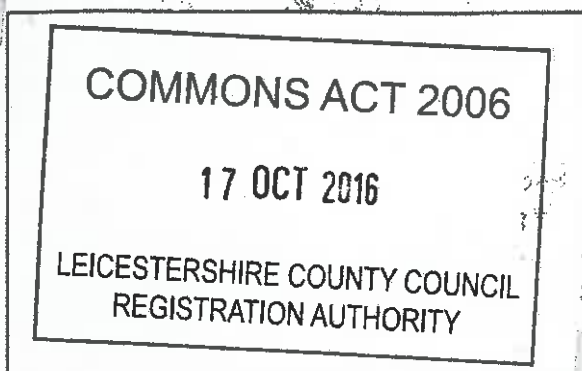


## Commons Act 2006: Schedule 2

**Application to correct non-registration or mistaken registration**

This section is for office use only

Official stamp



Application number

CA (com) 01/2016

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:

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:

JOANNA CARLAND

Postal address:

MYTHE FARM, PINWALL LANE,  
SHEPPY MAGNA, THERSTONE,  
WARKS.

Postcode CV93PF

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:

**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:**

~~THE~~ THE PARISH CLERK WHO REGISTERED THE LAND IDENTIFIED THE WRONG FIELD ON THE REGISTRATION APPLICATION. HE IDENTIFIED

**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:

THE GRAVEL HOLE - THIS IS THE ADJOINING FIELD WHICH SHOULD HAVE BEEN REGISTERED AND IS ACTUALLY ADJACENT TO THE FIELD IDENTIFIER.

Location:

WITHERLEY PARISH.

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

**7. Declarations of consent**

PLEASE SEE EVIDENCE IN ENCLOSED DOCUMENT DATED 24<sup>th</sup> SEPT 2008.

**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**

PLEASE SEE EVIDENCE IN ENCLOSED DOCUMENT DATED 24<sup>th</sup> SEPT 2008.

Common Land Registration CL3

Plan of 'The Gravel Hole' owned by Witherley & Ratcliffe Culey Parishes

Plan of 'Bridge Meadow' owned by the Garland Interest In Possession Trust

Application for the Registration of a Claim to Ownership of Land

Epitome of title of 'Bridge Meadow'

- a. Conveyance, 27 June 1933 between Alfred Upton and Harriet Harding
- b. Conveyance, 22 March 1966 between Harriet Harding ad The Testator
- c. Conveyance, 23 July 1976 between Miss A M Harding and others and Mr & Mrs P Garland.

1858 Plan of 'The Gravel Hole' for the Poor of Ratcliffe Culey

Letter from Peter Law, Leicestershire County Council dated 4 February 2008

Photographic comparison of 'The Gravel Hole' and 'Bridge Meadow'

Statement from Keith Parsley BSc FRICS ACI Arb

Extracts from the Ratcliffe Culey Lane Setting Book

**Note 9**

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

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

WE (WITHERLEY PARISH COUNCIL AND MYSELF) WOULD BE VERY GRATEFUL IF THIS MATTER COULD BE RESOLVED WITHOUT HAVING IT REFERRED TO THE PLANNING INSPECTORATE. IT WAS A MISTAKE MADE BY THE PARISH CLERK A LONG TIME AGO AND THE COSTS INVOLVED WOULD NEED TO BE PASSED ON TO THE PARISH COUNCIL. I WOULD REALLY LIKE TO AVOID MAKING THIS DIFFICULT FOR THE PARISH COUNCIL.

**Note 10**

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

**10. Signature**

Date:

15/4/2016

Signatures:

**REMINDER TO APPLICANT**

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

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

**Data Protection Act 1998**

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the common registration authority to disclose information

CL3 Incorrectly Registered Land

Mythe Farm Plan 002

Scale 1 : 2500

12/10/2016

'Bridge Meadow' 4.11Ac (10.1558 ha)



0065

PRINCELY LANE

Pond

ATHERSTONE ROAD

Drain

Pond

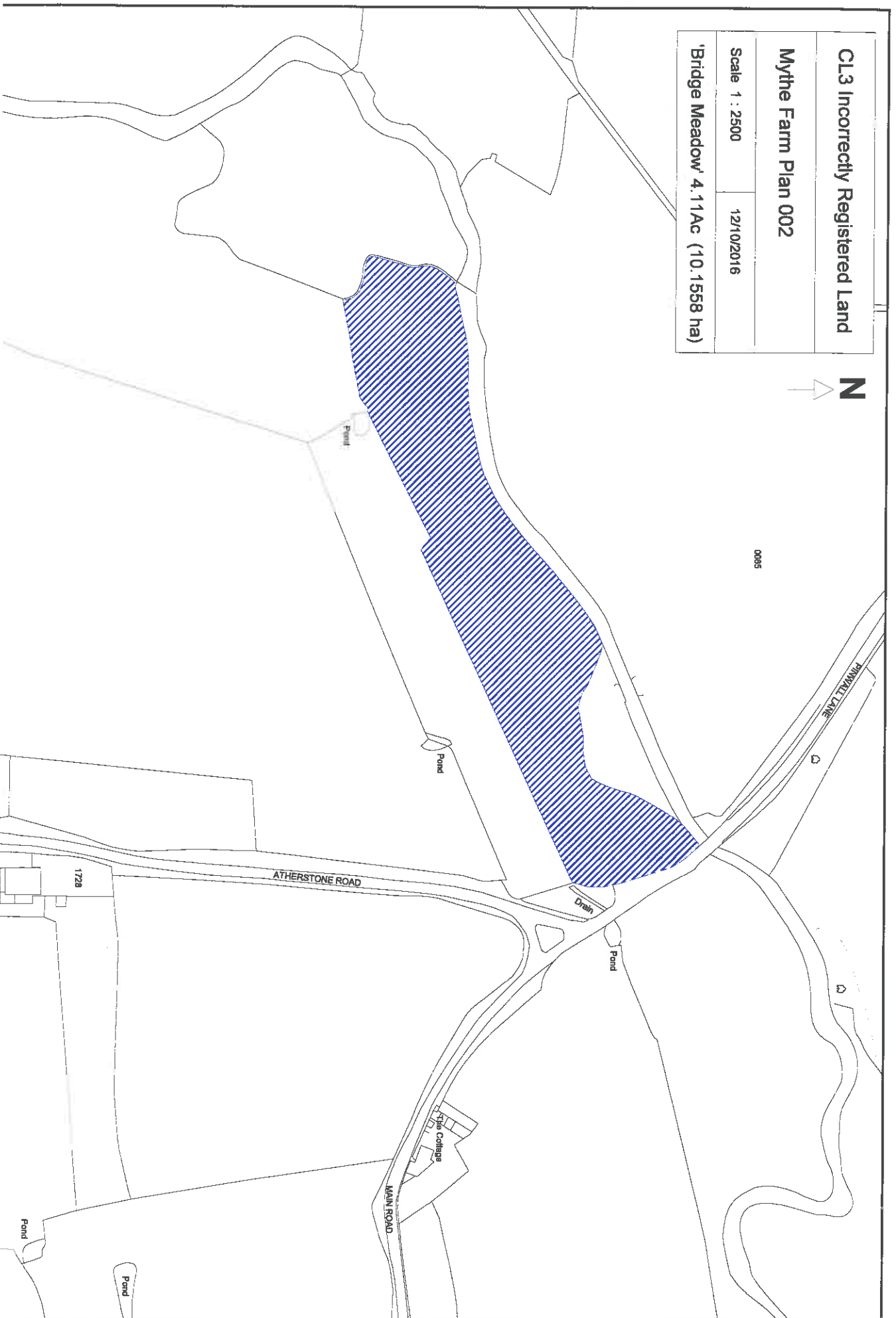
Stylo Cottage

MAIN ROAD

1728

Pond

Pond



**Application to Amend Leicestershire County Council  
Common Land Registration CL3  
under section 19 of the Commons Registration Act 2006**

**By Joanna Garland BSc (Hons) MRICS  
On Behalf of The Garland Interest In Possession Trust  
Owner of the Registered Land**

