

## **NORTH YORKSHIRE COUNCIL**

### **COMMONS ACT 2006 — SECTION 12**

#### **Notice of an application to transfer a registered right of common in gross and application for the registration of the transfer in the Commons Register**

**Application Reference Number: CA6 057**

#### **Ickornshaw Moor (CL15)**

Application has been made to the North Yorkshire Council by George Harry Derek Sellars under Section 12 of the Commons Act 2006 and in accordance with Schedule 4(6) 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](mailto: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. CA6 057
- 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](mailto:commons.registration@northyorks.gov.uk) on or before 11 June 2025

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

A summary of the effect of the application (if granted) is as follows: the Registration Authority will amend the register to show that the rights at entry no. 8 have been transferred from Andrew Richard Binns to George Harry Derek Sellars.

Dated: 22 April 2025

Karl Battersby

Corporate Director – Environment  
North Yorkshire Council

**Commons Act 2006: section 12****Transfer of a registered right of common in gross  
and application for registration of the transfer in the  
commons register****This section is for office use only**

Official stamp

Application number

<p>COMMONS ACT 2006</p> <p>NORTH YORKSHIRE COUNCIL</p> <p>COMMONS REGISTRATION AUTHORITY</p> <p>DATE: - 6 MAR 2025</p>
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CA 6 057
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Register unit number

CL 15
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Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- **This form provides (in Part A) for the transfer of a registered right of common in gross by way of deed and (in Part B) for the application to register such transfer in the register of common land, under section 12 of the Commons Act 2006.** Although there is no requirement that you use a solicitor or other professional adviser to complete the form, please be aware that the commons registration authority can only assist in completion of the clerical aspects of the form. Persons with legal queries should seek advice from a solicitor or other professional adviser before completing the form.
- The transfer of a registered right of common in gross will usually need to be made by deed in order to be effective in law (see section 52(1) of the Law of Property Act 1925). You may use Part A of this form to effect the transfer, but if you do not, you will instead need to attach to your application your own transfer deed, or if a deed is not required, explain why this is the case. For example, if one of the exceptions in section 52(2) of the Law of Property Act 1925 applies e.g. the transfer is effected in an assent by a personal representative. Where the transfer deed in Part A is not being used, you need complete only Part B of this form. The transfer of a right of common in gross does not operate in law until it has been registered in the register of common land by way of an application made using Part B of this form.
- Only the following persons can apply to register a transfer of a right of common in gross for the purposes of section 12: the registered owner of the right of common (the Transferor) or the person into whose possession that right of common will be transferred (the Transferee). Where the application is made by the Transferee, the Transferor must consent to the application.
- You will be required to pay a fee for your application. Ask the registration authority for details. You would have to pay a separate fee should your application be referred to the Planning Inspectorate.

## PART A: TRANSFER DEED

### Note 1

The Transferor is the registered owner of the right of common in gross described in box 3.

If there is more than one Transferor, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the Transferor is a body corporate or an unincorporated association, and the company registration number if applicable.

### Note 2

The Transferee is the person to whom the right of common will be transferred.

If there is more than one Transferee (e.g. if the right is to be owned jointly), list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the Transferee is a body corporate or an unincorporated association, and the company registration number if applicable.

### 1. Transferor

Name:

Margaret Binns (Exor and surviving spouse of Andrew Richard Binns dec'd)

Postal address:

31 High Banks,  
Silsden,  
Keighley

Postcode BD20 0FA

### 2. Transferee

Name:

George Harry Derek Sellars

Postal address:

11 Laycock Fields,  
Cowling,  
Keighley

Postcode BD22 0DN

**Note 3**

Enter the description of the right of common in gross as shown in the register of common land or of town or village greens. Insert the relevant register unit number(s) and the rights section entry number for the right in the register. If the right is exercisable over more than one register unit, enter the details of the right in each register unit (use a separate sheet if necessary).

**Note 4**

This is the operative section of the transfer. Please seek legal advice before completing this form if you are unsure about its effect.

In particular, the title guarantees referred to in this box impose obligations on the Transferor. There are two types of title guarantee, though either may be modified. In providing such guarantees the Transferor gives certain binding promises relating to the transfer. If you have any concerns or queries about the effect of these title guarantees please seek legal advice before completing this form. Insert any modifications to the title guarantees in this box.

In Defra's view it will not be possible to transfer part of a right if that right has not been quantified in the deed of right or the register.

