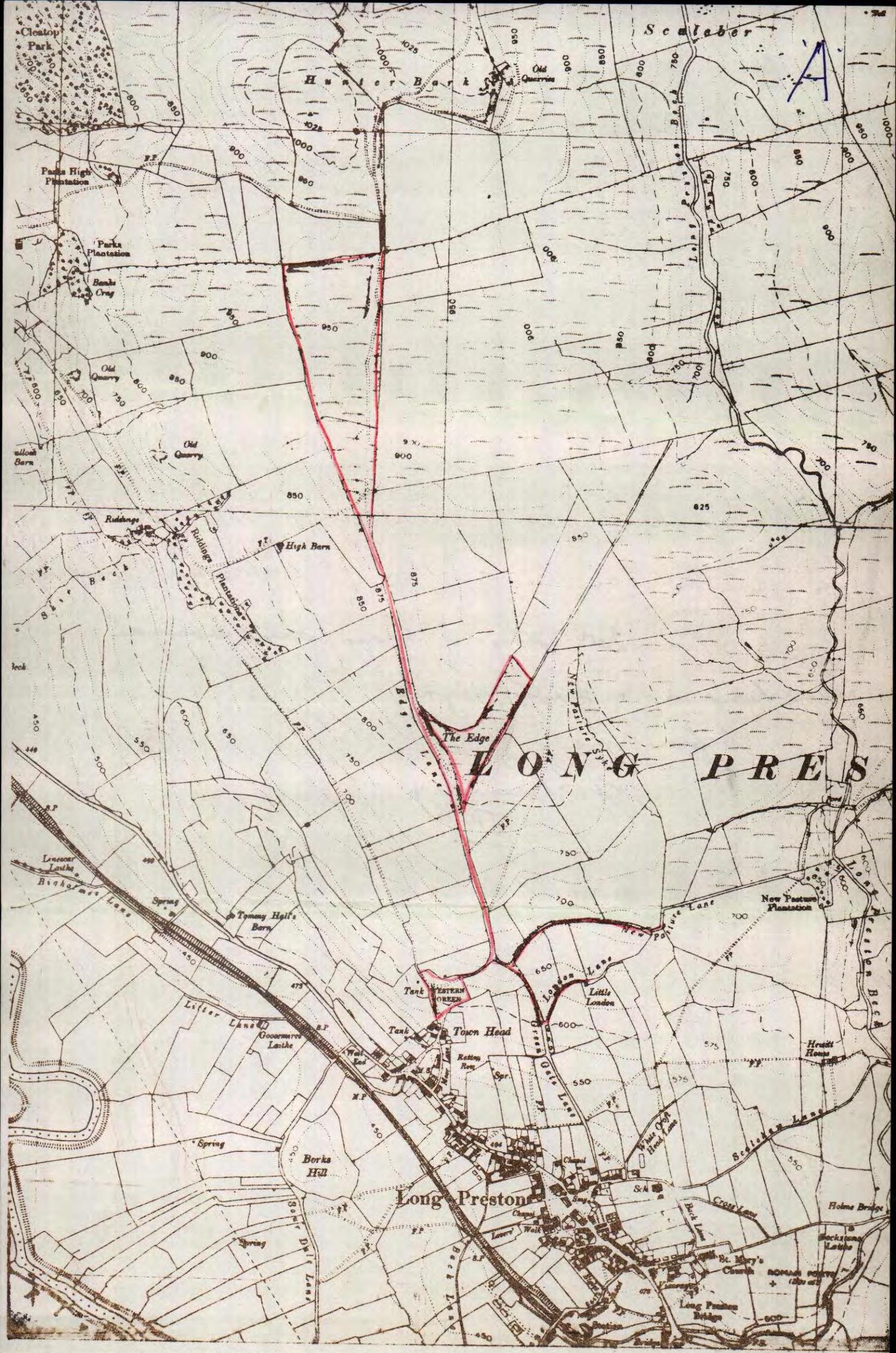
(a) if the land over which the right of common is claimed to be exercisable is not already registered under the Act, it will be provisionally so registered, and the right of common will be provisionally registered as exercisable over it, or

(b) if that land is already registered under the Act, the right of common will be provisionally registered as exercisable over it.