**24 September 2008**



## Contents

	Page
1.0 Background	3
2.0 Reasons and Evidence for Amendment	4

### Appendices

1. Common Land Registration CL3
2. Plan of 'The Gravel Hole' owned by Witherley & Ratcliffe Culey Parishes
3. Plan of 'Bridge Meadow' owned by the Garland Interest In Possession Trust
4. Application for the Registration of a Claim to Ownership of Land
5. Epitome of title of 'Bridge Meadow'
  - a. Conveyance, 27 June 1933 between Alfred Upton and Harriet Harding
  - b. Conveyance, 22 March 1966 between Harriet Harding ad The Testator
  - c. Conveyance, 23 July 1976 between Miss A M Harding and others and Mr & Mrs P Garland.
6. 1858 Plan of 'The Gravel Hole' for the Poor of Ratcliffe Culey
7. Letter from Peter Law, Leicestershire County Council dated 4 February 2008
8. Photographic comparison of 'The Gravel Hole' and 'Bridge Meadow'
9. Statement from Keith Parsley BSc FRICS ACI Arb
10. Extracts from the Ratcliffe Culey Lane Setting Book

## 1.0 Background

- 1.1 It came to our attention in January this year that land owned by The Garland Interest In Possession Trust was identified on a DEFRA Permissive Access Plan as CRow Access Land. Upon further investigation it was revealed that this was as a result of the land being registered as Common Land (please see appendix 1). Following enquiries to Leicestershire County Council it seems the land was incorrectly registered, and in fact the parcel of land which it registers by name adjoining it to the south should have been registered instead.
- 1.2 The two parcels of land are adjoining. The Application for the Registration of a Claim to Ownership in March 1967 is incorrect and refers to both parcels of land, to one by name and to the other on a plan as the same field. One is known locally as 'The Gravel Hole' and is owned by Witherley and Ratcliffe Culey Parish Councils (see appendix 2), and the other is known as 'Bridge Meadow' and is owned by the Garland Interest in Possession Trust, previously owned by Mary Harding (see appendix 3).
- 1.3 In 1996 Mrs Grubb the Clerk of Ratcliffe Culey Parish Council and Mary Harding, the previous owner of the incorrectly registered land attended Leicestershire County Council offices and met with John Prendregast to see whether the Common Land Register could be corrected, as they believed it to be incorrect. At the time, John Prendregast took the view that there was no way in law as it then stood of amending the register.
- 1.4 However, the law has now changed and there is scope under section 19 of the Commons Act 2006 to amend Common Land Registrations.
- 1.5 This application is for the amendment of Commons Registration CL3 to correctly show 'The Gravel Hole' which is referred to by name on the Common Land Registration Application document owned by Witherley and Ratcliffe Culey Parish Councils, and remove the parcel of land known as 'Bridge Meadow' owned by The Garland Interest in Possession Trust which is incorrectly identified in the Common Registration plan.

## 2.0 Reasons and Evidence for Amendment

- 2.1 In the Application for the Registration of a Claim to Ownership of Land, the registrant (Henry Edgar Hipkiss, Clerk of Witherley Parish Council) claimed ownership (please see appendix 4) but at the date of the application the land identified on the plan was in fact privately owned by Henry Harding (see appendix 5). I believe that Mr Hipkiss was meaning to refer in his application to the land next door – 'The Gravel Hole' which does indeed belong to Witherley and Ratcliffe Culey Parish Councils and is the name of the land he refers to on the application.
- 2.2 In Ratcliffe Culey church there is a plan of the land known as 'The Gravel Hole' showing that it was donated to the parish of Ratcliffe Culey for the poor as early as 1858 (appendix 6). This is the parcel of land which the parish Clerk intended to register.
- 2.3 Mary Harding who sold the 'Bridge Meadow' to Mr and Mrs P Garland (currently incorrectly registered as common land) visited the County Council with Mrs Grubb, the parish council clerk, in 1996 to say that the common registration was wrong (see appendix 7). Unfortunately at the time there was no way to legally amend the registration.
- 2.4 The land referred to on the Registration Document is named as 'The Gravel Hole' as gravel was historically extracted from it which is why it has no top soil and is approximately 1 - 2 feet lower than the surrounding land. See appendix 8 showing photographs of The Gravel Hole compared to the adjoining land.
- 2.5 Grazing of 'The Gravel Hole' is sold at auction each year for the parish. Auctioneer Keith Parsley BSc FRICS ACI Arb has sold the grazing and known it be referred to as 'The Gravel Hole' for the past 25 years. Please see appendix 9 which is a statement by Keith Parsley.
- 2.6 The field known as 'The Gravel Hole' which is owned by Witherley and Ratcliffe Culey Parish Councils has been known as such certainly since 1920, and before then was known as 'Gravel Pits' (it was previously two separate enclosures). Please see appendix 10 which contains extracts dated 2008, 1920 and 1880 from the Ratcliffe Culey Lane Setting book.
- 2.7 Now that the law has been amended the Garland Interest in Possession Trust would like to take the opportunity to correct the register. I have no reason to believe that the Parish Council would have any objection to finally correcting the register as they would have liked to have done, had it been possible in 1996.

## **Appendices**

## Register of

COMMON LAND.

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

LEICESTER COUNTY COUNCIL

Register unit No. C. L. 5.

Edition No. 1.

See Overleaf  
for Notes

## OWNERSHIP SECTION—Sheet No. 1.

1	2	3	4
No. and date of entry	No. and date of application	Name and Address of person registered as owner	Particulars of the land to which the registration applies
29th.Mar. 1967	12 24th.Mar. 1967	H. E. Hipkiss, Clerk of the Parish Council of Witherley, Deerhurst, George Fox Lane, Fenny Drayton, Nuneaton, Warwickshire ( <del>Warwickshire</del> <del>Warwickshire</del> ).	The land comprised in the Register Unit.
(See entry No. 2 below) 2. 17th Dec 1970		The registration at entry No. 1 above, being undisputed, became final	on 1st October 1970

[illegible]

## Register of

COMMON LAND.

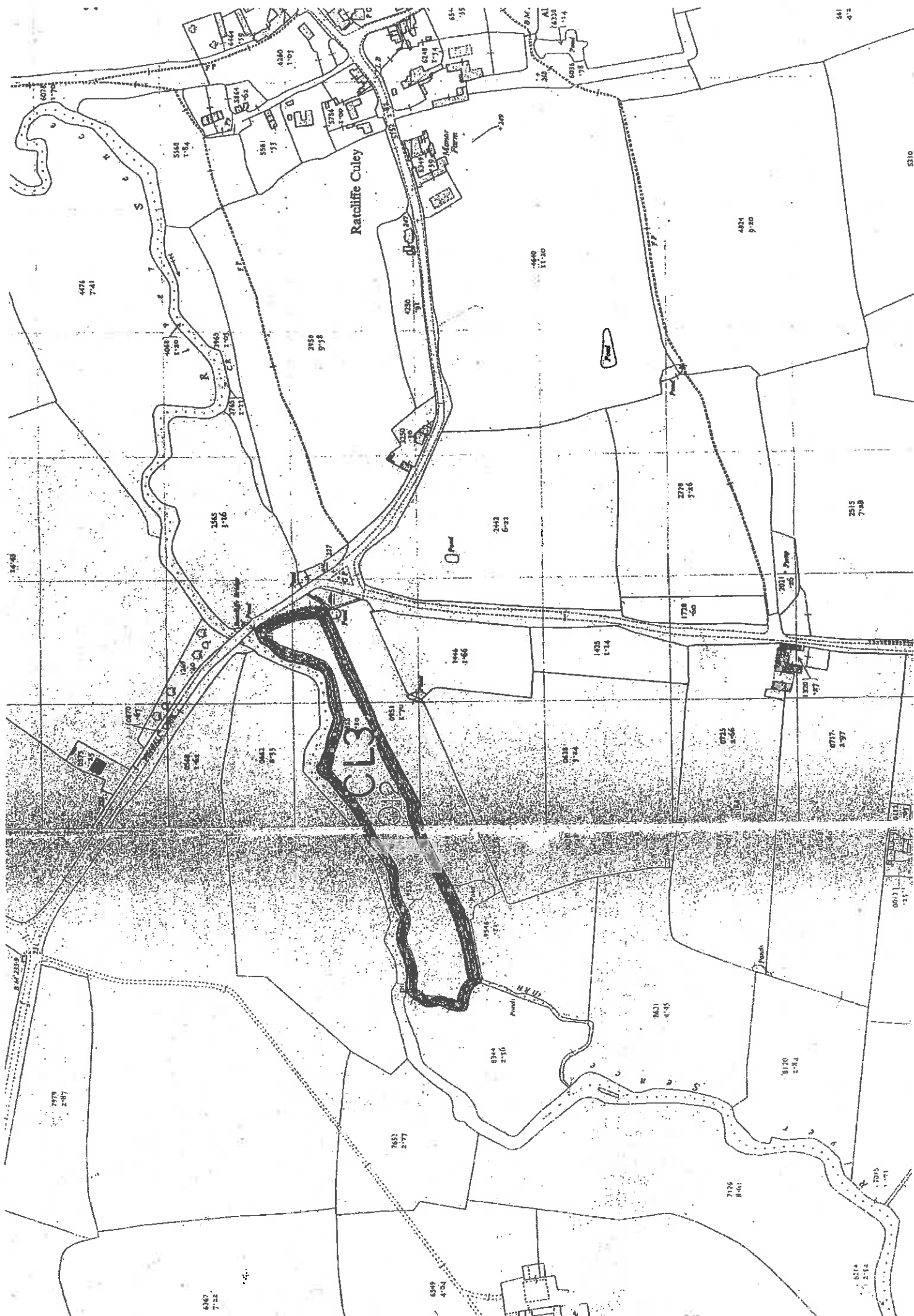
Register unit No. C.L. 3.

