

NORTH YORKSHIRE COUNCIL

COMMONS ACT 2006 — SCHEDULE 2, PARAGRAPH 4

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

Application Reference Number: CA13 037

Baysdale Moor, Westerdale (CL282)

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-notices>

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 037
- 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 8 October 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 register the application land as common land.

Dated: 19 August 2025

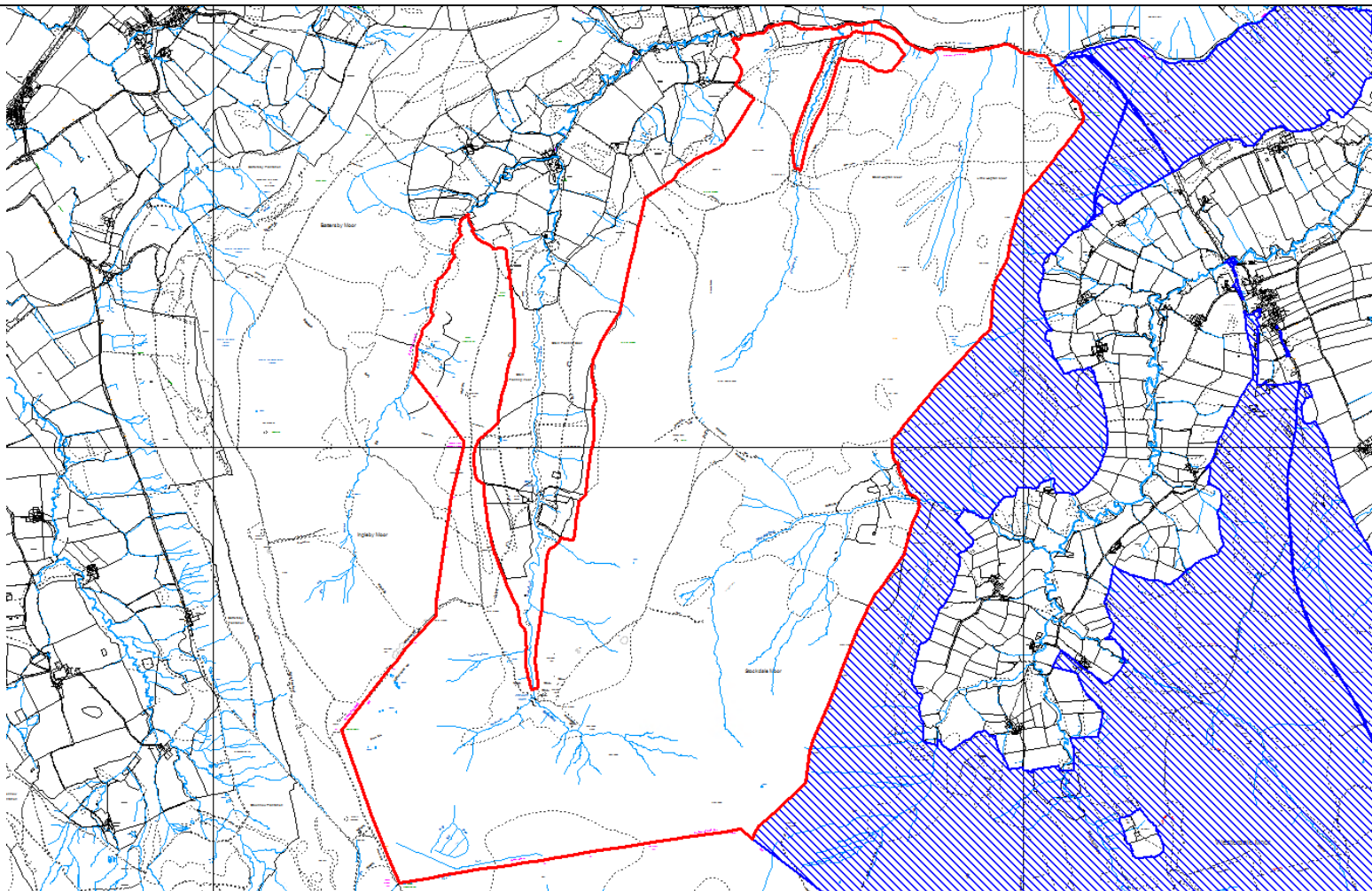
Karl Battersby

Corporate Director – Environment
North Yorkshire Council

Schedule

Description of the land seeking to be registered as common land

Baysdale Moor, Westerdale, as edged red on the notice plan.



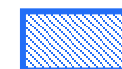
COMMONS ACT 2006

**CA13 APPLICATION (Ref. No. CA13 037) SEEKING TO
REGISTER LAND AS COMMON LAND KNOWN AS
BAYSDALE MOOR,
LOCATION PLAN**

NOTICE PLAN



Application site



Existing Common
Land

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration**This section is for office use only**

Official stamp

Application number

COMMONS ACT 2006

NORTH YORKSHIRE COUNCIL

COMMONS REGISTRATION AUTHORITY

DATE: 08 JUL 2025

CA13 037

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

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.

Note 3

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

2. Name and address of the applicant

Name:

The Open Spaces Society

Postal address:

c/o Frances Kerner
The Open Spaces Society
25a Bell Street
Henley-on-Thames
Oxfordshire

Postcode RG9 2BA

Telephone number:

Fax number:

E-mail address:

3. Name and address of representative, if any

Name:

Firm:

Postal address:

Postcode

Telephone number:

Fax number:

E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 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 282 (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:

CL282 was provisionally registered as common land on 17 December 1969. Following objections, the applicant withdrew the application. Part of CL282 is eligible for registration under para.4(5) of Schedule 2 to the Commons Act 2006.

Continuation Sheet to Q5 describes the registration history and provides evidence that the application land is waste land of a manor.

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:

Baysdale Moor

Location:

Centred on OS grid reference NZ642055

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

**7. Declarations of consent**

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. 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 (CL282)
- b) Register Maps (North Yorkshire NZ60NE, NZ60NW, NZ60SW)
- c) Application Nos.1774 and 1953
- d) Objection Nos. 0131 and 0382

<p>Note 9 <i>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.</i></p>	<p>9. Any other information relating to the application</p> <div style="border: 1px solid black; height: 250px; width: 100%;"></div>
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<p>Note 10 <i>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.</i></p>	<p>10. Signature</p> <p>Date: <div style="border: 1px solid black; padding: 5px; display: inline-block;">8 July 2025</div></p> <p>Signatures: <div style="border: 1px solid black; padding: 10px; display: inline-block; width: 200px; height: 80px; background-color: black; margin: 10px auto;"></div></p>
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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

The application land was provisionally registered pursuant to Application No. 1774 made on 17 December 1969 by the Ramblers' Association. The provisional registration was entered in the register of common land on 27 January 1970. A second application (No. 1953) was made by the Ramblers' Association on 28 December 1969 and noted in the register on 27 January 1970.

Two objections were made to the provisional registration. Objection No. 0131 made on 19 August 1970 was entered in the register of common land on 4 September 1970. The objection was made by the Rt. Hon. Richard Frederick Wood, Christopher Charles Egerton and Michael John Benjamin Todhunter represented by Messrs Trower, Still & Keeling, 5 New Square, Lincoln's Inn, London. The grounds of the objection were that 'This land was not common land at the date of registration' and that 'No rights of common exist over the said land'. Objection No. 0382 was made on 2 August 1971 by the Burwarton Estates Company represented by Messrs Hunters; the objection was entered in the register of common land on 10 August 1971. The grounds of the objection were 'That the land was not at the date of registration or at any time common land and no rights of common over it existed at that date or at any time'.

Following objection No. 0131, the Ramblers Association withdrew their application. The land is eligible for registration under paragraph 4(5) of Schedule 2 to the Commons Act 2006.

Description of the Application Land

Land which does not meet the criteria for registration has been excluded from the Society's application and is marked as excluded on the application plan. The application land is of manorial origin as demonstrated by the historical evidence (see below) and fulfils the descriptive character of waste land of a manor as defined in the case of *Attorney General v Hanmer*, i.e., the application land is 'the open, uncultivated and unoccupied lands parcel of the manor other than the demesne lands of the manor'.¹ The following description of the application land is supplemented by photographs which are in the Appendix.

Open

The application land is open, i.e., it is not physically enclosed. On the east boundary of the application land where it abuts registered common land (CL8, Westerdale Moor), the land is open. On the west boundary of the application land, the land is open. On the south boundary of the application land the land is open. On the north,

¹ (1858) 27 LJ Ch 837.

the application land is bounded by Baysdale Beck. Where the application land abuts enclosed fields there are walls and this is to be expected because there is a customary obligation to fence against a common.

Uncultivated

The application land is uncultivated. There is no engagement with farming or activity with the soil which causes the soil to be broken for productive purposes. Burning of heather to support the grouse population does not render the land cultivated.

Unoccupied

There is no profitable use of the land to the exclusion of others. The land is mapped as open country which gives the public a right of access.

Historical Evidence

Baysdale Moor was formerly situated in the township of Westerdale which was a detached part of the parish of Stokesley. The township comprised just under 16,000 acres.² Most of the application land was situated in the manor of Baysdale but a small part on the eastern boundary was situated in the manor of Westerdale. The Manorial Documents Register (MDR) records no surviving records for the manor of Baysdale and four relating to the manor of Westerdale. The Reverend Canon J. C. Atkinson did not complete his work on the history of Cleveland, but unpublished printed parts survive. Atkinson believed that the manor was formerly part of the manor of Stokesley (see Figure 1)

Figure 1: Extract from page 299 of Atkin's unpublished text.

