

NORTH YORKSHIRE COUNTY COUNCIL

COMMONS ACT 2006 — SECTION 15(2)

Notice of an application to register land as village green

Application Reference Number: CA9 013

Woodland Walk, Saxton

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

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

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

email: commons.registration@northyorks.gov.uk ,

telephone: 01609 534753

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

Any person wishing to make a representation regarding this amendment:

- should quote the Application No. CA9 013
- must state the name and postal address of the person making the representation and the nature of that person's interest (if any) in any land affected by the application.
- may include an e-mail address of the person making the representation
- must be signed by the person making the representation
- must state the grounds on which the representation is made
- should send the representation to: Commons Registration Officer, Commons Registration North Yorkshire County Council, County Hall, Northallerton, North Yorkshire DL7 8AD or e-mail to commons.registration@northyorks.gov.uk on or before 10 June 2021.

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

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

Dated: 21 April 2021

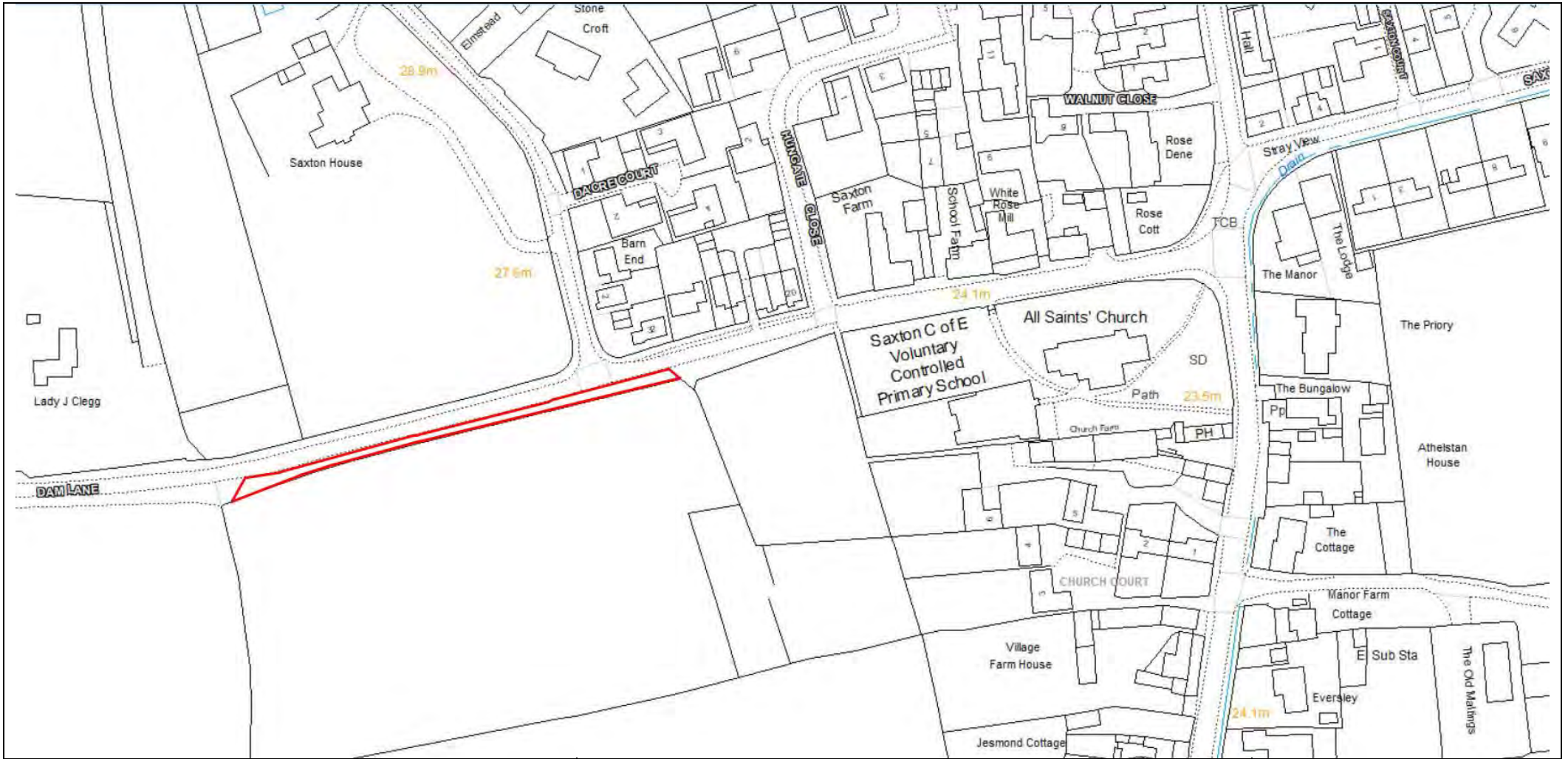
Karl Battersby

Corporate Director – Business and Environmental Services
North Yorkshire County Council

Schedule

Description of the land seeking to be registered as village green

Woodland Walk, Saxton, as edged red on the notice plan.



COMMONS ACT 2006

**CA13 APPLICATION (Ref. No. CA9 013) TO REGISTER A
VILLAGE GREEN AT SAXTON, TADCASTER
LOCATION PLAN**

NOTICE PLAN



1 February 2021

Our ref. : 5616/2/SLR/LW

Your ref.:

North Yorkshire County Council
Commons Registrations
County Hall
NORTHALLERTON
DL7 8AD

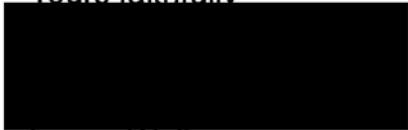
Dear Sirs

Re: Woodland Walk - Village Green Registration

Further to our recent correspondence with Highways, please find attached CA9 application with attached photographs, statements and plans as requested.

We look forward to hearing from you in due course.

Yours faithfully



Leona Walker
ELMHIRST PARKER LLP



AUTHORISED AND REGULATED BY THE SOLICITORS REGULATION AUTHORITY
Elmhirst Parker LLP is a limited liability partnership registered in England and Wales. List of members available on request.
Partnership number OC318370. Registered office - 17/19 Regent Street, Barnsley S70 2HP.
We do not accept service by fax or email.