Edition No. 1.

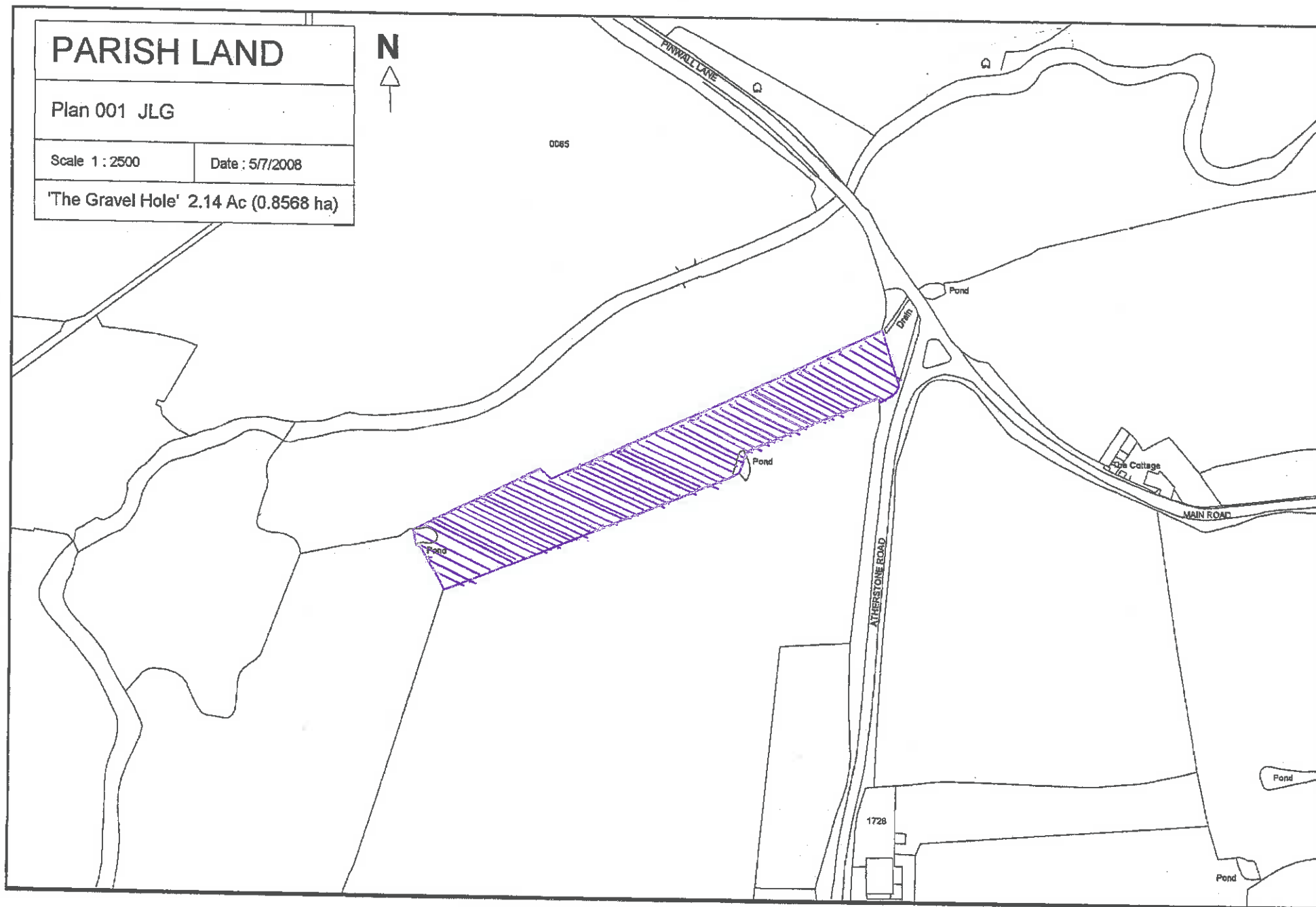
See Overleaf  
for Notes

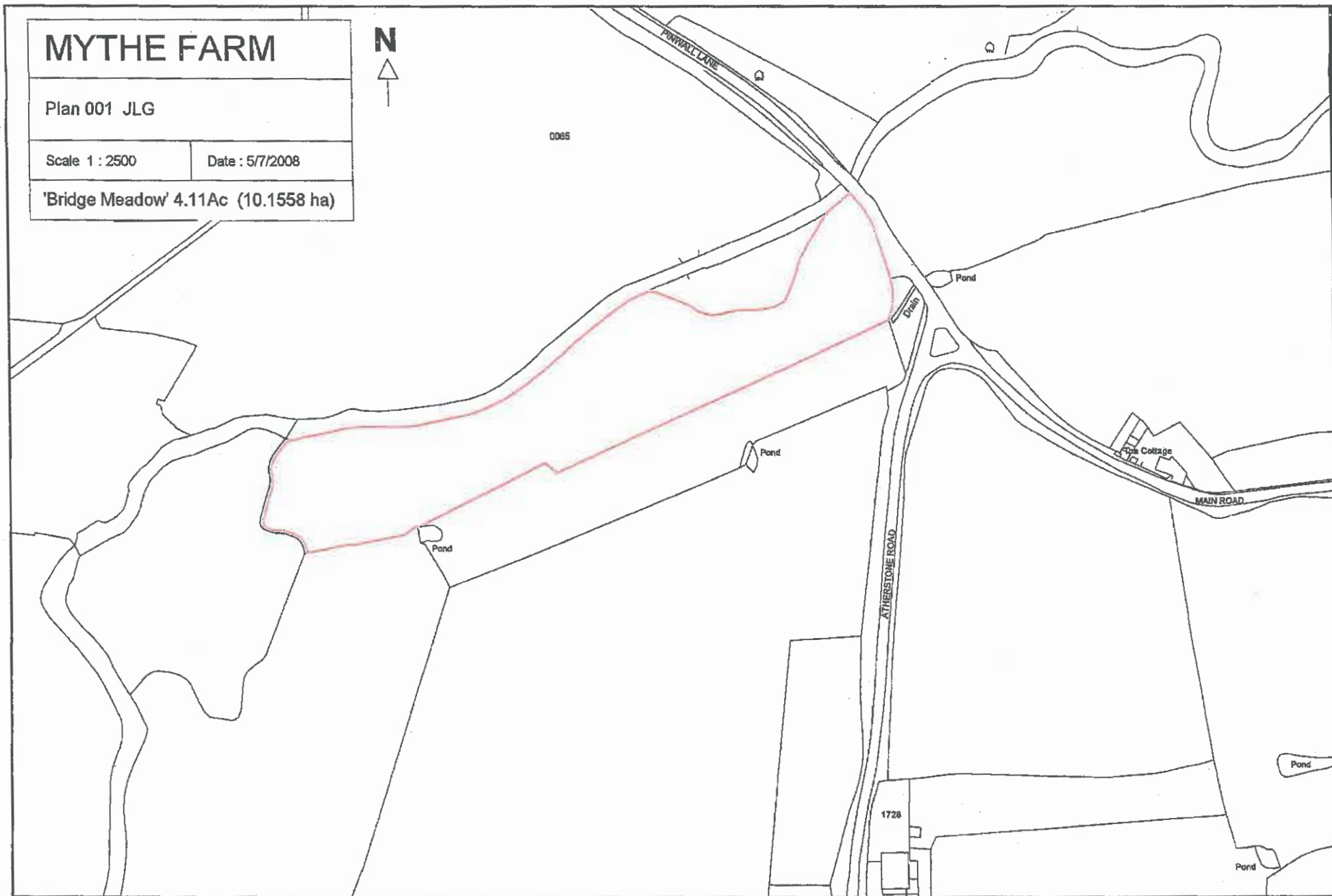
LAND SECTION—Sheet No. 1.

