

Eddie Brennan

From: Eddie Brennan
Sent: 27 November 2017 14:59
To: 'Gunthorpe Parish Clerk'
Subject: RE: Gunthorpe Common (CL18)

Importance: High

Hi Personal Information

Gunthorpe Common (CL18)

The County Council has received a request (under the Environmental Information Regulations 2004) for copies of emails between NCC and Parish Council members in relation to the works recently carried out on the Gunthorpe Common.

I would be grateful if you could let me know whether the Parish Council consents to this information being released? There is some urgency in this matter, so a prompt response would be greatly appreciated.

Regards

Eddie Brenna
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

Emails and any attachments from Nottinghamshire County Council are confidential.

If you are not the intended recipient, please notify the sender immediately by replying to the email, and then delete it without making copies or using it in any other way. Senders and recipients of email should be aware that, under the Data Protection Act 1998 and the Freedom of Information Act 2000, the contents may have to be disclosed in response to a request.

From: Gunthorpe Parish Clerk [mailto:clerk@gunthorpenottspc.org.uk]
Sent: 18 April 2017 16:58
To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>
Cc: Personal Information
Subject: FW: Gunthorpe Common (CL18)

Subject: RE: Gunthorpe Common (CL18)

Hi Eddie

My name is Personal Information and I am the Parish Clerk for Gunthorpe, my contact details are below.

As you will see from Personal Information reply the volunteers have done an amazing amount of work in a very short space of time and it is still work in progress, but it looks amazing so far.

I will speak to the people involved and be back in touch with you if further actions are required.

Regards

Personal Information – Parish Clerk

Gunthorpe Parish Council





01 11 2017

NOTTINGHAMSHIRE COUNTY

NEWARK AND SHERWOOD DISTRICT

GUNTHORPE CP

SOUTHWELL

1989

5900
9-78

5385
6-05

BM 17.08m

Co Const. CP & ED Body

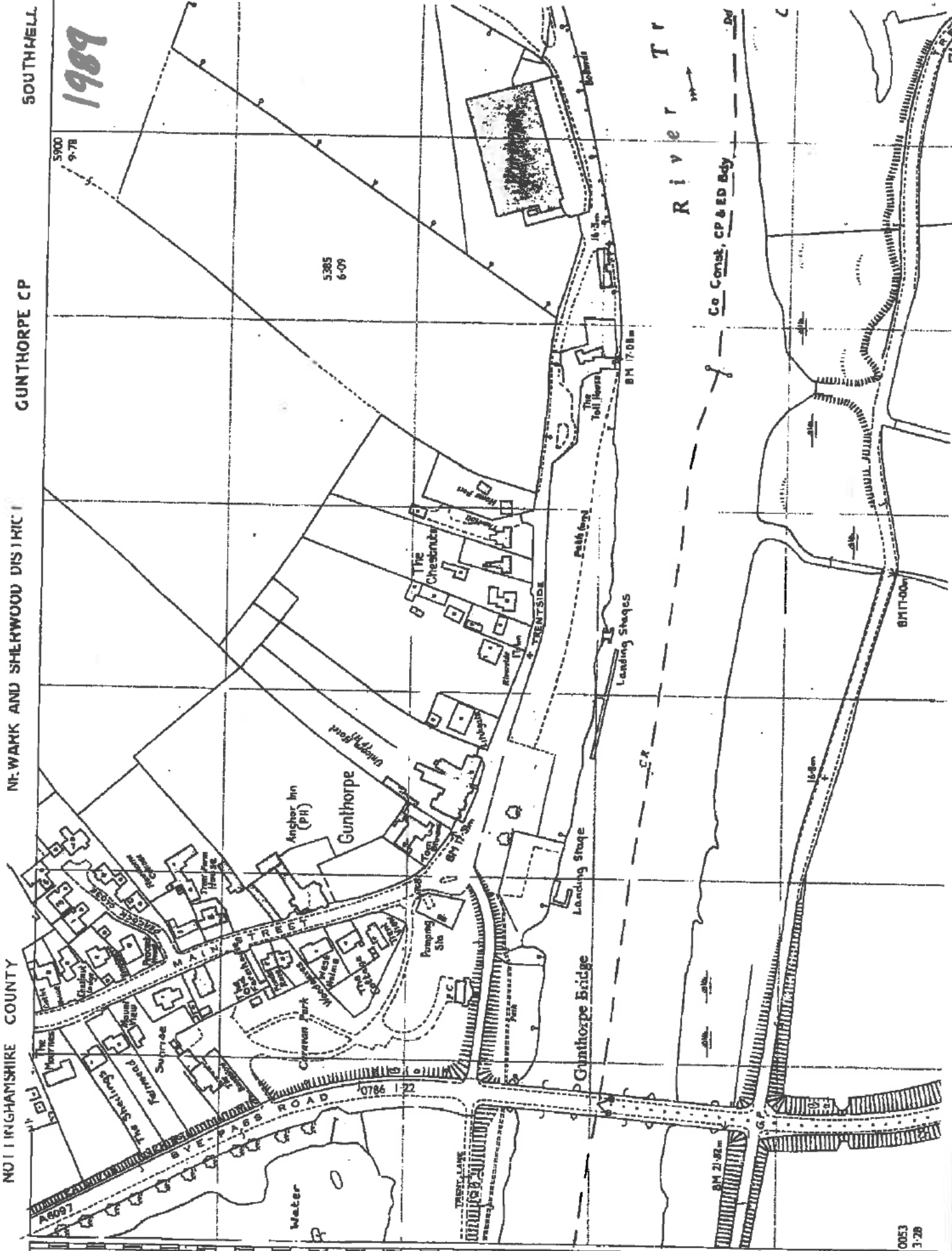
BM 17.00m

BM 21.82m

0053
3-28

SHERWOOD CO CONST

MALKIN WARD



Eddie Brennan

From: Eddie Brennan
Sent: 08 November 2017 12:16
To: Personal Information
Subject: FW: Gunthorpe
Attachments: 1968 and 1989.pdf; Gunthorpe 1971.jpg; Proposal.pdf

Personal Information

At the request of the Boat and Ski Club, I have researched the alignment and found that the legal line of the route is actually as shown on the attached photo (ref: proposal). Please could you arrange to remove one section of fencing (i.e. the 6th one in from the road). David is arranging for the removal of a section of scaffold pole to the side of the tree in the photo. The route will be signposted in due course as the public bridleway.

This realignment should alleviate some of the problems the Boat and Ski Club has been experiencing with horse riders and cyclists.

Comments welcome.

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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From: Eddie Brennan
Sent: 02 November 2017 09:58
To: Personal Information
Subject: RE: Gunthorpe

Good morning Personal Information

I've had a look at various maps dating between 1900 and the present day, and it would appear that the towing path (on which the public bridleway is based) has moved several times over the years. However, I consider that the definitive alignment should reflect the situation on the ground when the definitive map was published in 1967.

Consequently, having checked the OS 25" map for 1968, and an aerial photo dated 1971, it appears that the line of the bridleway is not as close to the riverside as is currently laid out.

I have attached a recent photo showing what I believe to be the legal line of the bridleway. In order to make this available, one section of wooden fencing needs to be removed as does one section of scaffold pole as shown in the photo. I understand that this alignment would to a degree, reduce the problems you have been experiencing?

Your comments are welcome.

Eddie Brennan

From: Eddie Brennan
Sent: 17 October 2017 14:24
To: Personal Information
Subject: RE: Siting of waste bin

Personal Information

Thanks for informing me.

The Parish Council should consider whether the proposal falls under the guidance below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/477563/guidance_sheet_1b.pdf

If not, please get back to me.

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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From: Personal Information
Sent: 12 October 2017 14:49
To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
Cc: clerk@gunthorpenottspc.org.uk; Personal Information
Subject: Siting of waste bin

Eddie,

I've been asked to inform you of Gunthorpe PC's intention of siting a combined litter / dog waste bin near the site where the slip road meets the entrance to the Unicorn car park, to be fixed close to the newly installed metal fence. The increased use of the route by walkers / cyclists since we have opened the area up has caused there to be a need to keep litter under control.

See attached pic - it would go near the middle of this photo, about where the black wooden board sign is

Please advise if there are any issues with this from your perspective

Many thanks

Personal Information



Eddie Brennan

From: [Redacted] Personal Information
Sent: 12 October 2017 14:49
To: Eddie Brennan
Cc: clerk@gunthorpenottspc.org.uk; [Redacted] Personal Information
Subject: Siting of waste bin
Attachments: Bin location.jpg

Eddie,

I've been asked to inform you of Gunthorpe PC's intention of siting a combined litter / dog waste bin near the site where the slip road meets the entrance to the Unicorn car park, to be fixed close to the newly installed metal fence. The increased use of the route by walkers / cyclists since we have opened the area up has caused there to be a need to keep litter under control.

See attached pic - it would go near the middle of this photo, about where the black wooden board sign is

Please advise if there are any issues with this from your perspective

Many thanks

[Redacted] Personal Information

Eddie Brennan

From: [Redacted] Personal Information
Sent: 10 September 2017 10:55
To: Eddie Brennan
Cc: [Redacted] Personal Information
Subject: Re: restored bridleway by the Trent - Gunthorpe

Eddie,
[Redacted] Personal Information (Ski-club) and [Redacted] Personal Information (Riverside Committee) are good to meet with you 9.30 on the 21st Sep.
Many thanks
[Redacted] Personal Information

Sent from my iPad

On 8 Sep 2017, at 09:38, Eddie Brennan <eddie.brennan@nottsc.gov.uk> wrote:

[Redacted] Personal Information

I'm free 19-22 Sept from 9:30 each day, let me know which on suits best and time.

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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From: [Redacted] Personal Information
Sent: 07 September 2017 09:24
To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
Cc: [Redacted] Personal Information
Subject: restored bridleway by the Trent - Gunthorpe

Eddie - I trust this finds you well.
I've been asked by the Ski-club and [Redacted] Personal Information to see if you would have some availability over the next few days/weeks to meet at the site to discuss the bridleway. There have been a few reports of incidents (some including horses), and people would like to discuss options for maintaining safety going forward. Ideas have been proposed, and your views would be welcomed.
I would hope that with summer almost over things may settle down, but it would be good to be prepared for next summer.
The good news is that the overall general use of the bridleway has risen massively, especially the path under the bridge and upstream towards Bulcote.

Eddie Brennan

From: [REDACTED] Personal Information
Sent: 07 September 2017 09:24
To: Eddie Brennan
Cc: [REDACTED] Personal Information
Subject: restored bridleway by the Trent - Gunthorpe

Categories: Purple Category

Eddie - I trust this finds you well.

I've been asked by the Ski-club and [REDACTED] Personal Informa to see if you would have some availability over the next few days/weeks to meet at the site to discuss the bridleway. There have been a few reports of incidents (some including horses), and people would like to discuss options for maintaining safety going forward. Ideas have been proposed, and your views would be welcomed.

I would hope that with summer almost over things may settle down, but it would be good to be prepared for next summer.

The good news is that the overall general use of the bridleway has risen massively, especially the path under the bridge and upstream towards Bulcote.

Regards

[REDACTED] Personal Information

I had cause to visit the Common today and noticed that works have now been carried out by yourselves. It was observed that instead of bollards (as advised) fencing has been installed on the land. As such, the works do not appear to have been carried out in the manner described in the 'Declaration of Exempt Works' which refers to 'regularly spaced obstacles'. In effect, what has been erected is a continuous wooden fence and with narrow gaps between sections (not allowing public access) and a metal fence with step-over sections.

In my opinion you should seek advice about making a retrospective application under S.38 of the Commons Act 2006.

It was also noted that the public bridleway, which runs through the site, was obstructed in two places: (1) by a section of new fencing on your land (2) by the existing scaffold pole fence on Marston's Land. I had understood that matters were in hand for the removal of the latter?

I must request that you remove the short section of fence (1) as shown in the 2nd photograph as this constitutes an obstruction of the highway. I will make arrangements for the bridleway to be adequately waymarked in due course.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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The following message has been applied automatically, to promote news and information from Nottinghamshire County Council about events and services:

County Council elections are coming up, don't forget to vote on Thursday 4 May
www.nottinghamshire.gov.uk/elections

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Although any attachments to the message will have been checked for viruses before transmission, you are urged to carry out your own virus check before opening attachments, since the County Council accepts no responsibility for loss or damage caused by software viruses.

Nottinghamshire County Council Legal Disclaimer.

I hope you can appreciate the amount of work undertaken to date by the volunteers. Whilst most of the works have been completed, they have not as yet been concluded. We had to get the bulk of cost spent by mid-April so as to qualify for grant funding which will pay for this. There is still much to do.

The reinstatement of the public bridleway (onto its true, original path) remains the intention, however there are a couple of things which cause this to be delayed:

1 - The parish council wishes to install a gate on the current path to prevent unauthorised access via motor bikes. A number of recent incidents have occurred, and the increased use of this land since we have opened it up has meant the risk has increased. My understanding is that the installation of a gate on the current path will then allow the full opening of the original bridleway. **Personal Information** (cc'd) may be able to provide more details

2 - in response to further risk assessments on site during works, and resulting from concerns raised by the ski-club, the line of the original fence (scaffold pole type) alongside the current path, was decided to be maintained, albeit opened up with access gaps. The primary concern was that due to the volume of (often 4x4) vehicles with boats on trailers manoeuvring and reversing on the land during weekends in summertime, the increased risk, if the fence is removed, of a small child leaving the current footpath and running (unseen) into the course of such a vehicle was something the ski-club members did not want to contemplate.

Personal Information

The 'description of exempt works' you attached, was not the final version, signed by the PC chair and displayed, however I would say that of the stated works:

1 - removal of tarmac and replacement with grass (completed)

2 - replacement of existing metal barrier fence enclosing ski club area with regularly spaced obstacles, restricting motor vehicles, but allowing pedestrian access (substantially completed, taking into account the risk assessment stated above)

3 - reinstatement of true and correct bridleway (to be completed, once the gate is installed on the current path)

I've cc'd members of the Parish Council in who will be able to correct me if anything is wrong.

Best regards

Personal Information

-----Original message-----

From : eddie.brennan@nottsc.gov.uk

Date : 18/04/17 - 14:38 (GMTDT)

To : gunthorpepc@ukinfoweb.com

Cc

Personal Information

Subject : Gunthorpe Common (CL18)

Dear **Personal Information**

For the Attention of Gunthorpe Parish Council.

Works on Gunthorpe Common (CL18)

Eddie Brennan

From: Eddie Brennan
Sent: 18 April 2017 17:12
To: Personal Information
Cc:
Subject: RE: Gunthorpe Common (CL18)

Personal Information

For the Attention of Gunthorpe Parish Council

Gunthorpe Common (CL18)

The installation of a gate on a highway will certainly require the consent of the Highway Authority and possibly the Secretary of State (if it restricts use of the Common). Furthermore, if the Ski Club considers the movements of vehicles to be a danger to the public, they should seek a formal path diversion. They cannot simply block a public highway. However, it should also be noted that the public not only have the right to use the footpath, but also have the right to roam off it anywhere on the common, in which case vehicles should be alert from all angles not just having regard to the right of way.

The exempt works notice is the one which was distributed for consultation. if another notice was issued, describing works of a different nature, I would appreciate it if you could send me a copy.

Your comments regarding safety concerns do not alter the fact that the works require 5.38 consent (where safety issues can be voiced). Personal Information

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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From: Personal Information
Sent: 18 April 2017 16:21
To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>
Cc: Personal Information
Subject: Re: Gunthorpe Common (CL18)

Afternoon Eddie,

Duplicate

Eddie Brennan

From: Personal Information

Sent: 18 April 2017 16:21

To: Eddie Brennan

Cc:

Personal Information

Subject: Re: Gunthorpe Common (CL18)

Afternoon Eddie,

I hope you can appreciate the amount of work undertaken to date by the volunteers. Whilst most of the works have been completed, they have not as yet been concluded. We had to get the bulk of cost spent by mid-April so as to qualify for grant funding which will pay for this. There is still much to do.

The reinstatement of the public bridleway (onto its true, original path) remains the intention, however there are a couple of things which cause this to be delayed:

1 - The parish council wishes to install a gate on the current path to prevent unauthorised access via motor bikes. A number of recent incidents have occurred, and the increased use of this land since we have opened it up has meant the risk has increased. My understanding is that the installation of a gate on the current path will then allow the full opening of the original bridleway. Personal Information (cc'd) may be able to provide more details

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Personal Information

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3 - reinstatement of true and correct bridleway (to be completed, once the gate is installed on the current path)

I've cc'd members of the Parish Council in who will be able to correct me if anything is wrong.

Best regards

Personal Information

Eddie Brennan

From: Gunthorpe Parish Clerk <clerk@gunthorpenottspc.org.uk>
Sent: 18 April 2017 16:58
To: Eddie Brennan
Cc: [Redacted] **Personal Information**
Subject: FW: Gunthorpe Common (CL18)

Subject: RE: Gunthorpe Common (CL18)

Hi Eddie

My name is [Redacted] and I am the Parish Clerk for Gunthorpe, my contact details are below.

As you will see from [Redacted] reply the volunteers have done an amazing amount of work in a very short space of time and it is still work in progress, but it looks amazing so far.

I will speak to the people involved and be back in touch with you if further actions are required.

Regards

[Redacted] **Personal Information**

Gunthorpe Parish Council
14 Bulcofe Drive, Burton Joyce, Nottinghamshire NG14 5AX

[Redacted] **Personal Information**

From: Eddie Brennan [mailto:eddie.brennan@nottsc.gov.uk]
Sent: 18 April 2017 14:39
To: gunthorpepc_ukinfoweb_com <gunthorpepc@ukinfoweb.com>
Cc: [Redacted] **Personal Information**
[Redacted] **Personal Information**
Subject: Gunthorpe Common (CL18)

Dear [Redacted]

For the Attention of Gunthorpe Parish Council.

Works on Gunthorpe Common (CL18)

I had cause to visit the Common today and noticed that works have now been carried out by yourselves. It was observed that instead of bollards (as advised) fencing has been installed on the land. As such, the works do not appear to have been carried out in the manner described in the 'Declaration of Exempt Works' which refers to 'regularly spaced obstacles'. In effect, what has been erected is a continuous wooden fence and with narrow gaps between sections (not allowing public access) and a metal fence with step-over sections.

In my opinion you should seek advice about making a retrospective application under 5.38 of the Commons Act 2006.

It was also noted that the public bridleway, which runs through the site, was obstructed in two places: (1) by a section of new fencing on your land (2) by the existing scaffold pole fence on Marston's Land. I had understood that matters were in hand for the removal of the latter?







Eddie Brennan

From: Eddie Brennan
Sent: 18 April 2017 14:39
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Cc: **Personal Information**
Subject: Gunthorpe Common (CL18)
Attachments: Exempt Works Declaration.pdf; IMG_2519.JPG; IMG_2521.JPG; IMG_2522.JPG

Dear **Personal Information**

For the Attention of Gunthorpe Parish Council.

Works on Gunthorpe Common (CL18)

I had cause to visit the Common today and noticed that works have now been carried out by yourselves. It was observed that instead of bollards (as advised) fencing has been installed on the land. As such, the works do not appear to have been carried out in the manner described in the 'Declaration of Exempt Works' which refers to 'regularly spaced obstacles'. In effect, what has been erected is a continuous wooden fence and with narrow gaps between sections (not allowing public access) and a metal fence with step-over sections.

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I must request that you remove the short section of fence (1) as shown in the 2nd photograph as this constitutes an obstruction of the highway. I will make arrangements for the bridleway to be adequately waymarked in due course.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Regards

Eddie Brennan
Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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Eddie Brennan

From: Personal Information
Sent: 02 March 2017 09:04
To: Eddie Brennan
Cc: Personal Information
Subject: Fwd: RE: Plan for Gunthorpe works - please review and let us have thoughts

Hi Eddie - FYI N&SDC advice below on the proposal and whether planning permission required.

Regards

Personal Information

-----Original message-----

From: Personal Information@newark-sherwooddc.gov.uk
Date : 01/03/17 - 14:32 (GMTST)
To : Personal Information
Subject : RE: Plan for Gunthorpe works - please review and let us have thoughts

Dear Personal Information

My colleague Personal Information has passed on your email correspondence below in order to advise on whether planning permission is required for the works proposed. Based upon the information you have provided in the works schedule, I am of the view that planning permission would not be required.

I trust this information is of assistance. Please note that any advice is given at officer level only and will not prejudice any future decision made by the Council.

Kind regards

Personal Information

Planner

Development Business Unit

Newark and Sherwood District Council

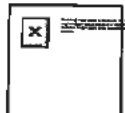
Tel:

E-mail

Personal Information



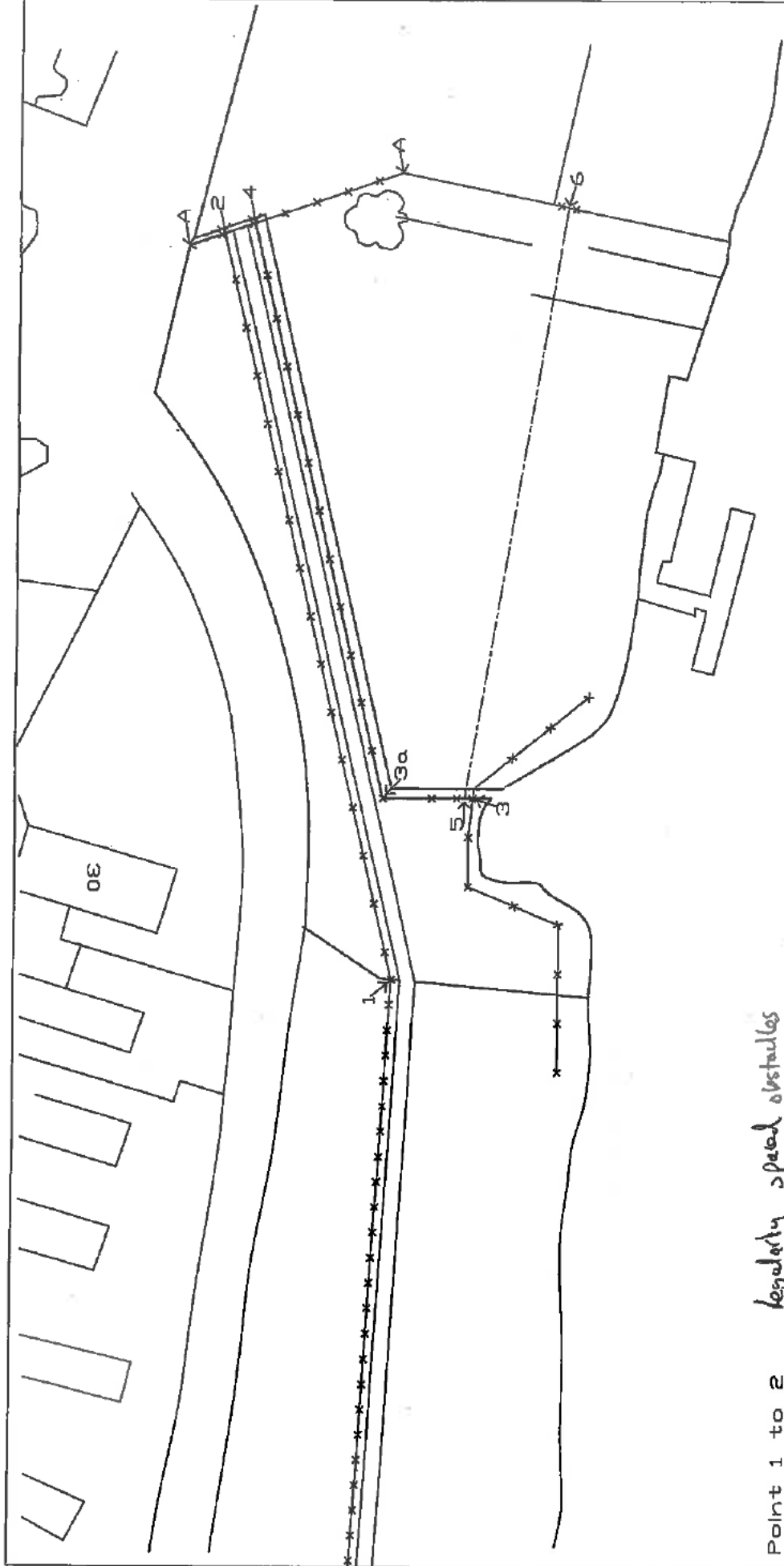
Visit the new Newark and Sherwood District Council website www.newark-sherwooddc.gov.uk



...or scan me

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- Point 1 to 2 Regularly spaced obstacles
- ~~3 Rail-wooden barrier fence to new bridle path~~
- Point 3 to 3a to 4 Regularly spaced obstacles
- ~~Wooden barrier fence with access through to form ski club area boundary to bridle path~~
- Point 5 to 6
- Access to be provided to allow open access along route of original tow path
- Point A to A
- Proposed new boundary incorporating gates and free open access

Indicative drawing of proposed works to common land (C18) Gunthorpe Notts
 Green = Common land Marsdons
 Red = Common land G.P.C.

WORKS EXEMPT FROM SECTION 38 CONSENT PROCESS

Category B Works – Works that are Exempt from the Section 38 consent Process

Declaration of Exempt Works

Description of works

1. Removal of current tarmacked car park area, and replacement with grass
2. Replacement of existing metal barrier fence enclosing ski-club area, with regularly spaced obstacles (not exceeding 200m in length) from points 3 to 3a to 4 to 6, for the purpose of restricting access by motor vehicles whilst allowing pedestrian access.
3. Reinstatement of the true and correct public bridleway through points 5 to 6, with unrestricted access

On**Gunthorpe Common**.....(Name of Common)

Located in the:

(a) Parish of**Gunthorpe**.....

(b) Borough/District/City of**Newark & Sherwood**.....

(c) County of**Nottinghamshire**.....

I/**WE*** declare that the works described above are exempt from the requirement for consent under section 38 of the Commons Act 2006 by virtue of the provisions of the Works on Common Land (Exemptions) (England) Order 2007 (SI 2587/2007) and that these works comply with:

~~Paragraph 1 (temporary fencing to contain grazing animals) / Paragraph 2 (temporary fencing to facilitate growth of vegetation) / Paragraph 3 (temporary fencing to restrict access in the interests of nature conservation) / Paragraph 4 (regularly spaced obstacles to restrict vehicular access)*~~ In Schedule 1 to the Order.**

* Delete as appropriate.

Personal Information

** The full terms of the Order are set out in Schedule 1 to the Order.

Signed

Personal Information

Name (BLOCK letters)

Position (if applicable) **SECRETARY**

Organisation (if applicable) **GUNTHORPE RIVERSIDE COMMITTEE (ON BEHALF OF GUNTHORPE PARISH COUNCIL)**

Address

Personal Information

Telephone

Date **26/2/17**

Eddie Brennan

From: Personal Information
Sent: 27 February 2017 13:46
To: Personal Information@newark-sherwooddc.gov.uk; Personal Information; Eddie Brennan;
Cc: Personal Information
Subject: s38 works Gunthorpe Common land
Attachments: Scan s38 notice 27 Feb 2017.pdf
Categories: Red Category

All,

Please find attached declaration of works which we believe to be exempt under s38B, to be posted on site in advance of works to be carried out on Gunthorpe Common, Nottinghamshire. Note original plans produced allowed for a 3 bar wooden fence. The attached (revised) plan is to incorporate regularly spaced obstacles, less than 200m in length, in line with exemptions under s38B.

Works are to be carried out by the owner of the land (Gunthorpe Parish Council). There are no objections from local stakeholders.

The purpose of the works is to:

- 1 Remove and area of the tarmac car park, and replace with grass
- 2 Remove current metal barrier fencing and replace with regularly spaced obstacles (less than 200m) for the purpose of restricting vehicular access whilst allowing unrestricted pedestrian access
- 3 Reinstate the bridleway running through the common land to its original site, maintaining unrestricted access

We intend to commence works during March 2017. Please advise ASAP with any comments. This mail is being sent to:

- HM Planning inspectorate
- Open Spaces Society
- Newark and Sherwood DC planning
- Nottinghamshire County Council (footpaths and commons)

Yours faithfully
Personal Information

Secretary
Gunthorpe Riverside trust

Eddie Brennan

From: [REDACTED] Personal Information
Sent: 14 February 2017 17:07
To: Eddie Brennan
Cc: [REDACTED] Personal Information
Subject: Re: Plan for Gunthorpe works - please review and let us have thoughts

Ok cheers Eddie, just trying to be transparent, and hopefully gain consensus between all the parties involved. It's a minefield.