As regards the ancient owners of Basedale there is every probability that it was always part and parcel of the Stokesley Manor and Lordship. Certainly Ada de Balliol gave not only a moiety of the barony of Stokesley to Hugh de Eure, but also a moiety of the forest of Basedale, and when the Stokesley property passed out of the possession of the Eures into the hands of Sir Richard Forster "all that forest, moor, or waste called Stokesley or Stockdale moor," which is simply the "moiety of the forest of Basedale " just named, was a part of the property so transferred.

Source: North Yorkshire County Record Office (NYRO)- ZAC: MIC 2142.

The connection with the Balliols is also cited in the *Victoria County History* relating to the parish of Westerdale and provides the descent of the manor following the dissolution of Basedale Priory.³ In 1729 the manor of Basedale was purchased by Ann, the daughter of William Peirson (see Figure 2).

² The National Archives (TNA): IR 29/42/405 (Tithe apportionment preamble).

³ A History of the County of York North Riding: Volume 2. Originally published by Victoria County History, London, 1923. See [here](#)

Figure 2: Extract from Lease and Release 26 & 27 December 1729 in Abstract of the Title of Sir Robert Mackreth & Moses Scrafton Trustees of James Bradshaw Peirson the father and James Bradshaw Peirson his deceased son to the Barony, Castle, Manor & Lordship of Stokesley & divers other Manors, Lands and Hereditaments in the County of York, 1801.

AND ALSO RECITING that said Ann Peirson had agreed with said Joseph Lawrence and Thomas Fotherley, for the absolute purchase of said Manor, Lands, and Hereditaments, for £730.

It was Witnessed that in consideration of £730 paid by said Ann Peirson in the proportions therein, and herein after mentioned, that is to say, the Sum of £307. 10s. unto the therein named Henry Cooke, by the direction, and as the proper Debt of said Joseph Lawrence, and £365 to said Thomas Fotherley, and for the other considerations therein mentioned, said John Preston and Thomas Clarke, by the directions of said Joseph Lawrence and Thomas Fotherley, testified as therein mentioned, Did Bargain, Sell, Alien, and Release; And they said Thomas Lawrence and Thomas Fotherley, Did grant, ratify, and confirm unto said Ann Peirson, her Heirs and Assigns.

ALL that the Manor or Lordship of Basedale, in the parish of Westerdale in the said County of York, with the Rights, Members and Appurtenances thereof or thereto belonging.

AND ALSO all that the capital Messuage, House or Tenement, and Farm, commonly called or known by the Name of Abbey Farm.

[14]

Source: NYRO-ZOZ. MIC 1431.

A subsequent sale in 1790 records the application land as 'Moor or Waste called Basedale Moor, to the said Manor of Basedale belonging' (see Figure 3).

Figure 3: Extract from Bargain & Sale, 23 January 1790 in Abstract of the Title of Sir Robert Mackreth & Moses Scrafton Trustees of James Bradshaw Peirson the father and James Bradshaw Peirson his deceased son to the Barony, Castle, Manor & Lordship of Stokesley & divers other Manors, Lands and Hereditaments in the County of York ,1801, (see red arrow and underline).

It is Witnessed, that for the purposes aforesaid, THEY said James Bradshaw Peirson the Father, and said James Bradshaw Peirson the Son, and Michael Bray, Did Grant, Bargain and Sell unto the said Peter Rorke, his Heirs and Assigns.

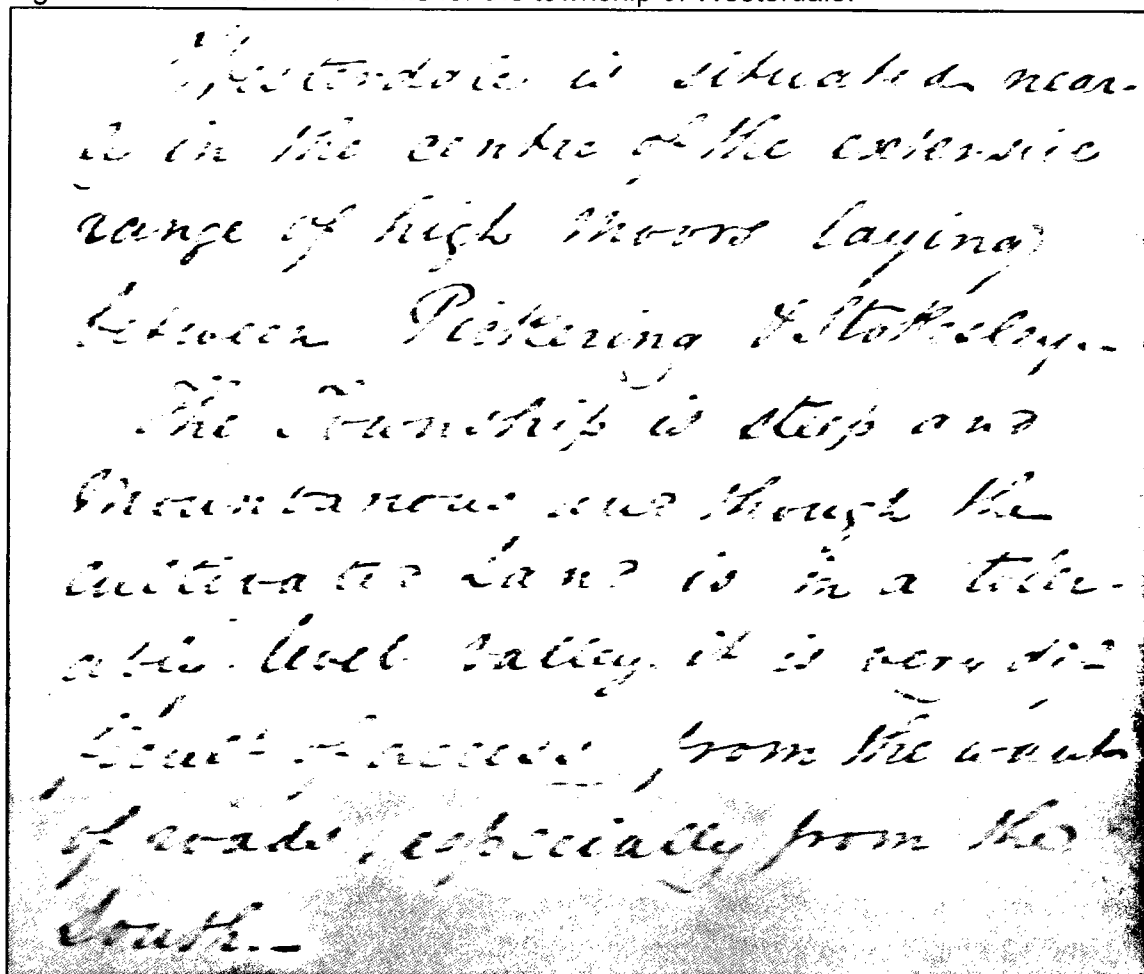
ALL THAT AND THOSE THE BARONY, MANOR AND LORDSHIP OF STOKESLEY, situate and being in said County of York, with the Rights, Members, Jurisdictions and Appurtenances thereto belonging—AND ALL that the Manor or Mansion House, in Stokesley aforesaid, with the Appurtenances thereto belonging—AND ALL that Forest, Moor or Waste called Stokesley Moor, situate in said County of York, with the Royalties and other Appurtenances thereunto belonging—AND ALSO ALL and singular the Messuages, Farms, Lands, Tenements, Mills and Hereditaments, situate within the Liberties, Fields and Territories of Stokesley aforesaid, with their and every of their Rights, Members and Appurtenances—

→ AND ALSO ALL that the Manor or Lordship of Bafedale, in said County of York—AND ALL that Moor or Waste called Bafedale Moor, to said Manor of Bafedale belonging or appertaining—AND ALSO ALL the Royalties, Members and Appurtenances, to said Manor and Moor or Waste of Bafedale and each of them belonging and appertaining—AND ALL the Messuages, Farms, Lands, Tenements and Hereditaments, situate within the Liberties, Fields or Precincts of Bafedale aforesaid, with their and every of their Rights, Members and Appurtenances—AND ALL that the Manor or Lordship of Upfal, in said County of

NYRO: ZOZ. MIC 1431.

By 1833, the manor was held by William Russell of Brancepeth Castle. When the Tithe Survey for the township of Westerdale was made in 1838, the application land was marked as 'Moore's' on the tithe map, but it was not recorded in the tithe apportionment; the tithe commissioner's report relating to the township of Westerdale described Westerdale as situated in the 'centre of an extensive range of high moors' (see Figure 4).

Figure 4: Extract from Tithe File for the township of Westerdale.



Westerdale is situated near
 it in the centre of the extensive
 range of high moors laying
 between Piddering & Stottley.-
 The Township is steep and
 mountainous: and though the
 cultivated land is in a toler-
 ably level valley, it is very dif-
 ficult of access, from the want
 of roads, especially from the
 south.-

Source: TNA-IR18/12294.

A perambulation of the manor of Westerdale made in 1844 indicates that the manor of Westerdale abutted the manor of Baysdale and that a small part of the manor of Westerdale is situated within the application land. The perambulation began at Black Sike and travelled south passing named boundary stones. At its most southern point the perambulation travelled in an east direction, then north and finally west to meet at Black Sike (see Figure 6 for Notice of the perambulation and Figure 7 for a written description of the perambulation).

Figure 6: Notice of intention of 8 July 1844 to perambulate the manor of Westerdale on 23 July 1844. Manor of Baisdale highlighted in section underlined in red.