**3. Right of Common in gross**

Description of the right of common:

Rights of Turbary over the whole of the land comprised in this Register Unit

See Note 16 below

Register unit number(s):

CL15

Rights section entry number(s):

Entry Number 8

**4. Transfer of Right of Common in gross**

The Transferor transfers the Right of Common in gross described in box 3 of this Deed of Transfer to the Transferee, with full ~~limited~~ title guarantee (delete as necessary).

The Transferor, Margaret Binns is the surviving spouse and executor of the estate of Andrew Richard Binns, originally of 12 Middleton, Cowling, Keighley and later of The Outbarn, Cowling Hill Lane, Cowling, Keighley, BD22 0LR. The Right of Turbary and any associated claim was owned by Andrew Richard Binns who was born on 14th May 1949 and died on 8th December 2021. Upon his death, the residuary estate of Andrew Richard Binns including the Right of Common in gross described in box 3 passed to Margaret Binns who, as owner and executor of the estate guarantees full title of this right.

**Note 5**

Insert here any consideration payable and any agreed covenants. Please seek legal advice if you are unsure of the effect of provisions included in this box.

**Note 6**

The Transferor must execute this form as a deed. The Land Registry has issued guidance on the execution of deeds. However, please seek legal advice if you are unsure how to execute.

If there is more than one Transferor all of them must execute. If the Transfer contains covenants or declarations by the Transferee (i.e. which are included in box 5), it must also be executed as a deed by every Transferee.

**Note 7**

Insert the date of completion of the transfer.

**5. Additional provisions relating to the Transfer**

A consideration of £50 is being paid to the Transferor

**6. Execution of deed**

Signed as a deed by Margaret Binns, surviving spouse of the deceased Transferor, Andrew Richard Binns, in the presence of:

Transferor Signature:

Signature of witness:

Name: MICHAEL GALLAGHER

Address: FARNHILLING HOUSE, FARLING TOP  
COWLING, KEIGHLEY, BD22 0NW

Dated: 04/03/25

Signed as a deed by George Harry Derek Sellars in the presence of:

Transferee Signature:

Signature of Witness:

Name: MICHAEL GALLAGHER

Address: FARNHILLING HOUSE, FARLING TOP  
COWLING, KEIGHLEY, BD22 0NW

Dated: 04/03/25

**7. Date of Transfer**

04/03/2025

**PART B: REGISTRATION****Note 8**

Insert name of commons registration authority.

**Note 9**

If there is more than one applicant, list all their names and addresses in full. (An application may be made by the registered owner of the right of common in gross (the Transferor) or the person to whom the right is transferred (the Transferee), or both; if there is more than one Transferor or Transferee all the Transferors or the Transferees must apply.) Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association, and the company registration number if applicable. 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 10 is not completed all correspondence and notices will be sent to the first named applicant.

**8. Commons Registration Authority**

To the:

North Yorkshire Council

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

**9. Name and address of the applicant**

Name:

George Harry Derek Sellars

Postal address:

11 Laycock Fields,  
Cowling,  
Keighley

Telephone number:

Postcode BD22 0DN

Fax number:

E-mail address:

**Note 10**

*This box should be completed if a representative, for example 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.*

**Note 11**

*For further details of the requirements of an application, including evidence, refer to paragraph 6 of Schedule 4 to the Commons Registration (England) Regulations 2014.*

**Note 12**

*Please tick the relevant box to confirm whether the transfer relates to the full right or only part of it. In Defra's view it will not be possible to transfer part of a right if that right has not been quantified in the deed of right or in the register.*

**10. Name and address of representative, if any**

Name:

Michael Gallagher

Firm:

Secretary, Cowling Gun Club &amp; Conservation Society

Postal address:

Farnhill Ing House  
Farling Top  
Cowling  
Keighley

Postcode BD22 0NW

Telephone number:

Fax number

E-mail address:

**11. Basis of application for registration and qualifying criteria**

Tick one of the following boxes to indicate the capacity in which you are applying. Are you the:

Transferor (the registered owner of the right of common in gross to be transferred):

☐

Transferee (the person to whom the right has been transferred):

☒**12. Full or part of the Right of Common in gross**

Tick one of the following boxes to indicate whether the transfer relates to the full right or only part of it:

the full right:

☒

part of the right (and if so, please give details below):

☐

Describe below the part of the right that is the subject of this application:

**Note 13**

Where the Transferee is the applicant, the consent of the Transferor is required (and if more than one, of each of them). List or enter here (all) declaration(s) of consent from the Transferor(s).

Either list the declaration(s) attached to the application, or include in the box any declaration(s) made and signed. Include the full name and address of (the/every) Transferor.