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1. 5th. April 1967.	The piece of land containing 4 acres or thereabouts known as Gravel Hole within the parish of Witherley, as marked with a green verge line inside the boundary on sheet 3 of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 10 made 3rd., April 1967 by H. E. Hipkiss, Clerk of the Parish Council of Witherley, Deerhurst, George Fox Lane, Penny Drayton, Nuneaton, Warwickshire. (See entry No 2 below)
2. 17th Dec 1970	The registration at entry No. 1 above, being undisputed, became final on 1st October 1970
3. 27th February, 1976	The registration at entry number 1 above comprises an area of 1.551 hectares or thereabouts.









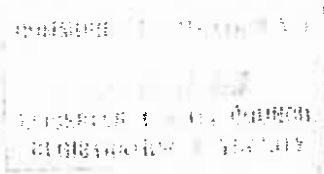
CR Form 10.

This section for official use only.

Official stamp of registration authority indicating date of receipt

Application No. 12

Register unit No.  
CL 3



COMMONS REGISTRATION ACT 1965

Application for the registration of a claim to ownership of land

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

Insert name of registration authority maintaining the register containing the registration of the land.

To the

Application is hereby made for the registration, in accordance with the particulars set out below, of a claim to the ownership of the under-noted land.

Part 1.

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

(Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Notes 1 and 2 for information as to who may apply.)

WITHERS BY TARESH COUNCIL

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.

Register containing the registration of the land of which ownership is claimed.

(Insert "Common Land" or "Town or Village Greens." See Notes 3 to 6.)

Part 4.

Register unit number.

(See Notes 4 and 8.)

UNREGISTERED

Part 5.

Is ownership claimed of the whole of the land comprised in the above-mentioned register unit?

(Answer "Yes" or "No".)

Yes

Part 6.

If the answer to part 5 is "yes", leave this part blank. Otherwise, describe the portion of the land of which ownership is claimed (see Note 8). Where a plan is used the fact should be mentioned here, and the colouring used on the plan stated.

(See Note 8.)

PLAN TO COVERED IN RED INK  
APPROXIMATELY AS THE GRADE  
ON THE PLAN  
APPROXIMATELY 4 ACRES

Part 7.

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

(See Note 11.)

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 11. If (a) applies, quote the number on the acknowledgment from the registration authority.

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

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

WITNESSED BY THE REGISTRAR

RECEIVED BY THE REGISTRAR

RECEIVED BY THE REGISTRAR

Date

(See Note 9)

### Statutory Declaration in Support

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

\*Insert full name(s).

[I] [We]

WITHERLEY PARISH COUNCIL

solemnly and sincerely declare as follows:

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

\*Insert capacity in which acting.

1. [I am] [We are] the person(s) who [has] [have] signed the f

2. "I am" to the applicant(s) and applicant(s) to make the foregoing application on [his] [their] b

3. [I] [We] have read the Notes on the back of the application f [I] [we] [the applicant(s)] [am] [are] [is] entitled to apply for t the Commons Registration Act 1965 of a claim to the owners cribed in the application.

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

\*Insert "marking" as on plan (see Note 9).

4. "The plan now produced and shown to me marked " referred to in part 6 of the application.

And [I] [we] make this solemn declaration, conscientiously believ true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

Henry Edgar, Mayor

WITHERLEY PARISH COUNCIL

WITHERLEY PARISH COUNCIL

WITHERLEY PARISH COUNCIL

WITHERLEY PARISH COUNCIL

WITHERLEY PARISH COUNCIL

at

in the County of

this 21<sup>st</sup> day of March 1967

Before me,

Signature

Jean M. Kelly

Address

Beech House

Wetherley, Bedfordshire

## Notes

### 1. Who may apply for registration

An application for the registration of a claim to the ownership of any land registered under the Act may be made by the owner of the land or, where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

The owner of any land, for the purposes of the Act, is the owner of the legal estate in fee simple in that land. It follows that, in every case other than the special one of vacant benefice land, the names in part 1 must be those of the persons in whom the legal estate in fee simple is vested. Other persons, for example a lessee, a mortgagee, a person who has only an equitable interest, or charity trustees not having the legal estate in fee simple, are not entitled to apply for the registration of a claim to ownership. Anyone who is not sure whether he is entitled to apply should obtain legal advice.

Where the Church Commissioners apply with respect to land belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 1.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 1.

### 2. Effect of registration at H.M. Land Registry

Where the fee simple of land is registered under the Land Registration Acts 1925 and 1936 registration of claims to the ownership thereof under the Commons Registration Act 1965 is not permitted. The rights of the registered proprietor are not affected by the 1965 Act and his interest is not liable to be divested (see Note 10).

### 3. The land itself must first be registered

Two separate registers are maintained under the Commons Registration Act 1965 by each registration authority—a Register of Common Land and a Register of Town or Village Greens. Land must appear on one of those registers before a claim to its ownership can be registered, but an owner may apply to have his own land registered as common land or as a town or village green and thereafter (except as mentioned in Note 2) apply to have himself registered as owner. The ownership application must in any case be submitted to the registration authority maintaining the register which contains the registration of the land.

### 4. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the 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 such 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. It is also possible that the land is exempt from registration: the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. If the land is exempt, the certificate will say so, and it will not be possible to register a claim to ownership under the Act, but the owner's title will not be prejudiced by non-registration.

### 5. Conflicting ownership claims

Registration of a claim to ownership which conflicts with another registered ownership claim (in either register: see Note 6) will automatically result in the claims being treated as objections to each other to the extent to which they conflict: hence a person whose ownership claim has been registered has no need to make an objection to a conflicting ownership claim, whether earlier or later in date.

### 6. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, resulting in each registration being treated as an objection to the other. In such a case the registration of an ownership claim in either register is deemed to be made in both; hence only one ownership claim need be made in respect of the land.

### 7. Objections to registration of land

A person who registers a claim to ownership does not thereby disable himself from objecting to the registration of the land

object to the registration during the appropriate objection period. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.) Where the land appears in both registers, and the claimant to ownership considers that it should appear in neither, he must make a separate objection in respect of each registration.

### 8. Scope of application: land descriptions

Except as mentioned in Note 6, an application must relate to land comprised in one register unit and no more. If land in two or more register units is concerned, a separate application form must be used for each. In part 4, the register unit number should be quoted; the applicant should keep a note of this number, which will be used by the registration authority for reference. If the application relates to the whole of the land comprised in the register unit no further description than the register unit number is needed. If not, the land which is the subject of the application must be clearly identified. This can sometimes be done 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 cannot be done the land must be described by a plan, which 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 9).

### 9. 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(s) of declarant(s)) made this (date) 19..... before me,

.....  
(Signature and qualification)

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

### 10. Submission of application: effect of failure to register

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. Land registered under the Act, but in respect of which a claim to ownership is not so registered, may in certain circumstances be liable to be divested unless the freehold title is registered under the Land Registration Acts 1925 and 1936.

### 11. Fees

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 was not registered under the Act until after 30th April 1968.

### 12. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be told whether the application has been accepted or rejected. He will also in due course be told of any objections to the registration.

### 13. 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 cancelled and the applicant may be ordered to





PLANT. S.P. 3193  
 225. PLANT SP. 2259



19 7 6

EPITOME OF TITLE

-of-

Miss Ada Mary Harding to Mythe  
Cottage Farm, Witherley and  
Ratcliffe Culey, Leicestershire

Argyle & Sons,  
Tamworth.