NOTICE IS HEREBY GIVEN,

THAT the Honourable OCTAVIUS DUNCOMBE, M.P., Lord of the Manor of Westerdale, with its Members, and the Freeholders and Inhabitants thereof, intend to Perambulate the Boundaries of the said Manor, on TUESDAY, the 23rd Day of July inst., beginning at TEN o'Clock in the Forenoon, at a place called Black Syke, by Rob Hole, adjoining the Manor of Kildale and thence Southerly to Jub Cross, betwixt the said Manor and the Manor of Hapdale, and thence Easterly to Marjery Heradley, otherwise Heradlee, and White Cross, betwixt the Manors of Spanton and Hamedale, and thence to Dibble Bridge, and thence along the side of the River unto the place above-mentioned, called Black Syke, and there end

RON. PETCH,
Steward of the said Manor.
Kirby Mareside, July 8th. 1844

Source: NYRO: ZEWIII015. MIC 1302.

Figure 7: Extract from perambulation of the manor of Westerdale, 23 July 1844.
Place names and boundary stones relating to the manorial boundary between the manor of Westerdale and the manor of Baysdale underlined in red.

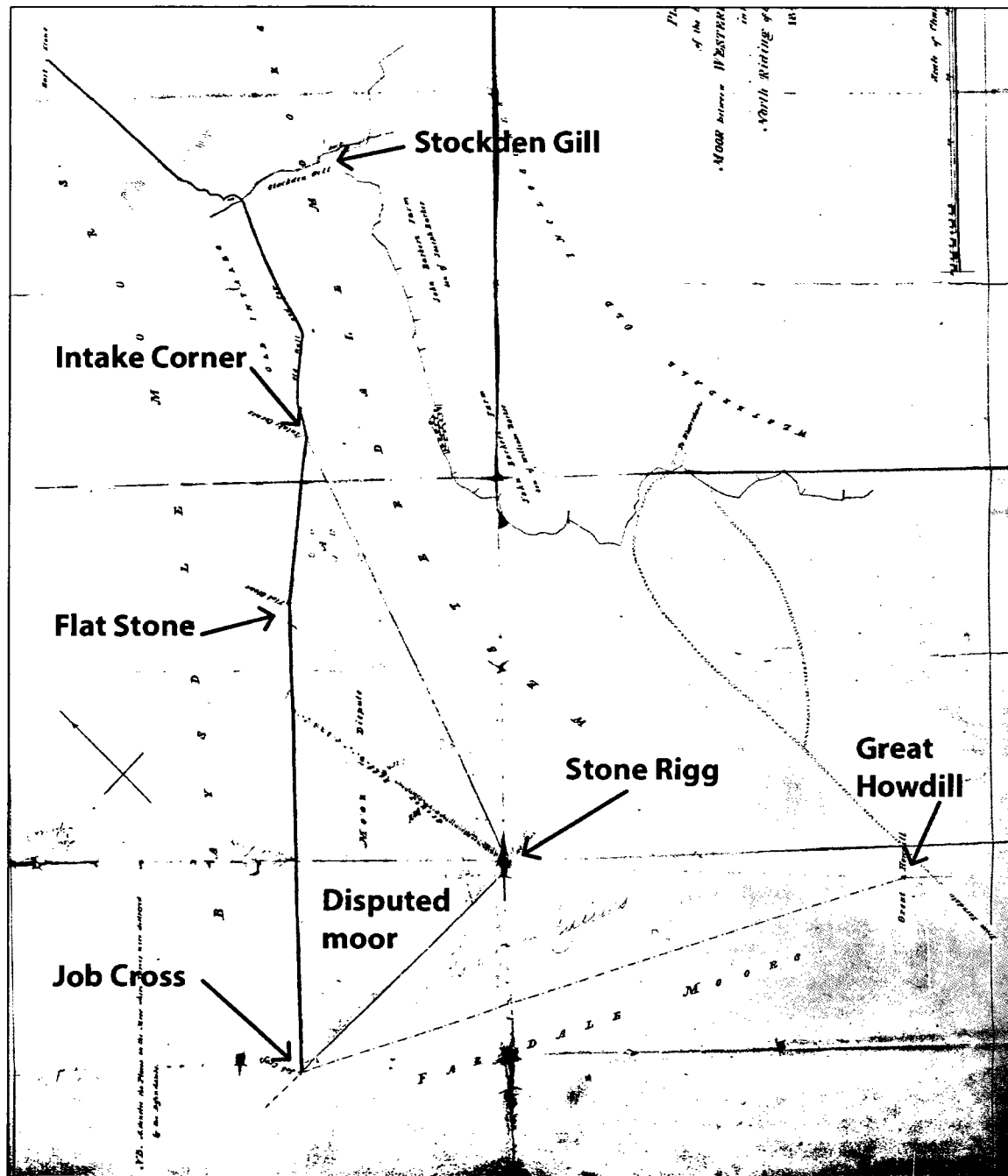
A View and Perambulation made this Twenty-third day of July, One Thousand Eight Hundred and Forty-four, by us whose names are hereunto subscribed, of the Limits and Bounds of the Manor of WESTERDALE, in the North Riding of the County of York, belonging to the Honourable OCTAVIUS DUNCOMBE, M. P. Lord of the said Manor.

Beginning at Black Sike, by Hob Hole, from thence to Stokesley Cross, and thence to Skinner How Cross, from thence to a Boundary Stone, called Pike Stone, (marked P,) from thence to How Cot Stone, otherwise Horse Shoe Stone, from thence Northward to a Stone in Hart Slack, otherwise Hart Sike Slack, from thence Southward over Stockden Gill, and so up the Gill to the Intake Corner, from thence to a Flat Stone with a Cross upon it lying in the way to Stoney Rig, from thence to Stoney Rig, from Stoney Rig to a Standing Stone called Job Cross, from thence to a Boundary Stone at Great Howdill, from thence to Eskletts Cross, from thence to Far Flat How, from thence Eastward to a Stone called Margery Bradley otherwise Breadless, from thence to a Standing Stone called White Cross, from thence to Stone Rook Hill, between the Lordships of Danby and Westerdale, from thence descending the Top or along the Ridge to Gallow How and Crown End, even as the rain water falleth both ways even to Dibble Bridge, from thence along the South side of the River Westward unto the place before mentioned called Black Sike, and there ends.

Source: NYRO: ZEWIII1015. MIC 1302.

In 1845 a dispute arose relating to the southernmost part of the moor between Baysdale and Westerdale and a map was drawn to highlight the disputed area. Place-names and boundary stones on the map relate to the perambulation of 1844 (see Figure 8).

Figure 8: Extract from Plan of the Disputed moor between the Westerdale and Baysdale showing place names and boundary stones recorded in the perambulation of 1844.

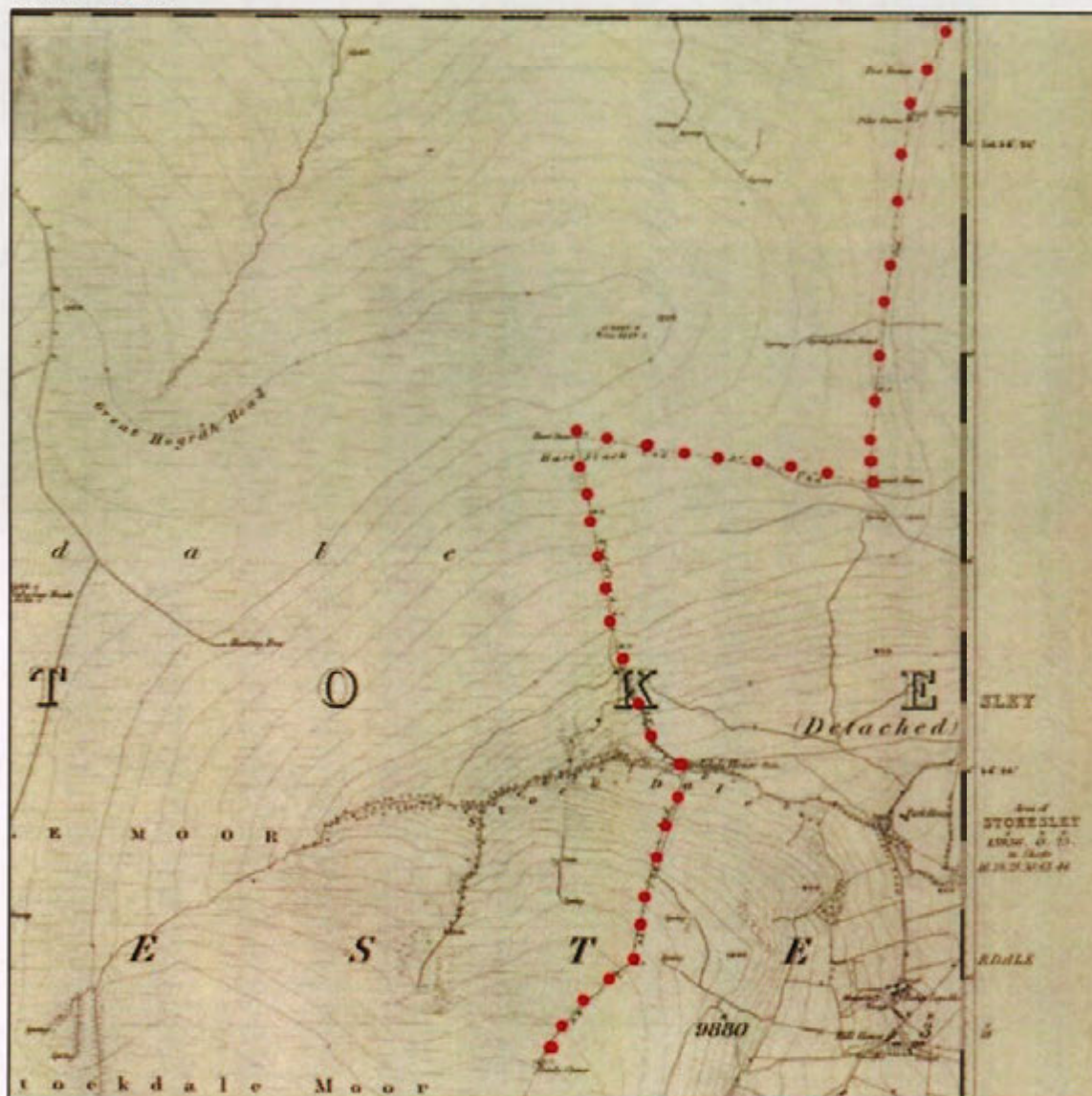


Source: ZEW maps MF 1600.