Regards

[REDACTED] Personal Information

Sent from my iPad

On 14 Feb 2017, at 11:24, Eddie Brennan <eddie.brennan@nottscc.gov.uk> wrote:

[REDACTED] Personal Information

As I said previously, the Council's main function is simply to maintain the Common's Registers, it isn't Notts CC's role to advise in these matters. My previous advice was given at your request, in good faith and on a strictly informal basis. I must request that you remove any references to me in case this is misconstrued as authorisation. I suggest you consult with the Open Spaces Society to see if they would raise any objection to the proposal.

Having read the text below, I must reiterate my own belief that the works require S.38 consent. Ultimately, if a dispute does arise, only a judge can decide on this matter.

To clarify, I did not say that the works require planning permission (3rd para), but that you should check to see whether they do. The Planning Inspectorate's guidelines provide clear advice on what works require S.38 Commons permission and on the undertaking of consultations in these matters.

N.B. You should always be clear whether you are talking about 'planning permission' or 'S.38 Commons permission' (the latter is the responsibility the Planning Inspectorate, but perhaps not the dept. you spoke to).

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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Eddie Brennan

From: Eddie Brennan
Sent: 14 February 2017 11:24
To: **Personal Information**
Cc:
Subject: RE: Plan for Gunthorpe works - please review and let us have thoughts
Importance: High

Personal Information

As I said previously, the Council's main function is simply to maintain the Common's Registers, It isn't Notts CC's role to advise in these matters.

My previous advice was given at your request, in good faith and on a strictly informal basis. I must request that you remove any references to me in case this is misconstrued as authorisation. I suggest you consult with the Open Spaces Society to see if they would raise any objection to the proposal.

Having read the text below, I must reiterate my own belief that the works require S.38 consent. Ultimately, if a dispute does arise, only a judge can decide on this matter.

To clarify, I did not say that the works require planning permission (3rd para), but that you should check to see whether they do. The Planning Inspectorate's guidelines provide clear advice on what works require S38 Commons permission and on the undertaking of consultations in these matters.

N.B. You should always be clear whether you are talking about 'planning permission' or 'S.38 Commons permission' (the latter is the responsibility the Planning Inspectorate, but perhaps not the dept. you spoke to).

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

Emails and any attachments from Nottinghamshire County Council are confidential. If you are not the intended recipient, please notify the sender immediately by replying to the email, and then delete it without making copies or using it in any other way. Senders and recipients of email should be aware that, under the Data Protection Act 1998 and the Freedom of Information Act 2000, the contents may have to be disclosed in response to a request.

From: **Personal Information**
Sent: 13 February 2017 16:50
To: planning@nsdc.info
Cc: **Personal Information** Eddie Brennan <eddie.brennan@nottsc.gov.uk>
Subject: Fwd: Plan for Gunthorpe works - please review and let us have thoughts

Hi,

- 5 Pedestrian gate of this type to be supplied by NCC and installed by GPC as part of Boundary AA



- 6 Assembly drawing of components to boundary AA
7 Indicative drawing of proposed new fence lines and boundaries

4 Route or new boundary AA

5a Detail of existing fence, to be extended to form Bridle Path boundary with wildlife friendly hedge planned behind



5b Termination point of existing 3 rail fence, point 1



- 3 Existing hard standing area to be removed and reinstated back to grass



Part 3 - Appendices

Photos

- 1 Ski Club metal rail and concrete post boundary to be removed and replaced with low level wooden rail fence incorporating open access to the Common Land /Ski Club area



- 2 Metal gate to Ski Club to be replaced



- 23 The ski club gravel soil topping to be topped off with imported soil where necessary levelled and rolled
- 24 A 3 x rail wooden fence (some 55m long) to the road way side of the path (some 1.5m from the path edge)

Budget (Walker Timber) 35 posts + 90 rails +delivery =£590

Cement x 12 bags x£7=£86+ ballast x3 bags =£120

- 25 A posted barrier to be installed to the ski club side of the new path incorporating metal posts (some 1m high) for a distance of some 40m. The same detailed posts to be included within the top return boundary to the ski club (some 10m) to join with the existing wooden fence protecting the exposed culvert outfall
- 26 Open access to be provided through this boundary to and along the route of the original riverside tow path

Budget 40 metal posts (1.5m) + bottom plates =40x £30=£1200

Cement = 12x £7=£84 + 3 x bags ballast =3x £40 =£120 =£204 total

- 27 Open access to be also installed through the ski club boundary with the car park area fronting the Unicorn Hotel, to also provide open access the tow path original route

Soil import =6 x loads x £ 80 =£480

Spoil removal (backloads)= 5 x lorries X £80 =£400

JCB budget 4 x £250 = £1000

Budget = Bridle gate , ski club gate and metal barriers to AA = £4200

Budget =3 x ton bags of ballast =3 x £40 =£120 plus 20 x bags
cement =20 x £10 =£200

- 13 Pedestrian gate to be obtained from footpaths dept NCC (contact Eddie Brennan NCC)

Budget concrete mixer = 2x weekends =2 x £60 =£120

- 14 Install plastic pipe duct for future cabling

Budget =£40

- 15 JCB to back fill, reinstate trench to previous levels

- 16 Surplus materials to be stock piled on the ski club area for site disposal by contractor

- 17 JCB to trim back redundant material and scrape off top tarmac, from new path alignment, materials to ski club area stock pile

- 18 JCB to excavate new path alignment (some 20m) to a depth of 150 mm then reinstate with existing material to width of some 1.5m

- 19 The new path to be rolled solid and topped off with a surface coating of 50mm to existing footpath specifications as previously agreed with phase 1 path

Budget roller =Frank Key =weekend =£60

- 20 Top soil to be imported to re-establish levels alongside the new path then contour up the road levels

- 21 The ski club area at the new gate entrance to be scraped back approx. depth 100m, the hard-core surface below rolled. Then a plastic membrane incorporating grass growing areas to be laid approx. area 10mx10m. This membrane to be filled with soil levelled and grass seeded. The membrane to assist turning of vehicles utilising the adjacent boat slip into the River Trent

- 22 The existing kerbs within the ski club area to be removed

Part 2 - Work schedule and costs

- 1 Prior to commencing works, barrier off the proposed new boundary AA

Budget = 20 x barriers x 2 days = Frank Key = £60

- 2 Marshalls to escort pedestrians safely around the work areas

- 3 The proposed works area to be surveyed with CAT and GENNY equipment to locate buried cables

Budget = Specialist x 0.5 day = £50

- 4 Cable routes identified to be marked

Budget = Spray can x 2 x £20 = £40

- 5 The new boundary AA to be marked

- 6 JCB to remove all Ski Club fences along new line of bridle path and route AA

- 7 Spoil to be stock piled on SC land

- 8 The realigned path boundaries to be marked both roadside and riverside

- 9 Existing tarmacked surfaces, newly marked boundaries to both AA and the new path to be cut with a machine steel saw

Budget = Frank Key = weekend = £120

- 10 JCB to trim back boundary AA from the sawn edge, to a width approx. 1.5m

- 11 JCB to trench along AA to depth of 600/700 mm

Budget = Contractor £250 x 2 days = £500

Plus 2 x days contouring new soil and loading out spoil = £500

- 12 The metal boundary assembly (see appendix) including pedestrian swing gate, bridle gate, new ski club gate and low level barriers to be installed along AA some 18.3m total

5. Reinstatement of gravelled /hard standing areas back to grass

The existing gravelled / hard surface areas now within the newly formed area will be scraped down some 150mm ,the surface rolled and consolidated then a plastic boxed membrane installed, some 10m², be back filled with top soil, levelled and consolidated to form surface protection for vehicles accessing the gate.

6. Original towpath route reinstatement

Gates will be formed some 1m wide within the Ski Club wooden fence upstream boundary (point 5) and the Ski Club downstream boundary, adjacent the riverside frontage of the Unicorn Hotel Car Park (point 6).

Points 5 to 6, forming a straight route through the rented Ski Club/Common land for unrestricted pedestrian access, close to the riverbank along the route of the original Tow Path.

3. Bridle Path boundary fence (Riverside /ski Club side)

The existing concrete posts and metal pipe fencing to be excavated and removed from site.

A replacement single rail wooden fence 1m high some 40m long to be installed alongside the route of the newly laid path alongside the 1.5m width grass verge. From point 3 to 3a to point 4.

The fence to be extended at the extremity point 3, to form the western boundary to the Ski Club area, from the path to the river Trent.

The fencing to installed at 3.5m lengths with access gaps of 0.5m between, for pedestrian unrestricted access to the Ski Club area /Common land.

4. Proposed new Boundary on alignment AA

The existing Common land /Ski Club access gate and metal fencing to be excavated and removed from site.

A replacement barrier to be installed along the line AA to include a pedestrian access swing gate , a horse access riddle gate , a new double gate for the "Ski Club" /Common land and 3/4 metal hurdle barriers. Incorporated between the barriers will be access gaps of 0.5m for unrestricted access to the Common Land.

The assembly drawing included itemised the components and arrangement in detail.

Barriers and gates to be 1m high with the exception of the 2 x 1.5m posts for bridle gate.

The existing NCC Bridle Path signage post will be excavated and relocated within this AA barrier line adjacent the pedestrian swing gate.

Note -the pedestrian gate to be supplied by NCC to site (yet to be arranged) and installed by the GPC. For gate description see attached appendices.

Part 1 - Description of proposed works

The detailed proposed works meet the approval of both land owners the Gunthorpe Parish Council (GPC), Marston's PLC, stakeholder the "Ski Club" the tenant of Marston's.

The land recently transferred to the GPC is marked in RED whilst the land remaining under the ownership of Marston's is marked in GREEN.

1. Bridle Path realignment and reinstatement

The existing pathway to be realigned some 52 metres in length, between (a) the newly installed 3 rail wooden fence (point 1), and (b) the alignment of the proposed boundary barrier adjacent the "Trentside" roadway (point 2).

The path width to remain at 1.5 metres with grass verge, 1.5m width to each side.

The existing path where necessary to be excavated to a depth of 150mm, reinstated with the recycled existing ballast rolled level, then recapped with 50mm surface material as per the existing path as recommended previously by NCC.

The verges either side of the path to be back filled and levelled with imported top soil, then seeded to grass.

Redundant hard core materials to be transported from site.

2. Bridle path boundary fence and hedging (village side)

To the village side of the proposed path realignment will be installed up to the path grass verge, a 3 rail wooden fence, 1.2m high matching the newly installed fence presently alongside the path and upstream to the bridge and beyond. Behind this fence will be planted a hedge to form and protect a wildlife area upon the embankment to the adjacent roadway. The wildlife area to be enhanced by trees and shrubs to stabilise the banking and roadside barriers.

FAO: Eddie Brennan NCC

From: Gunthorpe Parish Council (Riverside)

Submission for proposal of alteration works on the Common Land

Registration Number C18

We enclose our following documentation for your approval and subsequent approval of the Secretary of State for works upon the Common land, namely "The Green", sited at the riverside in Gunthorpe.

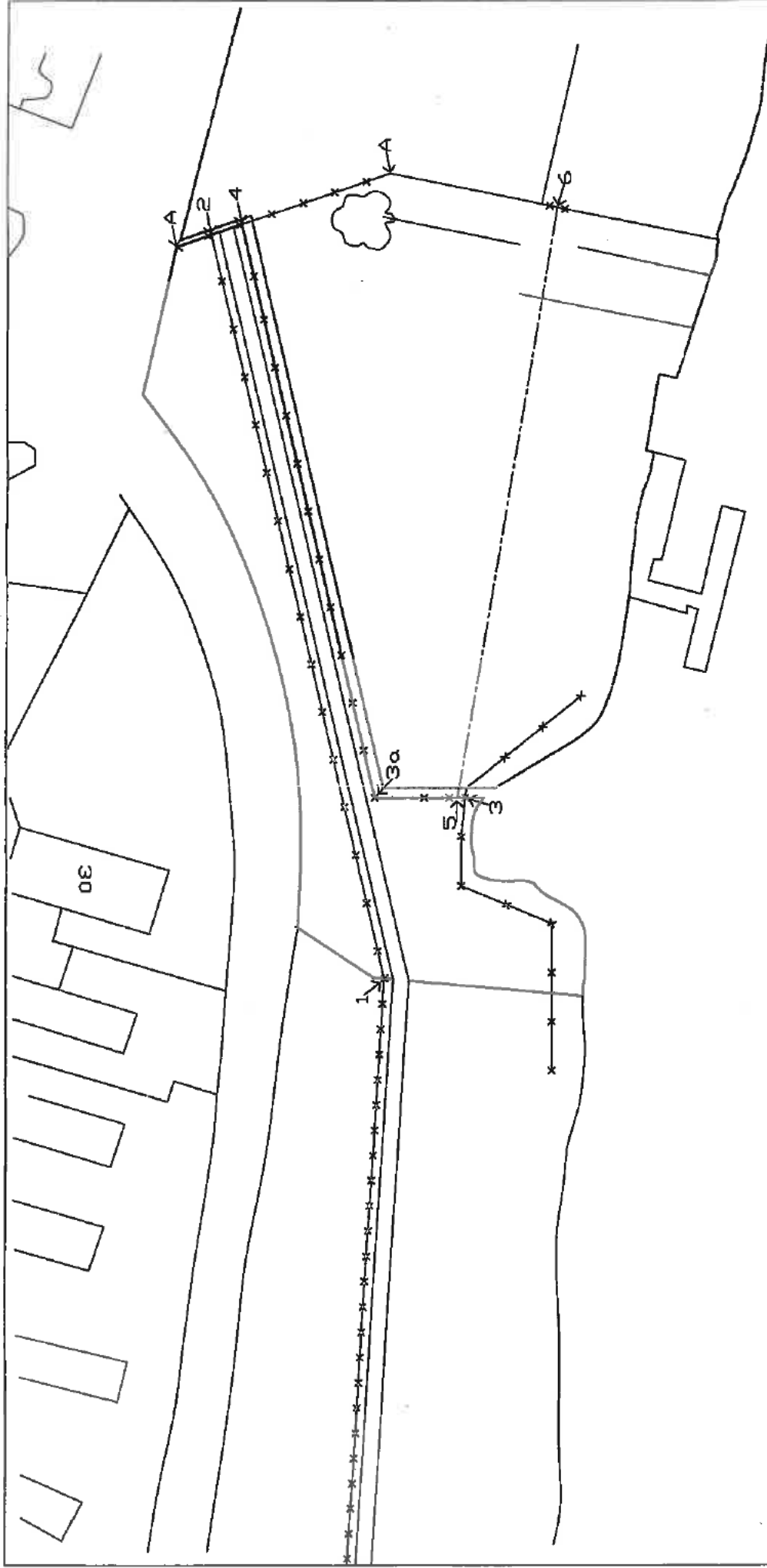
We seek your approval for the works and assistance in seeking approvals from the Secretary of State on our behalf.

Undue project delay could jeopardise payments of monetary grants already agreed with sponsors, therefore your assistance would be most appreciated.

Should there be any clarification required please do not hesitate to contact us.

Objectives

- 1 To create an unrestricted access open space by replacing obstructive metal barriers with hurdle fences containing open access through routes, whilst defending against unauthorised motor vehicles.
- 2 To straighten/realign and level the existing bridle path to alleviate localised flooding, whilst maintaining a through route for pedestrians in all weathers to the roadway at Trentside.
- 3 Install wooden fences and hedging to create a protected wildlife area on the embankment between the proposed realigned path and the adjacent slip road access into the village.
- 4 Restore gravelled and unauthorised hard standing parking areas back to grass land.
- 5 Recreate a riverside through route to the line of the original Tow Path.



- Point 1 to 2
- 3 Rail wooden barrier fence to new bridle path
- Point 3 to 3a to 4
- Wooden barrier fence with access through to form ski club area boundary to bridle path
- Point 5 to 6
- Access to be provided to allow open access along route of original tow path
- Point A to A
- Proposed new boundary incorporating gates and free open access

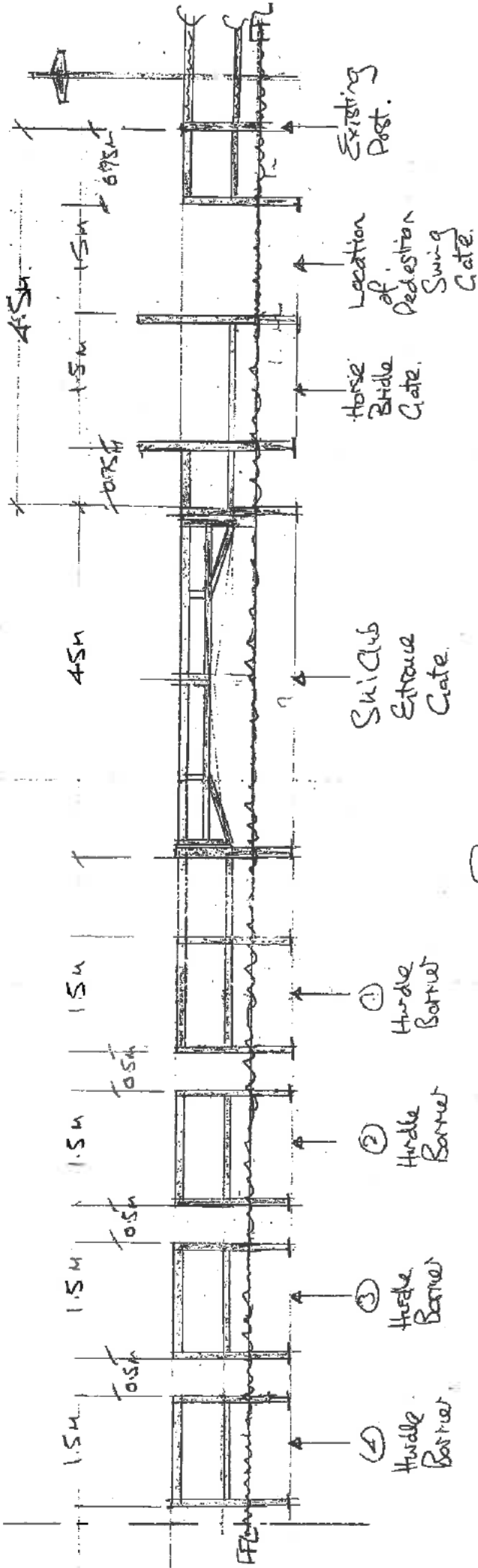
Indicative drawing of proposed works to common land (C18)

Gunthorpe Notts

Green = Common land Marsdons

Red = Common land G.P.C.

Footpath/Bridge Path -



[Total length 18.3m]

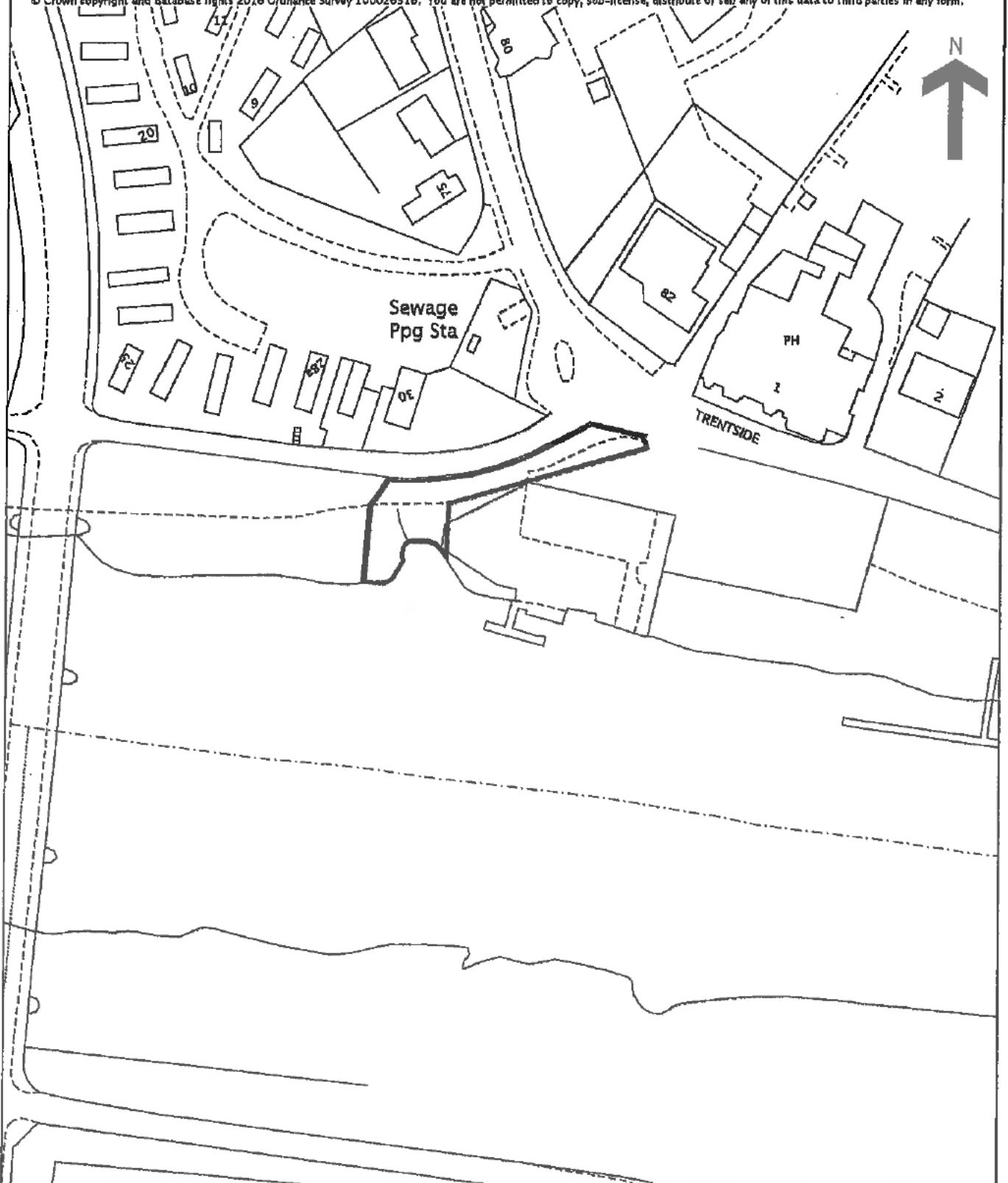
Not to Scale!

Land Registry
Official copy of
title plan

Title number NT525473
Ordnance Survey map reference SK6843NW
Scale 1:1250 enlarged from 1:2500
Administrative area Nottinghamshire : Newark
and Sherwood



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These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 06 December 2016 shows the state of this title plan on 06 December 2016 at 09:30:19. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the Land Registry, Nottingham Office .

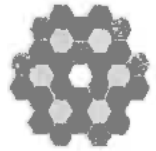
Title number NT525473

C: Charges Register continued

Bridgford Road to the Trent with Corn or any other thing to and from any Boat Navigated on the said River Trent AND ALSO to lay down upon the same any lumber or other things in order to be taken into or delivered out of such boards AND ALSO for watering cattle or fetching water from the said River and deriving their sheep to the said River to wash them there AND ALSO to a right of carriage foot and drifts road or way at all times to and for the said **Personal Information** his heirs or assigns and the owner or owners occupier of occupiers for the time being of the several closes pieces or parcels of land delineated in the said map or plan drawn in the margin of these presents and therein coloured yellow or any of them or any part or parts thereof respectively and his and their tenants servants and other persons authorised by him or them with or without horses carriages or cattle over and along the same And also subject to the hauling path and public bridle road".

NOTE: The part of Cunthorpe Green included in the title in the land lying to the South of Main Street. Part of the land coloured yellow adjoins the Western boundary of Gunthorpe Green and the remainder lies to the North of Main street.

End of register



Official copy of register of title

Title number NT525473

Edition date 15.11.2016

- This official copy shows the entries on the register of title on 06 Dec 2016 at 09:30:19.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 06 Dec 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry Nottingham Office.

A: Property Register

This register describes the land and estate comprised in the title.

NOTTINGHAMSHIRE : NEWARK AND SHERWOOD

- 1 (07.12.1988) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the south of Trentside, Gunthorpe, Nottingham.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (15.11.2016) PROPRIETOR: GUNTHORPE PARISH COUNCIL care of The Clerk To The Council, [redacted] Personal Information
- 2 (15.11.2016) The value as at 15 November 2016 was stated to be under £100,000.
- 3 (15.11.2016) A Transfer of the land in this title dated 21 October 2016 made between (1) Marstons Pubs Limited and (2) Gunthorpe Parish Council contains purchaser's personal covenants.

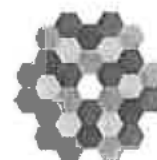
NOTE: Copy filed.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights contained in a Conveyance dated 11 April 1859 made between (1) Personal Information (2) Personal Information and (3) Personal Information

"Except nevertheless and subject as to that portion of the close called "Gunthorpe Green" which lies the River Trent and the Road leading from Gunthorpe to Bridgford over the ford to a privilege for the inhabitants and occupiers of land in Lowdham to pass over the same from the



TITLE INFORMATION DOCUMENT **(Issued following a change to the register)**

An official copy of the register accompanies this notification. It shows entries subsisting following the recent completion of an application to change the register.

Please note: The attached official copy shows the state of the individual register of title as at the date and time stated on it.

If in the future you wish to apply for an official copy of the register or the title plan showing the then position, please apply using Form OC1 (available from us, our website www.gov.uk/land-registry and from law stationers). A fee is payable for each copy issued.

If we need to write to, or send a formal notice to, an owner or other party who has an interest noted on the register, we will write to them at the address as shown on the register. It is important that this address is correct and up to date. If you have such an address but wish to change it, please let us know as soon as possible, quoting the title number.

If you have any queries, please contact us at the address below, quoting the title number shown on the top of the official copy.

Land Registry
Nottingham Office
PO Box 75
Gloucester
GL14 9BD

DX No. 321601 Gloucester 33

Tel: 0300 006 0008
Fax: NA

THIS DOCUMENT HAS BEEN SUPPLIED FOR INFORMATION ONLY. IT SHOULD NOT BE SENT TO LAND REGISTRY IN CONNECTION WITH ANY SUBSEQUENT APPLICATION.

-----Original message-----

From : **Personal Information**

Date : 30/01/17 - 09:59 (GMTST)

To : eddie.brennan@nottsc.gov.uk

Cc : **Personal Information**

Subject : Plan for Gunthorpe works - please review and let us have thoughts

Eddie,

As per discussion last week, find attached the plans

Work schedule states what we wish to do.

'Schematic' is the definitive drawing

The ski club entrance shows how the new gate will fit in

The land registry doc conforms ownership transfer which allows us to crack on.

Marston's have agreed with the works.

I'm hoping we can do without needing to go through approval process with the Secretary of State for reasons discussed over the phone (hopefully the works can be determined as not requiring approval). We'd really like to crack on with this now.

Your thoughts much appreciated

Personal Information

Personal Information

Eddie Brennan

From: Personal Information
Sent: 13 February 2017 16:50
To: planning@nsdc.info
Cc: Personal Information Eddie Brennan
Subject: Fwd: Plan for Gunthorpe works - please review and let us have thoughts
Attachments: Land Registry copy following transfer.pdf; New Ski club entrance.pdf; Schematic.pdf; Work Schedule FINAL.docx

Hi,

I'm mailing on behalf of Gunthorpe Parish Council. there are some works we propose to do on the land recently acquired from Marston's Brewery in front of the unicorn public house. Mainly this involves restoring an area of the common land back to grass, removing a portion of the tarmacked car park and renewing the fence with more sympathetic wooden fence, incorporating gaps for pedestrians, and reinstating the bridleway to its proper position alongside the river (5 to 6 on the schematic)

See the proposal sent to Eddie Brennan for his advice.

Eddie responded advising that we get permission from yourselves. Also Eddie, whilst supporting of the project as a whole, is not keen on the replacing of the current fence with a new wooden fence (albeit with gaps for pedestrians), as this is common land. Eddie also advised seeking any permissions or exemption as required from the secretary of state.

I phoned to see who I could speak with but no one was available, hence this email. If someone could digest and get back to me that would be great. In particular I would like advise on the following:

1 - Would this works require planning permission? Note I spoke with HM planning inspectorate today, and they advised this is not the sort of works they would tend to get involved in, rather they would leave it to the local council (yourselves)

2 - I believe that most of this works would NOT require permission for works on common land. Removing tarmac etc would be fine

3 - I know that installation of a fence on common land WOULD in normal circumstances require permission, however I am not clear in this instance, as what we are actually doing (along line 3a to 4 on the schematic), is REPLACING an existing metal fence with a wooden fence incorporating gaps for pedestrians (but preventing motor vehicle access). The current metal fence is I believe 'allowed', now that it (unfortunately) has been on common land for >4years without objection.