The applicant will also in due course be told of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

10. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.



This is the exhibit marked A referred to
in the statutory declaration of Anthony Bradley
made this 24th day of May one thousand
nine hundred & sixty eight
before me

[REDACTED]

91.



62
61
59
58

LAT
SPER

RATHMELL PH
RATHMELL TH

10 METRES

B

Rathmell

LONG PRESTON

Long Preston

Scalebar Pasture

School Skare

Little Harrest

Wild Saure

Scalebar

Gill Pasture

Mearbeck

Hunter Bark

Rathmell

Back Lane

Longhand Farm

Cappleside

Far Capside

For Cappleside Barn

Hollow Gill

Hollow Gill Bridge

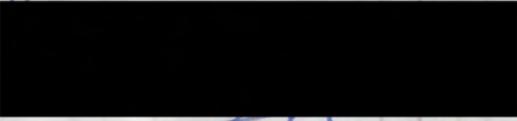
Rain Head

Seed Hill

Hall Stack Bridge

Wigglesworth Hall

This is the exhibit marked B
referred to in the statutory declaration
of Anthony Bradley made this
24th day of May one thousand
nine hundred + sixty eight
before me


J. P.

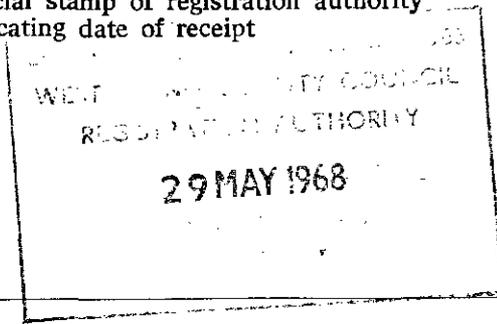
This section for official use only.

Official stamp of registration authority indicating date of receipt

Application No. 736

Register Unit No(s):

CL 242 part of
CL
CL



COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority (see Note 1).

To the COUNTY COUNCIL OF THE WEST RIDING OF YORKSHIRE.

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

JOHN PHILIP COX,
CLERK TO LONG PRESTON PARISH COUNCIL,
8, RIBBLESDALE ESTATE,
LONG PRESTON,
SKIPTON,
YORKSHIRE.

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

NIL

Part 3.

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

(See Notes 2, 3 and 4).

Name by which usually known WESTERD GREEN, AND LANE LEADING TO IT.

Locality

O.S. FIELD N^o. 204.
LONG PRESTON

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

Colour on plan herewith²

BLUE

Part 4.

(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

NIL

**The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duty authorised officer.*

*Signature of applicant or of person on applicant's behalf.

[Redacted Signature]

(CLERK TO LONG PRESTON PARISH COUNCIL).

Date

29th February, 1968.

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

I, JOHN PHILIP COX
solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it does not apply.
³Insert capacity in which acting.

2. ~~I am~~ ^{to the applicant and am duly authorised by}
~~the applicant to make the foregoing application.~~

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 5).

4. 'The plan now produced and shown to me marked "D" ~~is~~ ^{is} the plan referred to in the application. D ~~is~~ is the plan
8/4/68

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

Declared by the said.....

JOHN PHILIP COX

at SETTLE

in the COUNTY of YORKSHIRE

this 29th day of APRIL 1968

Before me,

Signature [Redacted]

Address 15 Park Avenue
Hellifield

Qualification J.P.