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E: sherburn@elmhirstparker.com

Commons Act 2006: section 15

Application for the registration of a town or village green

This section is for office use only

Official stamp

<p>COMMONS ACT 2006 NORTH YORKSHIRE COUNTY COUNCIL REGISTRATION AUTHORITY DATE: 01 February 2021</p>
--

Application number

CA9 013

VG number allocated at registration

--

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

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

Note 1

Insert name of commons registration authority.

1. Commons Registration Authority

To the:

NORTH YORKSHIRE COUNTY COUNCIL

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

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:

Postal address:

Postcode

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 9 or 10 to the Commons Registration (England) Regulations 2014. Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

Note 5

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

4. Basis of application for registration and qualifying criteria

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

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

Section 15(2) applies:

Section 15(3) applies:

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

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

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

Name by which the land usually known:

WOODLAND WALK, SAXTON

Location:

SAXTON NR. TADCASTER, NORTH YORKSHIRE

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

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

Note 6

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

Note 7

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

Note 8

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

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

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

SAXTON - CUM - SCARTHINGWELL -

Tick here if a map is attached:



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

A SIGNIFICANT NUMBER OF INHABITANTS OF THE VILLAGE OF SAXTON HAVE INDULGED AS OF RIGHT IN LAWFUL USE OF THE LAND FOR EXERCISE AND LEISURE ACTIVITIES AND THE NURTURE AND CULTIVATION OF WOODLANDS PLANTS FOR A PERIOD OF MORE THAN 20 YEARS WITHOUT PERMISSION OR OBJECTION DURING WHICH TIME THERE WAS NO PERIOD DURING WHICH ACCESS WAS PROHIBITED TO MEMBERS OF THE PUBLIC.
THE SAID RESIDENTS CONTINUE TO INDULGE IN THE SAID ACTIVITIES AT THE TIME OF THIS APPLICATION.
A NUMBER OF STATEMENTS OF TRUTH MADE BY SOME OF THE SAID RESIDENTS IS ATTACHED TO THIS APPLICATION.