Time is of the essence for us as we have secured funding which needs to be spent by the end of March. If someone could please contact me by email or phone to discuss further that would be appreciated

Many thanks

Personal Information

Secretary - Gunthorpe Riverside Committee

Personal Information

Eddie Brennan

From: Personal Information
Sent: 31 January 2017 14:30
To: Eddie Brennan
Cc: Rachael.Rickel@nottsc.gov.uk; Personal Information
Subject: Re: Gunthorpe Common Land Improvements

OK great thanks for prompt response Eddie. We will work through these points asap. I read the most important elements to be

1 - Fencing on 3 to 3a to 4. Although currently fencing is in place (the scaffold poles that have been there for many years), once removed, we would not be able to replace with wooden fence, but would only likely be able to install some form of bollards (purpose being to restrict unauthorised motor vehicles for reasons discussed previously)

2 - Points 5 to 6 should be free of any impediment (I believe this has always been the intention, but just to confirm)

3 - Council would not be able to provide a gate to the current path (between points 2 and 4) as, whilst this is currently the point of access, it is not actually a registered footpath

On 31.01.2017 13:20, Eddie Brennan wrote:

Personal Information

Proposed improvements to Gunthorpe Common.

Thank you for consulting me on your proposal. I **strongly** advise that you read the relevant advice notes in respect of carrying out works on common land which is available online at www.gov.uk.

These notes sets out in detail what works require consent and what works don't and also provide information on the installation of fencing, hedgerows, bollards and hard surfaced paths.

As a whole the works are quite extensive and I believe will require the consent of the Secretary of State. I have previously sent details of how to proceed with this (Section 38 application).

However, I am very pleased to see that the unauthorised hard surfaces being returned to grass and consider that overall, the proposal will improve the situation.

In terms of the detail, I would suggest the following:-

- Check with Newark and Sherwood District Council to see if Planning Permission is required
- Check that you have the necessary permissions to carry out any work which is not on your land

N.B. Given your short timescale I note that some works (if taken in isolation) like installing bollards are 'exempt' in certain circumstances - this means you don't need consent to carry them out. If you want to carry out these works, you must complete a notice of exemption and send it to the Planning Inspectorate.

I should also add that in relation to Common Land, the Council's main function is simply to maintain the legal registers. The information above is given in response to your request for informal advice and is not part of any formal authorisation which can only be given by the Secretary of State.

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Place Department
Nottinghamshire County Council
0115 9774709

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From: [Redacted] **Personal Information**
Sent: 30 January 2017 09:59
To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>
Cc: [Redacted] **Personal Information**
Subject: Plan for Gunthorpe works - please review and let us have thoughts

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[Redacted] **Personal Information**

Eddie Brennan

From: Eddie Brennan
Sent: 31 January 2017 13:21
To: Personal Information
Cc: Personal Information Rachael Rickell
Subject: Gunthorpe Common Land Improvements
Attachments: Land Registry copy following transfer.pdf; New Ski club entrance.pdf; Schematic.pdf; Work Schedule FINAL.docx

Tracking:	Recipient	Delivery
	Personal Information [Redacted]	
	Rachael Rickell	Failed: 31/01/2017 13:21

Personal Informa
[Redacted]

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In terms of the detail, I would suggest the following:-

- Check with Newark and Sherwood District Council to see if Planning Permission is required
- Check that you have the necessary permissions to carry out any work which is not on your land
- Consider consulting with the Open Spaces Society to gauge further opinion
- Consider the use of bollards instead of hurdles/gaps. This would be more in line with Commons Legislation i.e. You can install a row of obstacles, such as bollards to stop vehicles accessing common land - it can't be greater than 200 metres in length. You can't have more than one row of obstacles on your land (within a single land registry unit). You can only do this if vehicles accessing the land would (1) stop members of the public using it for recreation or commoners from exercising their rights of common, or (2) damage the land. To do this you must be either: (1) the owner of the land (2) acting with the written consent of the owner of the land
- As previously discussed. The historic tow-path is a public bridleway and should be free of any impediments including 'riddle gates' and pedestrian swing gates. Any gaps should be 1.5m wide as an absolute minimum. The Council is aware that this bridleway is currently obstructed by the Ski Club fencing
- The Council only supplies pedestrian gates on registered footpaths. Such a gate is not appropriate in this situation i.e. there is no footpath
- The Council would object to the installation of fencing between points 3-3a-4. This fence will restrict access within the Common Land. Again, bollards might be acceptable but only if they comply with the relevant legislation, however, you cannot install more than one row of bollards on a common
- Hedgerows – Please note, the law only permits you to plant trees and shrubs that do not form a continuous barrier
- Repositioning of the NCC fingerpost (i.e. to the correct position of the Definitive Bridleway) should be discussed with Personal Information first
- You may apply to the County Council to amend the register to reflect your ownership of part of the common

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- 6 Assembly drawing of components to boundary AA
7 Indicative drawing of proposed new fence lines and boundaries

4 Route or new boundary AA

5a Detail of existing fence, to be extended to form Bridle Path boundary with wildlife friendly hedge planed behind



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- 15 JCB to back fill, reinstate trench to previous levels

- 16 Surplus materials to be stock piled on the ski club area for site disposal by contractor

- 17 JCB to trim back redundant material and scrape off top tarmac, from new path alignment, materials to ski club area stock pile

- 18 JCB to excavate new path alignment (some 20m) to a depth of 150 mm then reinstate with existing material to width of some 1.5m

- 19 The new path to be rolled solid and topped off with a surface coating of 50mm to existing footpath specifications as previously agreed with phase 1 path

Budget roller =Frank Key =weekend =£60

- 20 Top soil to be imported to re-establish levels alongside the new path then contour up the road levels

- 21 The ski club area at the new gate entrance to be scraped back approx. depth 100m, the hard-core surface below rolled. Then a plastic membrane incorporating grass growing areas to be laid approx. area 10mx10m. This membrane to be filled with soil levelled and grass seeded. The membrane to assist turning of vehicles utilising the adjacent boat slip into the River Trent

- 22 The existing kerbs within the ski club area to be removed

Part 2 - Work schedule and costs

- 1 Prior to commencing works, barrier off the proposed new boundary AA

Budget = 20 x barriers x 2 days = Frank Key = £60

- 2 Marshalls to escort pedestrians safely around the work areas

- 3 The proposed works area to be surveyed with CAT and GENNY equipment to locate buried cables

Budget = Specialist x 0.5 day = £50

- 4 Cable routes identified to be marked

Budget = Spray can x 2 x £20 = £40

- 5 The new boundary AA to be marked

- 6 JCB to remove all Ski Club fences along new line of bridle path and route AA

- 7 Spoil to be stock piled on SC land

- 8 The realigned path boundaries to be marked both roadside and riverside

- 9 Existing tarmacked surfaces, newly marked boundaries to both AA and the new path to be cut with a machine steel saw

Budget = Frank Key = weekend = £120

- 10 JCB to trim back boundary AA from the sawn edge, to a width approx. 1.5m

- 11 JCB to trench along AA to depth of 600/700 mm

Budget = Contractor £250 x 2 days = £500

Plus 2 x days contouring new soil and loading out spoil = £500

- 12 The metal boundary assembly (see appendix) including pedestrian swing gate, bridle gate, new ski club gate and low level barriers to be installed along AA some 18.3m total

5. Reinstatement of gravelled /hard standing areas back to grass

The existing gravelled / hard surface areas now within the newly formed area will be scraped down some 150mm ,the surface rolled and consolidated then a plastic boxed membrane installed, some 10m², be back filled with top soil, levelled and consolidated to form surface protection for vehicles accessing the gate.

6. Original towpath route reinstatement

Gates will be formed some 1m wide within the Ski Club wooden fence upstream boundary (point 5) and the Ski Club downstream boundary, adjacent the riverside frontage of the Unicorn Hotel Car Park (point 6).

Points 5 to 6, forming a straight route through the rented Ski Club/Common land for unrestricted pedestrian access, close to the riverbank along the route of the original Tow Path.

3. Bridle Path boundary fence (Riverside /ski Club side)

The existing concrete posts and metal pipe fencing to be excavated and removed from site.

A replacement single rail wooden fence 1m high some 40m long to be installed alongside the route of the newly laid path alongside the 1.5m width grass verge. From point 3 to 3a to point 4.

The fence to be extended at the extremity point 3, to form the western boundary to the Ski Club area, from the path to the river Trent.

The fencing to installed at 3.5m lengths with access gaps of 0.5m between, for pedestrian unrestricted access to the Ski Club area /Common land.

4. Proposed new Boundary on alignment AA

The existing Common land /Ski Club access gate and metal fencing to be excavated and removed from site.

A replacement barrier to be installed along the line AA to include a pedestrian access swing gate , a horse access riddle gate , a new double gate for the "Ski Club" /Common land and 3/4 metal hurdle barriers. Incorporated between the barriers will be access gaps of 0.5m for unrestricted access to the Common Land.

The assembly drawing included itemised the components and arrangement in detail.

Barriers and gates to be 1m high with the exception of the 2 x 1.5m posts for bridle gate.

The existing NCC Bridle Path signage post will be excavated and relocated within this AA barrier line adjacent the pedestrian swing gate.

Note -the pedestrian gate to be supplied by NCC to site (yet to be arranged) and installed by the GPC. For gate description see attached appendices.

Part 1 - Description of proposed works

The detailed proposed works meet the approval of both land owners the Gunthorpe Parish Council (GPC), Marston's PLC, stakeholder the "Ski Club" the tenant of Marston's.

The land recently transferred to the GPC is marked in RED whilst the land remaining under the ownership of Marston's is marked in GREEN.

1. Bridle Path realignment and reinstatement

The existing pathway to be realigned some 52 metres in length, between (a) the newly installed 3 rail wooden fence (point 1), and (b) the alignment of the proposed boundary barrier adjacent the "Trentside" roadway (point 2).

The path width to remain at 1.5 metres with grass verge, 1.5m width to each side.

The existing path where necessary to be excavated to a depth of 150mm, reinstated with the recycled existing ballast rolled level, then recapped with 50mm surface material as per the existing path as recommended previously by NCC.

The verges either side of the path to be back filled and levelled with imported top soil, then seeded to grass.

Redundant hard core materials to be transported from site.

2. Bridle path boundary fence and hedging (village side)

To the village side of the proposed path realignment will be installed up to the path grass verge, a 3 rail wooden fence, 1.2m high matching the newly installed fence presently alongside the path and upstream to the bridge and beyond. Behind this fence will be planted a hedge to form and protect a wildlife area upon the embankment to the adjacent roadway. The wildlife area to be enhanced by trees and shrubs to stabilise the banking and roadside barriers.

FAO: Eddie Brennan NCC

From: Gunthorpe Parish Council (Riverside)

Submission for proposal of alteration works on the Common Land
Registration Number C18

We enclose our following documentation for your approval and subsequent approval of the Secretary of State for works upon the Common land, namely "The Green", sited at the riverside in Gunthorpe.

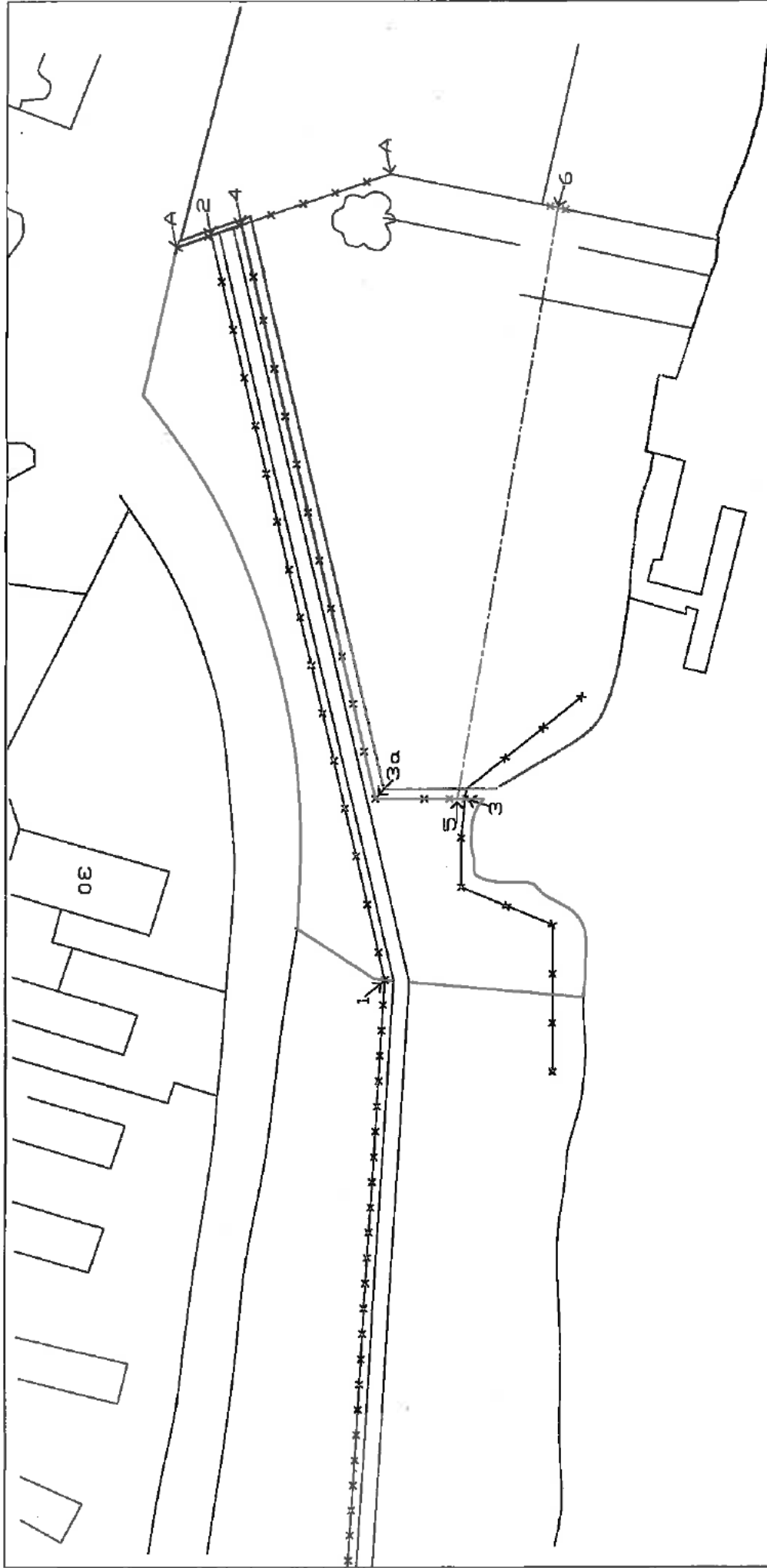
We seek your approval for the works and assistance in seeking approvals from the Secretary of State on our behalf.

Undue project delay could jeopardise payments of monetary grants already agreed with sponsors, therefore your assistance would be most appreciated.

Should there be any clarification required please do not hesitate to contact us.

Objectives

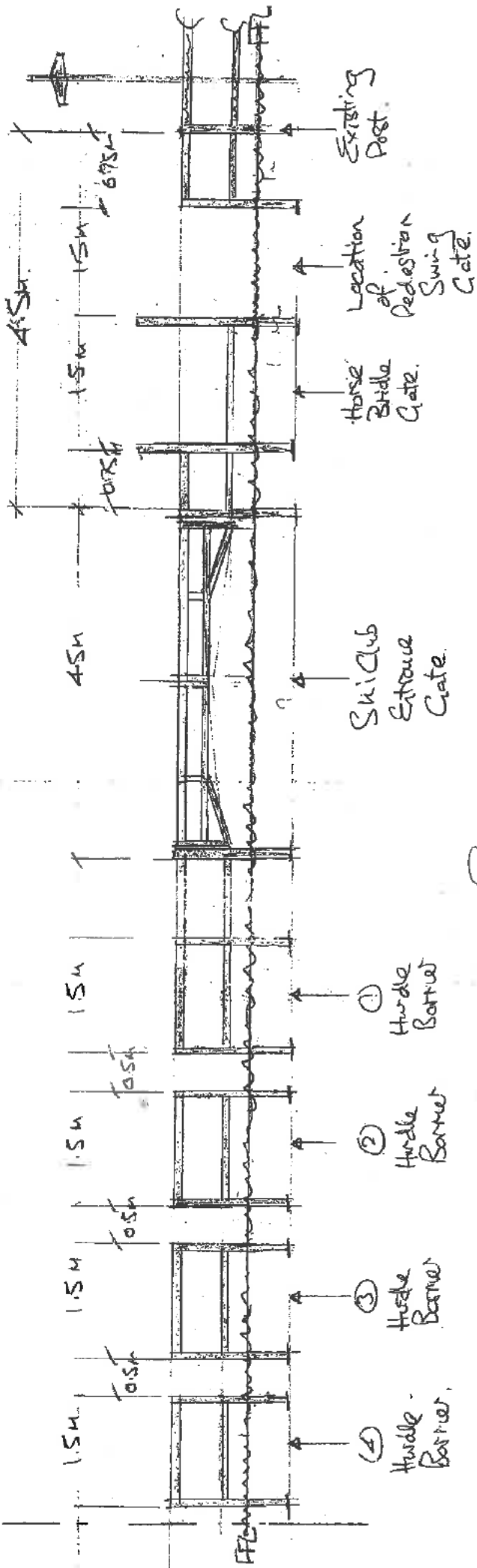
- 1 To create an unrestricted access open space by replacing obstructive metal barriers with hurdle fences containing open access through routes, whilst defending against unauthorised motor vehicles.
- 2 To straighten/realign and level the existing bridle path to alleviate localised flooding, whilst maintaining a through route for pedestrians in all weathers to the roadway at Trentside.
- 3 Install wooden fences and hedging to create a protected wildlife area on the embankment between the proposed realigned path and the adjacent slip road access into the village.
- 4 Restore gravelled and unauthorised hard standing parking areas back to grass land.
- 5 Recreate a riverside through route to the line of the original Tow Path.



- Point 1 to 2
- 3 Rail wooden barrier fence to new bridle path
- Point 3 to 3a to 4
- Wooden barrier fence with access through to form ski club area boundary to bridle path
- Point 5 to 6
- Access to be provided to allow open access along route of original tow path
- Point A to A
- Proposed new boundary incorporating gates and free open access

Indicative drawing of proposed works to common land (C18)
 Gunthorpe Notts
 Green = Common land Marsdons
 Red = Common land G.P.C.

Footpath/Bridge Path -

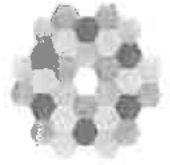


[Total length 18.3m]

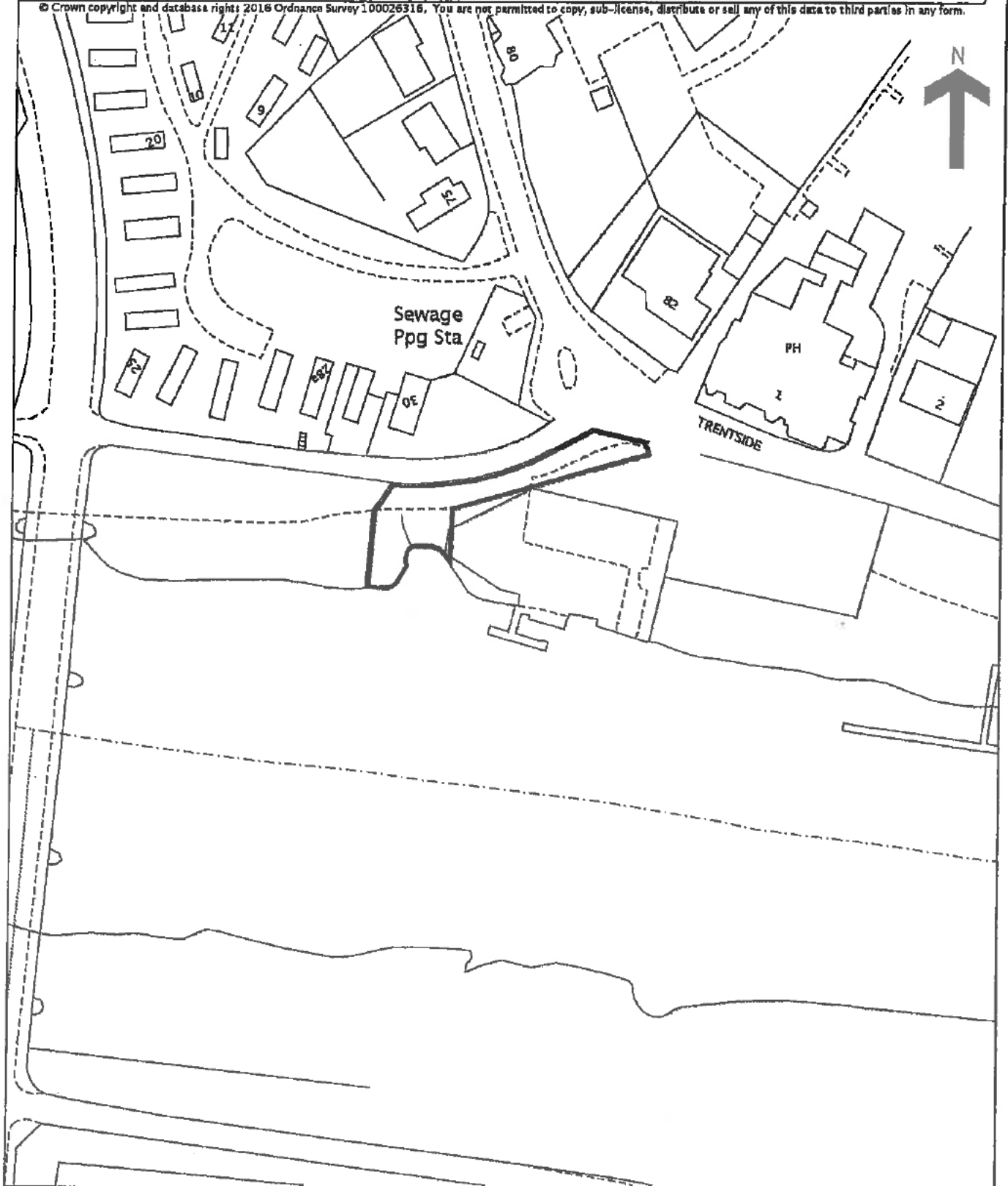
Not to Scale!

Land Registry
Official copy of
title plan

Title number NT525473
Ordnance Survey map reference SK6843NW
Scale 1:1250 enlarged from 1:2500
Administrative area Nottinghamshire : Newark
and Sherwood



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These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 06 December 2016 shows the state of this title plan on 06 December 2016 at 09:30:19. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the Land Registry, Nottingham Office .

Title number NT525473

C: Charges Register continued

Bridgford Road to the Trent with Corn or any other thing to and from any Boat Navigated on the said River Trent AND ALSO to lay down upon the same any lumber or other things in order to be taken into or delivered out of such boards AND ALSO for watering cattle or fetching water from the said River and deriving their sheep to the said River to wash them there AND ALSO to a right of carriage foot and drifts road or way at all times to and for the said **Personal Information** his heirs or assigns and the owner or owners occupier of occupiers for the time being of the several closes pieces or parcels of land delineated in the said map or plan drawn in the margin of these presents and therein coloured yellow or any of them or any part or parts thereof respectively and his and their tenants servants and other persons authorised by him or them with or without horses carriages or cattle over and along the same And also subject to the hauling path and public bridle road".

NOTE: The part of Cunthorpe Green included in the title in the land lying to the South of Main Street. Part of the land coloured yellow adjoins the Western boundary of Gunthorpe Green and the remainder lies to the North of Main street.

End of register



Official copy of register of title

Title number NT525473

Edition date 15.11.2016

- This official copy shows the entries on the register of title on 06 Dec 2016 at 09:30:19.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 06 Dec 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry Nottingham Office.

A: Property Register

This register describes the land and estate comprised in the title.

NOTTINGHAMSHIRE : NEWARK AND SHERWOOD

- 1 (07.12.1988) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the south of Trentside, Gunthorpe, Nottingham.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (15.11.2016) PROPRIETOR: GUNTHORPE PARISH COUNCIL care of The Clerk To The Council, [REDACTED] Personal Information
- 2 (15.11.2016) The value as at 15 November 2016 was stated to be under £100,000.
- 3 (15.11.2016) A Transfer of the land in this title dated 21 October 2016 made between (1) Marstons Pubs Limited and (2) Gunthorpe Parish Council contains purchaser's personal covenants.

NOTE: Copy filed.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights contained in a Conveyance dated 11 April 1859 made between (1) [REDACTED] Personal Information (2) [REDACTED] Personal Information and (3) [REDACTED] Personal Information

"Except nevertheless and subject as to that portion of the close called "Gunthorpe Green" which lies the River Trent and the Road leading from Gunthorpe to Bridgford over the ford to a privilege for the inhabitants and occupiers of land in Lowdham to pass over the same from the



TITLE INFORMATION DOCUMENT **(issued following a change to the register)**

An official copy of the register accompanies this notification. It shows entries subsisting following the recent completion of an application to change the register.

Please note: The attached official copy shows the state of the individual register of title as at the date and time stated on it.

If in the future you wish to apply for an official copy of the register or the title plan showing the then position, please apply using Form OC1 (available from us, our website www.gov.uk/land-registry and from law stationers). A fee is payable for each copy issued.

If we need to write to, or send a formal notice to, an owner or other party who has an interest noted on the register, we will write to them at the address as shown on the register. It is important that this address is correct and up to date. If you have such an address but wish to change it, please let us know as soon as possible, quoting the title number.

If you have any queries, please contact us at the address below, quoting the title number shown on the top of the official copy.

Land Registry
Nottingham Office
PO Box 75
Gloucester
GL14 9BD

DX No. 321601 Gloucester 33

Tel: 0300 006 0008
Fax: NA

**THIS DOCUMENT HAS BEEN SUPPLIED FOR INFORMATION ONLY. IT SHOULD NOT BE SENT TO
LAND REGISTRY IN CONNECTION WITH ANY SUBSEQUENT APPLICATION.**

Eddie Brennan

From: Personal Information
Sent: 30 January 2017 09:59
To: Eddie Brennan
Cc: Personal Information
Subject: Plan for Gunthorpe works - please reveiw and let us have thoughts
Attachments: Land Registry copy following transfer.pdf; New Ski club entrance.pdf; Schematic.pdf; Work Schedule FINAL.docx

Eddie,

As per discussion last week, find attached the plans

Work schedule states what we wish to do.

'Schematic' is the definitive drawing

The ski club entrance shows how the new gate will fit in

The land registry doc conforms ownership transfer which allows us to crack on.

Marston's have agreed with the works.

I'm hoping we can do without needing to go through approval process with the Secretary of State for reasons discussed over the phone (hopefully the works can be determined as not requiring approval). We'd really like to crack on with this now.

Your thoughts much appreciated

Personal Information

Personal Information

Eddie Brennan

From: Personal Information
Sent: 14 October 2016 11:00
To: Eddie Brennan
Cc: Personal Information
Subject: RE: Gunthorpe Riverside

Morning Eddie,

I've spoken with [Personal Info] and unfortunately he isn't available on those days (assuming it's during work hours). We should of course keep in touch however Best regards [Personal Info]

On 11.10.2016 15:09, Eddie Brennan wrote:

> [Personal Info]
> I am available Weds to Friday next week. Suggest a date/time.
> Could you provide some further detail on what you would like to
> discuss?
>
> Regards
>
> Eddie Brennan
> Commons, Village Greens and Definitive Map Officer Place Department
> Nottinghamshire County Council
> 0115 9774709

>
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> confidential. If you are not the intended recipient, please notify the
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> recipients of email should be aware that, under the Data Protection
> Act 1998 and the Freedom of Information Act 2000, the contents may
> have to be disclosed in response to a request.