**Note 14**

Box 14 requires completion only if Part A of the Form is not used.

A transfer of a registered right of common in gross will usually need to be made by deed. If the transfer deed in Part A of this form has not been used, you will need to attach your own transfer deed. In certain circumstances a deed is not required (see section 52(2) of the Law of Property Act 1925 for further details). Please insert details if one of the exceptions in section 52(2) applies, attaching the relevant supporting documentation.

**13. Declarations of consent from every Transferor (where the Transferee is the applicant)**

I declare that the statement contained in Box 4 of this document is true and this consent is granted by:

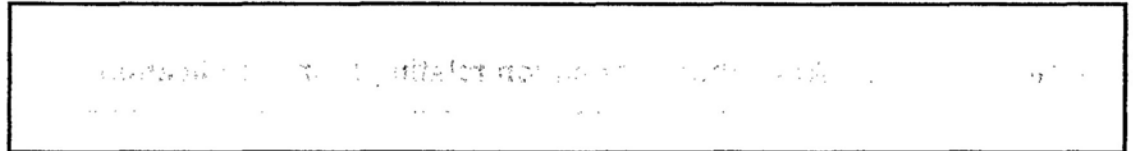
Margaret Binns (Transferor)  
31 High Banks  
Silsden  
Keighley  
BD20 0FA

Signed: 

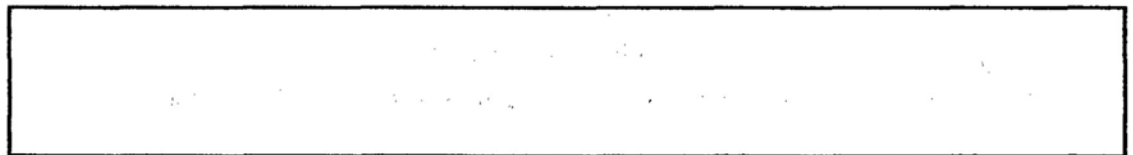
Dated: 04/03/2025

**14. Details of the transfer**

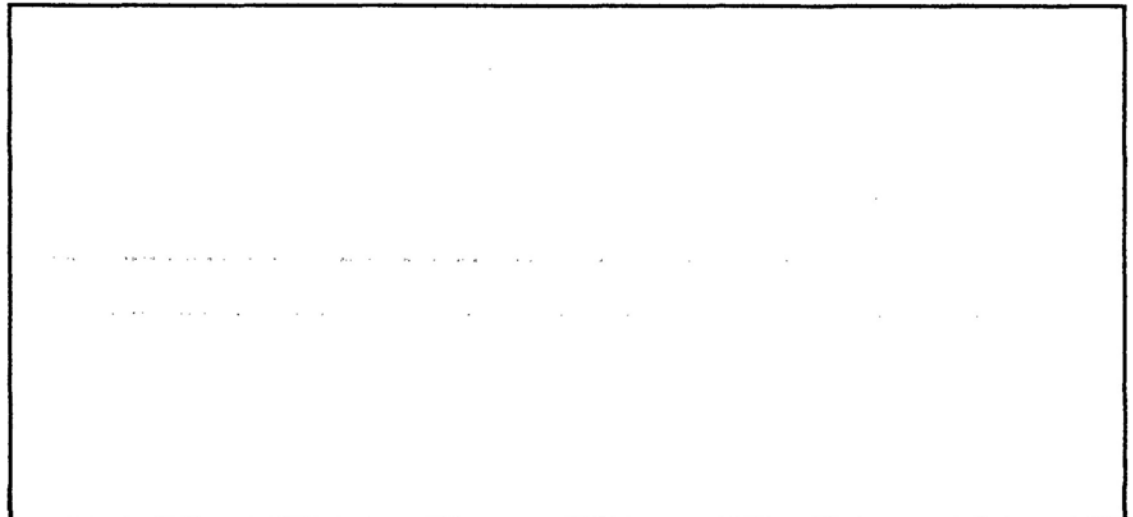
Description of the Right of Common in gross transferred, as shown in the common land register:



Date of Transfer



Name and postal address of (every) Transferee:





**Note 15**

List all supporting documents which accompany the application. This will include evidence of your capacity to apply and the deed of transfer (if Part A of this form is not used). Use a separate sheet if necessary.

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.

**Note 16**

List any other matters which should be brought to the attention of the registration authority. Full details should be given here or on a separate sheet if necessary.