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

Note 9

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

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

[Empty box for section 9]

Note 10

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

10. Supporting documentation

PLAN
STATEMENTS OF TRUTH

Note 11

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

11. Any other information relating to the application

[Empty box for section 11]

Note 12


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

12. Signature

Date:

28 JANUARY 2021.

Signatures:


Cllr. MARTIN FRYER AS AN OFFICER OF THE APPLICANT PARISH COUNCIL**REMINDER TO APPLICANT**

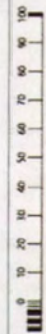
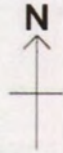
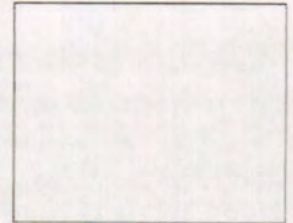
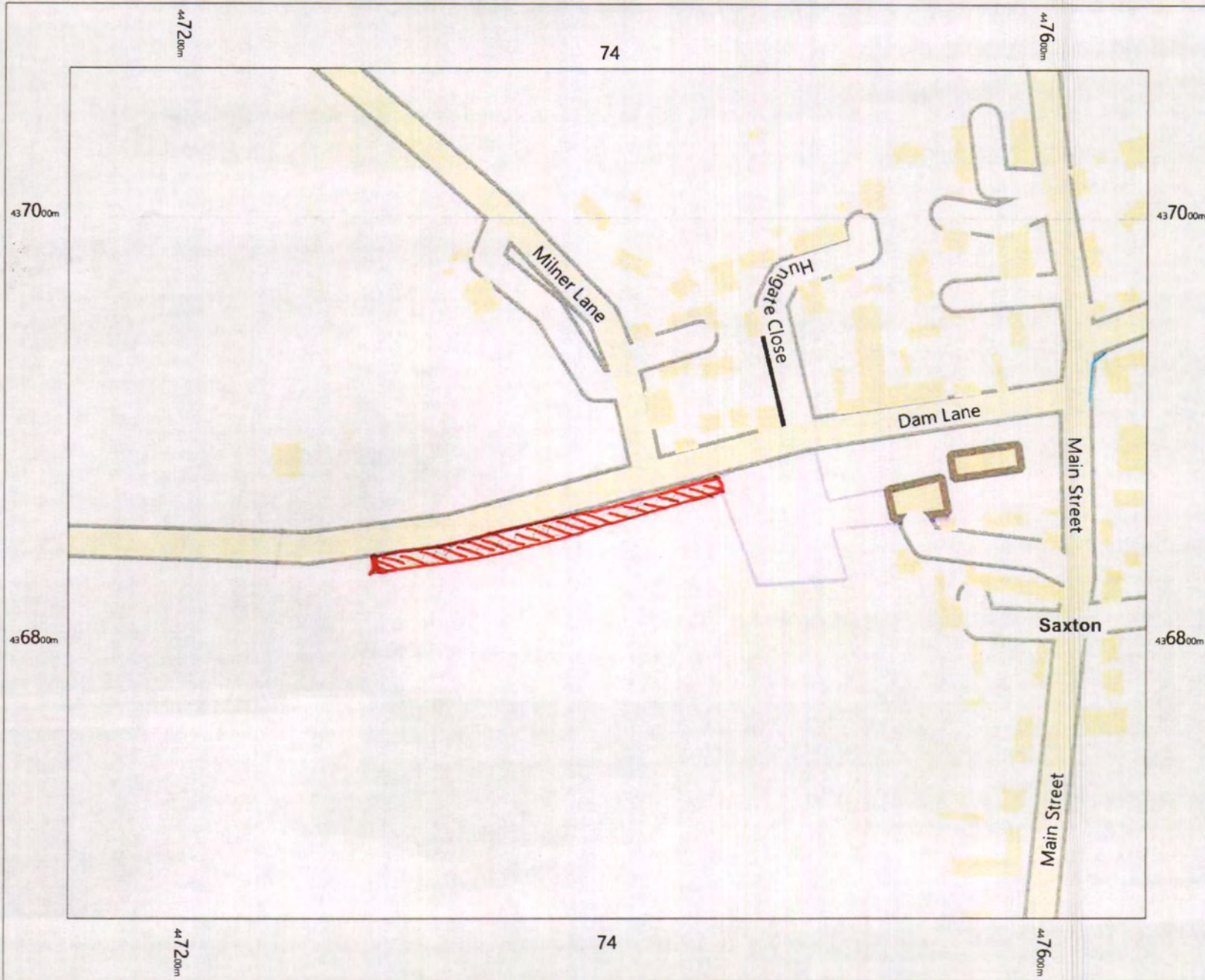
You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