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

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

(a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;

(b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several pasture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises the whole of the land in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)
19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

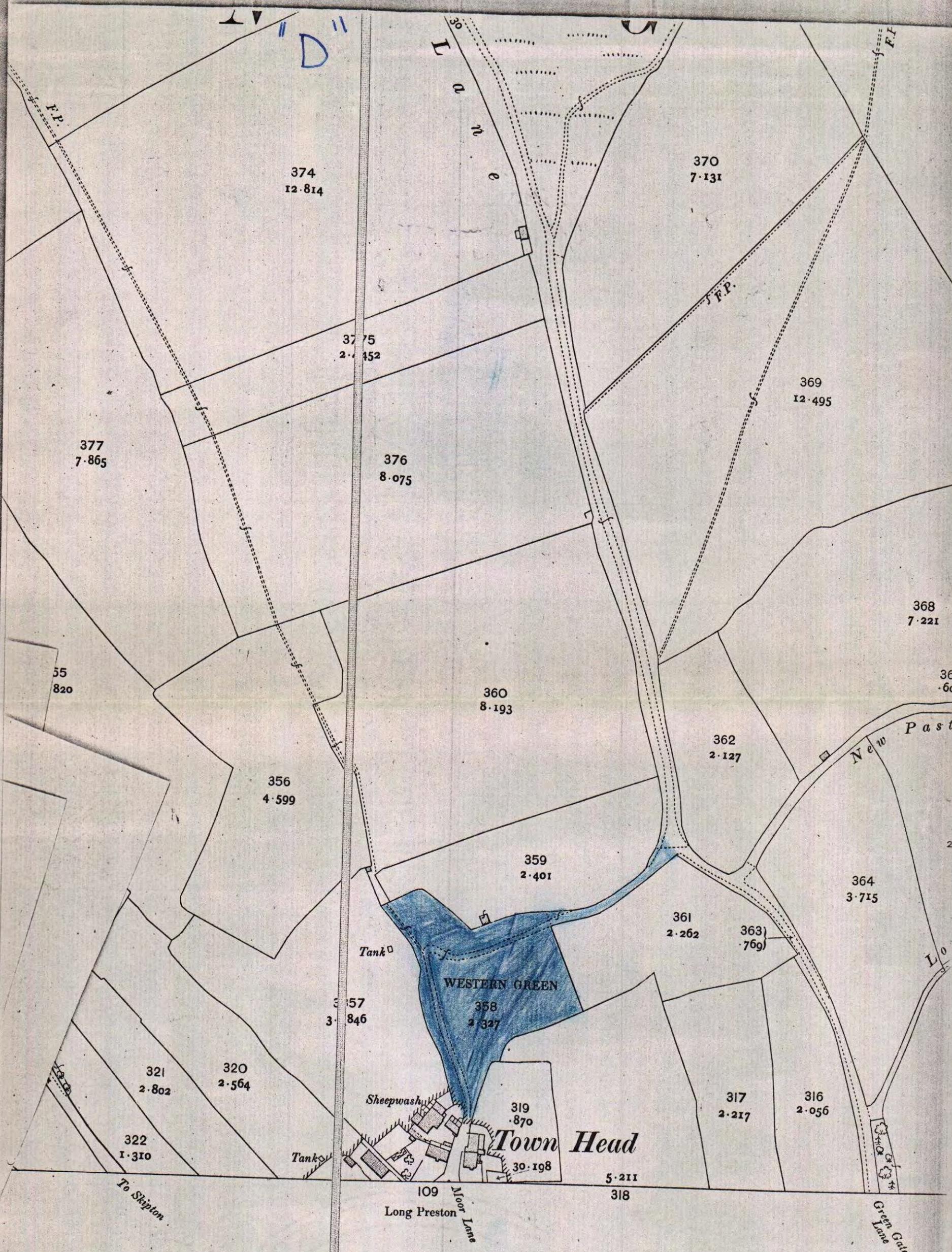
(a) if the land is not already registered as common land, it will be provisionally registered as such, or

(b) if it is already registered as common land, the application will be noted on the register.