As seen on the Ordnance Survey County Series six-inch map, the manorial boundary recorded in the perambulation of 1844 took a sharp deviation to the west and then headed south from Hart Slack to Stockdale Beck (Stockden Gill) where it then proceeded further south. The register map drawn to record the provisional registration of

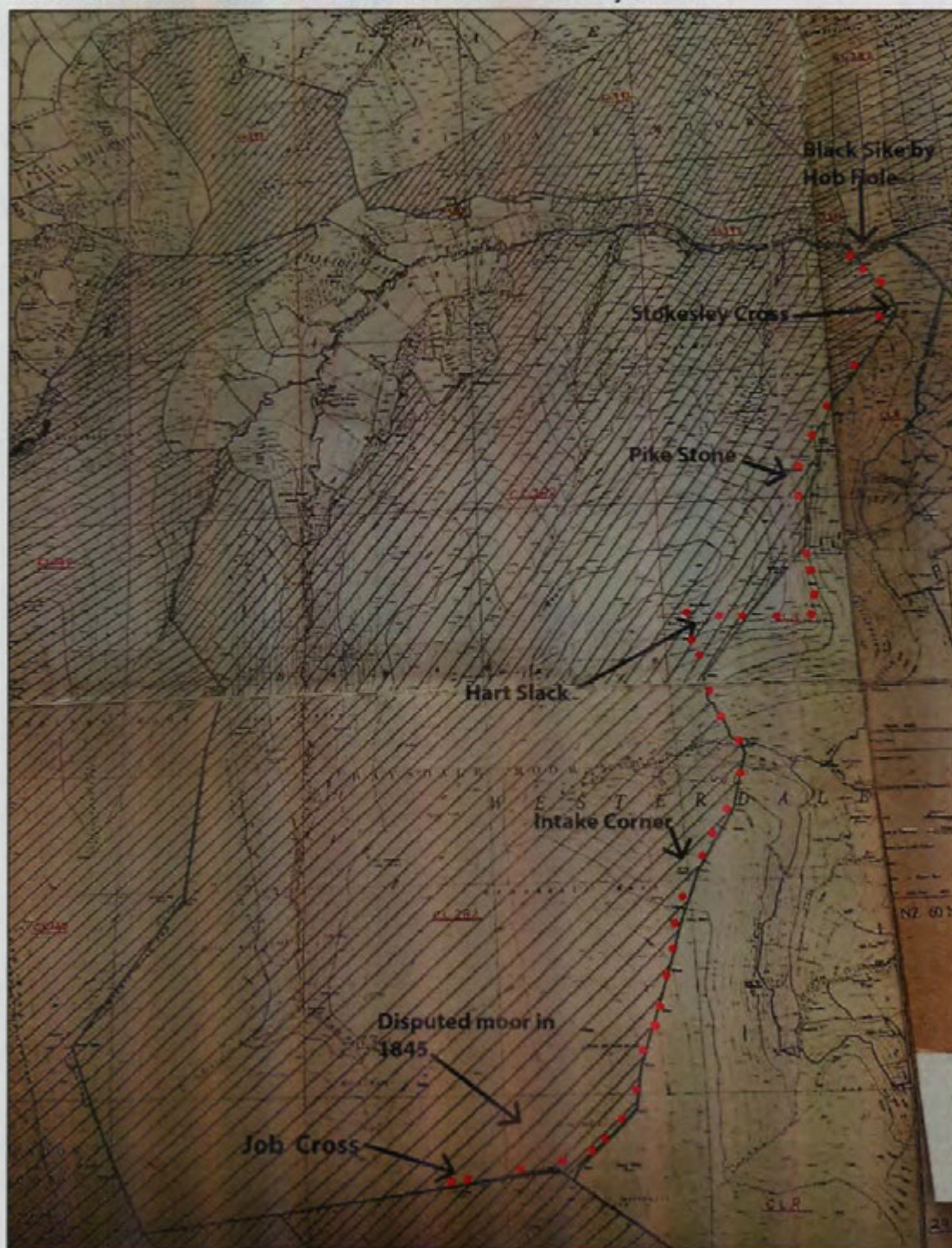
CL282 follows the old manorial boundary in places but does not align with the sharp deviation as described. The perambulation confirms that at the boundary stone called Pike Stone and at the point of the sharp deviation, parts of the application land are situated in the manor of Westerdale (see Figures 9 and 10).

Figure 9: Extract from Ordnance Survey Yorkshire Sheet 43, Surveyed 1853 to 1854, Published 1857. Red dotted line shows manorial boundary described in perambulation of 1844.



Source: National Library of Scotland: Yorkshire Sheet 43, Surveyed 1853 to 1854, Published 1857.

Figure 10: Register map annotated with place names and boundary stones relating to the perambulation of 1844 and dispute of 1845. Red dotted line shows boundary between the manor of Westerdale and the manor of Baysdale.⁴



Source: Register map showing CL282 (see footnote 4).

⁴ There is more than one register map relating to the application land. For ease of explanation, extracts are combined to show the extent of the land which was provisionally registered.

Following the death of William Russell in 1850, the manor came into the hands of his sister Emma Maria, wife of Gustavus Frederick John James Hamilton. In 1855 he became the seventh Viscount Boyne; she died in 1870. Following Viscount Boyne's death in 1872 his son Gustavus Russell became the lord of the manor. In 1877 when perambulations were made of the local area, Lord Boyne was recorded as lord of the manor of Baysdale (see Figure 11).

Figure 11: Extract from 'List of neighbouring owners relating to a perambulation of 1877' (see entry underlined in red and transcription below).

[illegible]

Source: NYRO- ZEWIII1015, MIC 1302 (Papers relating to the manor of Westerdale and recorded on the MDR).

Transcription:

Manors

Baysdale

Care of []⁵

Land agent A. J Peirson

Lords

Lord Boyne

agents

H. J. Peirson, Brancepeth

Durham

Brancepeth, Durham

In 1907, Gustavus Russell was succeeded by his son Gustavus William Viscount Boyne. When the application land was surveyed in relation to the Finance (1909–10) Act 1910, Gustavus William Viscount Boyne, as lord of the manor of Baysdale claimed sporting rights.⁶ While no common rights were recorded in the field book relating to the survey, this is not relevant to the Society's application because it is concerned only with waste land of the manor not subject to common rights.

Summary

The application land is manorial in origin, situated in the manor of Baysdale with a small part situated in the manor of Westerdale. Save for the taking in of parts of the waste for plantations over time, the remainder of Baysdale Moor remains open, unenclosed and unoccupied.

⁵ Illegible.

⁶ TNA: IR 58/73807. (Hereditament 453, Baysdale Moor, Sporting Rights).

Appendix Photographs

(location of photographs identified by Ordnance Survey grid reference)

Photograph 1: Grid Reference NZ651067 looking east.



Photograph 2: Grid Reference NZ651067 looking west.



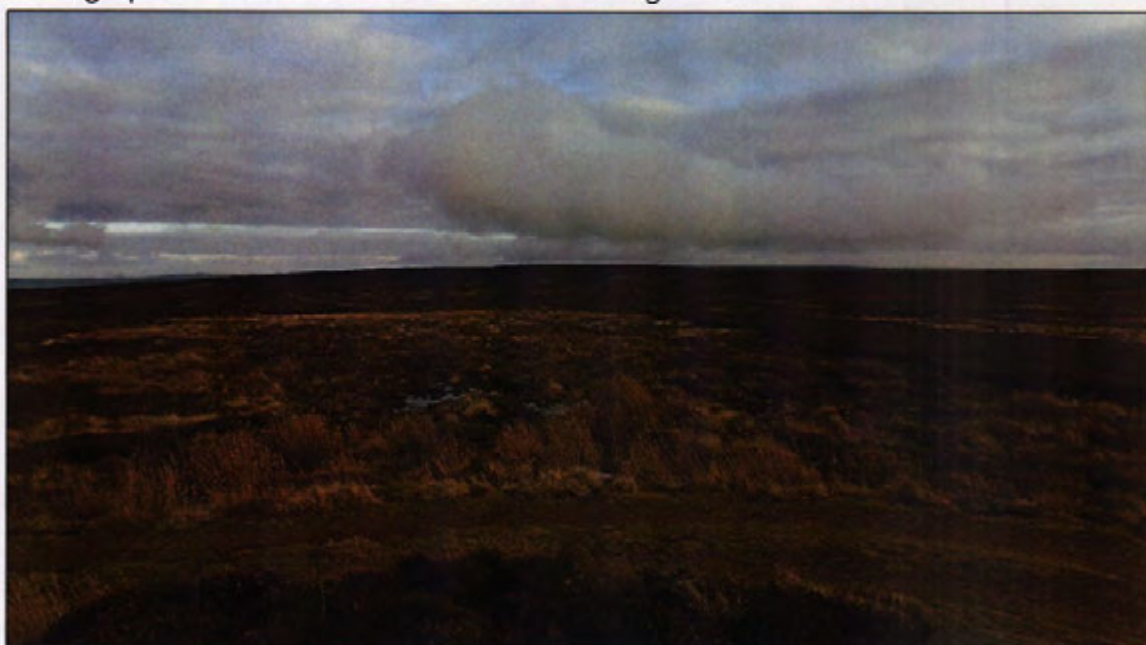
Photograph 3: Grid Reference NZ611022 looking north.