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

Data Protection Act 1998

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

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



OS OpenMap Local - with Terrain 50
 Thursday, November 8, 2018, ID:
 BW1-00755059
maps.blackwell.co.uk

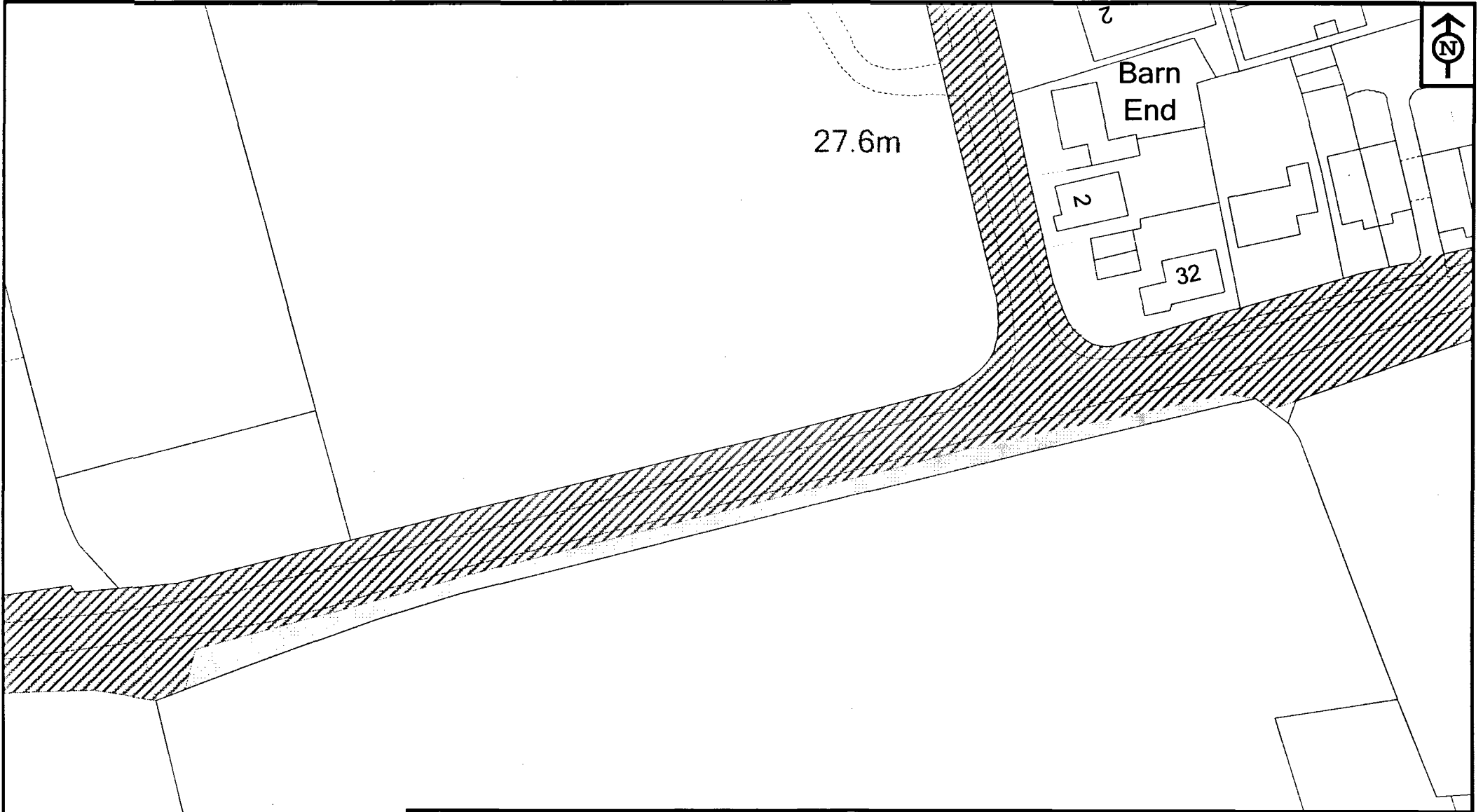
1:2500 scale print at A4, Centre:
 447400 E, 436871 N

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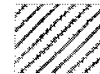


**North Yorkshire
County Council**

Highways & Transportation
County Hall
Northallerton
DL7 8AH

Key:

Highway maintainable
at public expense.