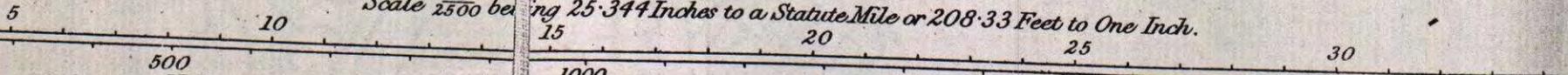
The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.



Scale $\frac{1}{2500}$ being 25.344 Inches to a Statute Mile or 208.33 Feet to One Inch.

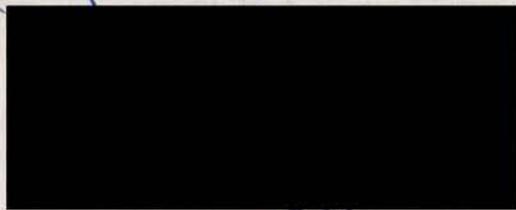


N.B. - The representation on this map of a Road, Track, or Footpath, is no evidence of the existence of a right of way.

This is the Exhibit marked "D" referred to
in the Statutory Declaration of JOHN PHILIP COX
(Clerk to Long Preston Parish Council) made this

- 8 APR 1968

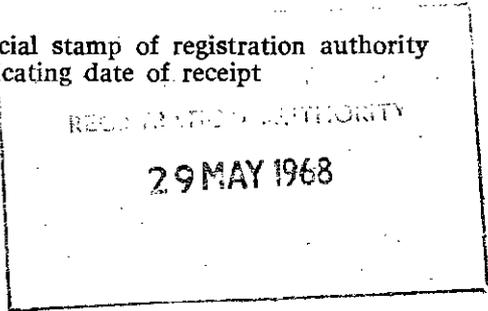
before me,



JP

This section for official use only.

Official stamp of registration authority indicating date of receipt



Application No. 737

Register Unit No(s):

CL 242 (Part of)
CL
CL

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority (see Note 1).

To the COUNTY COUNCIL OF THE WEST RIDING OF YORKSHIRE.

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

JOHN PHILIP COX,
CLERK TO LONG PRESTON PARISH COUNCIL,
8, RIBBLESDALE ESTATE,
LONG PRESTON,
SKIPTON,
YORKSHIRE.

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

NIL

Part 3.

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

(See Notes 2, 3 and 4).

Name by which usually known THE EDGE AND EDGE LANE.

Locality

OS FIELD NOS 77, 158 AND 553.
LONG PRESTON

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

Colour on plan herewith



RED

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

I, JOHN PHILIP COX
solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it does not apply.
³Insert capacity in which acting.

~~2. "I am" to the applicant and am duly authorised by the applicant to make the foregoing application.~~

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 5).

4. "The plan now produced and shown to me marked "C" is the plan referred to in the application.

And I make this solemn declaration, conscientiously believing the [redacted] to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said.....

JOHN PHILIP COX

at SETTLE

in the COUNTY of YORKSHIRE

this 29th day of APRIL 1968

Signature [redacted]

Address 5 Park Avenue

Accrington

Qualification J.P.

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

Part 4.

(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

NIL

**The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.*

*Signature of applicant or of person on applicant's behalf.

[Redacted Signature]

(CLERK TO LONG PRESTON PARISH COUNCIL)

Date

29th February, 1968.

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

- (a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;
- (b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises the whole of the land in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)
19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

- (a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or
- (b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