Dated 20<sup>th</sup> June 16

The Personal Representative;  
the late James Upton; deceased

— to —

Miss Harriet Harding

CONVEYANCE

of the Rythe Farm, in the Parishes  
of Withley, and, Ratcliffe Valley  
in the County of Leicester

SHAW & SONS LTD.  
Law Stationers &c.  
FETTER LANE,  
LONDON, E.C.4.

# This Conveyance

is made the Twenty-seventh day of June One thousand nine hundred and thirty three 23<sup>rd</sup> June 1933

Between James Upton of White Gate Farm, Witherley in the County of Leicester Farmer (hereinafter called the Vendor) of the one part, and Marshall Harding of 25 Minchley Road Leicester Spinster (hereinafter called the Purchaser) of the other part 25<sup>th</sup> June 1933

(1) James Upton late of White Gate Farm Witherley aforesaid Farmer deceased being at his death seized in fee simple in possession of the property hereinafter described free from incumbrances and on the Nineteenth day of March One thousand nine hundred and thirty three having by his Will dated the twenty-ninth day of March One thousand nine hundred and twenty six appointed the Vendor to be his Executor who on the Twenty-fourth day of June One thousand nine hundred and thirty three duly proved his said Will at the Leicester District Probate Registry.

(2) The Vendor (who has not made any previous conveyance or assent as respects the legal estate hereinafter conveyed) as the personal representative of the said James Upton deceased has agreed to sell to the Purchaser the property hereinafter

described and the fee simple thereof in possession  
free from incumbrances at the price of One  
Thousand three hundred and twenty five  
pounds.

Now in pursuance of the said agreement and  
in consideration of the sum of One thousand  
three hundred and twenty five pounds now paid  
by the Purchaser to the Vendor, as such personal  
representative as aforesaid (the receipt of which  
the Vendor hereby acknowledges) this  
Deed witnesseth as follows:—

The Vendor's Personal Representative of the  
said James Tipton deceased hereby conveys  
unto the Purchaser T. G. W. these pieces parcels  
or close of land situate in the Parishes of  
Witherby and Ratcliffe Walby in the County of  
Leicestershire with the farm house, stable farm  
buildings, yard, garden and appurtenances  
thereto belonging known as the Mythe Farm  
the which premises were formerly considered  
to contain thirty two acres or thereabouts but  
contain according to the Ordnance Survey Map  
(2nd Edition) 33.153 acres or thereabouts and  
are more particularly described in the Schedule  
hereto and delineated on the plan hereto annexed  
and thereon coloured pink Together with  
all mines minerals and fossils in and

11-11-16

Product

46

Ratcliffe Valley Ranch

1085

042

2.872

4.833

5.427

834

Salt River

Native

Native

Native

Native

House, Building, Garden

Part 1

48

3

6

5

7

Winchester Ranch

Area

Description

Number

Volume

On schedule

under the said premises and all other  
 the, upon payment and application to  
 the said premises belonging to 1968 -  
 into the premises in the sample  
 2. The lender hereby acknowledges the right  
 of the lender to production and delivery  
 of copies of the State of the Bill of the  
 said premises from records  
 said records without the parties hereto  
 have hereunto set their hands and seals  
 the day and year first before written



DATED

22nd March

1966

MISS H. HARDING

- to -

MR. H. HARDING,

# Conveyance

of

the freehold farm known as

Mythe Cottage Farm, Ratcliffe  
Culsey, Leicestershire.



1927  
of the O

SHAW & SONS LTD.  
Law Stationers &c.  
FETTER LANE,  
LONDON, E.C.4.

# This Conveyance

is made this 23-3-27

Than 5 second

of *March* One thousand nine hundred and sixty-six  
BETWEEN MARRIET HARDING formerly of 25 Hinckley Road  
Leicester and now of 47 St. Nicholas Road Nuneaton War-  
wickshire Spinster (hereinafter called the Vendor) of  
the one part and HENRY HARDING of Lodge Farm Atterton  
(near Nuneaton) Leicestershire Farmer (hereinafter called  
the Purchaser) of the other part WHEREAS the Vendor is  
seised of the property hereinafter described in fee simple  
in possession free from incumbrances and has agreed to sell  
the same to the Purchaser at the price of Five thousand  
pounds.

NOW THIS DEED WITNESSETH as follows :

1. In consideration of the sum of Five thousand pounds  
paid by the Purchaser to the Vendor (the receipt whereof  
the Vendor hereby acknowledges) the Vendor as beneficial  
owner conveys unto the Purchaser ALL THESE pieces or  
parcels of land situate in the Parishes of Witherley and  
Ratcliffe Culey in the County of Leicester with the farm-  
house stable farm buildings yard garden and appurtenances  
thereto belonging known as The Mythe Farm (otherwise Mythe  
Cottage Farm) ALL which premises contain according to  
the Ordnance Survey Map (1924 Edition) 3.153 acres or  
thereabouts and are more particularly described in the



Schedule hereto and delineated and edged pink on the plan annexed to a Conveyance dated the Twenty-seventh day of June one thousand nine hundred and thirty-three and made between Alfred Upton of the one part and the Vendor of the other part.

2. It is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds six thousand pounds.

THE SCHEDULE.

<u>Ordinance No.</u>	<u>Description.</u>	<u>Area.</u>
<u>WITHERLEY PARISH</u>		
7	House, Buildings & Garden.	.234
5	Pasture.	5.727
6	Pasture.	4.833
3 )	Pasture.	2.872
48 )	Pasture.	.040
Part 1	Part River.	.085
<u>BATCLIFFE CULLEY PARISH</u>		
46	Pasture.	4.410
37	Part River.	.255
18	Pasture.	2.028
45	Pasture.	6.636
20	Pasture.	1.659
17	Pasture.	3.906
Part 15	Part River.	.462
		<u>33.153</u>

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first before written.

SIGNED SEALED and DELIVERED )  
by the said Harriet Harding )  
in the presence of