>
>
>
> -----Original Message-----

> From: Personal Information
> Sent: 06 October 2016 09:39
> To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
> Cc: Personal Information
> Subject: Gunthorpe Riverside
> Importance: High

>
> Morning Eddie - I trust all is well.
> To keep you informed on the riverside, we now have signed the papers
> with Marston's regarding the tranche of land to be transferred to us.
> These are now I believe back with the solicitors and hopefully
> completed very soon. This will allow us to commence the works we have
> been looking forward to doing regarding further realignments to the
> bridlepath.
> It would perhaps be good if we could arrange a meet in the next couple
> of weeks - would you have any availability?
> regards

Eddie Brennan

From: [REDACTED] Personal Information
Sent: 12 October 2016 11:26
To: Eddie Brennan
Cc: [REDACTED] Personal Information
Subject: RE: Gunthorpe Riverside

Cheers Eddie - I've asked [REDACTED] when a good time for him is and will get you to you asap. We have our monthly Riverside committee meet this evening so will discuss and get back to you if there's anything more specific, but in general it will be an opportunity for us to share and discuss the specifics of our plans for realignment, and perhaps also to see if there has been any update or success on the issues re the current common land - if you remember you sent us copies of the correspondence you had with Marston's, the Ski-club and others with respect to signage etc. regards

[REDACTED] Personal Inform

On 11.10.2016 15:09, Eddie Brennan wrote:

[REDACTED] Personal Informa

> I am available Weds to Friday next week. Suggest a date/time.
> Could you provide some further detail on what you would like to
> discuss?
>
> Regards
>
> Eddie Brennan
> Commons, Village Greens and Definitive Map Officer Place Department
> Nottinghamshire County Council
> 0115 9774709
>
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> Act 1998 and the Freedom of Information Act 2000, the contents may
> have to be disclosed in response to a request.
>
>
>

> -----Original Message-----

> From: [REDACTED] Personal Information
> Sent: 06 October 2016 09:39
> To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>
> Cc: [REDACTED] Personal Information
> Subject: Gunthorpe Riverside
> Importance: High
>

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From: Personal Information
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To: Eddie Brennan
Cc: Personal Information
Subject: Gunthorpe Riverside

Importance: High

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It would perhaps be good if we could arrange a meet in the next couple of weeks - would you have any availability?
regards

Personal Information

On 25.09.2015 13:29, Eddie Brennan wrote:

Personal Informa
> [REDACTED]

- > Common Land
- > Thank you for keeping me informed. I note that the necessary consents
- > will be sought from the Secretary of State in respect the Common.
- >
- > Rights of Way
- > In respect of the bridleway which runs through the Common, I
- > understood that a site visit was to take place with Stephen Tipping to
- > discuss this proposal - did this take place?
- > I say this, because there are important legal
- > procedures/authorisations to go through in order to divert a public
- > highway and to erect structures on it.
- >
- > As Stephen has recently left to join another authority I would
- > strongly advise that you speak to his manager Rob Percy before
- > proceeding any further.
- >
- > Regards
- >
- > Eddie Brennan
- > Definitive Map Officer
- > 0115 9774709
- >
- >
- >
- >
- > -----Original Message-----
- > From: Personal Information

Eddie Brennan

From: [REDACTED] Personal Information
Sent: 26 June 2016 20:17
To: Eddie Brennan
Subject: RE: Gunthorpe Ski Club signs

Eddie

I am off work (not this week the following week)

Therefore can make any day to meet

[REDACTED] Personal Information

From: Eddie Brennan [eddie.brennan@nottscc.gov.uk]
Sent: 20 June 2016 10:30
To: [REDACTED] Personal Information
Subject: Gunthorpe Ski Club signs

[REDACTED] Personal Information

The boat and ski club would like to meet me on site to discuss removal of signage.
I think it will be helpful if someone from the Trust or the Parish Council could attend.
No date has been set yet, can I say someone will attend?

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer Place Department Nottinghamshire County Council
Tel:0115 9774709

The following message has been applied automatically, to promote news and information from Nottinghamshire County Council about events and services:

Visit Southwell Library Poetry Festival from 14 - 17 July for readings, workshops, performances, talks and cake! Find out more at www.nottinghamshire.gov.uk/southwellpoetryfestival<<http://www.nottinghamshire.gov.uk/culture-leisure/libraries/southwell-library-poetry-festival>>

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Eddie Brennan

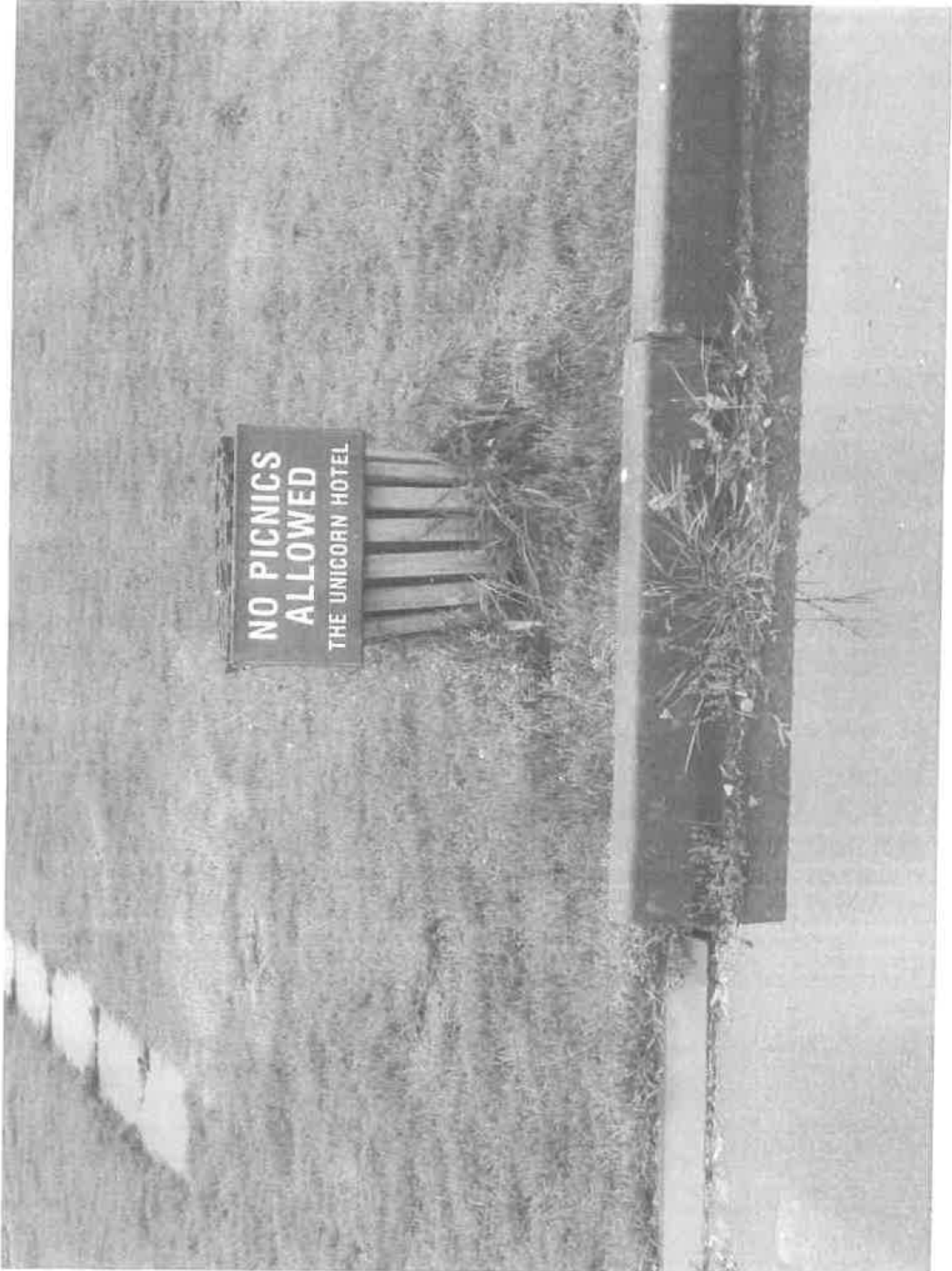
From: Eddie Brennan
Sent: 20 June 2016 11:30
To: **Personal Information**
Subject: Gunthorpe Ski Club signs

Personal Information

The boat and ski club would like to meet me on site to discuss removal of signage.
I think it will be helpful if someone from the Trust or the Parish Council could attend.
No date has been set yet, can I say someone will attend?

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Place Department
Nottinghamshire County Council
Tel:0115 9774709



**NO PICNICS
ALLOWED**
THE UNICORN HOTEL

This matter is being dealt with by:
Eddie Brennan
Reference: EB/160523/Unicorn
T 0115 9774709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk



The Manager / Landlord
The Unicorn Hotel
Trentside
Gunthorpe
Nottinghamshire
NG14 7FB

Dear Sir/Madam

23rd May 2016

I recently met with the Gunthorpe Riverside Trust to discuss the protection of the riverside area which is registered as common land.

Although you may have been unaware of its legal status, the common is also designated 'Open Access Land' which means the general public have a right to roam over it. Members of the public may also stop on the land for a picnic if they wish.

Accordingly, I would be most grateful if you could arrange for the removal of your sign which reads 'No Picnics Allowed' (see photo) as I believe this is misleading and may deter public use of the land.

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

Yours sincerely

A handwritten signature in cursive script that reads 'E Brennan'.

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Nottinghamshire County Council

cc **Personal Information** – Estates Surveyor, Marston's House, Brewery Road, Wolverhampton

Personal Information – Clerk to Gunthorpe Parish Council, **Personal Information**

**Trent Power Boat &
Ski Club**

**GUNTHORPE ZONE
MEMBERS ZONE
ONLY**

Enquiries to :-

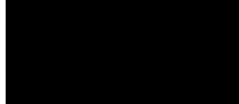
Tel:



This matter is being dealt with by:
Eddie Brennan
Reference: EB/160523/NSC
T 0115 9774709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk



Nottingham Ski Club
Personal Information
c/o
Personal Information



Dear **Personal Information**

23rd May 2016

I recently met with the Gunthorpe Riverside Trust to discuss the protection of the riverside area which is registered as common land.

Although you may have been unaware of its legal status, the common is also designated 'Open Access Land' which means the general public have a right to roam over it.

Accordingly, I would be most grateful if you could arrange for the removal of your sign which reads 'Members Zone Only' (see photo) as I believe this is misleading and may deter public use of the land.

If you require any further information, or if a meeting on site would assist, please do not hesitate to contact me.

Yours sincerely

E Brennan

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Nottinghamshire County Council

Cc **Personal Information** – Estates Surveyor, Marston's House, Brewery Road, Wolverhampton

Personal Information – Clerk to Gunthorpe Parish Council,

Personal Information

Personal Information

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www.sunthorpeleisureboats.co.uk

3 HOUR SKIPPED
PARTY CRUISE FOR
UP TO 12 PEOPLE.
DAY OR EVENING
£160

BRING YOUR OWN FOOD
& DRINK.

SELF DRIVE FOR UP
TO 12 PEOPLE.

SAT/SUN/HOLS - £195 PER DAY

HALF DAY WEEKEND £140

MIDWEEK £160 PER DAY

OR DONT FANCY SELF DRIVE?

RELAX. HAVE A SKIPPER FOR THE

DAY!

COME & SEE OUR 2-4 BERTH NARROW BOAT FOR SHORT
BREAKS OR WEEKLY HOLIDAYS

BOAT HIRE / SKIPPED TRIPS



This matter is being dealt with by:
Eddie Brennan
Reference: EB/160523/GLB
T 0115 9774709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk



The Proprietor
Gunthorpe Leisure Boats
Ivydene
Davids Lane
Gunthorpe
NG14 7EW

Dear Sir/Madam

23rd May 2016

I recently met with the Gunthorpe Riverside Trust to discuss the protection of the riverside area which is registered as common land.

Although you may have been unaware of its legal status, common land is subject to certain controls regarding what can and cannot be done on it.

I note that in recent months an advertisement sign for your business has been fixed into the ground (see photograph). You should consider whether this sign requires retrospective consent from the Secretary of State (via the Planning Inspectorate). Details on how to apply for consent can be found on the Gov.UK web site (search for "Works on Common Land").

Before you apply for consent, you should consult with various parties as set out in the guidance on the Gov.UK web site. I can provide a list of names and addresses if this would assist.

You may also need planning permission for the sign. You should check this with Newark and Sherwood District Council.

If you require any further information, or if a site meeting would assist, please do not hesitate to contact me.

Yours sincerely

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Nottinghamshire County Council

Cc Personal Information – Estates Surveyor, Marston's House, Brewery Road, Wolverhampton

Personal Information – Clerk to Gunthorpe Parish Council, Personal Information

Personal Information



This matter is being dealt with by:
Eddie Brennan
Reference: EB/160523/CRT
T 0115 9774709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk



Mr **Personal Information**
Canal and River Trust
The Kiln
Mather Road
Newark
Nottinghamshire
NG24 1FB

Dear **Personal Information**

23rd May 2016

I recently met with the Gunthorpe Riverside Trust to discuss the protection of the riverside area which is registered as common land.

Although you may have been unaware of its legal status, common land is subject to certain controls regarding what can and cannot be done on it.

I note that in recent years a landing stage/jetty and signage have been placed on the common (see photograph). You should consider whether these structures require retrospective consent from the Secretary of State (via the Planning Inspectorate). Details on how to apply for consent can be found on the Gov.UK web site (search for "Works on Common Land").

Before you apply for consent, you should consult with various parties as set out in the guidance on the Gov.UK web site. I can provide a list of names and addresses if this would assist.

You may also need planning permission for the sign. You should check this with Newark and Sherwood District Council.

If you require any further information, or if a meeting on site would assist, please do not hesitate to contact me.

Yours sincerely

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Nottinghamshire County Council

cc **Personal Information** – Estates Surveyor, Marston's House, Brewery Road, Wolverhampton

Personal Information – Clerk to Gunthorpe Parish Council,

Personal Information

Personal Information

Eddie Brennan

From: Eddie Brennan
Sent: 25 May 2016 11:29
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Cc: [REDACTED] Personal Information
Subject: Gunthorpe Common
Attachments: 160523 CTR.pdf; 160523 GLB.pdf; 160523 NSC.pdf; 160523 Unicorn.pdf

Dear [REDACTED] Personal Information

Please find attached copies of letters sent to various parties concerning the Gunthorpe Common.

Regards

Eddie Brennan
Commons, Village Greens and Definitive Map Officer
Place Department
Nottinghamshire County Council
Tel:0115 9774709

Eddie Brennan

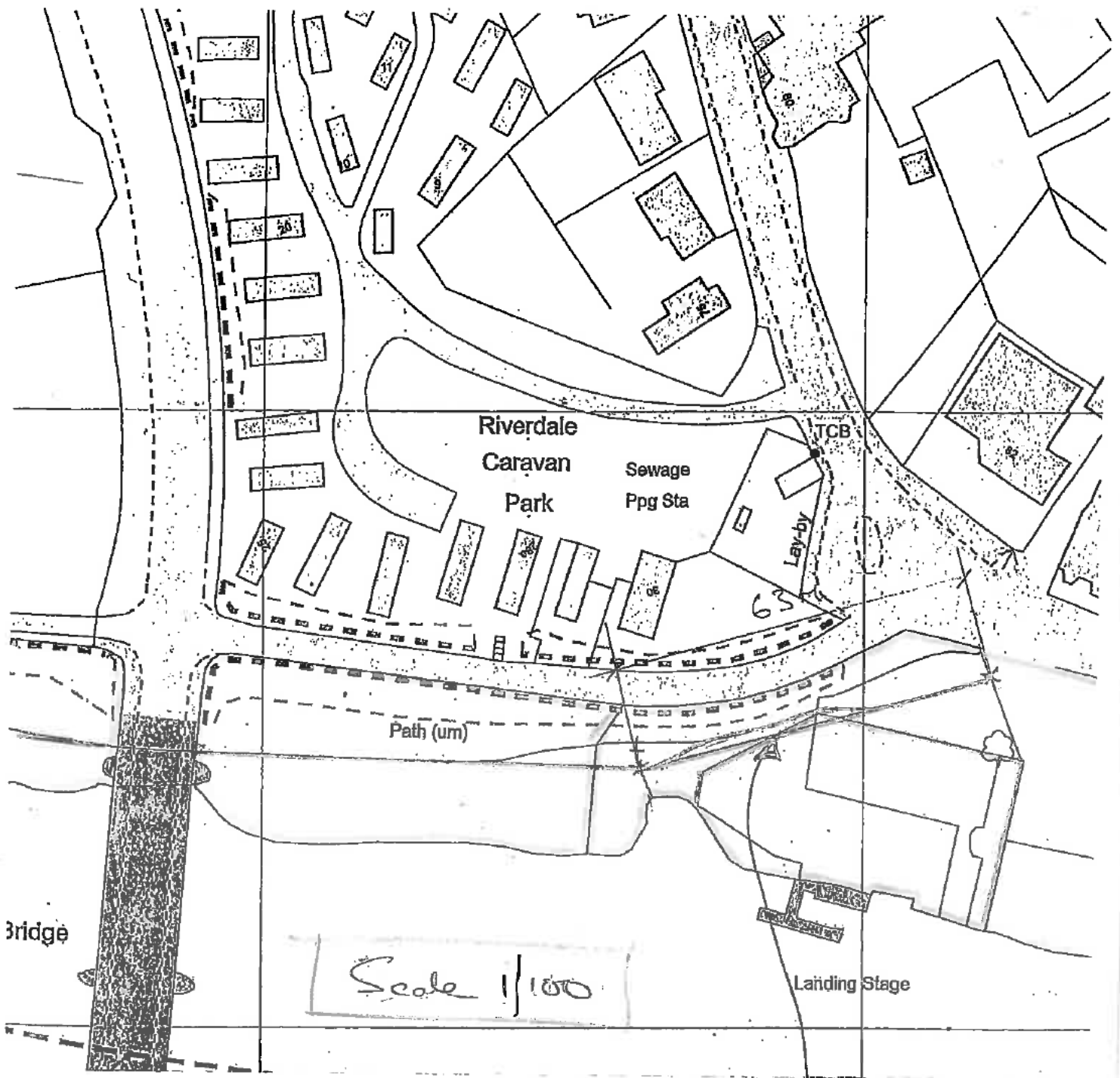
From: Personal Information
Sent: 13 April 2016 10:42
To: Eddie Brennan
Cc: Personal Information
Subject: RE: Gunthorpe Riverside Trust – proposed works

Great thanks for the feedback Eddie,
you will be aware of course that we want to do all we can to restore and preserve the riverside as much as possible (that's our raison d'etre), you'll find no objections from our point of view - the trick of course is getting the owners of the common land onside - and the more help, the better!

regards

On 13.04.2016 10:33, Eddie Brennan wrote:

> Personal Information
>
> Thanks for the plans.
>
> Actually, the definitive right of way takes a different alignment to
> the section shown in red on your plan.
> This could be good news for you because it would not affect the
> official bridleway (i.e. no formal diversion order necessary).
>
> However, action may be necessary to open up the definitive bridleway
> onto its historic riverside alignment.
> With this in mind I am attaching two plans: one is an extract from the
> definitive map (for technical reasons I can only show this at
> 1:10000 scale). The other is an historic plan (circa 1920) which shows
> the position of the old towpath which is the current public bridleway.
>
> All the above can be discussed on Friday.
>
> Regards
>
> Eddie Brennan
> Commons, Village Greens and Definitive Map Officer Place Department
> Nottinghamshire County Council
> 0115 9774709
>
>
>
>
>
>
>
>
> -----Original Message-----
> From: Personal Information
> Sent: 11 April 2016 09:20
> To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>
> Cc: Personal Information
> Subject: Gunthorpe Riverside Trust – proposed works
>



- Route Existing Bridge Path
- Route Bridge Path Deviation
- Common Land Boundary
- Gullings Council Land Boundary
- Boundary fence Ski Club

**Gunthorpe -
Proposed bridledway
diversion**



Scale: 1:1250

Produced by: e h/d

Date: 22/03/2016



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Gunthorpe



*Proposed Bridle Path Re-alignment
Route - Survey
Bridle Path*

Personal Information
[Redacted]

W.L.G.

Eddie Brennan

From: [Redacted] Personal Information
Sent: 11 April 2016 09:20
To: Eddie Brennan
Cc: [Redacted] Personal Information
Subject: Gunthorpe Riverside Trust – proposed works
Attachments: Proposed changes for Eddie Brennan.pdf

Eddie,

I understand you've spoken with [Redacted] Personal Inform and have arranged to meet up later this week. In advance of this, please find attached marked-up plan showing realignments of the bridleway.

Regards

[Redacted] Personal Information

On 22.03.2016 15:32, Eddie Brennan wrote:

[Redacted] Personal Information

>

Personal Information

> I have attached a plan which I would be grateful if you could mark on
> the proposed new alignment and return it to me. I can then advise
> further.

>

> Regards

>

> Eddie Brennan

> Definitive Map Officer

> 0115 9774709

>

>

>

>

> -----Original Message-----

> From: [Redacted] Personal Information

> Sent: 22 March 2016 09:43

> To: Eddie Brennan <eddie.brennan@nottscc.gov.uk>

> Cc: [Redacted] Personal Information

> Subject: RE: Gunthorpe Riverside Trust – proposed works

>

> Hi Eddie,

> I'm including [Redacted] Personal Informa ion on this mail, the chairman of GRT who I

> believe you have spoken with before. **Personal Information**

Personal Information

>

> We would hope to avoid any costs re bridleway diversion - In reality

> the plan would be to merely straighten the route, it would only

> probably move about a max of 3-5 metres to the side, and we would want

> to do this all in one day, without actually blocking access for users

> during the works (if possible). I would hope this wouldn't warrant any

> 'red tape'

Eddie Brennan

From: Eddie Brennan
Sent: 07 April 2016 15:29
To: **Personal Information**
Subject: Gunthorpe Common and Bridleway

Personal Information

As per our telephone conversation, perhaps we could meet in the car park on Friday the 15th April at 9:00?
Could I have a plan of the proposed bridleway alignment before then?

Regards

Eddie Brennan
Definitive Map Officer
Environment and Resources Department
Nottinghamshire County Council
Tel:0115 9774709

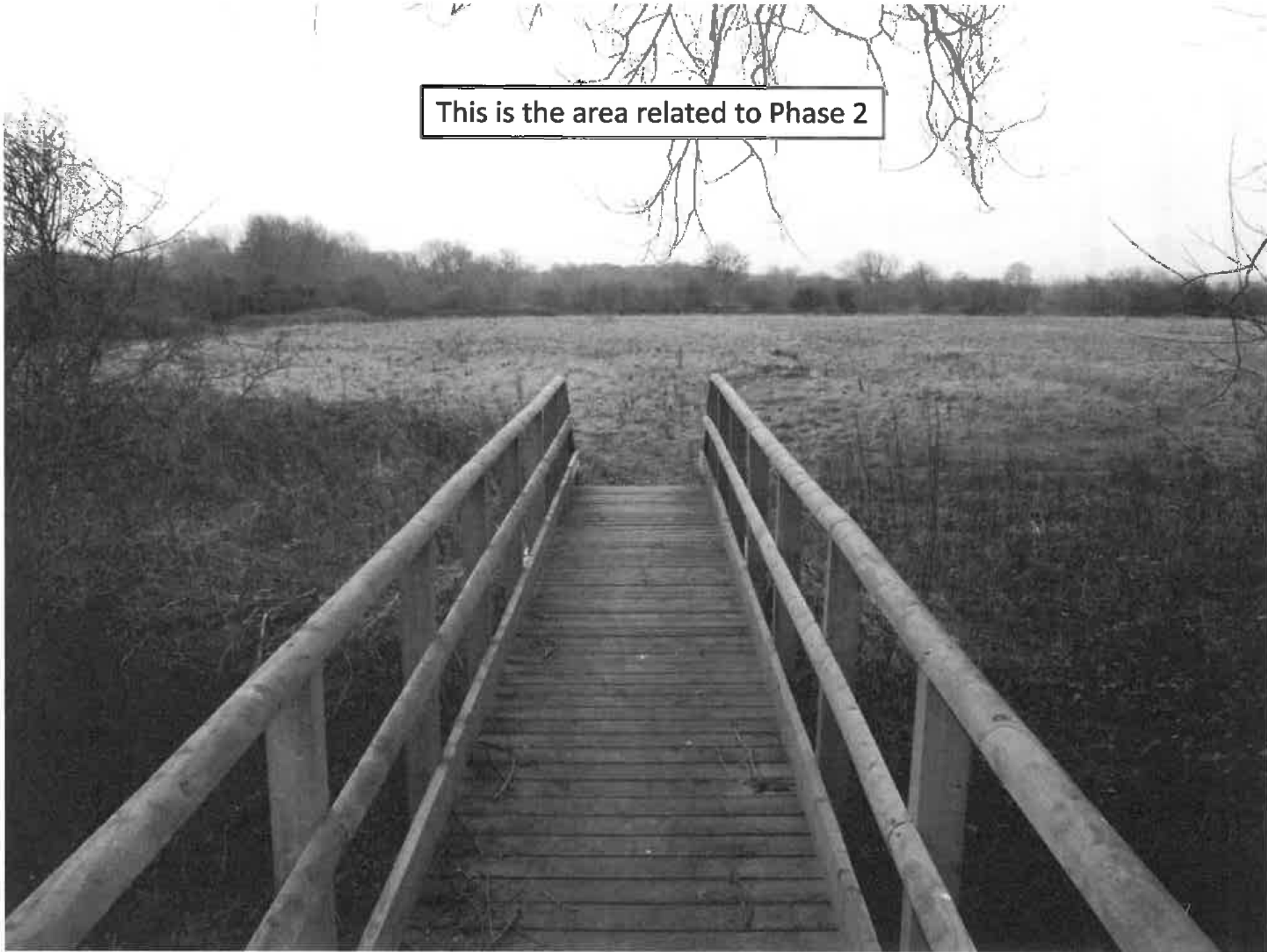
The priority for Phase 2 is to secure the land against unauthorised access.
We are now installing proper fencing in order to control access points.