Photograph 4: Grid Reference NZ611022 east.



Photograph 5: Grid Reference NZ607032 looking east.



Photograph 6: Grid Reference NZ607032 looking north.



Photograph 7: Grid Reference NZ614045 looking east.



Photograph 8: Grid Reference NZ614045 looking north.



Photograph 9: Grid Reference NZ614052 looking east.



Photograph 10: Grid Reference NZ636066 looking east.



Photograph 11: Grid Reference NZ630051 looking east.



Photograph 12: Grid Reference NZ630051 looking north.



Photograph 13: Grid Reference NZ630051 looking south.



Photograph 14: Grid Reference NZ630051 looking west.



The land that is shaded pink was provisionally registered as CL282 but is now considered ineligible for registration and does not form part of the application land.

Rev	Description	By	Date	Chg's	Auth
A	Ordinance Survey 1958 update	OPF	12.04.25	Drift	OPF
B	Edit update	OPF	23.04.25	Drift	OPF
C	Edit update	OPF	24.04.25	Drift	OPF
F	Edit update	OPF	25.06.25	Drift	OPF
G	Edit update	OPF	28.06.25	Drift	OPF
H	Edit update	OPF	30.06.25	Drift	OPF
J	Final issue	OPF	02.07.25	Final	OPF

Open Spaces Society

Commons Act 2006

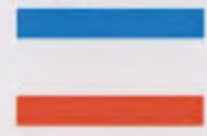
Baysdale Moor (CL282)



Original Scale	Drawn	Checked	Authorised
A3@1:10,000	CPF	FINAL	CPF
Date 17.02.25	Date 02.07.25	Date 02.07.25	
Drawing Number			Rev
2025_04_01			J
Sheet No 1 of 3			



Legend



The land shaded blue is land that was provisionally registered as CL282, the registration of which was cancelled. The land is eligible for registration as common land under paragraph 4 of Schedule 2 to the Commons Act 2006 and comprises the application land.

The land that is shaded pink is provisionally registered as CL282 but is now considered ineligible for registration and does not form part of the application land.

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Ordnance Survey 100018971

No.	Description	By	Date	Chk'd	Auth	Clerk
A	Ordnance Survey 1958 update	CPF	12.08.25	Draft	CPF	
C	Edt update	CPF	24.04.25	Draft	CPF	
F	Edt update	CPF	25.06.25	Draft	CPF	
E	Edt update	CPF	28.06.25	Draft	CPF	
H	Edt update	CPF	30.04.25	Draft	CPF	
J	Final issue	CPF	02.07.25	FINAL	CPF	

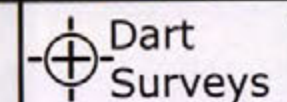
Open Spaces Society

Commons Act 2006

Mapping Scale 1:10000
Meters

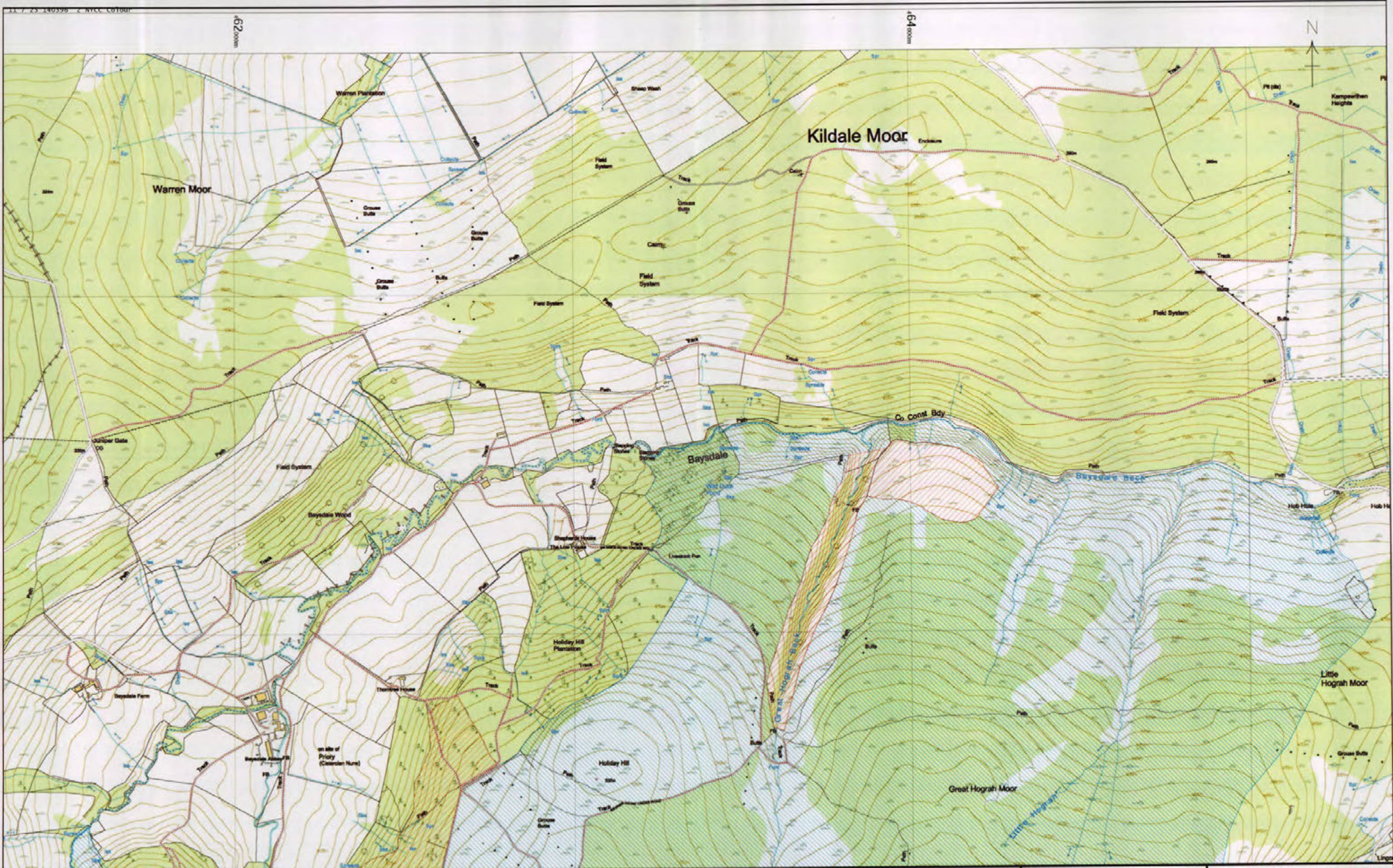


Project
Boysdale Moor (CL282)



3 Lower Brookfield Terrace
Lanleigh
Newton Abbot
Devon, TQ13 9TP
Tel: 01647 277446
www.DartSurveys.co.uk

Original Scale	Drawn	Checked	Authorised
A3@1:10,000	CPF	FINAL	CPF
	Date 17.02.25	Date 02.07.25	Date 02.07.25
Drawing Number	2025_04_01		Rev
	Sheet No 2 of 3		H



Legend



The land shaded blue is land that was provisionally registered as CL262, the registration of which was cancelled. The land is eligible for registration as common land under paragraph 4 of Schedule 2 to the Commons Act 2006 and comprises the application land.

The land that is shaded pink was provisionally registered as CL262 but is now considered ineligible for registration and does not form part of the application land.

© Crown copyright and database rights February 2025
Ordnance Survey 100018871

Rev	Description	By	Date	Chk'd	Auth
A	Ordnance Survey 1958 update	CPF	12.08.25	Draft	CPF
C	Edit update	CPF	24.04.25	Draft	CPF
F	Edit update	CPF	25.06.25	Draft	CPF
G	Edit update	CPF	28.06.25	Draft	CPF
H	Edit update	CPF	30.06.25	Draft	CPF
J	Final issue	CPF	03.07.25	FINAL	CPF

Client: Open Spaces Society

Mapping Scale 1:10000

Meters

0 100 500

Title: Commons Act 2006

Project: Baysdale Moor (CL262)

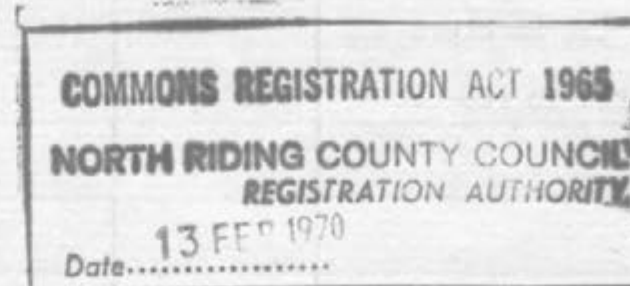
Dart Surveys

3 Lower Brookfield Terrace
Luscombe
Newton Abbot
Devon, TQ13 9JF
Tel: 01437 273446
www.dartsurveys.co.uk

Original Scale	Draft	Checked	FINAL	Authorised	CPF
A3@1:10,000	Date 17.02.25	Date 02.07.25	Date 02.07.25		
Drawing Number	2025_04_01				
	Sheet No 3 of 3				

Rev J

Register of COMMON LAND



Register unit No. C.L. 282

Edition No.