*E. W. Wood*

*Harriet Harding*

SIGNED SEALED and DELIVERED )  
by the said Henry Harding )  
in the presence of

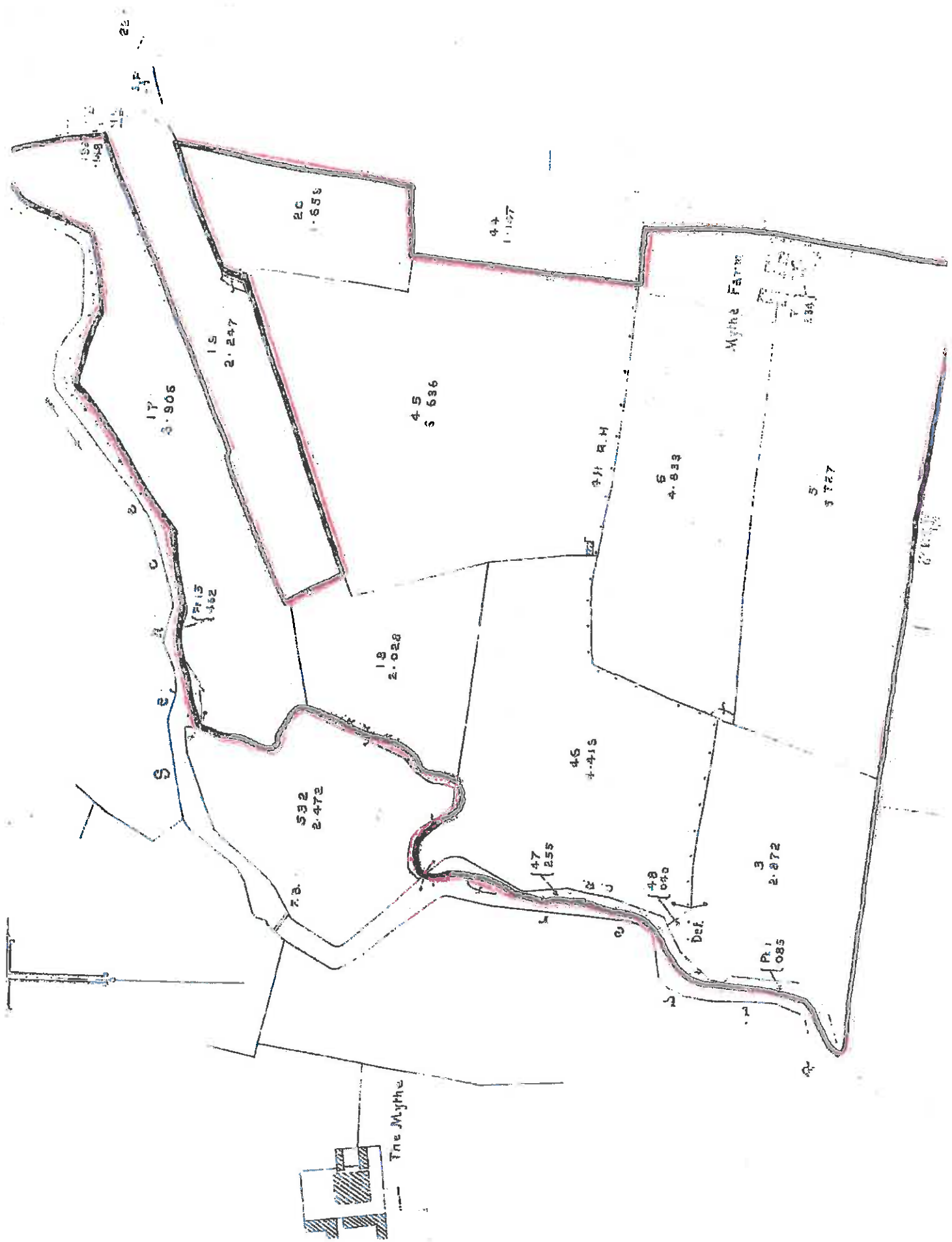
*E. W. Wood*

*Managing Clerk*

*George T. Brown*

*Secretary, Atherton*

*H. Harding*



DATED

23rd July

Appendix 5c

1976

MISS A. M. HARDING AND OTHERS

- to -

MR. AND MRS. P. GARLAND

CONVEYANCE

- of -

freehold land situate partly in the Parish  
of Ratcliffe Culey and partly in the Parish  
of Witherley in the County of Leicester.

Hale, Randle & Stevenson,  
Solicitors,  
NUNEATON.

THIS CONVEYANCE was made the 12th day of July 1931

30 JUL 1931

day of July  
FINANCE ACT 1925

One Thousand Nine Hundred and Seventy-six

Examined  
the original by  
P. Chess

BETWEEN ADA MARY HARDING of Mythe Cottage Farm

Ratcliffe Road Witherley in the County of Leicester

(hereinafter called "the Vendor") of the first part

HARDING of Grange Farm Horton near Northampton

HARDING now of Glebe Farm Sutton Cheney Road Shenton in the

said County of Leicester and THOMAS CHARLES HARDING of Lodge

Farm Atterton in the said County of Leicester (hereinafter

called "the Trustees") of the second part and PETER GARLAND

and MARGARET GARLAND his wife both of Mythe Farm Ratcliffe

Culey in the said County of Leicester (hereinafter called "the

Purchasers") of the third part.

WHEREAS :-

(1) Henry Harding late of Mythe Cottage Farm Ratcliffe Road Witherley aforesaid (hereinafter called "the Testator") died on the Twenty-seventh day of April One thousand nine hundred and seventy and his Will with one Codicil was proved in the District Probate Registry at Nottingham on the Nineteenth day of November One thousand nine hundred and seventy by the Trustees.

(2) By a Vesting Assent under the hands of the Trustees as the Personal Representative of the Testator the Trustees on the Twenty-ninth day of October One thousand nine hundred and seventy-one assented to the vesting in the Vendor of (inter alia) the property hereby conveyed for an estate in fee simple and it was thereby declared that the said property was vested in the Vendor upon the trusts declared concerning the same by the Will of the Testator and that the Trustees were the trustees of the settlement for the purposes of the Settled Land Act 1925 and that the power of appointing new trustees of the settlement was vested in the Trustees.

(3) The Vendor in exercise of the powers vested in her by the said Settled Land Act 1925 has agreed with the Purchasers for



IN consideration of the sum of TWENTY THOUSAND POUNDS now paid by the Purchasers by the direction of the Vendor to the Trustees as such Trustees as aforesaid (the receipt of which sum the Trustees hereby acknowledge and the payment whereof the Vendor hereby acknowledges) the Vendor as Trustee in exercise of the powers vested in her by the Settled Land Act 1925 and of all other powers heretofore enabling hereby conveys unto the Purchasers FIRST ALL THOSE pieces or parcels of freehold land situate at Mythe Cottage Farm partly in the Parish of Ratcliffe Culey and partly in the Parish of Witherley in the said County of Leicester containing an area of 26.37 acres or thereabouts and for the purpose of identification only delineated and edged red on the annexed plan Number 1 and including one-half of the River Sence co-extensive with the said land as shown by a dotted line on the said plan (except as to the piece of land secondly described) and SECONDLY ALL THAT piece of freehold land situate in the Parish of Ratcliffe Culey containing 0.264 acres or thereabouts formerly forming part of field O.S. 0662 and now taken into field O.S. 0855 and for the purpose of identification delineated and coloured red on the annexed Plan Number 2 TO HOLD the same unto the Purchasers in fee simple as joint tenants.

2. THE Purchasers hereby declare that :-

- (a) They are in equity joint tenants.
- (b) The trustees for sale of the property shall have powers to deal with it during eighty years from the date hereof equal to those of a sole beneficial owner.

3. IT is hereby agreed and declared that any easement or right to the supply of water to the water trough situate between fields O.S. part 0725 and 0638 from the adjoining property of the Vendor retained by her is excluded from the Conveyance hereby made.

4. THE Purchasers for themselves and their successors in title hereby jointly and severally covenant with the Vendor to erect within three months from the date of this Conveyance and for

7652  
177



between the points marked 'A' and 'B' on the said plan Number 1.

5. THE Vendor hereby acknowledges the right of the Purchasers to production and delivery of copies of the documents of title specified in the Schedule hereto.

6. IT is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Twenty Thousand Pounds.

I N W I T N E S S whereof the said parties hereto have hereunto set their hands and seals the day and year first before written.

THE SCHEDULE before referred to

27th June 1933

CONVEYANCE of this date made between Alfred Upton of the one part and Harriet Harding of the other part.

22nd March 1966

CONVEYANCE of this date made between the said Harriet Harding of the one part and the Testator of the other part.

29th October 1971

The before mentioned VESTING ASSENT of this date.

SIGNED SEALED and DELIVERED by the said  
ADA MARY HARDING in the presence of :

} A. M. Harding

*S. M. Wood*  
*Wm. G. ...*  
*Solicitors* *Chas. Storer*

SIGNED SEALED and DELIVERED by the said )  
ALEC FARMER HARDING in the presence of :

A. F. Harding

*P. E. Clark*  
*169 Denton Road*  
*Boston*  
*Northants*  
*Patrolman*

SIGNED and DELIVERED by the said  
HARRY HARDING in the presence

P.A. *[Signature]*

Stonehouse Co  
Colton Nurets  
Fones

SIGNED SEALED and DELIVERED by the said  
THOMAS CHARLES HARDING in the presence  
of :

*[Signature]*  
BAKER

BROWN WOOD  
BROWN WOOD

L. H. Harding.

T C Harding

SIGNED SEALED and DELIVERED by the said  
PETER GARLAND and MARGARET GARLAND in  
a presence of :

