

COMMONS REGISTRATION ACT 1965

Reference No. 228/D/20-23 ...

Notice of Final
Disposal of
Disputed
Registration

IN THE MATTER OF Land known as Large Green Car Colston and land
known as Little Green, Car Colston

To the Nottinghamshire County Council

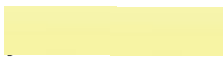
I HEREBY GIVE YOU NOTICE in pursuance of Section 6(2) of the Commons Registration Act
1965 that on 12th day of November 19 84

the registration at Entry No 1 in the Land

Section of Register Unit No CL 71 and CL 80

in the Register of Common Land maintained by you became
final and the Registrations at Entry No 1 in the Land Section of
Register Units No. VG 64 and VG 65 in the Register of Town or Village
Greens maintained by you became void.

Given under my hand and seal this 13th day of November 19 84



Commons Commissioner



FORM 41 (NS 7A)

CAR COLSTON COMMON RIGHT OWNERS

CHAIRMAN R.C. HAYNES

% HOLY LODGE
CAR COLSTON
NOTTS NG13 7SE
19/7/95



NOTTINGHAMSHIRE COUNTY COUNCIL
R.O.W. SECTION -
TRENT BRIDGE HOUSE
WEST BRIDGEFORD
NOTTM

Dear Sir/Madam,

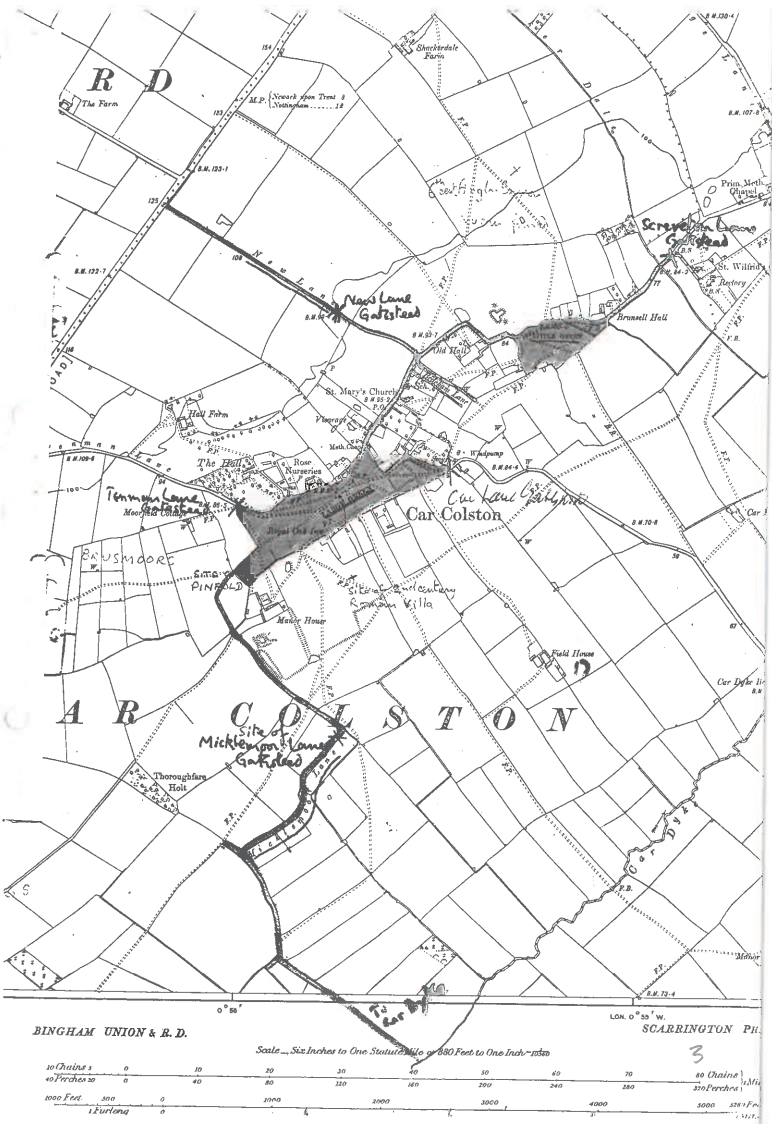
Please find enclosed a copy of the new map scale 1:25000 showing the extent of the Common land & to the best of my knowledge all associated dedicated public bridleways & footpaths & highways.