See Overleaf
for Notes

LAND SECTION—Sheet No.1

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1 27th Jan. 70	<p>The tract of land known as Baysdale Moor in the Parish of Westerdale as shown with a green verge line inside the boundary on Sheets 29A, 29B and 29C of the</p> <p>register map and distinguished by the number of this register unit. Registered pursuant to Application No. 1774 made the 17th December, 1969 by the Ramblers</p> <p>Association through Richard Harland, their solicitor. (Registration Provisional)</p> <p>Registration Cancelled 4th June, 1973.</p>

No. and date of note	Notes	No. and date of note	Notes
1 27th Jan. 70	Application No. 1953 made the 28th December, 1969 by the Ramblers Association, 424 Finchley Road, London, N.W. 3 is noted in respect of entry no. 1 overleaf.		
2 4th Sept. 70	The objection No. 0434 of The Rt. Hon. Richard Frederick Wood, P.C., M.P., Flat Top House, Bishop Wilton, Christopher Charles Egerton, M.C., Great Edstone House, Kirbymoorside, Yorks, and Michael J.B. Tedhunter, 30 Cornhill, London E.C. 3 is noted in respect of Entry No. 1 in this section. Objection Upheld Registration Cancelled 4th June 1973.		
3 10th & Aug. 1971	The objection No. 0382 of Messrs. Hunters, Solicitors, 9 New Square, Lincoln's Inn, London W.C. 2 for the Burwarton Estates Company made 2nd August, 1971 is noted in respect of the registration at Entry No. 1 in this section. Objection Upheld Registration Cancelled 4th June 1973.		

COMMONS REGISTRATION ACT, 1965
Provisional Register Map of Common
Land/Town or Village Greens
(Sheet No. 29A) This is the 2nd edition of this sheet

KEY TO COLOURING AND SYMBOLS
Colouring and/or Symbol
Yellow verged inside the boundary and the word "Exempted"
Green verged inside the boundary and the appropriate register unit number
Red interrupted line verged yellow or green, as the case may be, inside the boundary
Red continuous line suitably lettered, or lettering alone.
Violet hatching, and where necessary, lettering as well.
Blue interrupted line.
Other colourings 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 shown.
Boundary of land where no boundary feature appears on the Ordnance Survey map.
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.
Boundary of Registration Area falling within the map.

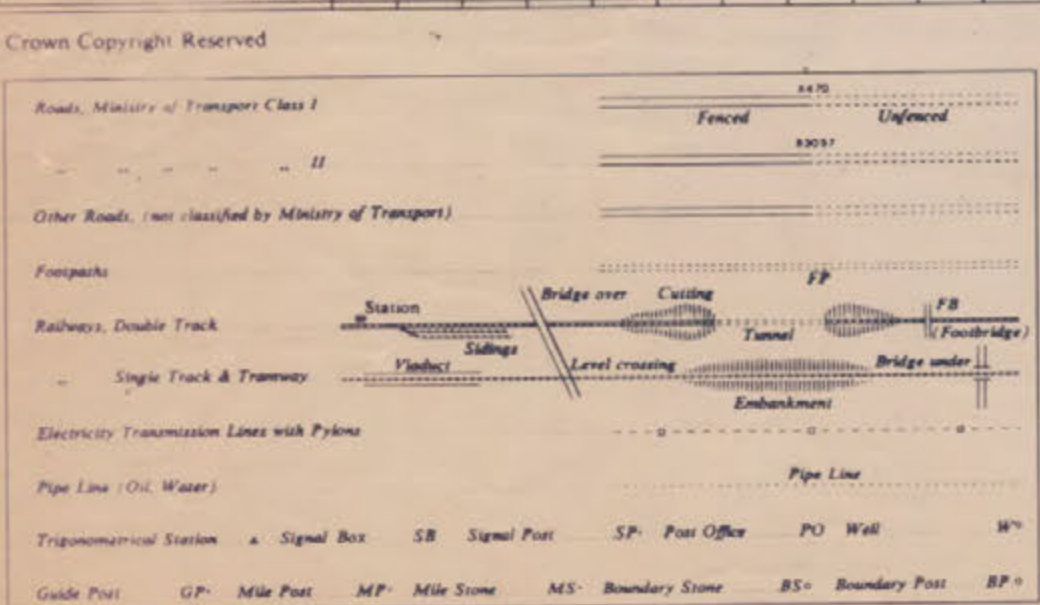
COMMONS REGISTRATION ACT 1965
NORTH RIDING COUNTY COUNCIL
REGISTRATION AUTHORITY
Date: 16 MAR 1970

Signed: *[Signature]*
Clerk of the County Council

RYEY

Provisional Edition

SHEET NZ 60 NW



INDEX TO ADJOINING SHEETS

NZ 51 SE	NZ 61 SW	NZ 61 SE
NZ 50 NE	NZ 60 NW	NZ 60 NE
NZ 50 SE	NZ 60 SW	NZ 60 SE

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

Price 6/- net.

THE NATIONAL GRID
TO GIVE A GRID REFERENCE CORRECT TO 100 METRES

EXAMPLE

Thursford House

The Grid Letters on this sheet are NZ.

EAST

Take west edge of kilometre square in which point lies and read the large figures printed opposite this line on north or south margin.

NORTH

Take south edge of kilometre square in which point lies and read the large figures printed opposite this line on east or west margin.

Full 100 Metres Reference NZ 624068

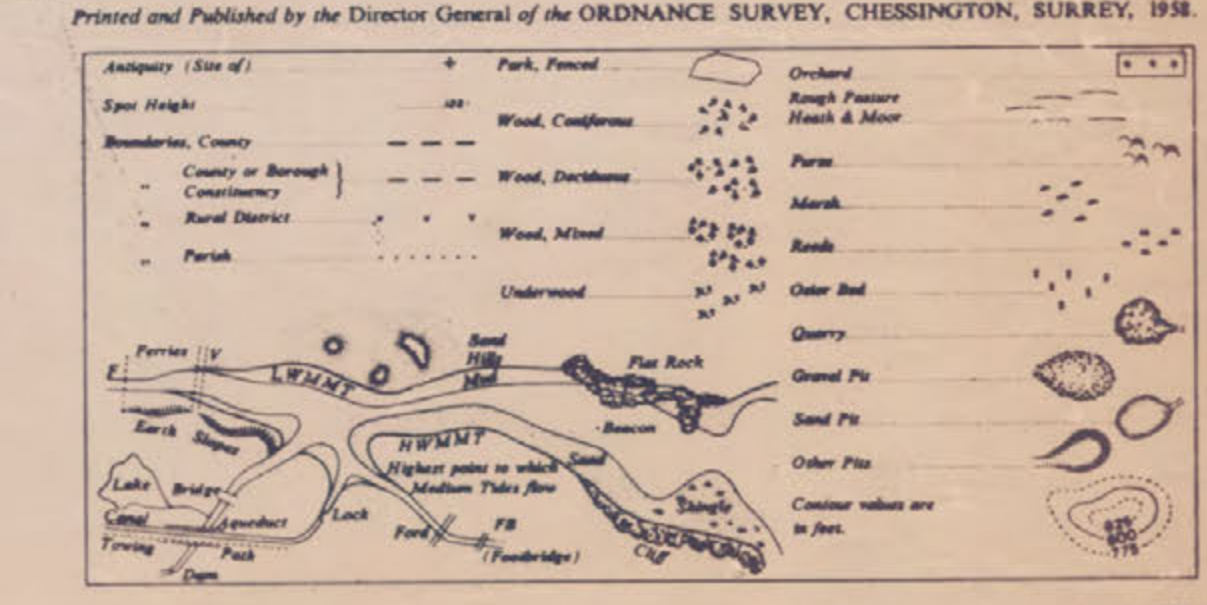
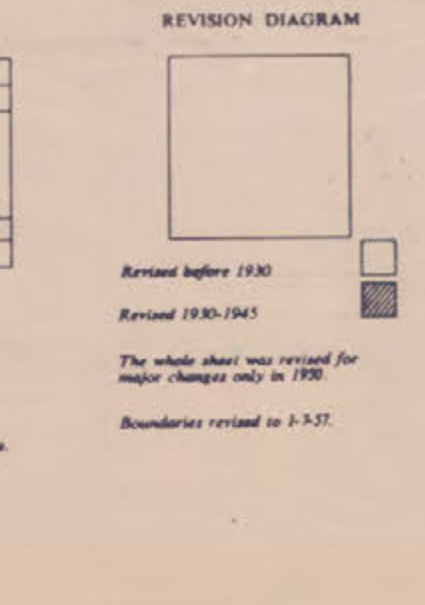
The above Full Reference is unique. For many purposes the first grid letter can be omitted, giving a reference, Z 624068, which refers to intervals of 100 Kilometres. If both grid letters are omitted, the resulting reference 624068 refers to intervals of 100 Kilometres. When the area concerned is sufficiently restricted, as will usually be the case with maps on scales of one inch to the mile and larger, both the grid letters are normally omitted.

At the Eastern edge of this sheet True North is 0° 49' West of Grid North and at the Western edge 0° 45' West of Grid North.

Magnetic North was about 10° West of Grid North in 1857, decreasing by about 1" in four years.

Heights are in feet above Mean Sea Level at Newlyn.

1 square inch on this map represents 1778 acres on the ground.



SHEET NZ 60 NW

SHEET NZ 60 NW
YORKSHIRE

29A

Revised Price 7/0 net.

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

(Sheet No. 29B) This is the edition of this sheet

COMMONS REGISTRATION ACT 1965
NORTH RIDING COUNTY COUNCIL
REGISTRATION AUTHORITY
16 MAR 1970

Signed: *[Signature]*
Clerk of the County Council

KEY TO COLOURING AND SYMBOLS

Colouring and/or Symbol

Yellow verged inside the boundary and the word "Exempted"
Green verged inside the boundary and the appropriate register unit number
Red interrupted line verged yellow or green, as the case may be, inside the boundary
Red continuous line suitably lettered, or lettering alone.

Violet hatching, and where necessary, lettering as well.
Blue interrupted line.
Other colourings 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 shown.

Boundary of land where no boundary feature appears on the Ordnance Survey map.

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.