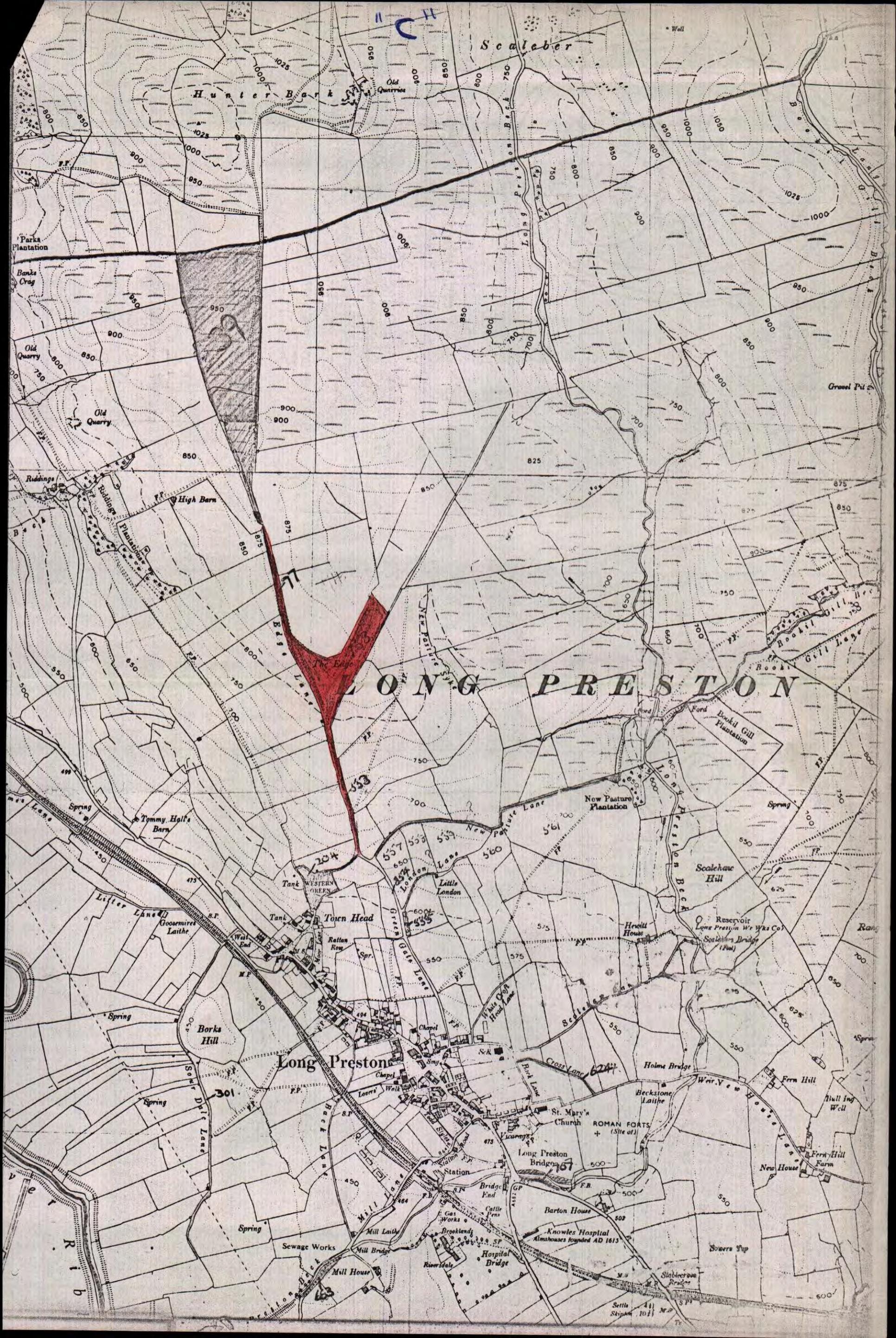
The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

- (a) if the land is not already registered as common land, it will be provisionally registered as such, or
- (b) if it is already registered as common land, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.