This area is likely to be
public highway; however,
not necessarily publicly
maintainable.



North Yorkshire County Council

Dam Lane, Saxton















28th January 2020

Dear Sir/Madam

45115/13/KW/LW

I would like to support my Parish Council in having the strip of land known as the 'woodland walk' registered as a village green. I have seen the plans showing a strip of land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A'.

I was one of a team of volunteers who planted bulbs, pulled out nettles and laid woodchip to make the area as pretty as it is now.

The land is used frequently by walkers accessing the nearby footpaths. At this time of year, the snowdrops are starting to grow, shortly followed by daffodils. The ferns then appear, but as the walk is used so regularly, the path remains accessible even for pushchair users.

I have lived in Saxton for 20+ years, and the path has been there for as long as I remember, and if the Parish Council can protect it, I support their request.

I believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Yours faithfully



Jackie Underwood

Our ref. : 45115/13/KW/LW

Your ref.:

I 
of 

make the following statement in relation to a strip of Land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced to me.

The land is used by residents of the village and the surrounding neighbourhood for the pursuit of legal recreational activities.

I use the land to (describe what you do)

I frequently observe that many other residents use the land for walking, running and exercising dogs and ponies on a daily basis. Some residents have planted bulbs along the path to enhance its beauty.

I confirm that the land has been used in this way by a substantial number of residents and members of the surrounding neighbourhood for over 20 years and continues to be used in this way to this day.

I believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Signed .....

Date 30-01-2020.....2020

Our ref:45115/13/KW/LW

Your ref:

I Bruce Sanderson

Of, [REDACTED] make the following statement in relation to a strip of land running alongside Dam Lane in the village of Saxton, near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced to me.

The land is used by residents of the village and the surrounding neighbourhood for the pursuit of legal recreational activities.

I use the land to help to develop and maintain a planting scheme, started circa twenty years ago, in a strip of land adjacent to the highway. In this period, amongst other things, thousands of Spring bulbs have been planted to enhance the landscape for the many walkers who use the footpath on a regular basis.

I confirm the land has been used in this way for more than twenty years and continues to be used in this way on a daily basis to this day.

I believe the facts stated in my witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Signed: [REDACTED]

7th February 2020

Our ref. : 45115/13/KW/LW

Your ref.:

We Robert Paul Jordan and Julia Margaret Jordan

of [REDACTED]

make the following statement in relation to the strip of land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced to me.

The land is used by residents of the village and the surrounding neighbourhood for the pursuit of legal recreational activities.

We use the land as part of our route on regular walks through the village

We frequently observe that many other residents use the land for walking, running and exercising dogs and ponies on a daily basis. Some residents have planted bulbs along the path to enhance its beauty.

We also feel that it would be dangerous to walk along the road itself on this part of Dam Lane due to the volume of traffic and limited visibility caused by shade from trees.

We confirm that the land has been used in this way by a substantial number of residents and members of the surrounding neighbourhood for over 30 years and continues to be used in this way to this day.

We believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against us if we are found to have been deliberately untruthful or dishonest.

Signed [REDACTED]

R P Jordan

[REDACTED]

JM Jordan

Date 7th Feb2020

Our ref. : 45115/13/KW/LW

Your ref.: SFK

I , Dr Sibylle Frey-Kemp

of



make the following statement in relation to a strip of Land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced to me.

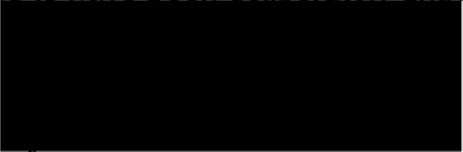
The land is used by residents of the village and the surrounding neighbourhood for the pursuit of legal recreational activities.

I use the land as a safe escape space to ride my horse along the busy road. We also use the walk to get us to the footpath leading to the Crooked Billet pub.