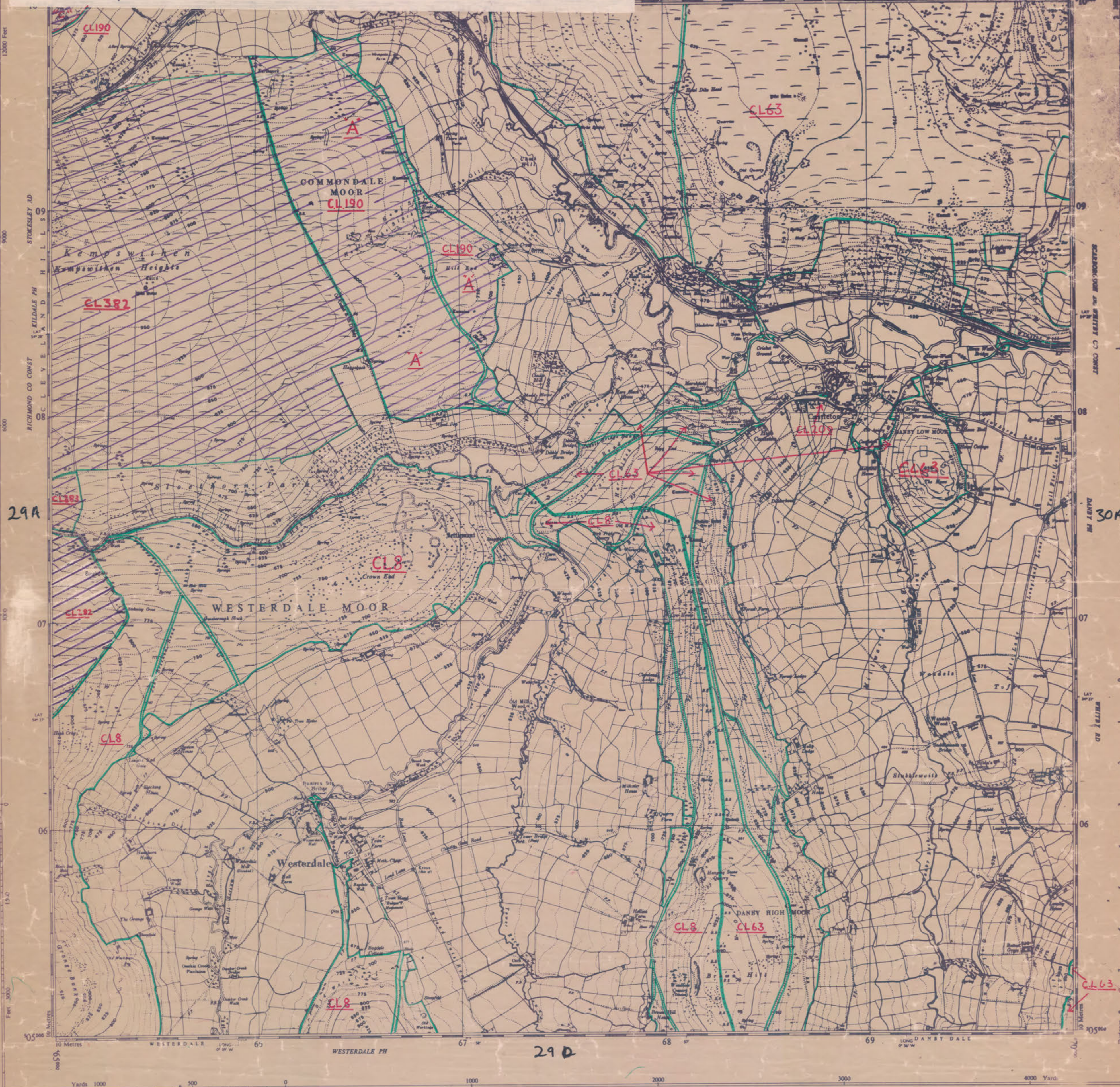
Land which has been removed from the register under Section 13 of the Act, or of which the registration has been cancelled.

Boundary of Registration Area falling within the map.

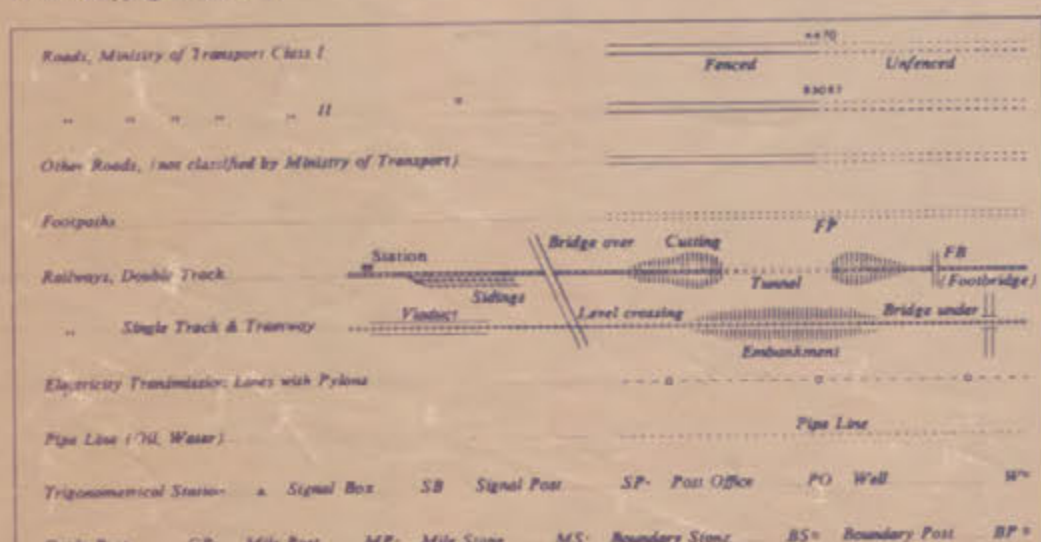
1
EY
Mile

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

SHEET NZ 60 NE



Crown Copyright Reserved



Price 6/- net.
Revised Price 7/0 net.

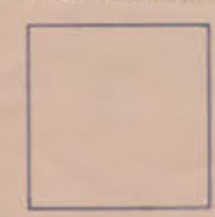
THE NATIONAL GRID

TO GIVE A GRID REFERENCE CORRECT TO 100 METRES

EXAMPLE
The Grid Letters on this sheet are NZ
EAST
Take west edge of kilometre square in which point lies and read the large figures printed opposite this line on east or west margin.
Estimate tenths Eastwards.
NORTH
Take south edge of kilometre square in which point lies and read the large figures printed opposite this line on north or south margin.
Estimate tenths Northwards.

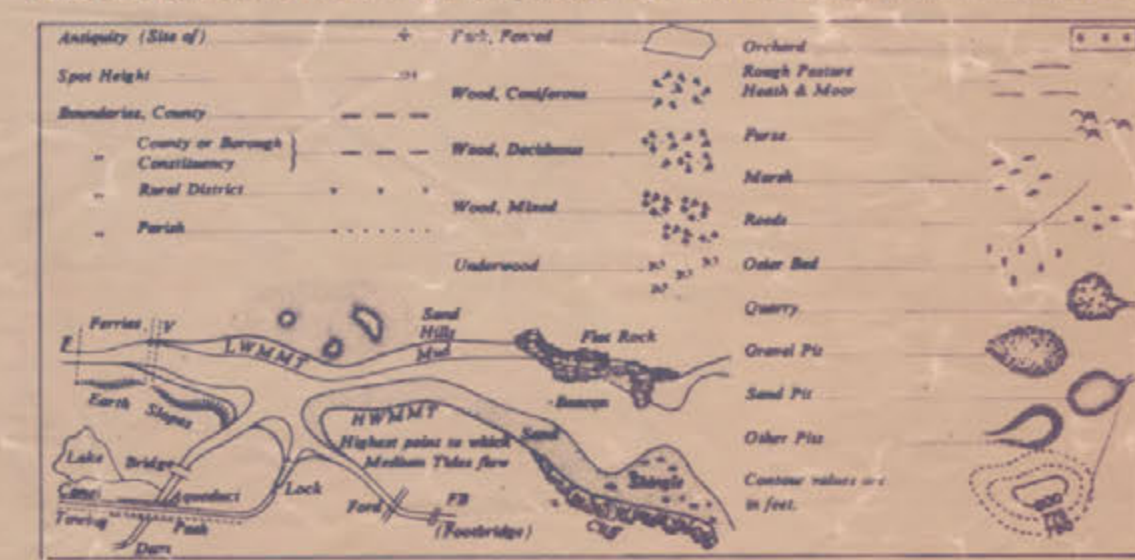
Full 100 Metre Reference NZ 679777
The above Full Reference is unique. For many purposes the first grid letter can be omitted, giving a reference, e.g. 679777, which covers an interval of 100 Kilometres. If both grid letters are omitted, the resulting reference (679777) covers an interval of 100 Kilometres. When the area concerned is sufficiently restricted, as will usually be the case with maps on scales of one inch to the mile and larger, both the grid letters are normally omitted.
At the Eastern edge of this sheet True North is 6° 55' West of Grid North and at the Western edge 8° 45' West of Grid North.
Magnetic North was about 10° 14' West of Grid North in 1957 decreasing by about 1" in four years.
Heights are in feet above Mean Sea Level at Newlyn.
1 square inch on this map represents 17.778 acres on the ground.

REVISION DIAGRAM



Revised before 1930
Revised 1930-1945
The whole sheet was revised for major changes only in 1957.
Boundaries revised in 1957.

Printed and Published by the Director General of the ORDNANCE SURVEY, CHESBINGTON, SURREY, 1958.



SHEET NZ 60 NE

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

PROVISIONAL REGISTER MAP OF COMMON
LAND
(SHEET NO. 29B) THIS IS THE
EDITION
OF THIS MAP
SIGNATURE: *[Signature]*

SHEET NZ 60 NE
YORKSHIRE

29B

This section for official use only.