Scaleber

Hunter Bark

Old Quarries

Parks Plantation

Banks Crag

Old Quarry

Old Quarry

Riddings

Riddings

Tommy Hall's Barn

Liffers Lane

Goosemires Laithe

Borks Hill

Spring

Spring

Spring

Spring

Spring

Spring

Spring

Spring

LONG PRESTON

Long Preston

Station

Mill House

Mill Bridge

Mill House

Town Head

Chapel

Chapel

St. Mary's Church

Long Preston Bridge

Knowles Hospital

Knowles Hospital

Knowles Hospital

New Pasture Plantation

New Pasture Lane

Little London

Green Gate Lane

Mill Lane

Station

Bridge End

Gas Works

Brooklands

Brooklands

New Pasture Plantation

New Pasture Lane

Little London

Green Gate Lane

Mill Lane

Station

Bridge End

Gas Works

Brooklands

Brooklands

New Pasture Plantation

New Pasture Lane

Little London

Green Gate Lane

Mill Lane

Station

Bridge End

Gas Works

Brooklands

Brooklands

New Pasture Plantation

New Pasture Lane

Little London

Green Gate Lane

Mill Lane

Station

Bridge End

Gas Works

Brooklands

Brooklands

New Pasture Plantation

New Pasture Lane

Little London

Green Gate Lane

Mill Lane

Station

Bridge End

Gas Works

Brooklands

Brooklands

THIS IS THE EXHIBIT MARKED "C" REFERRED TO
IN THE STATUTORY DECLARATION OF JOHN PHILIP COX
(CLERK TO LONG PRESTON PARISH COUNCIL) MADE THIS

8 APR 1968

BEFORE ME,



JP



COMMONS REGISTRATION ACT 1965

Reference No. 268/D/325-329

In the Matter of Long Preston Moor and
Western Green, Long Preston, Craven D

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and at Entries No. 1 to 6 in the Rights Section of Register Unit No. CL 242 in the Register of Common Land maintained by the North Yorkshire County Council.

I held a hearing for the purpose of inquiring into the dispute at Skipton on 9 October 1980. The Objections are as follows: (1) No. 494 made by W W Bailie noted in the register on 6 January 1971. This Objection is to the Entry in the Land Section and correspondingly to all the Entries in the Rights Section. (2) No. 242 made by A Bradley and No. 72 made by R Norcross both noted in the Register on 25 August 1970. These are objections to Entry No. 3 in the Rights Section. (3) No. 200 made by Long Preston Parish Council and noted in the Register on 24 November 1970. This is an objection to the Entries in the Rights Section. Of the original Rights Entries which are numbered 1 to 6, No. 6 has been cancelled and No. 5 is now No. 9.

The registration as common land was made in consequence of an application to register a right of common and applications for such registration were also made by the Parish Council, and by the Ramblers Association which did not appear at the hearing.

At the hearing there were the following appearances (1) Mr O Walton, the Chairman of and representing the Parish Council, (2) Mr R Bowker, Solicitor, appearing on behalf of Mr Bradley and Mr Norcross and Mrs A K Stoney, all of whom are applicants to register rights (Entries No. 1, 2 and 3), Mr Bradley and Mr Norcross also being Objectors to Mrs Stoney's Entry (No. 3), (3) Mr Turton of the firm of Cluttons, Surveyors, appearing on behalf of Mr T Kinder, applicant to register Entry No. 4 (Rights), (4) Mr Skelton, Solicitor, appearing on behalf of the Executors of Miss A M Preston, applicant to register Entry No. 5 (now No. 9).

Mr Bailie (Objection No. 495) did not appear - I was told by Mr R P Watkins of the firm of Charlesworth Wood, appearing in another case, that his firm formerly acted for Mr Bailie but had now no instructions and believed that he parted with this land in which he was interested. His objection was that a roadside verge of part of the land registered was not common land. In the absence of evidence in support of the objection, I confirm the registration of the Entry in the Land Section, subject to the exclusion mentioned below.

As regards the rights of common which are registered and are all grazing rights, agreement has been reached between the parties. The objections are withdrawn



with the modifications that the rights be limited to the period 1 January to 31 May in each year (they are already so limited in the case of Entries Nos. 2, 3 and 4) and that the area marked Western Green on the register map be excluded from the registration in the Land Section. Accordingly I confirm the registrations at the Entries in the Rights Section subject to these modifications.

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

Dated

5 November

1980



Commons Commissioner