I frequently observe that many other residents use the land for walking, running and exercising dogs and ponies on a daily basis. Some residents have planted bulbs along the path to enhance its beauty.

I confirm that the land has been used in this way by a substantial number of residents and members of the surrounding neighbourhood for over 20 years and continues to be used in this way to this day.

I believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Signed. 

Date2 February.....2020

Our ref. : 45115/13/KW/LW

Your ref.:

I Christine Snowdon

of



make the following statement in relation to a strip of Land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced to me.

The land is used by residents of the village and the surrounding neighbourhood for the pursuit of legal recreational activities.

Having lived in the village over 60 years I have had regular access to this strip of land over this time for varying uses including dog walking for over 50 yrs using this route as a circular walk onto coldhill lane, also when my children were young we often walked along this stretch of land as it was far safer than on the road as there is no pavement. My husband Mr Peter Snowdon who has lived in the village for over 70 years remembers using part of this strip of land as the school gardens where the children had their own plots to cultivate as part of their school lessons.

I frequently observe that many other residents use the land for walking, running and exercising dogs and ponies on a daily basis. Some residents have planted bulbs along the path to enhance its beauty.

I confirm that the land has been used in this way by a substantial number of residents and members of the surrounding neighbourhood for over 20 years and continues to be used in this way to this day.

I believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Signed. 

Date *3rd February* 2020

Helen

From: Sally Smart [REDACTED]
Sent: 03 February 2020 19:30
To: [REDACTED]
Subject: Woodland walk Dam Lane

Dear All

My personal recollection of the woodland walk which runs adjacent to Dam Lane from the junction of Millner Lane to the public footpath. (This footpath links Dam Lane to Coldhill Lane) is from the early 1970's when I first walked this path/route to access Coldhill Lane to complete a circular walk of the village.

Today this path is used on a very regular basis by villagers and ramblers. It it's extremely useful as from the junction of Millner Lane to the start of the public footpath there is no public footpath so this little woodland walk keeps us safe and I am able to now push my grand children along this route safely.

Further, I understand, this stretch of woodland was used by school children from the village school in the 1950's as allotments.

At present the woodland walk is tended by volunteers and is rather splendid at the moment with a wonderful display of snowdrops to be followed by daffodils, bluebells and other wild spring plants. This is followed by cow parsley which is allowed to rot down naturally and then the green canopy takes over This space is a much treasured space for all who use it and wildlife alike.

Sally Smart
Lime Cottage

Sent from my iPhone

STATEMENT

Our Ref: 45115/13/KW/LW

I Clive Cook [redacted] make the following statement in relation to a strip of Land running alongside Dam Lane in the village of Saxton near Tadcaster in North Yorkshire shown edged red on a plan marked 'A' now produced by me and attached. The land in question I have always known as 'The Woodland Walk'.

I have lived in Saxton for in excess of thirty years living on Dam Lane and now on Milner Lane which is adjacent to the land in question and shown on the attached plan.

The Woodland Walk is used by residents of the village and the surrounding neighbourhood for the pursuit of recreational activities. In particular it is the only safe footpath to gain access from the village to the Bridle Ways and footpaths that go out into the surrounding fields and links to the Crooked Billet Public House. Otherwise people will have to walk on the main roads and Dam Lane in particular is a busy and potentially hazardous road used as a cut through by people driving from either Garforth or the A1 to access the A162 and Sherburn -in -Elmet. The considerable residential development around Sherburn has significantly increased this amount of traffic.

I use the land virtually every day to get out onto the footpaths referred to in the above paragraph.