J.C. *[Signature]*  
Lewis  
N. *[Signature]*

*[Signature]*  
M. Garland





# Map of Estate

AT

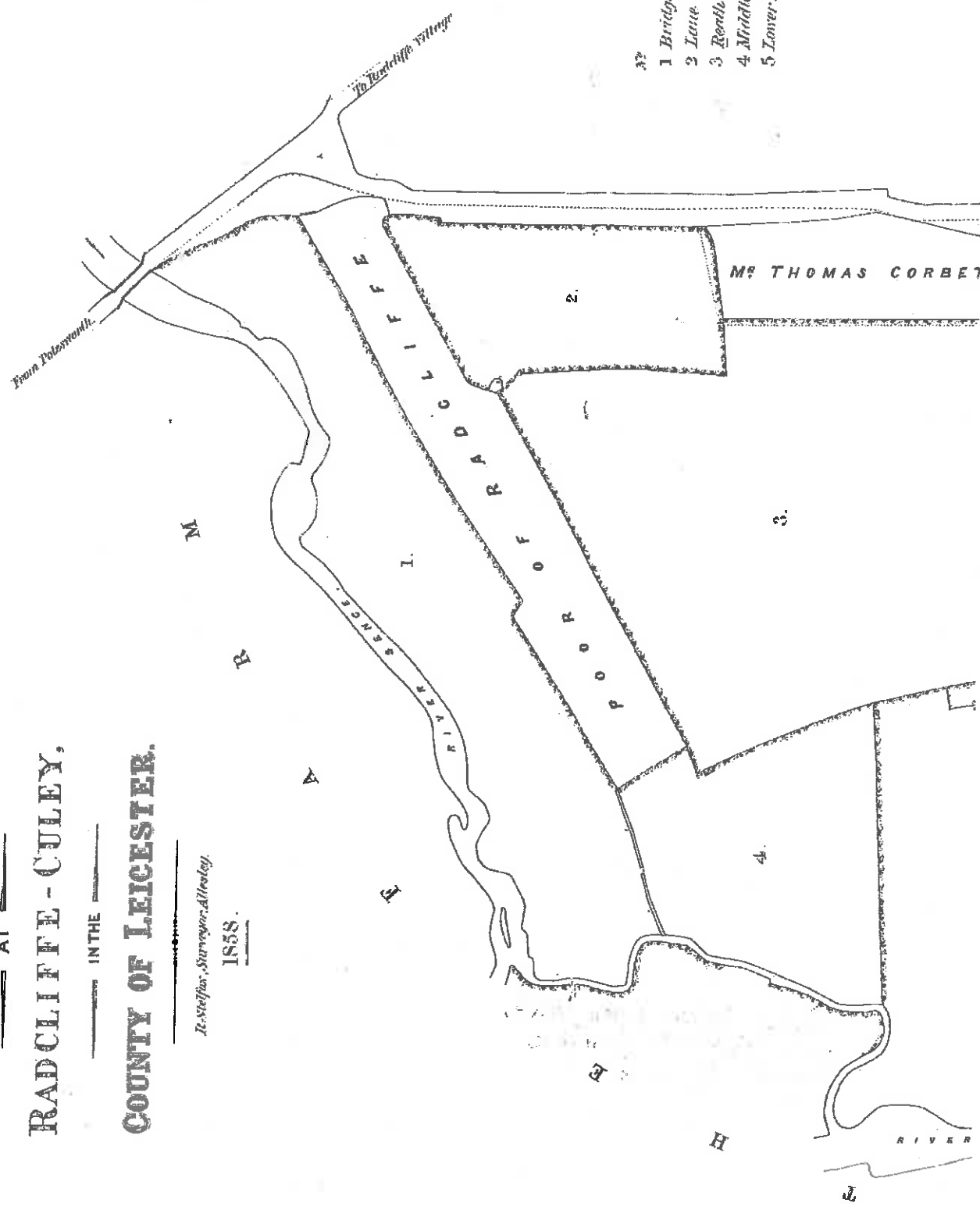
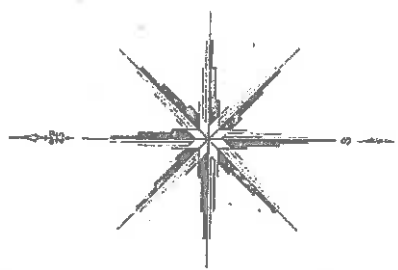
RADCLIFFE - CULEY,

IN THE

COUNTY OF LEICESTER.

*J. A. Stephens, Surveyor, Alcester.*

1858.



## REFERENCE.

Acres	Quarrels
1 Bridge Meadow.	3.5.16
2 Lane Close.	1.2.38
3 Radcliffe Town Close, with Hovels.	6.2.2
4 Middle Meadow.	2.0.14
5 Lower Meadow.	4.1.12
Total.	18.2.2



Mrs J Garland  
Mythe Farm  
Pinwall  
Sheepy Magna  
Atherstone  
CV9 3PF

Date: 4<sup>th</sup> February 2008  
My ref: PEL/SH  
Your ref:  
Contact: Peter Law  
Phone: 0116 305 6169  
Email: plaw@leics.gov.uk

Dear Mrs Garland

**RE: CONDITIONS REGISTRATION ACT 1965 - COMMONS ACT 2006 –  
COUNTRYSIDE AND RIGHTS OF WAY ACT 2000 –  
LAND FORMING PART OF OS FIELD NUMBER 0052 AND 0855 KNOWN  
LOCALLY 'THE GRAVEL HOLE'**

Following our telephone conversation I have now had the opportunity of looking out the file that relates to the original application for registration of this common. I make the following comments:-

1. The application for the land (copy of application enclosed) has been correctly registered as common land by the Leicestershire County Council as the Commons Registration Authority
2. A meeting took place on the 6<sup>th</sup> September 1996 here at County Hall between Mrs Grubb, Chairman of the Parish Council, Mrs Harding, owner of Mythe Cottage Farm and John Prendergrast who made some hand written notes from which I paraphrase :-
  - i. Mrs Harding produced a plan showing the Farm in 1858 which included the land currently registered as common under CL3 as part of the farm; and OS field numbers 0048 and 00951 as 'land allotted for the poor of the parish' *Gravel hole. used to be 2 enclosures*
  - ii. OS field numbers 0048 and 00951 have always been treated by the parish council as being in the parish council's ownership and occasionally 'let' the grass on it. She had a copy of the Enclosure Act award which she understood was the authority which vested the land in the parish council. (some question that the fact that the land should have been vested in the County Council!)

Chief Executive's Department  
Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA  
Telephone: 0116 232 3232 Fax: 0116 265 6161 Minicom: 0116 265 6160  
Email: chiefexecs@leics.gov.uk DX: 729262 Leicester 30

John Sinnott, MA, Dipl. PA, Chief Executive  
Elizabeth M. McCalla, LL.B, Head of Department & County Solicitor

- iii. That John Prendergrast in 1996 took the view (but see my comments below) that a) there was no way in law as it then stood of amending the register b) being common land did not then automatically give public access to the land c) that as the Parish Council regarded OS field number 0048 and 00951 as common land there was little to be gained from any further exercise in solving this problem.

Since 1996 this situation has significantly changed.

3. Since 1996 the Countryside and Rights of Way Act 2000 has been enacted which gives the public rights of access on to 'open access land; which includes all common land.'
4. The enactment of the Commons Act 2006 under section 19 gave a route for the High Court to be petitioned to amend registration in certain circumstances namely if the original application had been fraudulent ~~or~~ <sup>and</sup> that it was 'just' to amend the application.

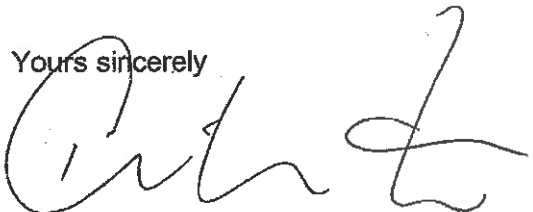
My view is that the purpose of the Commons Registration Act 1965 and its successor the Commons Act 2006, was to register the correct piece of land and not the incorrect piece of land as a common.

I think that the Leicestershire County Council would not object to any application made by the Parish Council, with your consent, for the removal of your land from the Commons Register. If the application were to be successful we would be ordered by the court to do so. What I would like to see however is the Parish Council either in the same petition to the High Court or contemporarily with it making an application using section 15 (7) of the Commons Act 2006 to voluntarily register land in its ownership as common land. This may mean also that the Parish Council will have to voluntarily register these two OS field numbers 0048 and 00951 at the Land Registry as well.

5. The present position is that your land remains common land and is subject to access by the general public under the CROW Act 2000.

I am happy to discuss further.

Yours sincerely



Peter Law  
Head of Conveyancing for County Solicitor

P.S. I will be on leave from 13 Feb - returning on Tuesday 25 Feb.

**Photographic Comparison of 'The Gravel Hole' and 'Bridge Meadow'**



1. Photograph taken from the eastern end of 'The Gravel Hole' looking south. This image shows the slope of the boundary going up from the 'The Gravel Hole' to the adjoining land known as 'Lane Close' (see appendix 6).