**15. Supporting documentation**

The Transferor, Margaret Binns, is the surviving spouse and executor of the estate of Andrew Richard Binns, originally of 12 Middleton, Cowling, Keighley, BD22 0DQ and later of The Outbarn, Cowling Hill Lane, Cowling, Keighley, BD22 0LR. The Right of Turbary and any associated claim was owned by Andrew Richard Binns who was born on 14th May 1949 and died on 8th December 2021. Upon his death, the residuary estate of Andrew Richard Binns including the Right of Common in gross described in Box 3 passed to Margaret Binns who, as owner and executor is entitled to transfer these rights.

**16. Any other information relating to the application**

It is requested that the associated Entry Number 7 in the Notes to Land Section which states:

Andrew Richard Binns, 12 Middleton, Cowling, claims to be entitled to rights of sporting and shooting over the land comprised in this register unit.

should also be amended and transferred to the Transferee.

**Note 17**

*The application must be signed and dated by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association. Please add the date next to the signature.*

**17. Signature of Applicant(s)****Name(s):**

Michael Gallagher - Agent

**Signature(s):**


Date

05/03/2025

**REMINDER TO PERSONS COMPLETING THIS FORM**

**You are responsible for telling the truth in this form 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 form and all associated documentation.**

**Data Protection Act 1998**

*This form, any supporting information, 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 including this form and accompanying documents to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.*

*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.*



High Court of Justice England and Wales  
Principal Registry of the Family Division  
HMCTS Probate  
PO Box 12625  
Harlow  
CM20 9QE  
0300 303 0648

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**Grant of Probate**

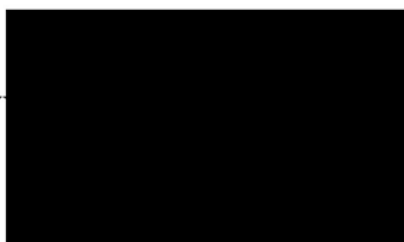
Case Reference: 1647510325863970  
Date of Issue: 20th May 2022

**Andrew Richard Binns of Out Barn Cowling Keighley BD22 0LR United Kingdom**  
Died on **8th December 2021** domiciled in England and Wales

The Last Will and Testament of **Andrew Richard Binns** (An official copy of which is available from the Court) was proved and registered before the High Court of Justice. The Administration of **Andrew Richard Binns's** estate is granted by this court to the following Executor

**Margaret Binns of Out Barn Cowling Keighley BD22 0LR United Kingdom**

The application has stated that the gross value of the estate in the United Kingdom amounts to  
e net value amounts



**DISTRICT REGISTRAR**

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Extracted by AWB Charlesworth Solicitors Limited (Ref: JSB.B12731) A W B Charlesworth  
Solicitors Ltd, 23 Otley Street, Skipton, BD23 1DY, United Kingdom  
If you wish to validate the information contained within this document please call 0300 303  
0648

14384WZP00030300012600041



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.

WEST RIDING COUNTY COUNCIL.

Register unit No. C.L. 15.

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
<del>7</del> 24th January, 1968	<del>135</del> 2nd October, 1967	<del>Leslie Berry</del> Bridge House, Ickornshaw, Cowling, Keighley BD22 0DH (Owner) (See Entry 116 below)	<del>Rights of turbary over the whole of the land comprised in this register unit. (Registration provisional)</del>	<del>The rights are held in gross</del>
(See entry No. 77 below)				
8 24th January, 1968	136 2nd October, 1967	<del>Andrew Richard Binns</del> 12, Middleton, Cowling, Keighley BD22 0LR (Owner) Outbarn, Cowling Hill, Cowling Keighley, BD22 0LR NOT KNOWN AT THIS ADDRESS	<del>Rights of turbary over the whole of the land comprised in this register unit. (Registration provisional)</del>	<del>The rights are held in gross</del>
(See entry No. 77 below)				
9 24th January, 1968	138 2nd October, 1967	<del>Richard Harrison Binns</del> 12, Middleton, Cowling, Keighley BD22 0LR (Owner) Deceased	<del>Rights of turbary over the whole of the land comprised in this register unit. (Registration provisional)</del>	<del>The rights are held in gross</del>
(See entry No. 77 below)				
10 24th January, 1968	139 2nd October, 1967	<del>Thomas Binns</del> 15 Fold Lane, Cowling, (Owner) NOT KNOWN AT THIS ADDRESS	<del>Rights of turbary over the whole of the land comprised in this register unit. (Registration provisional)</del>	<del>The rights are held in gross</del>
(See entry No. 77 below)				