Stephen – we would like to
install the kissing gate here



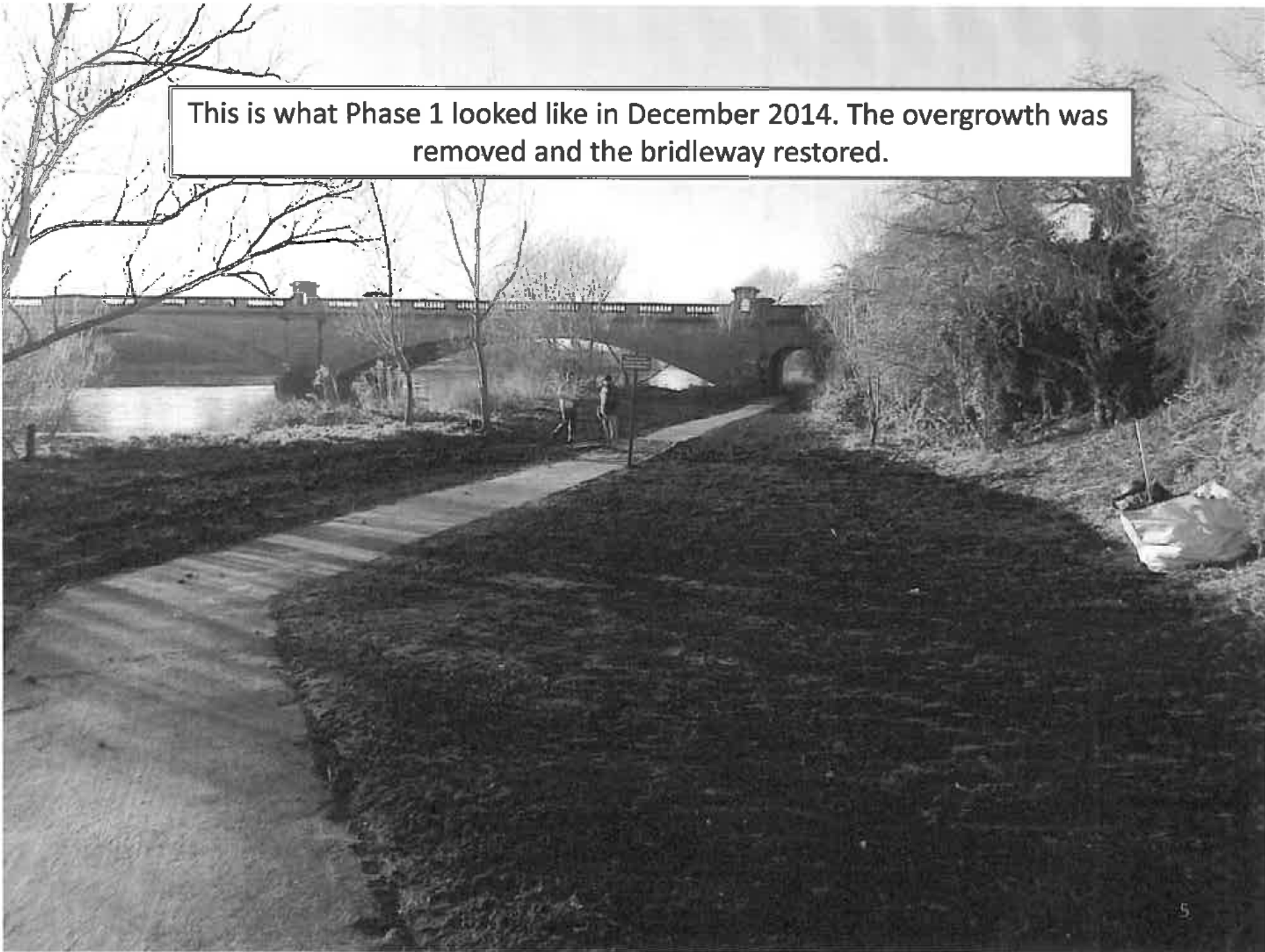
This is the area related to Phase 2



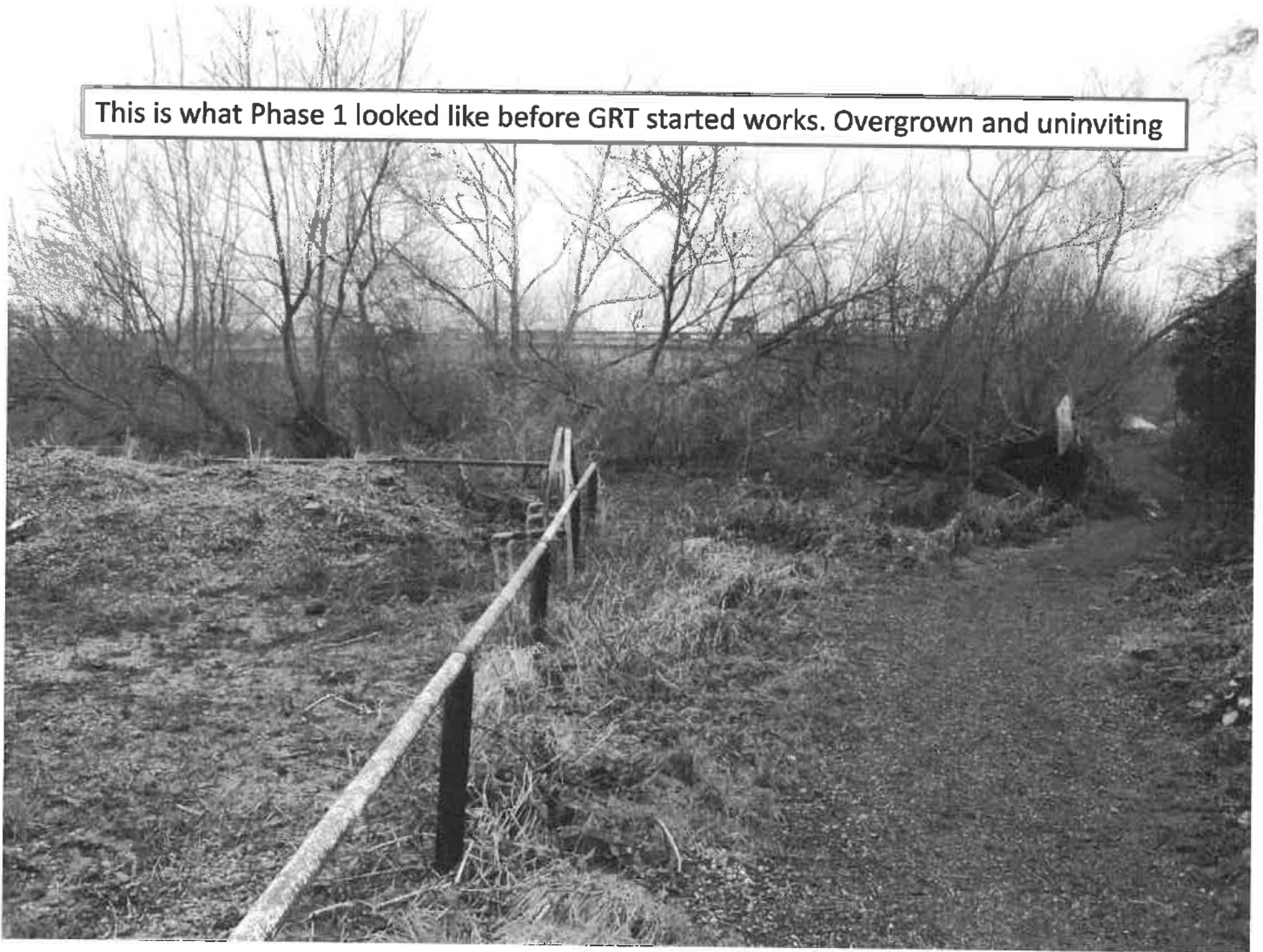
Initial Phase 1 hedgerow planting was completed in February 2015.



This is what Phase 1 looked like in December 2014. The overgrowth was removed and the bridleway restored.



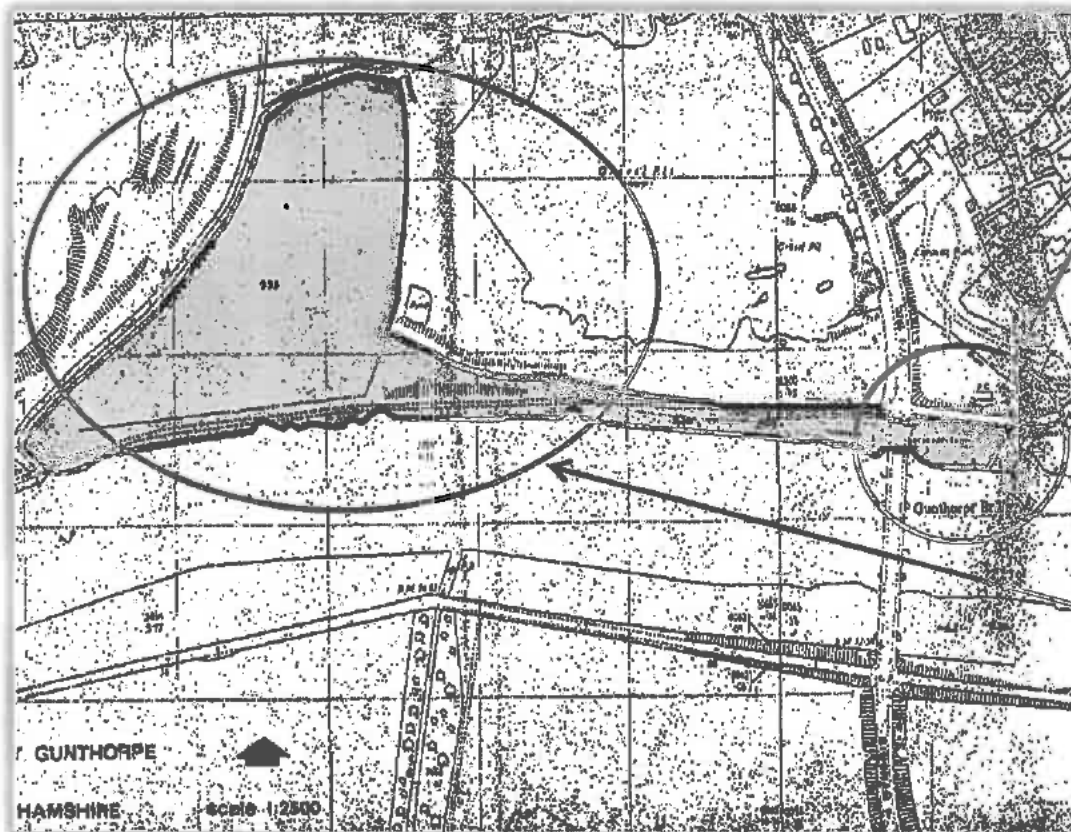
This is what Phase 1 looked like before GRT started works. Overgrown and uninviting





Phases 1 & 2

11 acres of riverside scrub land, mainly to the west of the bridge, including the bridgeway under the bridge and adjoining the water-ski area.



Phase 1 of the works relates to the small area of our land to the east of the bridge

Phase 2 relates to the rest of our land to the west of the bridge



Gunthorpe Riverside Trust - Works done to date

We hope that villagers have noticed and appreciate the work we are doing on the riverside.

All work is done by volunteers of the Gunthorpe Riverside Trust, which is caring for the land purchased several months ago by the Parish Council.

Gunthorpe Riverside Trust is working alongside Notts County Council and other bodies such as neighbouring landowners and the Woodland Trust to ensure all stakeholders needs are met. There is still plenty to do!

Anyone who is willing to help us in our cause, please contact us at www.gunthorpe.org.uk/contact-us.php

Gunthorpe Riverside Project

Update May 2015

Eddie Brennan

From: Personal Information
Sent: 22 March 2016 09:43
To: Eddie Brennan
Cc: Personal Information
Subject: RE: Gunthorpe Riverside Trust – proposed works
Attachments: Gunthorpe Riverside Project common land 2015 July.pptx

Hi Eddie,

I'm including Personal Information on this mail, the chairman of GRT who I believe you have spoken with before. Personal Information

Personal Information

We would hope to avoid any costs re bridleway diversion - In reality the plan would be to merely straighten the route, it would only probably move about a max of 3-5 metres to the side, and we would want to do this all in one day, without actually blocking access for users during the works (if possible). I would hope this wouldn't warrant any 'red tape' type costs...? If you see slides 4 and 5 (before and after) on the attached, it will pretty much be the same as these works completed last year, but just a little nearer the unicorn.

Re gates on the bridleway, our main aim is to deter and prevent unauthorised use by motorcyclists. There are already plenty of gates already along the Trent (e.g. at the lock at Gunthorpe, 3x between Gunthorpe and Caythorpe), so I would hope something would be possible?

Anyhow, I'll let Personal Inform make contact as required Regards Personal Inform

On 21.03.2016 14:29, Eddie Brennan wrote:

> Personal Inform
>
> Many thanks for the information.
> Did you speak to Rob Percy regarding the bridleway diversion? There
> are costs associated with this (met by the applicant) of around
> £1500-2000.
>
> It would not be appropriate to put any gates on the bridleway - these
> would only act as impediments to public access, particularly those
> with disabilities.
>
> I note point 6 regarding low level fencing. It looks as though this is
> obstructing the bridleway and should be removed anyway.
>
> Given the changes planned here, I think that approval should be sought
> from the Secretary of State for carrying works on a Common (i.e.
> Commons Act 2006 Section 38).
> Guidance can be found at
>
> http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf
>
> Regards
>
> Eddie Brennan

**Gunthorpe -
Proposed bridleway
diversion**



**Nottinghamshire
County Council**

Gunthorpe

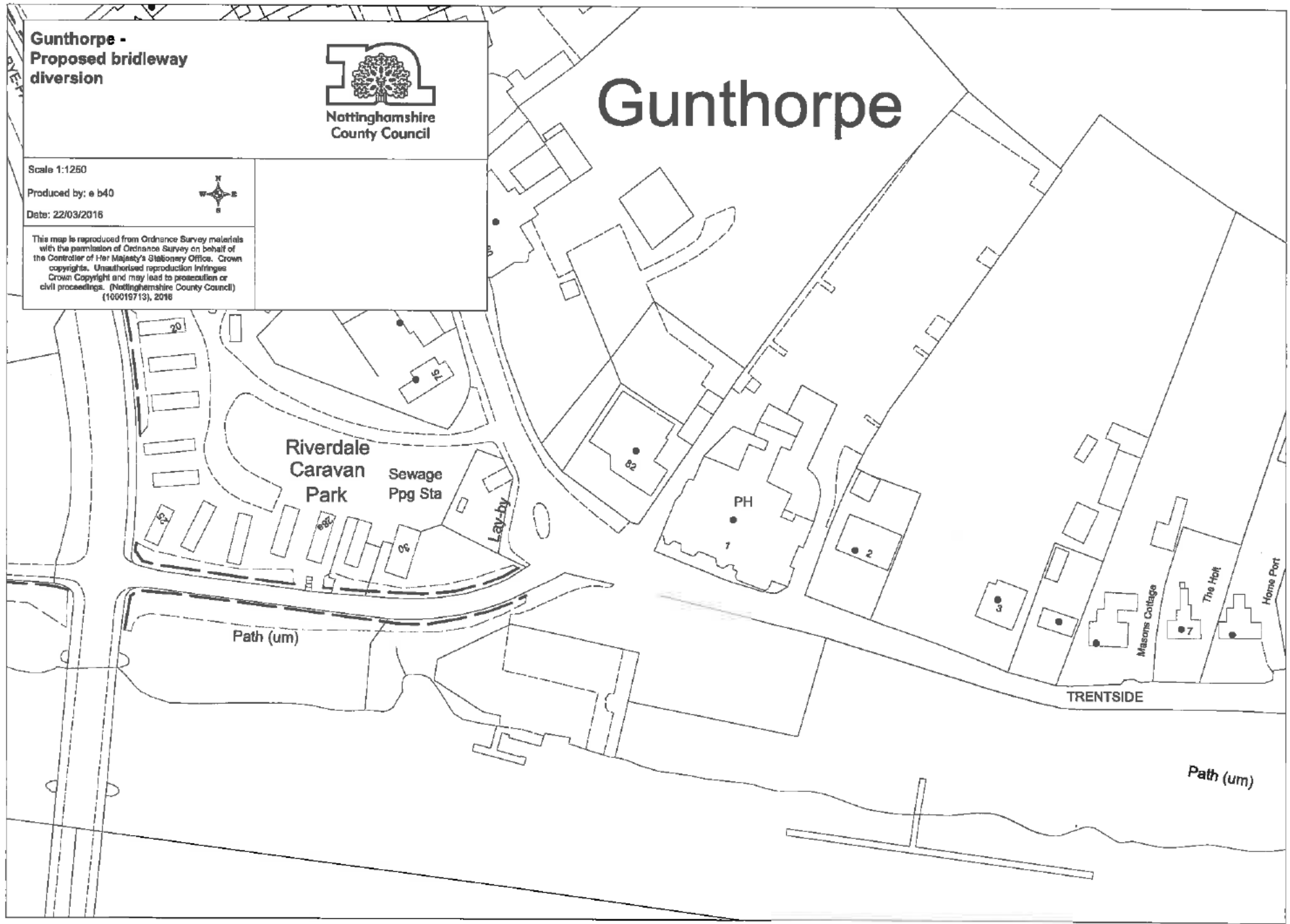
Scale 1:1250

Produced by: e b40

Date: 22/03/2016



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- > Did you speak to Rob Percy regarding the bridleway diversion? There
- > are costs associated with this (met by the applicant) of around
- > £1500-2000.
- >
- > It would not be appropriate to put any gates on the bridleway - these
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- >
- > http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf
- >
- > Regards
- >
- > Eddie Brennan
- > Definitive Map Officer
- > 0115 9774709

> -----Original Message-----

- > From: [REDACTED] Personal Information
- > Sent: 21 March 2016 09:35
- > To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
- > Cc: [REDACTED] Personal Information
- > Subject: Gunthorpe Riverside Trust – proposed works

- > Eddie,
- > Please find attached letter and appendices which sets out the proposed
- > works by Gunthorpe Riverside Trust, acting on behalf of Gunthorpe
- > Parish Council. We seek your advice and support in gaining necessary
- > consents to undertake this work.

> Best regards

> [REDACTED] Personal Information

> Secretary - Gunthorpe Riverside Trust

- > _____
- > The following message has been applied automatically, to promote news
- > and information from Nottinghamshire County Council about events and
- > services:

- >
- > There are lots of great events taking place across Nottinghamshire
- > this Spring, including Easter fun for families. Find out what's
- > happening near you www.nottinghamshire.gov.uk/events
- > <<http://www.nottinghamshire.gov.uk/events>>

Eddie Brennan

From: Eddie Brennan
Sent: 22 March 2016 14:32
To: Personal Information
Subject: RE: Gunthorpe Riverside Trust – proposed works
Attachments: OS Licence No. 100019713_2.pdf

Hi Personal Information

Personal Information

I have attached a plan which I would be grateful if you could mark on the proposed new alignment and return it to me. I can then advise further.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

-----Original Message-----

From: Personal Information
Sent: 22 March 2016 09:43
To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
Cc: Personal Information
Subject: RE: Gunthorpe Riverside Trust – proposed works

Hi Eddie,

I'm including Personal Information on this mail, the chairman of GRT who I believe you have spoken with before. Personal Information

Personal Information

We would hope to avoid any costs re bridleway diversion - In reality the plan would be to merely straighten the route, it would only probably move about a max of 3-5 metres to the side, and we would want to do this all in one day, without actually blocking access for users during the works (if possible). I would hope this wouldn't warrant any 'red tape'

type costs...? If you see slides 4 and 5 (before and after) on the attached, it will pretty much be the same as these works completed last year, but just a little nearer the unicorn.

Re gates on the bridleway, our main aim is to deter and prevent unauthorised use by motorcyclists. There are already plenty of gates already along the Trent (e.g. at the lock at Gunthorpe, 3x between Gunthorpe and Caythorpe), so I would hope something would be possible?

Anyhow, I'll let Personal Inform make contact as required Regards Personal Informatio

On 21.03.2016 14:29, Eddie Brennan wrote:

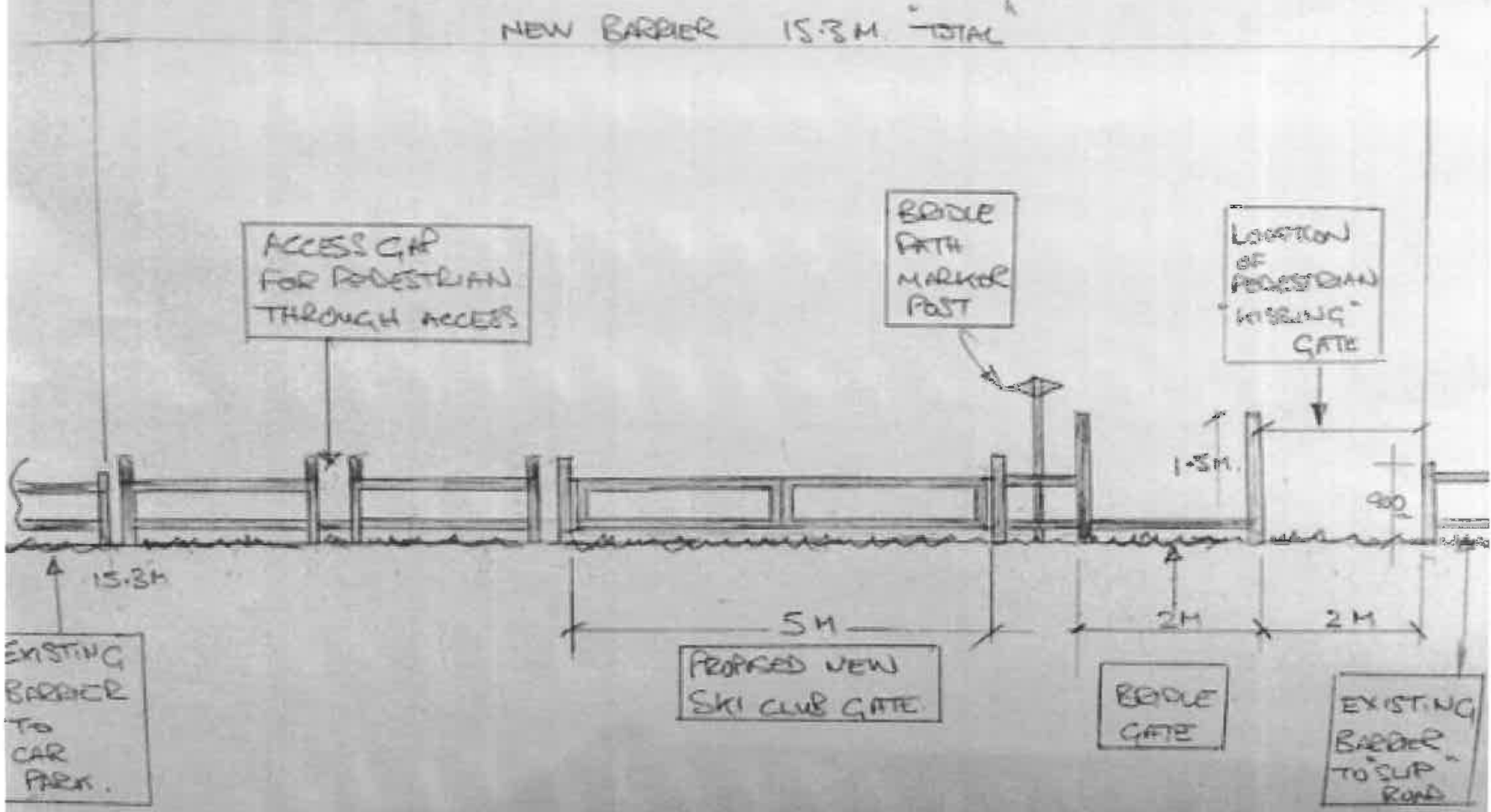
> Personal Informa

>

> Many thanks for the information.

SCHEMATIC
SKETCH.
PROPOSED NEW BARRIER
FENCE ON COMMON LAND

NEW BARRIER 15.3M TOTAL



ACCESS GAP
FOR PEDESTRIAN
THROUGH ACCESS

BOULE
PATH
MARKER
POST

LOCATION
OF
PEDESTRIAN
"MISSING"
GATE

EXISTING
BARRIER
TO
CAR
PARK.

PROPOSED NEW
SKI CLUB GATE

BOULE
GATE

EXISTING
BARRIER
TO SLIP
ROAD

15.3M

5M

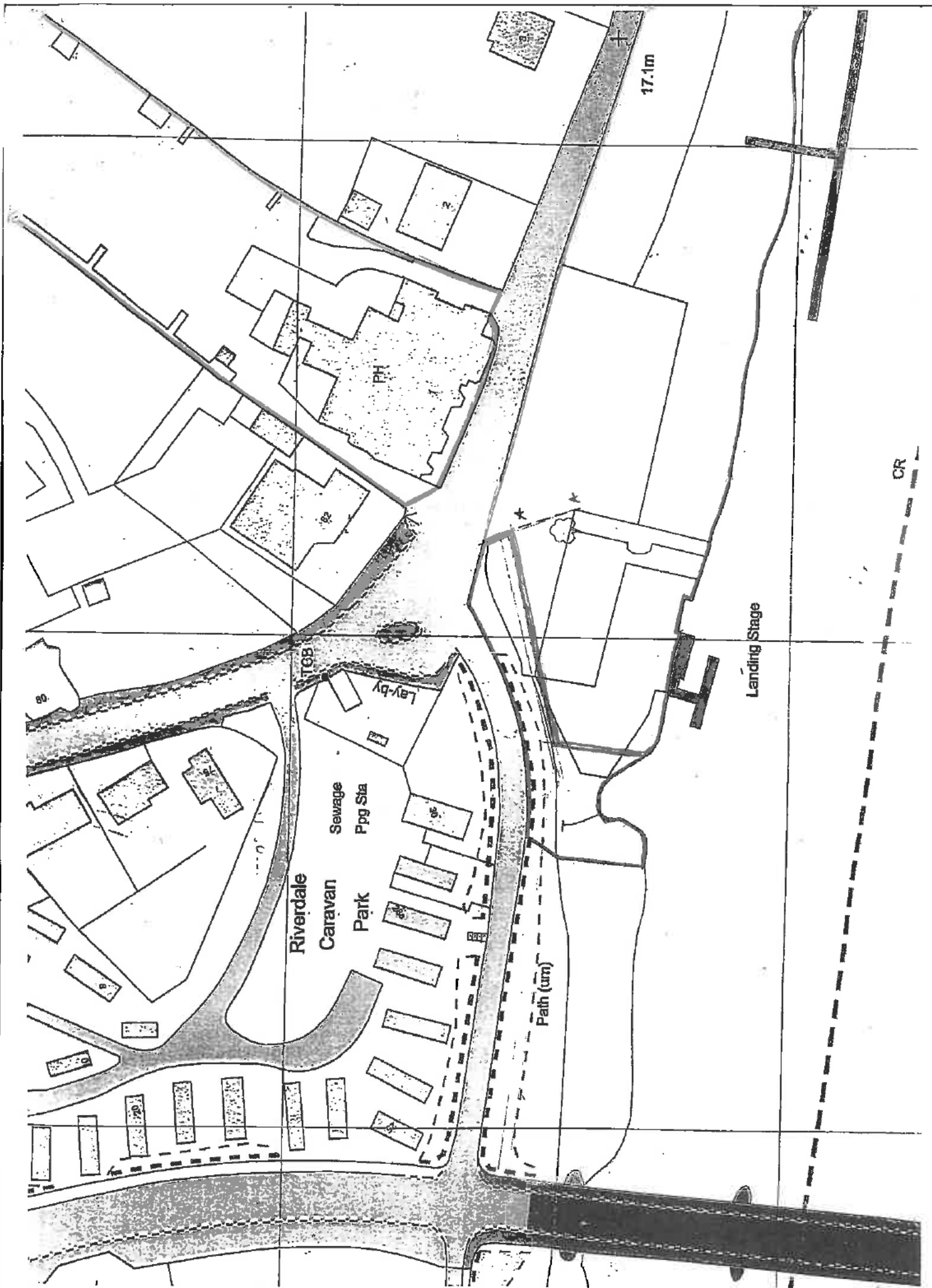
2M

2M

1.5M

900

900



17.1m

TGB

Riverdale

Caravan

Park

Sewage

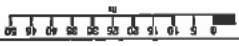
Ppg Sta

Lay-by

Path (turn)

Landing Stage

CR

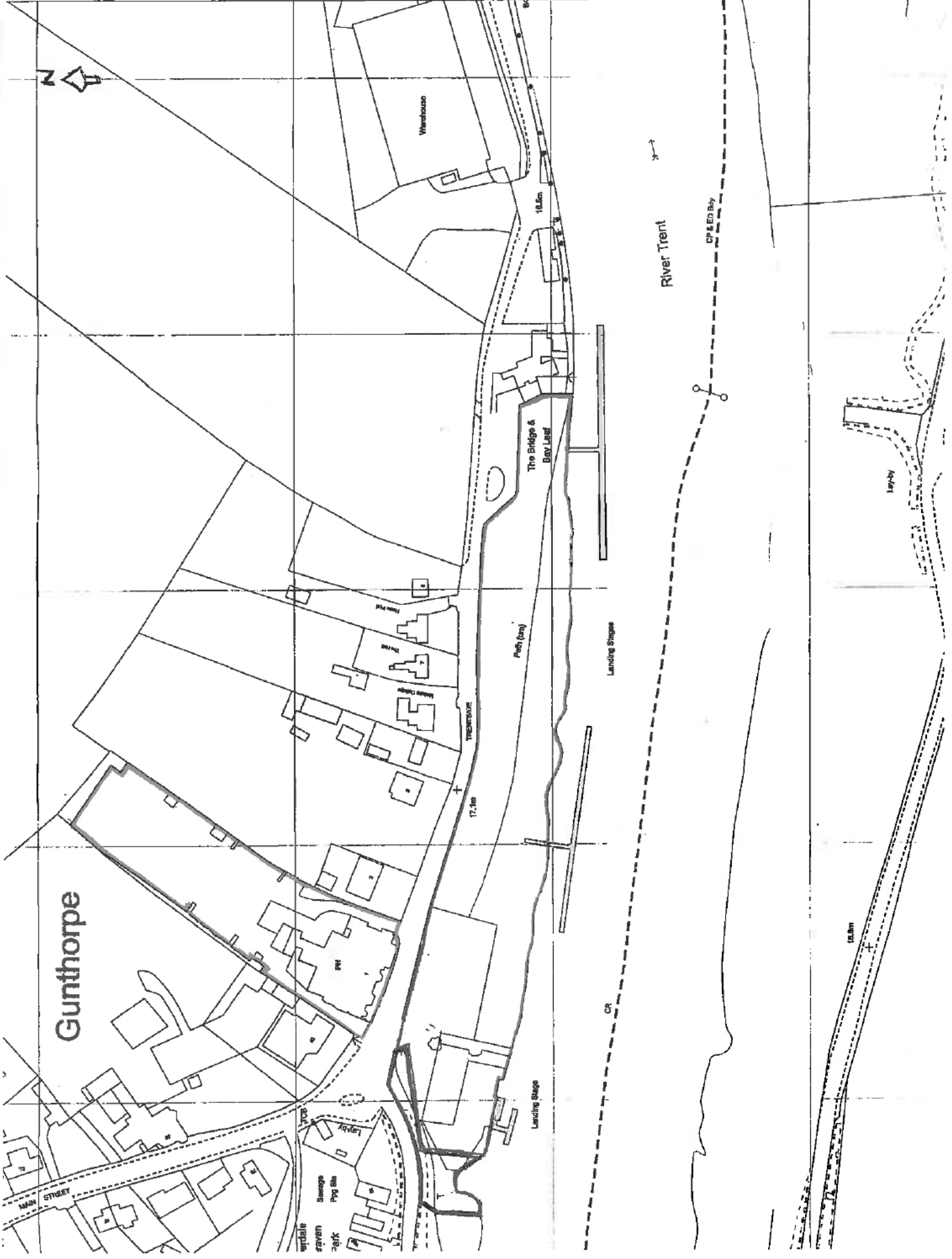


36

36

37

36



Gunthorpe

MAIN STREET

Widale
Sewer
Pop 60

Warehouse

The Bridge &
Bay Leaf

Path (2m)

Landing Stage

River Trent

CP & ED Bay

16.8m

16.6m

17.3m

CR

6 Pedestrian gate to be installed as part of boundary AA



7 Marston's email ref confirmation of land transfer

On 18.01.2016 16:32, **Personal Information** wrote:

Personal Information

We now have board approval for the land transfer. I shall draft some HOTs and get them to you so that we can get into legals this week - please can you provide your solicitor details **Personal Information**

Kind regards

Personal Information

Personal Information

3 Ski Club existing barriers to be removed and replaced



4 Car park area to be removed



5 Photo of new bridle gate to be installed as part of boundary AA



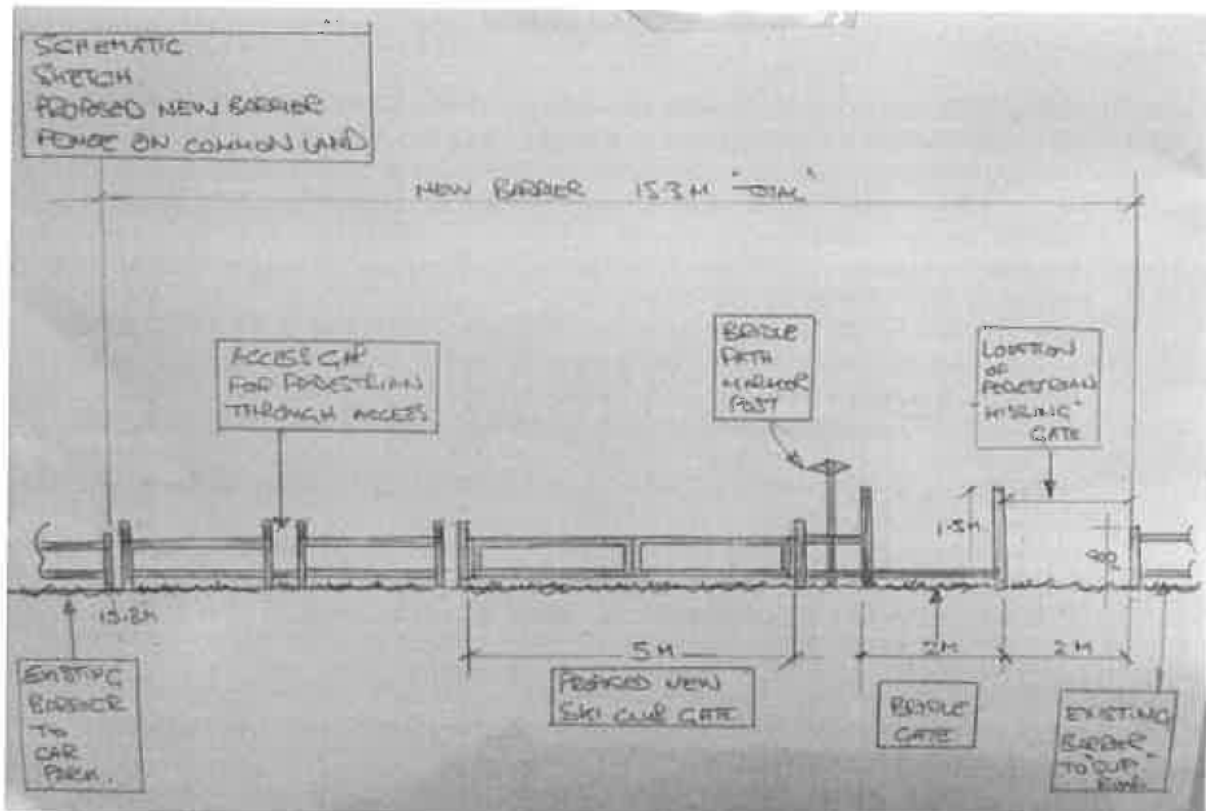
Enclosed

Appendix 1 & 2 OS sheets showing Common land (in Red), land in be transferred to Gunthorpe Parish Council (in Blue). Second sheet shows line AA.