2. Photograph taken from the eastern end of 'The Gravel Hole' looking south. This image also shows the slope of the boundary going up from the 'The Gravel Hole' to the adjoining land known as 'Lane Close' (see appendix 6). Notice the height of the fence post on the left, the bank is approximately 3 feet here.





3. Photograph taken from the eastern end of 'The Gravel Hole' looking south. This image also shows the slope of the boundary going up from the 'The Gravel Hole' to the adjoining land known as 'Lane Close' (see appendix 6).



4. Photograph taken from the eastern end of 'The Gravel Hole' looking north - west. This image shows the slope of the boundary going up from the 'The Gravel Hole' to the adjoining land known as 'Bridge Meadow' which is incorrectly identified as common land, and also shows the poor, weedy very uneven pasture due to the extraction of gravel and lack of topsoil. The height of the bank here is approximately 1 ½ feet.



5. Photograph taken from the eastern end of 'Bridge Meadow' looking south - east. This image shows the well maintained pasture of the incorrectly registered land and 'The Gravel Hole' which drops down behind the fence line in the near distance.



6. Photograph taken from the eastern end of 'Bridge Meadow' looking south – east towards The Mythe Farm. This image again shows the well maintained pasture of the incorrectly registered land and the River Sence on the right of the photograph. 'The Gravel Hole' is immediately to the left of this field.



Chartered Surveyors  
Property Consultants

19<sup>th</sup> September 2008

Ref: LK3.1/KTP/CS

***First Class***

Mr & Mrs J. Garland  
Mythe Farm  
Pinwall Lane  
Sheepy Magna  
Atherstone CV9 3PF

Dear Mr and Mrs Garland

**Re: "The Gravel Hole", Ratcliffe Culey, Near Atherstone  
Annual Lane Setting**

Thank you for sending me a copy of your application for amending the Common Land Register. I was surprised to learn that the above land was included within the Register because, so far as I was concerned, it has always been owned (at least so long as I can remember) by Witherley & Ratcliffe Parish Councils.

As you well know, the land comprises approximately 2.5 acres and is let for grazing purposes along with several other lots at the Annual Lane Setting, which takes place on the first Thursday after Easter.

I have been undertaking the auction every year since 1983 with the exception of 2001 when there was a foot and mouth epidemic. The grazier is entitled to exclusive possession until the auction the following year.

I have looked through the Lane Setting book and I see that your family has had the grazing rights on this land on every single occasion when I have conducted the auction except for 2000 when the rights were acquired by Reg Davies.

The Lane Setting has been going on since the 1700's and the Lane Setting book in my possession starts in 1920. I enclose a copy of the page entry for that year in which you will see that the Lot 1 is clearly stated. I also enclose a copy in respect of this current year and also a copy of the Minutes for 1880 which may help the powers that be reach a conclusion that this has never been treated as common land by members of the public.

If you require any further information then please do not hesitate to contact me.

Yours sincerely

*K. T. Parsley BSc FRICS AClArb*  
keith@parsleyproperty.co.uk



**RICS**  
The mark of  
property professionalism worldwide

Regulated by RICS

Shortland Parsley is an appointed representative  
of Stuart Alexander Limited which is authorised  
and regulated by the Financial Services Authority.

**Principal:**  
Keith T. Parsley BSc. (Est. Man.) FRICS, AClArb.  
**Consultants:**  
David J. Shortland FRICS,  
Antony Cresswell-Black M.R.I.C.S.  
(Chartered Building Surveyor)

In Association with Shortland Home Ltd  
with offices in Coventry, Nuneaton and Bedworth  
**COMMERCIAL, AGRICULTURAL & RESIDENTIAL PROPERTY**  
Property Management : Sales & Letting : Auctioneering : Agricultural  
Land Agency : Rating, Taxation & Compensation : Planning & Development

17 Market Street, Atherstone  
Warwickshire CV9 1ET  
Tel: 01827 718912  
Fax: 01827 717993  
Email: shortlandparsley@parsleyproperty.co.uk  
Web site: www.parsleyproperty.co.uk



## A Brief History of the Setting of the Lanes at Ratcliffe Culey in the Parish of Witherley and Shire of Leicester

In 1766 an Act of Parliament made provision for the Enclosure of Ratcliffe Culey. It provided for Commissioners to maintain the roads and for the annual Setting of the Lanes to raise monies for the maintenance of the roads.

The earliest record of the Setting of the Lanes in Ratcliffe Culey is made by John Eaton and formed part of the accounts he gave up to the Constable and Overseer of the Highways in 1786, a score years after Ratcliffe Culey was enclosed.

The Lane Rents for 1786 were:

Mr Lythall	for Les Lane	£1 - 0s - 0d
Mr Buck	for Broad Lane	£6 - 0s - 0d
Mr Choyce	for Far Fields	9s - 0d
William Cooper	for Gravel Pits	10s - 0d
Mr Dauchan	for Pinfold	1s - 0d
		£8 - 0s - 0d

With the passage of time some of the Lanes have had their names changed, but Broad Lane, Gravel Pits and Pinfold Lane remain. Les Lane is now Leicester Lane.

The first mention of the Lanes being set from Easter to Easter was in 1801 - 1802, although Easter Monday was the date laid down in the Act of Enclosure for the Setting.

Between 1801 and 1867 the Lane Setting was changed from Easter Monday to The first Thursday after Easter.

Over the years some Lanes were included then excluded. Pinfold Lane is no longer included. Hinckley Lane, now called Ratcliffe House Lane was first mentioned in 1825; Ormes Lane in 1874, when just the scrapings were included. There were no offers for these!

In 1824, the Lanes were let for £15 - 4s - 6d

2008

Statement of sale of account of  
grass-keeping at Ratcliffe Culey  
and Witherley.

Conducted by Keith T. Parsley  
on Thursday 27th April 2008

Keeping let from this date  
until March 25th 2009

lot 1 Grass Keeping at Atherstone Road  
Gravel hole and Bridge Lane  
(approx 2.25 acres.)

lot 2 Grass Keeping at Atherstone Road,  
Bridge Lane and Orms Lane

lot 3 Grass Keeping at Broad Lane (from  
The Gate Inn to Ratcliffe House Lane)

lot 4 Grass Keeping from Ratcliffe  
House Lane to Barn Farm

lot 5 Grass Keeping from Barn Farm  
to end of Parish (A444)

lot 6 Grass Keeping on Ratcliffe  
House Lane

lot 7 Grass Keeping on Wood Lane  
(approx 1.87 acres)

Copy Minute 1<sup>st</sup> April 1880.

At a Meeting of Ratepayers of  
Ratcliffe Couley held this day  
for the purpose of setting the lanes  
It was resolved.

That the lanes  
be grazed from sunrise to sunset  
and that the purchaser shall  
provide a Fenter with all stock  
turned on the lanes, and they  
shall be grazed only with sheep  
or beast and that no ass, Bull,  
Tup or pig shall be grazed thereon.

In default of stock being  
grazed without a Fenter the  
purchaser shall at his own  
expense defend any action  
at law that may be brought  
against them or the Overseers  
for unlawfully grazing  
such lanes.

And also the purchaser shall  
pay all the parochial rates,  
and further it was resolved  
that the purchaser shall pay  
the whole amount of the purchase  
money immediately on the fall  
of the Hammer or give  
approved joint security for the  
payment of the same to the  
waywarden within 3 days  
of the date of sale.

Copy Minute 1<sup>st</sup> April 1830

At a Meeting of Ratepayers of  
Ratcliffe Couley held this day  
for the purpose of setting the Closes  
It was resolved.

That the lanes  
be grazed from sunrise to sunset  
and that the purchaser shall  
provide a Jentle with all stock  
turned on the lanes, and they  
shall be grazed only with sheep  
or heast and that no ass, bull,  
kyp or pig shall be grazed thereon  
In default of stock being

grazed without a Jentle the  
purchaser shall at his own  
expense defend any action  
at law that may be brought  
against them or the Overseers  
for unlawfully grazing  
such lanes.

And also the purchaser shall  
pay all the parochial rates,  
and further it was resolved  
that the purchaser shall pay  
the whole amount of the poor  
money immediately on the fall  
of the Hammer or give  
approved joint security for the  
payment of the same to the  
overseers within 3 days  
of the date of sale.

sold on the several lots.

Horses allowed to be  
grazed providing they are  
under control.

Samuel Bacon  
Chairman.

---

6

6

9

9

6