Official stamp of registration authority indicating date of receipt

Application No. 1774

Register Unit No(s):

CL 282
CL
CL

<p>COMMONS REGISTRATION ACT 1965</p> <p>NORTH RIDING COUNTY COUNCIL REGISTRATION AUTHORITY</p> <p>30 DEC 1969</p> <p>Date.....</p> <p>COMMONS REGISTRATION ACT 1965</p>

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.

¹Insert name of registration authority (see Note 1).

To the¹ **NORTH RIDING OF YORKSHIRE COUNTY COUNCIL**

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 fore-names 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.)

Rancker Dr.,
120 Trinchley Rd
NW3

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.)

Richard Baines
Fremington.

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

Baysdale Moor

Locality

Baysdale

²Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith²

Edged 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 whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

(a) 189

³If the applicant is a body corporate or unincorporate the application must be signed by the secretary or some other duly authorised officer.

³Signature of applicant or of person on applicant's behalf.

[Redacted signature]

Date

17.12.69

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, Richard Hume
solemnly and sincerely declare as follows:

²Strike out this paragraph if it does not apply.

1. ²I am the person who has made the foregoing application.

³Insert capacity in which acting.

2. ²I am ³Solicitor to the applicant and am duly authorised by the applicant to make the foregoing application.

^{3A}The words "unless it is a town or village green as defined in the Commons Registration Act 1965" may be added here if the applicant can only declare to a belief that the land is one or the other. This will avoid inconsistency if the applicant intends to apply to have the land registered also as a town or village green.

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.^{3A}

4. ⁴The plan now produced and shown to me marked ⁵A 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.

⁴Strike out this paragraph if there is no plan.

⁵Insert "marking" as on plan (see Note 5).

Declared by the said Richard Hume
Hume
at Thames Valley
in the County of York of York
this 17th day of Dec. 1965

Before me,

Signature

Address

Qualification

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.



Surveyed in 1853-54. Revised in 1910-11. Lasting Revised in 1911.
Imprint 80/38, 80/39, 80/41, 80/42.

CHARACTERISTICS

County Boundary	— — — — —	Antic
Parliamentary Division Boundary	— — — — —	Arms
Union Boundary	— — — — —	Grid
Rural District Boundary	— — — — —	Grid
Parish Boundary	— — — — —	Grid

For other information see

NORTH YORKS & SOUTH DURHAM FEDERATION

TORKS. IN. R. TO T. L.

GRAIN BECK

Ingleby Moor
Baysdale Moor
Burton Howe

THE RAMBLERS ASSOCIATION,
NORTH YORKS & SOUTH DURHAM FEDERATION

THIS IS THE EXHIBIT MARKED 'A'
REFERRED TO IN THE STATUTORY
DECLARATION OF RAMSAY MACDONALD
BETTINSON MADE THIS DATE 28/12/19
BEFORE ME

Justice of the Peace

BAYSDALE MOOR
WEATHERING

Form 7 (Revised)

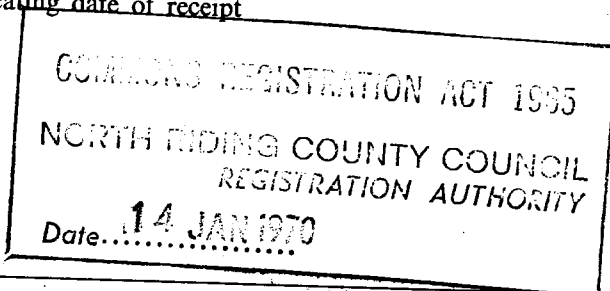
This section for official use only.

Official stamp of registration authority indicating date of receipt

Application No. 1953

Register Unit No(s):

CL 282
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.

¹Insert name of registration authority (see Note 1).

To the ¹YORKSHIRE NORTH RIDING COUNTY COUNCIL

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 surnames 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.)

RAMBLERS' ASSOCIATION
124 FINCHLEY ROAD
LONDON N.W.3

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.)

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 BAYSDALE MOOR / WESTERDALE

Locality WHITBY R.D.C.

²Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith²

EDGE MARKED IN RED

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.

NO reason (a) number 189 OR 190

³If the applicant is a body corporate or unincorporate the application must be signed by the secretary or some other duly authorised officer.

³Signature of applicant or of person on applicant's behalf.

[Redacted Signature]

Date

28/12/69

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, Ramray Macdonald Beltson
solemnly and sincerely declare as follows:

²Strike out this paragraph if it does not apply.

1. ~~I am the person who has made the foregoing application.~~

³Insert capacity in which acting.

2. I am ³Area Secretary to the applicant and am duly authorised by the applicant to make the foregoing application.

^{3A}The words "unless it is a town or village green as defined in the Commons Registration Act, 1965" may be added here if the applicant can only declare to a belief that the land is one or the other. This will avoid inconsistency if the applicant intends to apply to have the land registered also as a town or village green.

3. I have read Note 2 and 3 on the back of the application form and believe that the land described in the application is common land.^{3A}

4. ⁴The plan now produced and shown to me marked ^{5A}"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.

⁴Strike out this paragraph if there is no plan.

⁵Insert "marking" as on plan (see Note 5.)

Declared by the said Ramray M Beltson

at 1 Lynmouth Road
in the Parish of Worton
this 28th day of Dec 1969

Before me,

Signature

Address

83 Junction Road
Worton, Teesside

Qualification

Justice of the Peace

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 a 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 under wood (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, 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 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 a 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 acknowledgement 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 acknowledgement. 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.



Surveyed in 1853-54. Revised in 1910-11. Lasting Revised in 1911.
Imprint 80/38, 80/39, 80/41, 80/42.

CHARACTERISTICS

County Boundary	— — — — —	Antic
Parliamentary Division Boundary	— — — — —	Arms
Union Boundary	x x x x x	Grid
Rural District Boundary	v v v v v	Grid
Parish Boundary	Grid

For other information see

NORTH YORKS & SOUTH DURHAM FEDERATION

TORKS. IN. R. TO T. L.

GRAIN BECK

Ingleby Moor
Baysdale Moor
Burton Howe

THE RAMBLERS ASSOCIATION,
NORTH YORKS & SOUTH DURHAM FEDERATION

THIS IS THE EXHIBIT MARKED 'A'
REFERRED TO IN THE STATUTORY
DECLARATION OF RAMSAY MACDONALD
BETTINSON MADE THIS DATE 28/12/19
BEFORE ME

Justice of the Peace

BAYSDALE MOOR
WEATHERING

This portion to be detached and sent
to the registration authority.

C.R. Form 26 (OBJECTION FORM)

For official use only

Official stamp of registration authority indicating
date of receipt.

OBJECTION to registration(s) under the Commons
Registration Act 1965.

To the (name of registration authority) North Riding
of Yorkshire County Council.

Objection No. 031

I hereby object to the under-noted registration(s)
on the grounds stated.

1. Name and address of person making the objection.

1. The Rt.Hon.Richard Frederick Wood,
P.C., M.P., Flat Top House
Bishop Wilton, Yorks.
Christopher Charles Egerton, M.C.
Great Edstone House
Kirbymoorside, Yorks.
Michael John Benjamin Todhunter
30 Cornhill, London, E.C. 3.

2. Name and address of solicitor if any. (Fill this space
only if a solicitor has been instructed for the purposes
of the objection. If it is filled, all correspondence
and notices will be sent to the solicitor.)

2. Messrs.Trower, Still & Keeling
5 New Square, Lincoln's Inn
London, W.C.2.

3. Reference (if any) of the objector or his solicitor.

3. JJB/T/27201

4. Register in which the registration(s) objected to
appear(s).

*Common Land/Town or Village Greens

5. Register unit number.

C.L. 282

6. Section of register in which registration appears.

*Land/Rights/Ownership

7. Registration entry number(s).

1 27th January 1970

8. Grounds of objection. (If a plan is sent, the fact should be mentioned here. The plan must be signed by the
person who signs the form.)

(a) This land was not common land at the date of
registration.

(b) No rights of common exist over the said land.

Dated

August, 19 70

Signature

(In the case of an objection by a body corporate or unincorporate, or charity trustees, this form must be signed by the
secretary or some other duly authorised officer.)

*Strike out whichever does not apply.

This portion to be detached and sent
to the registration authority.

C.R. Form 26 (OBJECTION FORM)

For official use only

Official stamp of registration authority indicating
date of receipt.

OBJECTION to registration(s) under the Commons
Registration Act 1965.

To the (name of registration authority) North Riding
of Yorkshire County Council.


Objection No. 0382

I hereby object to the under-noted registration(s)
on the grounds stated.

1. Name and address of person making the objection. Burwarton Estates Company of
9 New Square, Lincoln's Inn,
London, W.C.2.
2. Name and address of solicitor if any. (Fill this space
only if a solicitor has been instructed for the purposes
of the objection. If it is filled, all correspondence
and notices will be sent to the solicitor.) Hunters,
9 New Square, Lincoln's Inn,
London, W.C.2.
3. Reference (if any) of the objector or his solicitor. B/G/AEPU
4. Register in which the registration(s) objected to
appear(s). *Common Land/Town or Village Greens
CL282 (and part ~~CL-8~~)
5. Register unit number.
6. Section of register in which registration appears. *Land/Rights/Ownership
7. Registration entry number(s). 1
8. Grounds of objection. (If a plan is sent, the fact should be mentioned here. The plan must be signed by the
person who signs the form.)

That the land was not at the date of registration or at any
time common land and no rights of common over it existed at
that date or at any time.

Dated 2nd August 1971

Signature 

(In the case of an objection by a body corporate or unincorporate, or charity trustees, this form must be signed by the
secretary or some other duly authorised officer.)

*Strike out whichever does not apply.