- 1 Photos of existing boundary on a line AA



- 2 Schematic of new boundary fencing, including gates, line AA



To: NCC Land Access, Eddie Brennan

Gunthorpe Riverside Trust – proposed works

Dear Mr Brennan,

Further to our previous discussion, please find enclosed a brief introduction to the proposed works to be undertaken by the Gunthorpe Riverside Trust (GRT), who now seek your approval and authorisation for works on the common land in Gunthorpe as part of our ongoing riverside project.

Marston's, the present landowner, has agreed transfer of land to enable the existing bridleway to be realigned through the existing area used by the ski club to enable installation of a bridle gate and pedestrian gate along with a new ski club exit gate and barriers to secure the land from illegal use of motor vehicles. The works will include removal of a tarmacked car park area, the existing ski club barrier fencing and gate to a line depicted AA on the attached sheet.

Pending completion of the land transfer from Marston's, we seek your assistance in obtaining approvals for the new boundary works from both Notts County Council, and where required for Common Land, the Secretary of State.

The Gunthorpe Parish Council have obtained funding for the proposed works, which now need approvals to enable modifications to be concluded this summer.

Hopefully the works as detailed are self-explanatory; however we are happy to make ourselves available to you for clarification in seeing a speedy outcome.

We seek your approval for the following schedule of works.

Schedule of works

1. Realign bridle path route from the newly installed 3 bar wooden barrier fence to the existing 2nd steel 4ins x 4ins , marker post forming barrier from the slip rod car park entrance
2. The path to be 5m in overall width , 2m of hard base with 1.5 m of grass verge each side
3. Excess tarmacked area between new bridle path route and Slip Road bank to be removed and back filled and resurfaced with top soil and grass
4. Installation of new barrier of 15.3m in length to a line A to A , between the marker post (as 1) to the intersection of the existing Ski club /car park fence
5. The new barrier to include a pedestrian access swing gate, a 2 bar bridle gate, a replacement 5m wide access gate to the Ski Club area and 2 x low metal infill barriers 200mm gaps being left between the barriers to allow pedestrian free access to the Ski Club area
6. The existing club gate and low level fencing to be removed
7. A 3 bar wooden fence, (matching the new fence installed along the riverside), to be erected between bridle path and slip road bank. The fence to create a barrier for natural habitat replanting between the path and the slip road banking
8. A new low level 900mm high wooden barrier to be erected between the path and the Ski Club, 200mm gaps left between barriers to allow pedestrian free access to the Ski Club common land
9. All exposed surfaces to be back filled with top soil and reseeded to grass

Your response and ongoing assistance will be of great value to us in ensuring the work is completed this summer. For any clarification please contact myself in the first instance.

Yours faithfully,

Personal Information

Secretary – Gunthorpe Riverside Trust

Eddie Brennan

From: [Personal Information]
Sent: 21 March 2016 09:35
To: Eddie Brennan
Cc: [Personal Information]
Subject: Gunthorpe Riverside Trust – proposed works
Attachments: Gunthorpe Common Land approvals 21 March 2016.docx; Gunthorpe land 1.pdf; Gunthorpe land 2.pdf; Schematic of line AA.jpg

Eddie,

Please find attached letter and appendices which sets out the proposed works by Gunthorpe Riverside Trust, acting on behalf of Gunthorpe Parish Council. We seek your advice and support in gaining necessary consents to undertake this work.

Best regards

[Personal Information]

Secretary - Gunthorpe Riverside Trust

Eddie Brennan

From: Eddie Brennan
Sent: 21 March 2016 14:30
To: [Personal Information]
Subject: RE: Gunthorpe Riverside Trust – proposed works

[Personal Information]

Many thanks for the information.
Did you speak to Rob Percy regarding the bridleway diversion? There are costs associated with this (met by the applicant) of around £1500-2000.

It would not be appropriate to put any gates on the bridleway - these would only act as impediments to public access, particularly those with disabilities.

I note point 6 regarding low level fencing. It looks as though this is obstructing the bridleway and should be removed anyway.

Given the changes planned here, I think that approval should be sought from the Secretary of State for carrying works on a Common (i.e. Commons Act 2006 Section 38).

Guidance can be found at

http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

-----Original Message-----

From: [Personal Information]
Sent: 21 March 2016 09:35
To: Eddie Brennan <eddie.brennan@nottsc.gov.uk>
Cc: [Personal Information]
Subject: Gunthorpe Riverside Trust – proposed works

Eddie,

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Best regards

[Personal Information]

Secretary - Gunthorpe Riverside Trust

Eddie Brennan

From: Personal Information
Sent: 25 September 2015 14:47
To: Eddie Brennan
Cc: Rob Percy; gunthorpepc_ukinfoweb_com; Personal Information
Subject: RE: Letter to Ski-Club from Gunthorpe Riverside Trust

Importance: High

Personal Information

Yes we very much wish to consult with stakeholders and ensure we are doing things 'by the book'.

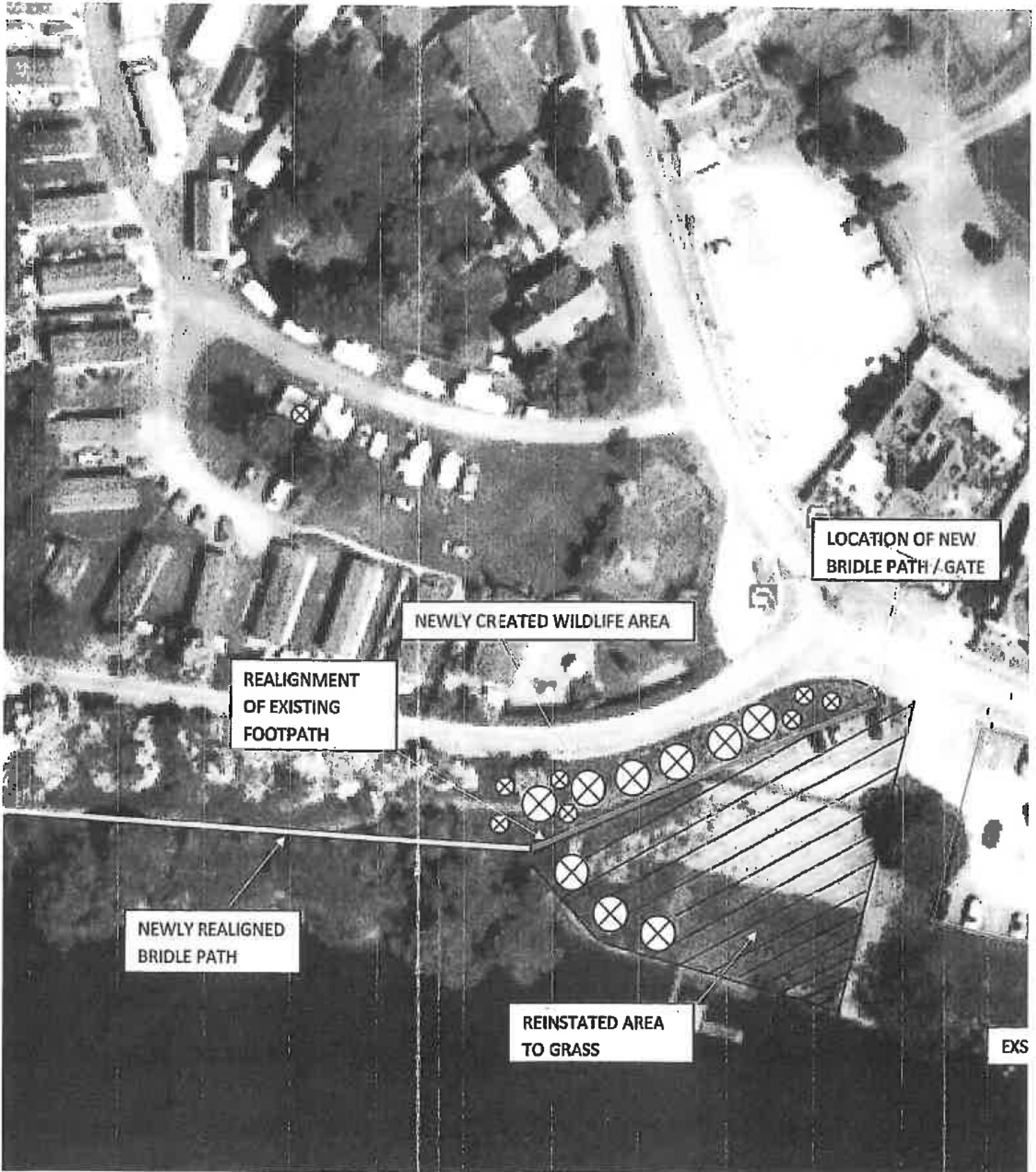
Personal Information

On 25.09.2015 13:29, Eddie Brennan wrote:

Personal Information

> Common Land
> Thank you for keeping me informed. I note that the necessary consents
> will be sought from the Secretary of State in respect the Common.
>
> Rights of Way
> In respect of the bridleway which runs through the Common, I
> understood that a site visit was to take place with Stephen Tipping
> to
> discuss this proposal - did this take place?
> I say this, because there are important legal
> procedures/authorisations to go through in order to divert a public
> highway and to erect structures on it.
>
> As Stephen has recently left to join another authority I would
> strongly advise that you speak to his manager Rob Percy before
> proceeding any further.
>
> Regards
>
> Eddie Brennan
> Definitive Map Officer
> 0115 9774709
>
>
>
>
> -----Original Message-----
> From: Personal Information
> Sent: 25 September 2015 12:39

B



NEWLY REALIGNED
BRIDLE PATH

REALIGNMENT
OF EXISTING
FOOTPATH

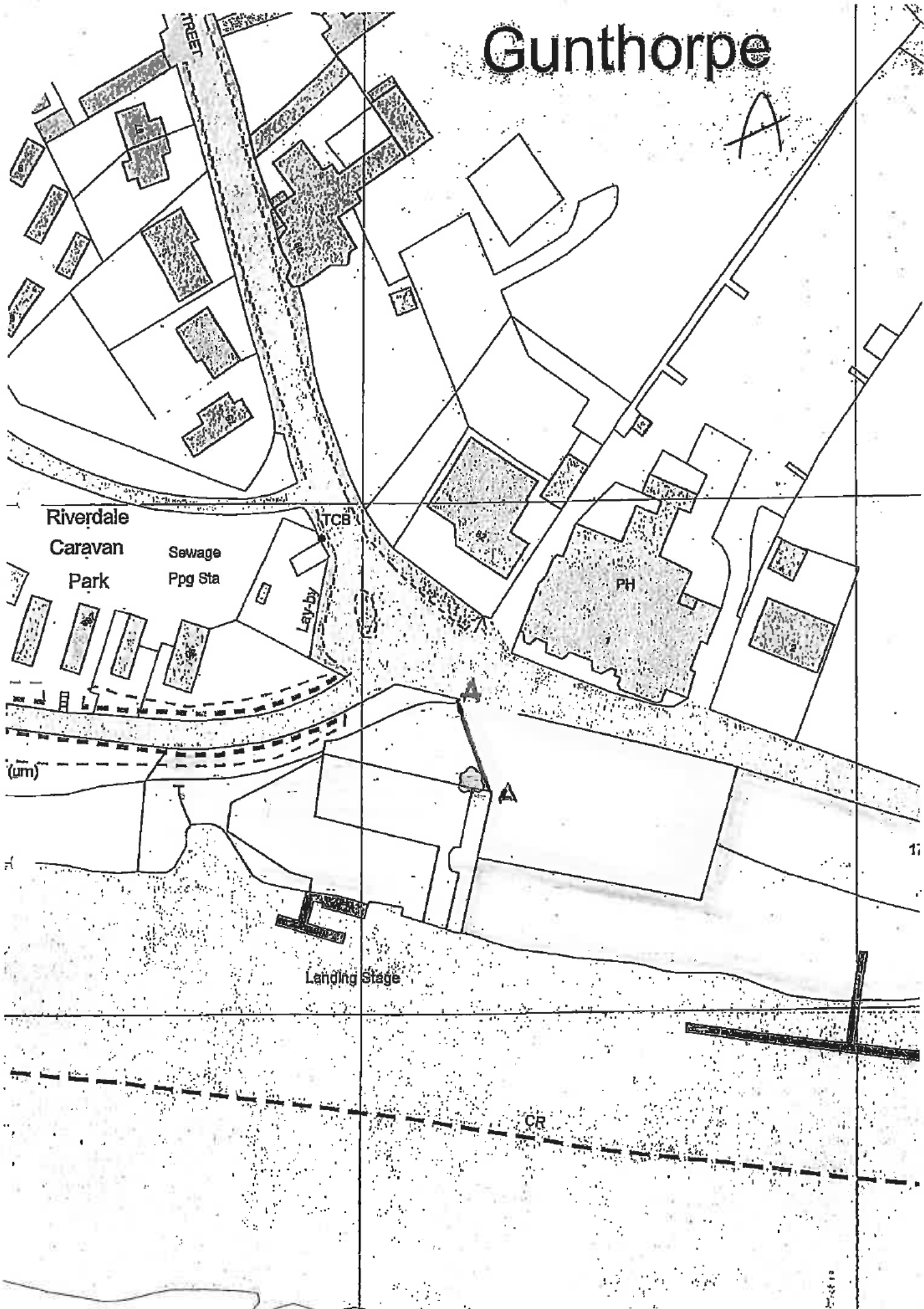
NEWLY CREATED WILDLIFE AREA

LOCATION OF NEW
BRIDLE PATH / GATE

REINSTATED AREA
TO GRASS

EXS

Gunthorpe



Eddie Brennan

From: [Redacted] Personal Information
Sent: 25 September 2015 12:39
To: Eddie Brennan
Cc: [Redacted] Personal Information
Subject: Fwd: Letter to Ski-Club from Gunthorpe Riverside Trust
Attachments: Ski-Club Sept 2015.docx; BG letter Sept 2015 diagram A.pdf; BG letter Sept 2015 diagram B.pdf

Eddie,
FYI - to keep you updated in regards to the ongoing dialogue between Gunthorpe Riverside Trust and the Ski-Club regards

[Redacted] Personal Information

Secretary
Gunthorpe Riverside Trust

----- Original Message -----

Subject: Letter to Ski-Club from Gunthorpe Riverside Trust

Date: 25.09.2015 12:34

From: [Redacted] Personal Information

To: [Redacted] Personal Information

Copy: [Redacted] Personal Information

[Redacted] Personal Information

[Redacted] Personal Information

As per conversation just now, find attached letter and attachments which were agreed by Gunthorpe Parish Council on Wednesday. Any uncertainties, please shout asap

Many thanks

[Redacted] Personal Information

Secretary Gunthorpe Riverside Trust

[Redacted] Personal Information

Eddie Brennan

From: Eddie Brennan
Sent: 25 September 2015 13:29
To: [Personal Information]
Cc: Rob Percy; Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Subject: RE: Letter to Ski-Club from Gunthorpe Riverside Trust

Importance: High

[Personal Information]

Common Land

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Rights of Way

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I say this, because there are important legal procedures/authorisations to go through in order to divert a public highway and to erect structures on it.

As Stephen has recently left to join another authority I would strongly advise that you speak to his manager Rob Percy before proceeding any further.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

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Sent: 25 September 2015 12:39
To: Eddie Brennan
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Subject: Fwd: Letter to Ski-Club from Gunthorpe Riverside Trust

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[Personal Information]

Secretary
Gunthorpe Riverside Trust

----- Original Message -----

Subject: Letter to Ski-Club from Gunthorpe Riverside Trust
Date: 25.09.2015 12:34
From: [Personal Information]
To: [Personal Information]

Eddie Brennan

From: Gunthorpe PC Clerk <gunthorpepc@ukinfoweb.com>
Sent: 13 September 2015 11:16
To: Eddie Brennan
Subject: RE: Gunthorpe Common Land.

Hi Eddie, sorry I've not got back to you – yes, thanks, I did received your email – I passed it on to PC members, but have had no response. I've bcc'd them on this.

Best wishes

Personal Information

From: Eddie Brennan [mailto:eddie.brennan@nottscc.gov.uk]
Sent: Friday, September 11, 2015 10:03
To: gunthorpepc_ukinfoweb_com
Subject: FW: Gunthorpe Common Land.

Dear Personal Information

I would be grateful if you could confirm safe receipt of the email (below) which was sent on the 11th of August.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

From: Eddie Brennan
Sent: 11 August 2015 15:35
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Subject: Gunthorpe Common Land.

Dear Personal Information

For the attention of Gunthorpe Parish Council

Re: Gunthorpe Common Land.

Further to my meeting with Personal Information this morning, it was agreed that I summarise the main points raised:

1. The rights of Common which are recorded in the register are mostly attached to private properties. The people who live in these properties are the current right holders. When these properties change hands, the new owner will become the 'commoner' until ownership changes again.
2. Structures (signs/landing stages/fences) appear to have recently been placed on the Common without consent from the Secretary of State.
I also understand that the Parish Council may, in the future, want to erect a fence and gate on the common.

Eddie Brennan

From: Eddie Brennan
Sent: 11 September 2015 10:03
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Subject: FW: Gunthorpe Common Land.

Dear **Personal Information**

I would be grateful if you could confirm safe receipt of the email (below) which was sent on the 11th of August.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

From: Eddie Brennan
Sent: 11 August 2015 15:35
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Subject: Gunthorpe Common Land.

Dear **Personal Information**

For the attention of Gunthorpe Parish Council

Re: Gunthorpe Common Land.

Further to my meeting with **Personal Information** this morning, it was agreed that I summarise the main points raised:

1. The rights of Common which are recorded in the register are mostly attached to private properties. The people who live in these properties are the current right holders. When these properties change hands, the new owner will become the 'commoner' until ownership changes again.
2. Structures (signs/landing stages/fences) appear to have recently been placed on the Common without consent from the Secretary of State.
I also understand that the Parish Council may, in the future, want to erect a fence and gate on the common. Accordingly, the procedure for applying for consent can be found on the Planning Inspectorate web site : <http://www.planningportal.gov.uk/planning/countryside/commonland/guidance>
3. The common is also designated 'open access land' under the provisions of the Countryside and Rights of Way Act 2000 (aka the right to roam).
Accordingly, the general public currently have lawful access to the **full extent** of the common. Under section 14 of the Act, it is an offence to display a notice which deters public use. Open access land can be used by the public for walking, running, watching wildlife and climbing. Further information is available online on the www.gov.uk web site.
4. The Parish Council is seeking the support from the County Council (and others including the Open Spaces Society, Ramblers Association etc) in its endeavours to improve the riverside and to remove any illegal structures from the common. The Parish Council may consider submitting a petition as a means of securing

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Further to my meeting with **Personal Information** and **Personal Information** this morning, it was agreed that I summarise the main points raised:

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4. The Parish Council is seeking the support from the County Council (and others including the Open Spaces Society, Ramblers Association etc) in its endeavours to improve the riverside and to remove any illegal structures from the common. The Parish Council may consider submitting a petition as a means of securing County Council support. Advice on submitting an online petition can be found on the County Council's web site at: <http://www.nottinghamshire.gov.uk/thecouncil/democracy/have-your-say/petitions/>
5. The Parish Council owns an adjacent stretch of riverbank and may consider registering this land as a Town or Village Green to provide a degree of statutory protection. This option would also be possible should any of the Common Land be acquired from Marstons Brewery. Applications to register town or village greens are made to the County Council using 'Form 44' available on the www.gov.uk web site.
6. I agreed to attend a future site visit with members of the Parish Council and Marstons if required.

Personal Information

Regards

Eddie Brennan
Definitive Map Officer
Environment and Resources Department

Notes

1. What amendments should be registered

Application should be made to have the register amended where a registered right of common, whether or not attached to land, has been apportioned, varied, extinguished or released or, if it is a right in gross, (that is, not attached to any land) has been transferred. With regard to attached rights, it is important to remember that, so long as the land to which a right is attached remains a single holding, no case for amendment of the register arises, no matter how many times the holding may be sold or otherwise transferred, unless and until the right is apportioned. On the other hand, every transfer of the freehold ownership of a right held in gross should be recorded in the register. Changes in the tenancy of a holding to which a right is attached do not necessitate amendment of a register.

2. Who may apply

An application may be made by any person having an interest under the apportionment, variation, extinguishment, release or transfer. Having an "interest" means having gained a benefit or advantage by the transaction. Thus, for example, in the case of an apportionment, each of the persons entitled to any part of the apportioned right would be entitled to apply. In the case of an extinguishment or release, the applicant would generally be the soil owner. In the case of a variation, any person benefited by the variation, and in the case of transfer, the transferee, would be entitled to apply. Where the relevant interest belongs to an ecclesiastical benefice of the Church of England which is vacant, the Church Commissioners may make the application and, where they do so, the fact should be stated, and the name of the benefice given, in part 1.

There are certain other cases where a person may be entitled to apply on behalf of the owner of the relevant interest or in his stead. Examples are (a) a receiver appointed under section 105 of the Mental Health Act 1959; (b) charity trustees where the relevant interest is vested in the Official Custodian for Charities; (c) trustees for the purposes of the Settled Land Act 1925 authorised by order under Section 24 of that Act. In such cases mention should so far as possible be made, either in part 1 or in part 6 as may be most convenient, of (a) the Act of Parliament, statutory instrument, order of court or other authority under which the applicant claims to be entitled to apply; (b) the capacity in which he applies; and (c) the name and address of the person on whose behalf or in whose stead the application is made, that is to say the person having the necessary interest as explained in the preceding paragraph. The registration authority has power to call for such further evidence of the right of the applicant to make the application as it may reasonably require.

In all cases where charity trustees apply (not only where the right is vested in the Official Custodian) the fact should be stated, and the name of the charity given, in part 1 or part 6 as convenient.

3. Scope of application

An application may not relate to more than one registered right of common. If more than one right requires amendment on the register a separate form must be used for each right.

4. Inspection

The registration particulars of the right of common must be ascertained in order to complete parts 3 and 4 of the application. Two separate registers are maintained under the Act by each registration authority - a Register of Common Land and a Register of Town or Village Greens, and rights of common may be registered as exercisable over land registered in either register. To ascertain whether land has been registered under the Act, anyone may inspect the registers at the offices of the registration authority.

5. Double registration

[NB. Note 5 was deleted by the Commons Registration (Amended and Miscellaneous Revocations) Regulations 2010.]

6. Objections and amendment applications contrasted

[NB. Note 6 was deleted by the Commons Registration (Amendment and Miscellaneous Revocations) Regulations 2010.]

7. Nature of change

The applicant should state whether the right has been apportioned, extinguished, released, varied or transferred. Full details must be given of any apportionment or variation. Where there has been a transfer, the names and addresses of the transferees must be given.

8. Grounds of application

An application for amendment, to be successful, must show that events subsequent to the registration of the right concerned have caused the right to become altered, for example, by apportionment; and in part 9 should be set out, as concisely as possible, a statement of the facts relied on as showing how the change in the right of common has occurred. It is not possible to give a complete list of all the events which could give rise to an application for amendment of the register and the following are given only as examples:-

(a) apportionment may occur, in the case of a right attached to land, when part of that land is sold and part retained;

(b) extinguishment can occur, e.g., by merger, as where the owner of the right becomes the owner of the land over which it is exercised or vice versa;

(c) release, variation or transfer are usually effected by deed but may occur in other ways, as where a bankrupt's property vests in his trustee in bankruptcy or where rights are altered by or under an Act of Parliament.

The statement should include particulars of every Act of Parliament, statutory order, order of court, deed or other instrument and of every act or event, which is material for the purpose. The registration authority has power to call for such further evidence in support of the application as it may reasonably require.

9. Land descriptions

It may be necessary, for the purposes of the application, to describe an area of land. There may, for example, have been some alteration in the area of land over which the right is exercisable, or (if the right is attached to a farm or other land) in the area of the land to which the right is attached. It is permissible to describe land by reference to the register and 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, then unless the land to be described is land to which the right is attached it 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 10). Where the land to be described is land to which the right is attached, the description may be either by a plan prepared as already explained, or alternatively, by reference to the numbered parcels on the most recent edition of the ordnance map (quoting the edition), supplemented, where necessary to describe part of a parcel, or any land not numbered on the ordnance map, by a plan as above. Sufficient particulars of the locality must in any case be given to enable the land to be identified on the ordnance map.

10. 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) before me,

.....
(Signature and qualification)

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

11. 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. Publicity will be given to the application and objections invited. Thereafter, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, the registration will be amended in the prescribed manner, and the applicant will be supplied with particulars of the amendment. If it is rejected, the applicant or his solicitor will be notified of the reasons for the rejection.

12. False Statements

The making of a false statement for the purposes of this application may render the maker liable to prosecution.

(See Note 10.)

Statutory Declaration in Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor or by the person who signed the application.