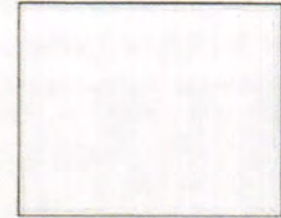
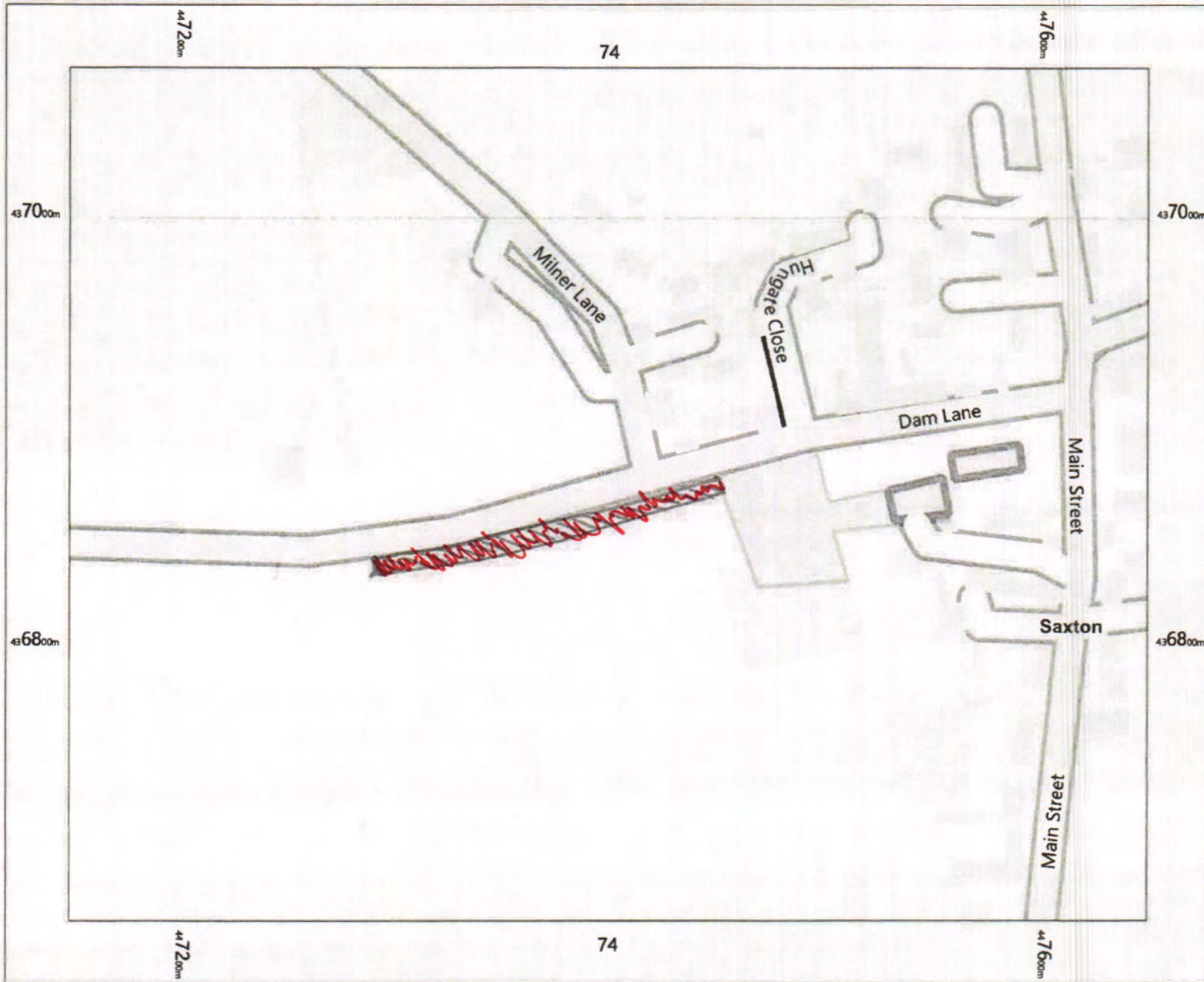
I frequently observe that many other residents use the land for the same purpose as well as walking, running and exercising dogs and ponies, again on a daily basis. Over the years bulbs have been planted along this strip to enhance its beauty and the snowdrops and daffodils in Spring are admired by locals and visitors to the village.

I confirm that the land has been used in this way by residents and visitors living in the surrounding neighbourhood for over 30 years and continues to be used as I have described.

I believe that the facts stated in this witness statement are true and understand that criminal proceedings for fraud may be brought against me if I am found to have been deliberately untruthful or dishonest.

Signed... [redacted]

Date 16.2 2020



OS OpenMap Local - with Terrain 50
 Thursday, November 8, 2018, ID:
 BW1-00755059
maps.blackwell.co.uk

1:2500 scale print at A4, Centre:
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