¹ Insert full name(s)

(I) (We)¹

solemnly and sincerely declare as follows: -

² Strike out this paragraph if it does not apply.

³ Insert capacity in which acting.

⁴ Delete all but one of these alternatives.

⁵ Strike out this paragraph if there is no plan.

⁶ Insert "marking" as on plan (see Note 10)

1. ² (I am) (We are) the person(s) who (has) (have) made the foregoing application.

2. ² I am ³ to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on (his) (their) behalf.

3. (I) (We) have read the Notes on the back of the application form and believe-

⁴ that (I) (we) (the applicant(s)) (am) (are) (is) entitled to the interest mentioned in the application, and

⁴ that the person(s) entitled to the interest mentioned in the application (is) (are) the person(s) therein stated to be so entitled, that, under or by virtue of the matters referred to therein (I) (we)(am) (are) authorised, in the capacity or respective capacities therein mentioned, to make this application, and

⁴ that the land described in the application belongs to the benefice therein mentioned, that the said benefice is vacant, and

that, by reason of the facts therein stated, the register to which the application relates ought to be amended accordingly.

4. ⁵ The plan now produced and shown to me marked ⁶ " " is the plan referred to in part 7 of this application.

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

Declared by the said:
.....
.....
.....
.....
.....
.....
at:.....
in the:..... of.....
this..... day of..... 20.....

Before me,

Signature:

Address:

Qualification:.....

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

Part 4.

Register unit number.

(See Note 4.)

Part 5.

Rights section entry number.

(Give the number of the entry in the rights section of the register unit relating to the right of common sought to be amended. Previous (cancelled) entries relating to the same right of common, if any, should be disregarded)

Part 6.

Nature of applicant's interest in the proposed amendment.

(Read Note 2 and insert, e.g., "as owner of the soil", "as transferee" or as the case maybe.)

Part 7.

Nature of change in the right of common.

(See Note 7.)

Part 8.

On what date did the change take place?

Part 9.

How did the change take place?

(See Note 8.)

² *If the applicant is a body corporate or charity trustees the application must be signed by the secretary or some other duly authorised officer.*

Signature(s) of applicants(s) or of person on his or their behalf ²

Date:.....20.....

This section for official use
only

COMMONS REGISTRATION ACT 1965

Section 13

**Application for the amendment of a
register in relation to a right of common**

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

¹Insert name of registration authority maintaining the register containing the registration of the land To the¹

Application is hereby made for the amendment of the register mentioned in part 3 below, in relation to the undernoted right of common, in accordance with the particulars set out hereunder.

Part 1.

Name and address of 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 Note 2 for information as to who may apply)

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.

(Insert "Common Land" or "Town or Village Greens". See Notes 3 to 5)

Eddie Brennan

From: Eddie Brennan
Sent: 25 February 2015 13:00
To: Gunthorpe PC (gunthorpepc@ukinfoweb.com)
Subject: Gunthorpe Common
Attachments: Form 19 (Revised).pdf

Importance: High

Dear Personal Information

Please find attached a revised Form 19 (as amended by regulations in 2010), which replaces the previous (outdated) version I sent to you in my email of the 19th February.

Apologies for any inconvenience caused.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

FORM 19

Official stamp of registration authority

Application No.....

indicating date of receipt

Register Unit No.....

(Above this line for official use only)

COMMONS REGISTRATION ACT 1965

Section 13

Application for the amendment of a register in relation to a right of common

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

To the ¹

Application is hereby made for the amendment of the register mentioned in part 3 below, in relation to the undernoted right of common, in accordance with the particulars set out hereunder.

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 Note 2 for information as to who may apply.)

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. (Insert "Common Land" or "Town or Village Greens". See Notes 3 to 5.)

Part 4. Register unit number. (See Note 4.)

Part 5. Rights section entry number. (Give the number of the entry in the rights section of the register unit relating to the right of common sought to be amended. Previous (cancelled) entries relating to the same right of common, if any, should be disregarded.)

Eddie Brennan

From: Eddie Brennan
Sent: 19 February 2015 12:32
To: 'Gunthorpe PC'
Subject: RE: Gunthorpe Common Land - The Green
Attachments: Application Form 19.pdf

Dear Personal Information

Thank you for your email.

Since my telephone conversation with Councillor Personal Information have had the opportunity to look at the common land register entry for Gunthorpe (Ref. CL18).

I note that most of the rights of common are attached to certain named properties (mostly in Lowdham) rather than belonging to individual people.

Personal Information

I am not aware of any document containing the signatories to which you refer. Do you have a copy?

I would recommend the following link which contains further information in respect of the ownership of common land...

<https://www.gov.uk/owning-common-land>

Updating the Register

Where a right of Common has been transferred/apportioned/varied/extinguished/released, application should be made to the County Council to amend the register using the attached form. Please note, a separate form must be used for each right to be amended. N.B. Extinguishment can occur when the owner of the right becomes the owner of the land.

Commons Council

I presume that the Land Registry title no.NT23491 is the registered common?

The process of setting up a commons council is complex and has not yet been undertaken in Nottinghamshire.

An application to create a commons council should be made to the Secretary of State. Guidance on the procedure can be found at...

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/218761/comcouncil-factsheet.pdf

Site Meeting

I understand that a site meeting is being arranged by Steven Tipping in respect of the rights of way matters. I have asked to be kept informed of this so that I can attend. However, I should stress that, unlike public rights of way, the County Council's responsibilities in respect of Common Land are quite limited and generally relate to maintaining a register and ensuring that it is available to the public.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

Eddie Brennan

From: Gunthorpe PC <gunthorpepc@ukinfoweb.com>
Sent: 16 February 2015 09:00
To: Eddie Brennan
Cc: Personal Information
Subject: Gunthorpe Common Land - The Green

Dear Personal Information

Further to the telephone conversation with Gunthorpe Parish Councillor Personal Information, would you please advise us on the following issues:

- 1 Would you please issue to us the documentation to enable both present council members and villagers to be added to the list of Commoners. The original document listed as 'Commoners' all members of the then (1967) Parish Councils of Gunthorpe, Caythorpe and Lowdham who signed on behalf of their respective villagers. Previous conversations with NCC representatives acknowledged the original signatories, signed on behalf of all villagers in perpetuity, however upgrading and amending to include new commoners will alleviate any future controversy
- 2 Would you offer to us advice for the formation of a "Commons Land Council", for the Gunthorpe Land Ref Number NT 234191 (dated 1967). Formulation of such a Council, we suggest, will originate a shared strategy, which will both protect and preserve the land area into the future for the benefit of all stakeholders
- 3 Would you arrange to meet with representatives of the Gunthorpe Riverside Trustees on site in Gunthorpe to discuss and thereby ensure all future work proposals meet with the NCC's approval.

With regard to our lately completed riverside works, our future proposals include a wish to realign the existing bridleway/footpath/towpath alongside the village slip road thereby replacing worn and unsafe fencing, whilst creating a further area for planting which will safeguard the slip road embankment.

The future wish to realign the path will need amendment to the approval for the path and gate installed /constructed by NCC some 2 years ago.

With regards

Personal Information

on behalf of Cllr Personal Information

Personal Information

Eddie Brennan

From: Eddie Brennan
Sent: 10 February 2015 15:27
To: [Personal Information]
Cc: Stephen Tipping
Subject: RE: Gunthorpe Riverside Trust

[Personal Information]

The applicant(s) would have to complete a Form CA6 and send it to me.
The form is available on the government web site www.gov.uk i.e. Transfer of a registered right of common in gross...

We do not currently charge a fee for processing these applications..

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

-----Original Message-----

From: [Personal Information]
Sent: 09 February 2015 16:58
To: Eddie Brennan
Cc: Stephen Tipping; [Personal Information]
Subject: Gunthorpe Riverside Trust

Eddie,

Trust all is well. Are you able to advise if there is a process to add members of the village (Gunthorpe Riverside Trust) to the current common land?

Stephen, I understand [Personal Information] will be arranging to meet with you in due course as previously discussed re the appropriateness of chicane / access gate. There is currently some discussion regarding continuing the good work on the bridleway to extend to the current car park entrance. This would mean re-routing slightly and removing some of the current metal fencing and car park areas (on the common land). Hopefully at a site meeting these things can be discussed also.

regards

[Personal Information]

On 03.02.2015 11:16, Eddie Brennan wrote:

> Dear [Personal Information]
>
> Stephen passed your email to me as I have responsibility for some
> Common land matters.
>
> If the fencing/hedgerow is not on the Common, then none of the
> following applies. However, if it is on the boundary, that makes

>
> Eddie Brennan
> Definitive Map Officer
> 0115 9774709

>
>
>
> -----Original Message-----

> -----Original Message-----

> From: [REDACTED] **Personal Information**
> Sent: 03 February 2015 09:07
> To: Stephen Tipping
> Subject: RE: Gunthorpe Riverside trust - fencing

> Morning Stephen,
> Trust all is well. I understand from [REDACTED] that he'll be meeting you
> at some point regarding the gate / chicane. We continue to work well
> on the land (phase 1 of the project), hopefully 1/2 term will be when
> we plant the new hedgerow.

> One question [REDACTED] has asked me to contact you about is to enquire
> about the process for erecting a fence on common land. Whilst our land
> (I understand) is not 'common land', it does adjoin the land in front
> of the common land (the ski club area belonging to the Unicorn).

> [REDACTED]
> has been in discussion with them regarding some kind of joint
> management plan for this going forward. I'm afraid I don't know all
> the details, but I think part of the plan may involve erecting a fence
> to go alongside the bridleway.

> [REDACTED] said there was mention of such a thing needing notification to
> the secretary of state (or something like that?). Perhaps there is
> some web page (or pdf) you can direct us towards?

> Sorry if this doesn't make sense! but hope you can help

> Regards

> _____
> The following message has been applied automatically, to promote news
> and information from Nottinghamshire County Council about events and
> services:

> Your tree needs you! Vote Sherwood Forest's Major Oak for European
> Tree of the Year 2015 www.treeoftheyear.org
> <<http://www.treeoftheyear.org/Uvod.aspx>>

> _____
> Emails and any attachments from Nottinghamshire County Council are
> confidential. If you are not the intended recipient, please notify the
> sender immediately by replying to the email, and then delete it

Eddie Brennan

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> things a bit more tricky as it is sometimes difficult to establish
> precisely where a boundary lies (hence boundary disputes).
>
> If the fence hedgerow is on the Common, then consent is required from
> the Secretary of State (called a Section 38 Application).
> Advice can be found at:
>
> <http://www.planningportal.gov.uk/planning/countryside/commonland/commo>
> [nland](http://www.planningportal.gov.uk/planning/countryside/commonland/commo)
>
> I note that reference is made to boundary fencing here (Appendix A)
>
> [http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/gui](http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf)
> [dance_sheet_1a_procedural_issues.pdf](http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf)
>
> Ultimately, it is for the person carrying out the works on Common Land
> to decide whether Section 38 consent is required.
>
> I enclose a copy of the Commons Register plan for the area which may
> assist in establishing boundaries.
>
> Regards
>

One question [Personal Information] has asked me to contact you about is to enquire about the process for erecting a fence on common land. Whilst our land (I understand) is not 'common land', it does adjoin the land in front of the common land (the ski club area belonging to the Unicorn). [Personal Information] has been in discussion with them regarding some kind of joint management plan for this going forward. I'm afraid I don't know all the details, but I think part of the plan may involve erecting a fence to go alongside the bridleway.

[Personal Information] said there was mention of such a thing needing notification to the secretary of state (or something like that?). Perhaps there is some web page (or pdf) you can direct us towards?

Sorry if this doesn't make sense! but hope you can help

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[Personal Information]

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Although any attachments to the message will have been checked for viruses before transmission, you are urged to carry out your own virus check before opening attachments, since the County Council accepts no responsibility for loss or damage caused by software viruses.

Nottinghamshire County Council Legal Disclaimer.

Eddie Brennan

From: Eddie Brennan
Sent: 03 February 2015 11:16
To: **Personal Information**
Cc: Stephen Tipping
Subject: FW: Gunthorpe Riverside trust - fencing
Attachments: CL18 original map.pdf

Dear **Personal Information**

Stephen passed your email to me as I have responsibility for some Common land matters.

If the fencing/hedgerow is not on the Common, then none of the following applies. However, if it is on the boundary, that makes things a bit more tricky as it is sometimes difficult to establish precisely where a boundary lies (hence boundary disputes).

If the fence hedgerow is on the Common, then consent is required from the Secretary of State (called a Section 38 application).

Advice can be found at: <http://www.planningportal.gov.uk/planning/countryside/commonland/commonland>

I note that reference is made to boundary fencing here (Appendix A)

http://www.planningportal.gov.uk/uploads/pins/common_land/guidance/guidance_sheet_1a_procedural_issues.pdf

Ultimately, it is for the person carrying out the works on Common Land to decide whether Section 38 consent is required.

I enclose a copy of the Commons Register plan for the area which may assist in establishing boundaries.

Regards

Eddie Brennan
Definitive Map Officer
0115 9774709

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To: Stephen Tipping
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CL18

005/2015

GUNTHORPE PARISH COUNCIL

Gordon Oldham, Clerk to the Council

Holme Leas, Shelford Hill, Shelford, Notts. NG12 1ED

Tel: 01159336228

Mobile: Personal Information

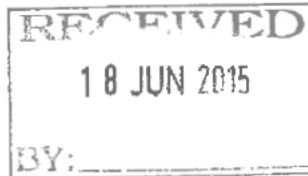
EMail: GunthorpePC@ukinfoweb.com

Mr E Brennan
Country Assets Team
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

Date: 14-JUN-15

Your Ref:

Our Ref: 2181EB-NCC



Dear Mr Brennan

Further to the telephone conversation with Cllr Peter Platten, please find attached the completed Amendment Register for the rights of Common, relating to the Common land, located at Gunthorpe Riverside.

I have attached our updated list of Commoners (councillors and residents) for replacement for those listed on the original register who are now deceased. With the exception of Number 5

The newly listed Commoners as previously listed, will represent the villagers

The principle of persons representing villagers is expressed within the original document as illustrated in ITEM 13 detailing Robert Baker as the representative for the Caythorpe Parish Council.

Thank you for your continued support and prompt assistance as always.

Please do not hesitate to contact me should you require further details.

With kind regards

Personal Information

Part 4.

Register unit number.

C18.

Part 5.

(Give the number of the entry in the rights section of the register unit relating to the right of common sought to be amended. Previous (cancelled) entries relating to the same right of common, if any, should be disregarded)

Rights section entry number.

1-2 NT 234191

Please see attached Appendix 1 listing entry removal & replacement

Part 6

Nature of applicant's interest in the proposed amendment.

(Read Note 2 and insert, e.g "as owner of the soil", "as transferee" or as the case maybe)

Villagers and Councillors for the village of Gunthorpe, Nottinghamshire

Part 7

Nature of change in the right of common

(See Note 7.)

Additions to the list of Commoners

Part 8

On what date did the change take place?

With immediate effect

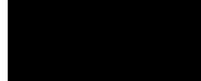
Part 9

How did the change take place?

Necessary additions to extend the rights of Commoners, as the existing list has decreased over time.

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

Personal Information

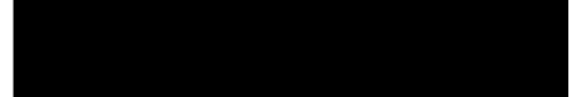


T. OLDHAM
PARISH CLERK

on behalf of Gunthorpe Parish Council

Date: 20th April 2015

Personal Information



This section for official use
only

COMMONS REGISTRATION ACT 1965

Section 13

**Application for the amendment of a
register in relation to a right of common**

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

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

To the

Application is hereby made for the amendment of the register mentioned in part 3 below, in relation to the undernoted right of common, in accordance with the particulars set out hereunder.

Part 1.

(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 Note 2 for information as to who may apply)

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

See attached list of proposed commoners

Part 2.

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

Name and address of solicitor, if any:

N / A

Part 3.

Register containing the registration of the land.

Common Land Registration No. NT 234191

Notes

1. What amendments should be registered

Application should be made to have the register amended where a registered right of common, whether or not attached to land, has been apportioned, varied, extinguished or released or, if it is a right in gross, (that is, not attached to any land) has been transferred. With regard to attached rights, it is important to remember that, so long as the land to which a right is attached remains a single holding, no case for amendment of the register arises, no matter how many times the holding may be sold or otherwise transferred, unless and until the right is apportioned. On the other hand, every transfer of the freehold ownership of a right held in gross should be recorded in the register. Changes in the tenancy of a holding to which a right is attached do not necessitate amendment of a register.

2. Who may apply

An application may be made by any person having an interest under the apportionment, variation, extinguishment, release or transfer. Having an "interest" means having gained a benefit or advantage by the transaction. Thus, for example, in the case of an apportionment, each of the persons entitled to any part of the apportioned right would be entitled to apply. In the case of an extinguishment or release, the applicant would generally be the soil owner. In the case of a variation, any person benefited by the variation, and in the case of transfer, the transferee, would be entitled to apply. Where the relevant interest belongs to an ecclesiastical benefice of the Church of England which is vacant, the Church Commissioners may make the application and, where they do so, the fact should be stated, and the name of the benefice given, in part 1.

There are certain other cases where a person may be entitled to apply on behalf of the owner of the relevant interest or in his stead. Examples are (a) a receiver appointed under section 105 of the Mental Health Act 1959; (b) charity trustees where the relevant interest is vested in the Official Custodian for Charities; (c) trustees for the purposes of the Settled Land Act 1925 authorised by order under Section 24 of that Act. In such cases mention should so far as possible be made, either in part 1 or in part 6 as may be most convenient, of (a) the Act of Parliament, statutory instrument, order of court or other authority under which the applicant claims to be entitled to apply; (b) the capacity in which he applies; and (c) the name and address of the person on whose behalf or in whose stead the application is made, that is to say the person having the necessary interest as explained in the preceding paragraph. The registration authority has power to call for such further evidence of the right of the applicant to make the application as it may reasonably require.

In all cases where charity trustees apply (not only where the right is vested in the Official Custodian) the fact should be stated, and the name of the charity given, in part 1 or part 6 as convenient.

3. Scope of application

An application may not relate to more than one registered right of common. If more than one right requires amendment on the register a separate form must be used for each right.

4. Inspection

The registration particulars of the right of common must be ascertained in order to complete parts 3 and 4 of the application. Two separate registers are maintained under the Act by each registration authority - a Register of Common Land and a Register of Town or Village Greens, and rights of common may be registered as exercisable over land registered in either register. To ascertain whether land has been registered under the Act, anyone may inspect the registers at the offices of the registration authority.

5. Double registration

[NB. Note 5 was deleted by the Commons Registration (Amended and Miscellaneous Revocations) Regulations 2010.]

6. Objections and amendment applications contrasted

[NB. Note 6 was deleted by the Commons Registration (Amendment and Miscellaneous Revocations) Regulations 2010.]

7. Nature of change

The applicant should state whether the right has been apportioned, extinguished, released, varied or transferred. Full details must be given of any apportionment or variation. Where there has been a transfer, the names and addresses of the transferees must be given.

8. Grounds of application

An application for amendment, to be successful, must show that events subsequent to the registration of the right concerned have caused the right to become altered, for example, by apportionment; and in part 9 should be set out, as concisely as possible, a statement of the facts relied on as showing how the change in the right of common has occurred. It is not possible to give a complete list of all the events which could give rise to an application for amendment of the register and the following are given only as examples:-

- (a) apportionment may occur, in the case of a right attached to land, when part of that land is sold and part retained;
- (b) extinguishment can occur, e.g., by merger, as where the owner of the right becomes the owner of the land over which it is exercised or vice versa;
- (c) release, variation or transfer are usually effected by deed but may occur in other ways, as where a bankrupt's property vests in his trustee in bankruptcy or where rights are altered by or under an Act of Parliament.

The statement should include particulars of every Act of Parliament, statutory order, order of court, deed or other instrument and of every act or event, which is material for the purpose. The registration authority has power to call for such further evidence in support of the application as it may reasonably require.

9. Land descriptions

It may be necessary, for the purposes of the application, to describe an area of land. There may, for example, have been some alteration in the area of land over which the right is exercisable, or (if the right is attached to a farm or other land) in the area of the land to which the right is attached. It is permissible to describe land by reference to the register and 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, then unless the land to be described is land to which the right is attached it 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 10). Where the land to be described is land to which the right is attached, the description may be either by a plan prepared as already explained, or alternatively, by reference to the numbered parcels on the most recent edition of the ordnance map (quoting the edition), supplemented, where necessary to describe part of a parcel, or any land not numbered on the ordnance map, by a plan as above. Sufficient particulars of the locality must in any case be given to enable the land to be identified on the ordnance map.

10. 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) before me,

.....
(Signature and qualification)

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

11. 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. Publicity will be given to the application and objections invited. Thereafter, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, the registration will be amended in the prescribed manner, and the applicant will be supplied with particulars of the amendment. If it is rejected, the applicant or his solicitor will be notified of the reasons for the rejection.

12. False Statements

The making of a false statement for the purposes of this application may render the maker liable to prosecution.

electric lines from the subjacent and adjacent land of the Grantor."

The said Deed also contains the following covenants by the grantor:-

"THE GRANTOR hereby covenants with the Grantee with the intent and so as to bring the underground cable into whosoever hands the same may come and for the benefit and protection of the said electric lines and the Grantees statutory electricity undertaking as follows:

(a) Not to erect or place any part of any dwellinghouse building structure or other erection or plant or materials on over or within one metre on either side of the route of the said electric lines

(b) Not to alter by any activity whatsoever the level of the underground cable land which shall remain at the level as exists at the date hereof

(c) Not to do or cause or permit to be done on the underground cable land anything calculated or likely to cause damage or injury to the said electric lines and to take all reasonable precautions to prevent such damage or injury."

NOTE:- The position of the underground cable land is shown by a blue broken line on the filed plan.

5. (03.07.1997) By a Third Supplemental Trust Deed dated 19 March 1997 made between (1) Mansfield Brewery Public Limited Company (2) The Existing Charging Subsidiaries as set out in the First Schedule thereto (3) Sherwood Forest Properties Limited and (4) Phoenix Assurance Public Limited Company the land is charged as security for an issue of Debenture Stock of Mansfield Brewery Public Limited Company. The charge is expressed to be by way of floating security.

A-NOTE:- Copy filed under HS163651.

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

during the next 80 years on the Transferors adjoining property and until constructed under the intended site of such roads and footpaths

(vi) A right to break up the surface of any of the above land roads or footpaths for the purpose of laying repairing and maintaining the electric lines doing as little damage as possible and making good any damage caused

(vii) The benefit of any exceptions and reservations in favour of the Transferors or Statutory Undertakers contained in any transfers or conveyances of land formerly belonging to the Transferor and forming part of the adjoining estate to lay and maintain electric lines under it."

A-NOTE:- Copy Transfer plan in Certificate. Original filed under NT259842.

The said Transfer also contains the following covenants by the Transferor:-

"The Transferor covenants with the Company and its successors in title to observe and perform the matters set out in the Third Schedule

THE THIRD SCHEDULE

COVENANTS TO BE OBSERVED BY THE TRANSFEROR

(i) To indemnify the Company against all costs charges and expenses involved in the construction and adoption of any roads and footpaths on the adjoining estate

(ii) Not at any time after the date of this Deed to excavate under or alter the level of ground over nor construct or permit to be constructed any building structure or erection of any kind whatsoever over or within one metre on either side of the route of the electric lines referred to in The Second Schedule to this Transfer other than any buildings structures or erections marked on the attached plan

(iii) Not to alter by any activity whatsoever the level of the underground cable land which shall remain at the level as exists at the date hereof

(iv) Not to do or cause or permit to be done on the underground cable land anything calculated or likely to cause damage or injury to the said underground electric lines and to take all reasonable precautions to prevent such damage or injury

(vi) Not to erect or cause or permit to be erected any building structure or other erection plant or materials in such proximity to the overhead electric lines poles and stays as to cause damage or danger to the same or anyone working thereon."

4. The parts of the land affected thereby are subject to the following rights granted by a Deed dated 21 June 1991 made between (1) Mansfield Brewery Trading Limited (Grantor) and (2) East Midlands Electricity Plc (Grantee):-

"FULL RIGHT AND LIBERTY (i) to enter upon break open and excavate under the Grantors premises in the position indicated on the plan annexed hereto (hereinafter called "the underground cable land") and to lay place use inspect repair maintain renew replace remove or render unusable electric lines within the meaning of Section 64 of the Electricity Act 1989 therein and thereunder (ii) to enter upon land of the Grantor adjoining the route of the electric lines as may be necessary for the

these presents and therein coloured yellow or any of them or any part or parts thereof respectively and his and their tenants servants and other persons authorised by him or them with or without horses carriages or cattle over and along the same And also subject to the hauling path and public bridle road".

NOTE:- The part of Cunthorpe Green included in the title in the land lying to the South of Main Street. Part of the land coloured yellow adjoins the Western boundary of Gunthorpe Green and the remainder lies to the North of Main street.

2. (07.12.1988) By a Trust Deed dated 5 July 1985 (1) Mansfield Brewery Public Limited Company (2) Mandora (UK) Limited (3) Mansfield Brewery Trading Limited (4) Mansfield Inns Limited (5) T.W. Beach & Sons Limited (6) William G. Boaler & Sons Limited and (7) Phoenix Assurance Public Limited Company the land is charged as security for the moneys therein mentioned. The charge is expressed to be by way of floating security but not so as to permit the creation of charges in priority thereto or *passu* therewith except as therein mentioned.

A-NOTE: Copy filed under DY135225 .

3. The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered NT259842 in green on the filed plan dated 25 September 1990 made between (1) Mansfield Brewery Trading Limited (Transferor) and (2) East Midlands Electricity Plc (Company):-

"Together with any rights appurtenant to that property as may be set out in the Second Schedule

THE SECOND SCHEDULE

THE RIGHTS APPURTENANT TO THE PROPERTY TRANSFERRED

(i) A right to enter on the Transferors adjoining property for the purpose of erecting and maintaining a substation enclosure doing as little damage as possible and making good any damage which may nevertheless be caused

(ii) A right of way at all times and for all purposes over the land indicated on the attached plan

(iii) A right of way at all times and for all purposes over the roads and footpaths on the Transferors adjoining property linking the property transferred with public highway. This right shall also be applicable to any footpaths which may be constructed during the next 80 years and until constructed to the intended site of such roads and footpaths

(iv) (a) to enter upon and erect and maintain overhead electric lines over the Grantors premises in the position indicated on the attached plan (b) to enter upon the land of the Grantor adjoining the route of the electric lines and may be necessary for any of the purposes aforesaid (c) to enjoy the benefit of support for the electric lines from the subjacent and adjacent land of the Grantor (d) to enter upon and erect and maintain poles and stays together with all necessary guards wires and appliances on the said premises in the positions indicated on the said plan

(v) A right to lay electric lines within the meaning of Section 64 of the Electricity Act 1989

(i) In the position indicated on the attached plan

to be constructed

Land Registry Direct: Register View

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED THROUGH LAND REGISTRY DIRECT SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 10 OCT 2005 AT 11:53:57. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN THE REGISTRY. FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.
THIS TITLE IS DEALT WITH BY NOTTINGHAM (EAST) DISTRICT LAND REGISTRY.

TITLE NO: NT234191

REGISTER LAST UPDATED ON : 03 JUL 1997 AT 23:59:59

A: Property Register

This register describes the land and estate comprised in the title.

NOTTINGHAMSHIRE : NEWARK AND SHERWOOD

- (07.12.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Unicorn Hotel and land at Gunthorpe.

The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

- (03.07.1997) Proprietor: #SHERWOOD FOREST PROPERTIES LIMITED# (Co. Regn. No. 3236791) of Littleworth, Mansfield, Notts NG18 1AB.
- The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

- The land is subject to the following rights contained in a Conveyance dated 11 April 1859 made between (1) **Personal Information** (2) **Personal Information** and (3) **Personal Information**

"Except nevertheless and subject as to that portion of the close called "Gunthorpe Green" which lies the River Trent and the Road leading from Gunthorpe to Bridgford over the ford to a privilege for the inhabitants and occupiers of land in Lowdham to pass over the same from the Bridgford Road to the Trent with Corn or any other thing to and from any Boat Navigated on the said River Trent AND ALSO to lay down upon the same any lumber or other things in order to be taken into or delivered out of such boards AND ALSO for watering cattle or fetching water from the said River and deriving their sheep to the said River to wash them there AND ALSO to a right of carriage foot and drifts road or way at all times to and for the said **Personal Information** his heirs or assigns and the owner or owners occupier of occupiers for the time being of the several closes pieces or

COMMONS REGISTRATION ACT 1965

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

REGISTRATION DISTRICT OF WILMINGTONSHIRE COUNTY Council

Register unit No. 04.18
Edition No. 1

Register of COMMON LAND

See Overleaf for Notes

RIGHTS SECTION—Sheet No. 2.

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
8 8th March 1968.	59 15 Feb. 1968	Personal Information	To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
9 8th March 1968	60 15th Feb. 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
10 8th March 1968.	61 15th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
11 22nd April 1968	72 16th March 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
12 28th June 1968	211 26th June 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprising this Register Unit. (Registration provisional).	Personal Information
13 21st January 1970	283 19th Dec 1969		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprising this Register Unit. (Registration provisional).	
14 28 Oct 70			The registrations at entry Nos. 1 to 12 above, being undisputed, became final on 1st October, 1970.	
15 3rd Aug. 1972		The registration at entry No. 13 above, being undisputed, became final on 1st August 1972.		

Register of COMMON LAND

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 County (if any) to which the land belongs
1 6 March 1968	47 6.2.68	Personal Information	To pass and re-pass across the surface to water and wash sheep, to water cattle, to draw water and to fish over the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
2 8th March 1968	53 19th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
3 8th March 1968	54 15th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
4 8th March 1968	55 15th Feb 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
5 8th March 1968	56 15th Feb 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
6 8th March 1968	57 15th Feb 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
7 8th March 1968	58 15th Feb 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information

every person registered under section of this register unit. It does not contain 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.

Nottinghamshire County Council

Register unit No. CL.18
Edition No. 1

Register of COMMON LAND

See Overleaf
for Notes

OWNERSHIP SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 19th April 1968	79 5th April 1968	The Mansfield Brewery Co. Limited, Littleworth, Mansfield Nottinghamshire. (Registration provisional).	All the land comprised in this Register Unit.
28 Oct 70		The registration at entry No. 1 above, being undisputed, became final	on 1st October, 1970.

Note: This section contains registration of the land comprised in this

Registration authority Nottinghamshire County Council

Register unit No. CL.18
Edition No. 1

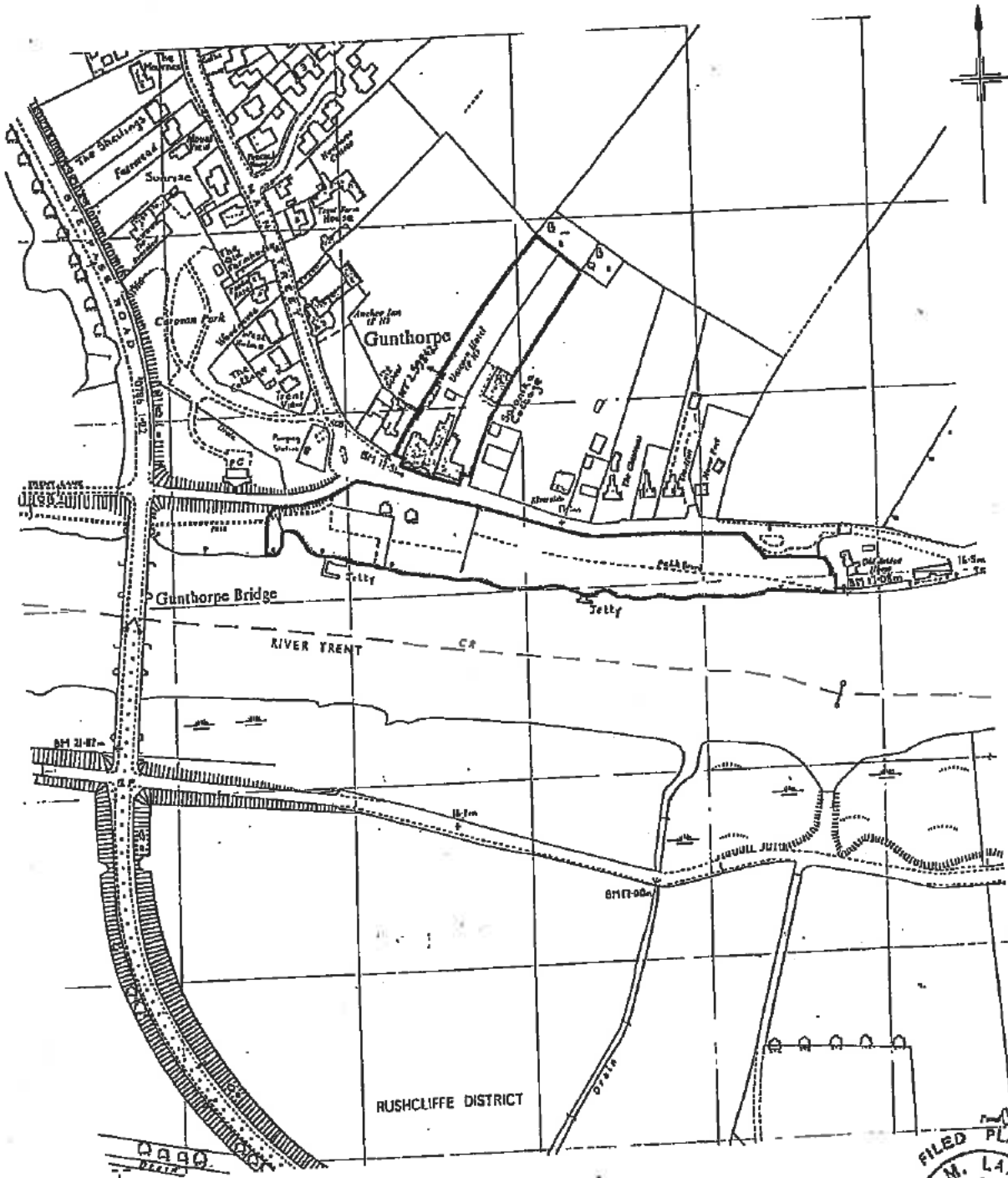
See Overleaf for Notes

Register of COMMON LAND

LAND SECTION—Sheet No. 1

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1. 6th March 1968	The piece of land known as The Green, situated on Trantside in front of the Unicorn Hotel and houses in the Parish of Gunthorpe, Nottinghamshire, as marked with a Green verge line inside the boundary on Sheet 13 of the Register Map and distinguished by the number of this Register Unit. Registered pursuant to application no. 47 made on the 6th day of February 1968 by Personal Information
2 28 Oct 70	The registration at entry No. 1 above, being undisputed, became final on 1st October, 1970.

H.M. LAND REGISTRY		TITLE NUMBER	
		NT234191	
ORDNANCE SURVEY PLAN REFERENCE	SK 6843	SECTION	Scale 1/2500
COUNTY NOTTINGHAMSHIRE		DISTRICT NEWARK AND SHERWOOD	
			© Crown copyright 1989



This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 17 July 2008 at 13:35:37. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

This title is dealt with by Land Registry, Nottingham (East) Office.

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Number and date of entry	Name	Address of every applicant and the capacity in which they applied	Particulars of the right of common and the land over which it is exercisable	Parameters of the land in which the right is attached
02-MAR-2015	Personal Information		To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle, to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed

Personal Information

Part 4.

Register unit number.

C18.

Part 5.

(Give the number of the entry in the rights section of the register unit relating to the right of common sought to be amended. Previous (cancelled) entries relating to the same right of common, if any, should be disregarded)

Rights section entry number. 1-2 NT 234191

Please see attached Appendix 1 listing entry removal & replacement

Part 6

Nature of applicant's interest in the proposed amendment.

(Read Note 2 and insert, e.g "as owner of the soil", "as transferee" or as the case maybe)

Villagers and Councillors for the village of Gunthorpe, Nottinghamshire

Part 7

Nature of change in the right of common

(See Note 7.)

Additions to the list of Commoners

Part 8

On what date did the change take place?

With immediate effect

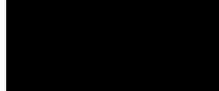
Part 9

How did the change take place?

Necessary additions to extend the rights of Commoners, as the existing list has decreased over time.

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

Personal Information

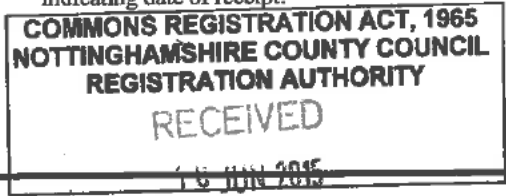


TC OLDHAM
PARISH CLERK

on behalf of Gunthorpe Parish Council

Date: 20th April 2015

Personal Information



This section for official use
only

COMMONS REGISTRATION ACT 1965

Section 13

**Application for the amendment of a
register in relation to a right of common**

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

*'Insert name of registration
authority maintaining the
register containing the
registration of the land*

To the

Application is hereby made for the amendment of the register mentioned in part 3
below, in relation to the undernoted right of common, in accordance with the
particulars set out hereunder.

Part 1.

*(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
Note 2 for information as to who
may apply)*

**Name and address of applicant or (if more than
one) of every applicant:**

See attached list of proposed commoners

Part 2.

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

Name and address of solicitor, if any:

N / A

Part 3.

Register containing the registration of the land.

Common Land Registration No. NT 234191

Personal Information

Number and date of entry	Name	Address of every applicant and the capacity in which they applied	Particulars of the right of common and the land over which it is exerciseable	Parameters of the land in which the right is attached
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole.of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle, to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface .to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed
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02-MAR-2015			To pass and re-pass across the surface ,to water sheep and water cattle .to draw water and to fish over the whole of the land comprised to this Register Unit	House and garden in the village of Gunthorpe ,address as detailed

electric lines from the subjacent and adjacent land of the ...

The said Deed also contains the following covenants by the grantor:-

"THE GRANTOR hereby covenants with the Grantee with the intent and so as to bring the underground cable into whosoever hands the same may come and for the benefit and protection of the said electric lines and the Grantees statutory electricity undertaking as follows:

(a) Not to erect or place any part of any dwellinghouse building structure or other erection or plant or materials on over or within one metre on either side of the route of the said electric lines

(b) Not to alter by any activity whatsoever the level of the underground cable land which shall remain at the level as exists at the date hereof

(c) Not to do or cause or permit to be done on the underground cable land anything calculated or likely to cause damage or injury to the said electric lines and to take all reasonable precautions to prevent such damage or injury."

NOTE:- The position of the underground cable land is shown by a blue broken line on the filed plan.

5. (03.07.1997) By a Third Supplemental Trust Deed dated 19 March 1997 made between (1) Mansfield Brewery Public Limited Company (2) The Existing Charging Subsidiaries as set out in the First Schedule thereto (3) Sherwood Forest Properties Limited and (4) Phoenix Assurance Public Limited Company the land is charged as security for an issue of Debenture Stock of Mansfield Brewery Public Limited Company. The charge is expressed to be by way of floating security.

A-NOTE:- Copy filed under HS163651.

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

during the next 80 years on the Transferors adjoining property and until constructed under the intended site of such roads and footpaths

(vi) A right to break up the surface of any of the above land roads or footpaths for the purpose of laying repairing and maintaining the electric lines doing as little damage as possible and making good any damage caused

(vii) The benefit of any exceptions and reservations in favour of the Transferors or Statutory Undertakers contained in any transfers or conveyances of land formerly belonging to the Transferor and forming part of the adjoining estate to lay and maintain electric lines under it."

A-NOTE:- Copy Transfer plan in Certificate. Original filed under NT259842.

The said Transfer also contains the following covenants by the Transferor:-

"The Transferor covenants with the Company and its successors in title to observe and perform the matters set out in the Third Schedule

THE THIRD SCHEDULE

COVENANTS TO BE OBSERVED BY THE TRANSFEROR

- (i) To indemnify the Company against all costs charges and expenses involved in the construction and adoption of any roads and footpaths on the adjoining estate
- (ii) Not at any time after the date of this Deed to excavate under or alter the level of ground over nor construct or permit to be constructed any building structure or erection of any kind whatsoever over or within one metre on either side of the route of the electric lines referred to in The Second Schedule to this Transfer other than any buildings structures or erections marked on the attached plan
- (iii) Not to alter by any activity whatsoever the level of the underground cable land which shall remain at the level as exists at the date hereof
- (iv) Not to do or cause or permit to be done on the underground cable land anything calculated or likely to cause damage or injury to the said underground electric lines and to take all reasonable precautions to prevent such damage or injury
- (v) Not to erect or cause or permit to be erected any building structure or other erection plant or materials in such proximity to the overhead electric lines poles and stays as to cause damage or danger to the same or anyone working thereon."
4. The parts of the land affected thereby are subject to the following rights granted by a Deed dated 21 June 1991 made between (1) Mansfield Brewery Trading Limited (Grantor) and (2) East Midlands Electricity Plc (Grantee):-

"FULL RIGHT AND LIBERTY (i) to enter upon break open and excavate under the Grantors premises in the position indicated on the plan annexed hereto (hereinafter called "the underground cable land") and to lay place use inspect repair maintain renew replace remove or render unusable electric lines within the meaning of Section 64 of the Electricity Act 1989 therein and thereunder (ii) to enter upon land of the Grantor of the electric lines as may be necessary for the

these presents and therein coloured yellow or any of them or any part or parts thereof respectively and his and their tenants servants and other persons authorised by him or them with or without horses carriages or cattle over and along the same And also subject to the hauling path and public bridle road".

NOTE:- The part of Cunthorpe Green included in the title in the land lying to the South of Main Street. Part of the land coloured yellow adjoins the Western boundary of Gunthorpe Green and the remainder lies to the North of Main street.

2. (07.12.1988) By a Trust Deed dated 5 July 1985 (1) Mansfield Brewery Public Limited Company (2) Mandora (UK) Limited (3) Mansfield Brewery Trading Limited (4) Mansfield Inns Limited (5) T.W. Beach & Sons Limited (6) William G. Boaler & Sons Limited and (7) Phoenix Assurance Public Limited Company the land is charged as security for the moneys therein mentioned. The charge is expressed to be by way of floating security but not so as to permit the creation of charges in priority thereto or *pari passu* therewith except as therein mentioned.

A-NOTE: Copy filed under DY135225 .

3. The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered NT259842 in green on the filed plan dated 25 September 1990 made between (1) Mansfield Brewery Trading Limited (Transferor) and (2) East Midlands Electricity Plc (Company):-

"Together with any rights appurtenant to that property as may be set out in the Second Schedule

THE SECOND SCHEDULE

THE RIGHTS APPURTENANT TO THE PROPERTY TRANSFERRED

(i) A right to enter on the Transferors adjoining property for the purpose of erecting and maintaining a substation enclosure doing as little damage as possible and making good any damage which may nevertheless be caused

(ii) A right of way at all times and for all purposes over the land indicated on the attached plan

(iii) A right of way at all times and for all purposes over the roads and footpaths on the Transferors adjoining property linking the property transferred with public highway. This right shall also be applicable to any footpaths which may be constructed during the next 80 years and until constructed to the intended site of such roads and footpaths

(iv) (a) to enter upon and erect and maintain overhead electric lines over the Grantors premises in the position indicated on the attached plan (b) to enter upon the land of the Grantor adjoining the route of the electric lines and may be necessary for any of the purposes aforesaid (c) to enjoy the benefit of support for the electric lines from the subjacent and adjacent land of the Grantor (d) to enter upon and erect and maintain poles and stays together with all necessary guards wires and appliances on the said premises in the positions indicated on the said plan

(v) A right to lay electric lines within the meaning of Section 64 of the Electricity Act 1989

(i) In the position indicated on the attached plan

Land Registry Direct: Register View

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED THROUGH LAND REGISTRY DIRECT SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 10 OCT 2005 AT 11:53:57. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN THE REGISTRY. FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.
THIS TITLE IS DEALT WITH BY NOTTINGHAM (EAST) DISTRICT LAND REGISTRY.

TITLE NO: NT234191

REGISTER LAST UPDATED ON : 03 JUL 1997 AT 23:59:59

A: Property Register

This register describes the land and estate comprised in the title.

NOTTINGHAMSHIRE : NEWARK AND SHERWOOD

1. (07.12.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Unicorn Hotel and land at Gunthorpe.

The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (03.07.1997) Proprietor: #SHERWOOD FOREST PROPERTIES LIMITED# (Co. Regn. No. 3236791) of Littleworth, Mansfield, Notts NG18 1AB.
2. The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The land is subject to the following rights contained in a Conveyance dated 11 April 1859 made between (1) **Personal Information** (2) **Personal Information** and (3) **Personal Information**

"Except nevertheless and subject as to that portion of the close called "Gunthorpe Green" which lies the River Trent and the Road leading from Gunthorpe to Bridgford over the ford to a privilege for the inhabitants and occupiers of land in Lowdham to pass over the same from the Bridgford Road to the Trent with Corn or any other thing to and from any Boat Navigated on the said River Trent AND ALSO to lay down upon the same any lumber or other things in order to be taken into or delivered out of such boards AND ALSO for watering cattle or fetching water from the said River and deriving their sheep to the said River to wash them there AND ALSO to a right of carriage foot and drifts road or way at all times to and for the said **Personal Information** his heirs or assigns and the owner or owners of the said **Personal Information** for the time being of the several closes pieces or

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

Register unit No. **OL.18**
Edition No. **1**

Register of COMMON LAND

See Overleaf for Notes

RIGHTS SECTION—Sheet No. **2.**

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which it is attached
8 8th March 1968.	59 15 Feb. 1968	Personal Information	To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
9 8th March 1968	60 15th Feb. 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
10 8th March 1968.	61 15th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional)	Personal Information
11 22nd April 1968	72 16th March 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration provisional).	Personal Information
12 28th June 1968	211 26th June 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprising this Register Unit. (Registration provisional)	
13 21st January 1970	283 19th Dec 1969		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprising this Register Unit. (Registration provisional)	
14 28 Oct 70			The registrations at entry Nos. 1 to 13 above, being undisputed, became final on 1st October, 1970.	
15 3rd Aug. 1972		The registration at entry No.13 above, being undisputed, became final on 1st August 1972.		

Register of COMMON LAND

Edition No. 1

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
1 6 March 1968	47 6.2.68	Personal Information	To pass and re-pass across the surface to water and wash sheep, to water cattle, to draw water and to fish over the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
2 8th March 1968	53 19th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
3 8th March 1968	54 15th Feb. 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit (Registration-provisional).	Personal Information
4 8th March 1968	55 15th Feb 1968		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
5 8th March 1968	56 15th Feb. 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
6 8th March 1968	57 15th Feb 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional).	Personal Information
7 8th March 1968	58 15th Feb 1968.		To pass and repass across the surface to water and wash sheep; to water cattle; to draw water and to fish. The land refers to the whole of the land comprised in this Register Unit. (Registration-provisional)	Personal Information

every person registered under section 1 as owner of any of the land described in section 1 of this register unit. It does not constitute a 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.

Register unit No. GL.18
Edition No. 1

Register of COMMON LAND

See Overleaf for Notes

OWNERSHIP SECTION—Sheet No. 1

1 <i>No. and date of entry</i>	2 <i>No. and date of application</i>	3 <i>Name and Address of person registered as owner</i>	4 <i>Particulars of the land to which the registration applies</i>
1 19th April 1965	79 14th April 1965	The Mansfield Brewery Co. Limited, Littleworth, Mansfield Nottinghamshire. (Registration provisional)	All the land comprised in this Register Unit.
28 Oct 70		The registration at entry No. 1 above, being undisputed, became final	on 1st October, 1970.

NOTE: This section contains registration of the land comprised in this

Registration authority Nottinghamshire County Council

Register unit No. CH.1B
Edition No. 1

Register of COMMON LAND

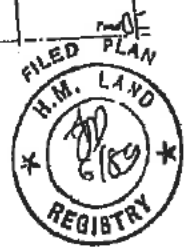
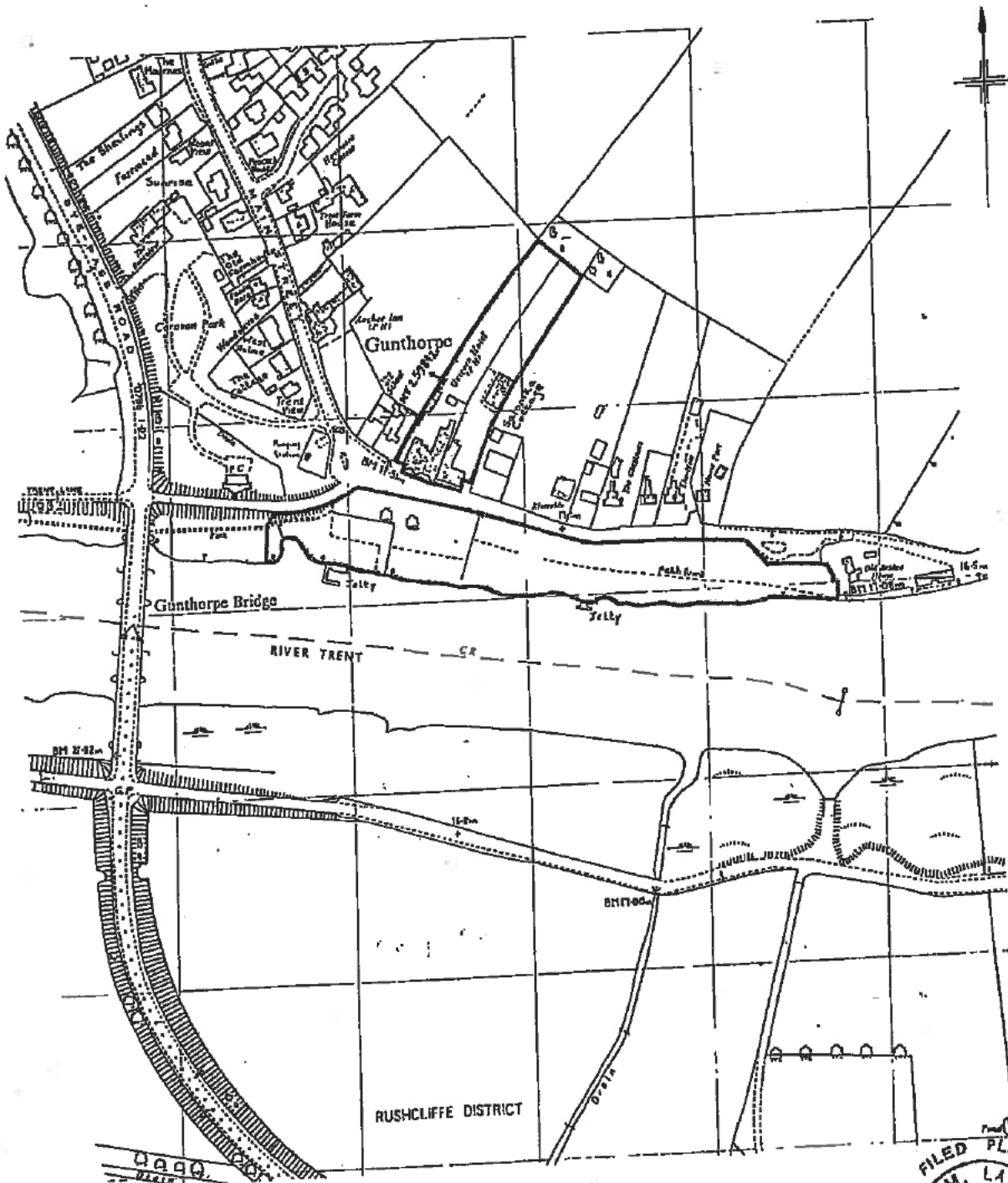
See Overleaf for Notes

LAND SECTION—Sheet No. 1

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
<p>1. 6th March 1968</p>	<p>The piece of land known as The Green, situated on Trentside in front of the Unicorn Hotel and houses in the Parish of Gunthorpe, Nottinghamshire, as marked with a Green verge line inside the boundary on Sheet 13 of the Register Map and distinguished by the number of this Register Unit.</p> <p>Registered pursuant to application no. 47 made on the 6th day of February 1968 by Personal Information</p> <p>Personal Information (Registration provisional).</p>
<p>2 28 Oct 70</p>	<p>The registration at entry No. 1 above, being undisputed, became final on 1st October, 1970.</p>

H.M. LAND REGISTRY		TITLE NUMBER	
		NT234191	
ORDNANCE SURVEY PLAN REFERENCE	SK 6843	SECTION	Scale 1/2500
COUNTY NOTTINGHAMSHIRE		DISTRICT NEWARK AND SHERWOOD	
© Crown copyright 1989			

A1



This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 17 July 2008 at 13:35:37. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

This title is dealt with by Land Registry, Nottingham (East) Office.
 © Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey.

Statutory Declaration in Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor or by the person who signed the application.

Personal Information
Personal Information

solemnly and sincerely declare as follows: -

- 1 (We are) the persons who have made the foregoing application.
- 2 I am Parish Clerk to the applicants and am authorised by the applicants to make the foregoing application on their behalf. ✓
- 3 I have read the Notes on the back of the application form and believe that, by reason of the facts therein stated, the register to which the application relates ought to be amended accordingly.

The plan now produced and shown to me marked (A1) is the plan referred to in part 7 of this application.

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

Declared by the said: PARISH CLERK

.....**Personal Information**.....
.....
.....
.....

at
in the: PARISH of GUNTHORPE
this 12TH day of JUNE 2015

Personal Information
Signature:
Address:
Personal Information
Qualificat

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

CL18

005/2015

GUNTHORPE PARISH COUNCIL

Gordon Oldham, Clerk to the Council

Holme Leas, Shelford Hill, Shelford, Notts. NG12 1ED

Tel: 01159336228

Mobile: **Personal Information**

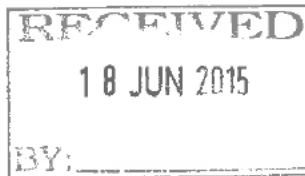
E-Mail: GunthorpePC@ukinfoweb.com

Mr E Brennan
Country Assets Team
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

Date: 14-JUN-15

Your Ref:

Our Ref: 2181EB-NCC



Dear Mr Brennan

Further to the telephone conversation with Cllr **Personal Information** please find attached the completed Amendment Register for the rights of Common, relating to the Common land, located at Gunthorpe Riverside.

I have attached our updated list of Commoners (councillors and residents) for replacement for those listed on the original register who are now deceased. With the exception of Number 5

The newly listed Commoners as previously listed, will represent the villagers

The principle of persons representing villagers is expressed within the original document as illustrated in ITEM 13 detailing **Personal Information** as the representative for the Caythorpe Parish Council.

Thank you for your continued support and prompt assistance as always.

Please do not hesitate to contact me should you require further details.

With kind regards

Personal Information

Yours faithfully

E Brennan

Eddie Brennan
Definitive Map Officer
Nottinghamshire County Council

This matter is being dealt with by:
Eddie Brennan
Reference: EB/150701/GunthorpePC
T 0115 977 4709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk

Personal Information

Mr [REDACTED]
Clerk to Gunthorpe Parish Council
Holme Leas
Shelford Hill
Shelford
Nottinghamshire NG12 1ED

1st July 2015

Dear Sir

**APPLICATION FOR AMENDMENT OF THE COMMON LAND REGISTER AT GUNTHORPE
(CL18)**

I acknowledge receipt of your application (CR Form 19 (Revised)) in respect of registered common land at Gunthorpe which was received on the 18th of June 2015.

I regret that a preliminary consideration has revealed that the application has not been duly made for the reasons set out below:-

- Part 3 – The reference to the Land Registry Title Number is not relevant. This section should read 'Common Land Register' or something similar.
- Part 5 – Should only identify a single entry (by its unique register number). You should submit a separate application for each right to be amended.
- Part 6 should be completed in accordance with guidance note No.2. For example, you should specify whether the applicant is the owner of the soil/owner of rights of common/transferee etc.
- Part 7 should specify whether rights have been apportioned, extinguished, released, varied or transferred.
- Part 8 should specify the date on which the right of common legally changed.
- Part 9 should specify that some event has taken place (i.e. a deed or a conveyance etc), which has caused the right to be altered (and be supported by copies of any evidence being relied upon),

Following previous discussions on this matter, I must again state that the majority of the rights held for CL18 are attached to specific properties (i.e. not held by individual persons). An application may be made to amend the register as and when ownership of the property changes or when the property is sub-divided.

Any unregistered rights which were capable of being registered on or before 31 July 1970, but were not duly registered have been extinguished and are no longer exercisable.

Accordingly, I must therefore inform you that your application has been rejected.

Yours faithfully

E Brennan

**Eddie Brennan
Definitive Map Officer
Nottinghamshire County Council**

This matter is being dealt with by:
Eddie Brennan
Reference: EB/150701/GunthorpePC
T 0115 977 4709
E eddie.brennan@nottscc.gov.uk
W nottinghamshire.gov.uk



M **Personal Information**

Clerk to Gunthorpe Parish Council
Holme Leas
Shelford Hill
Shelford
Nottinghamshire NG12 1ED

1st July 2015

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