We do not intend to dedicate any other ways as highways pursuant to section 31 (6) of the Highways act 1980.

I would be most grateful if you would acknowledge receipt of this declaration & please

[Redacted signature]

ROBERT C. HAYNES (CHAIRMAN)



P.TH/SM4
Mr T Hart
(0115) 977 4395
(0115) 977 2414
14 August 1995

Mr R C Haynes
Holly lodge
Car Colston
NOTTINGHAM
NG13 8JE


1st Class

Dear Mr Haynes

SECTION 31(6) STATUTORY DECLARATION

With reference to the plan which has been submitted to the Rights of Way Section on behalf of the Common Right Owners, in order to lodge a section 31(6) Declaration you are required to complete each of the enclosed forms. Upon receipt of the completed documents, I will formally acknowledge acceptance of your declaration.

Yours sincerely



for Group Manager (Countryside)

16086

CAR COLSTON COMMON RIGHT OWNERS Co.
CHAIR. R.C. HAYNES
Holly Lodge,
The Green,
Car Colston,
Nottinghamshire,
NG13 8JE.
Tel: (01949) 20359

28.11.95.
Section 31(6) Statutory Declaration.
Dear Mr Hunt.

I apologise for the delay in reply
to your letter of 14th Nov re section 31(6) Statutory
Declaration.

I enclose the completed forms & trust
that you can now acknowledge my declaration.

Yours Sincerely

[Redacted]
cc: eo.



NOTTINGHAMSHIRE COUNTY COUNCIL

DEPOSIT OF STATEMENT and PLAN

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

To

THE CHAIRMAN OF CAR COLSTON COMMON RIGHT OWNERS

1. I am and have been since JUNE 1982 the owner within the meaning of the above section of the land known as CAR COLSTON COMMON more particularly delineated on the attached plan
[Name of Farm, etc]
accompanying this statement and thereon edged red.
2. The aforesaid land lies in the Parishes/Communities of [CAR COLSTON] and [.....].
3. The ways coloured orange on the said plan appear on the Definitive Map as BYWAYS OPEN TO ALL TRAFFIC (B.O.A.T.s).
4. The ways coloured by orange dashes on the said plan have been dedicated as BYWAYS OPEN TO ALL TRAFFIC (B.O.A.T.s).
5. The ways coloured by brown dashes on the said plan appear on the Definitive Map as ROADS USED AS PUBLIC PATHS (R.U.P.'s).
6. The ways coloured green on the said plan appear on the Definitive Map as BRIDLEWAYS.
7. The ways coloured by green dashes on the said plan have been dedicated as BRIDLEWAYS.
8. The ways coloured purple on the said plan appear on the Definitive Map as FOOTPATHS.
9. The ways coloured by purple dashes on the said plan have been dedicated as FOOTPATHS.
10. No other ways over the land have been dedicated as highways.
11. The deposit shall comprise this statement and accompanying plan.

Delete as applicable.

Signed (landowner)

Name (or landowner) ROBERT CHARLES HAYNES (CHAIRMAN CAR COLSTON COMMON RIGHT OWNERS)

Address HOLLY LODGE, CAR COLSTON NOTTS

Date 7.9.85

Signed (witness)

Name (of witness) T. Jane Bore

Address The Cottage on The Green

Occupation School

Notts

P.803

NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

I Robert C. Haynes DO SOLEMNLY AND SINCERELY DECLARE as follows:
[Full Name] CHAIRMAN OF CAR COLSTON COMMON RIGHT OWNERS

1. I am and have been since JUNE 1992 the owner of the land known as CAR COLSTON COMMON more particularly delineated on the plan accompanying this declaration and thereon edged red.
[day, month, year] [name of farm, etc]
 2. On the 20 day of JULY 1995 I, Robert C. Haynes, deposited with Nottinghamshire County Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that ~~the ways coloured orange on the said plan and on the plan accompanying this declaration are definitive or dedicated BYWAYS OPEN TO ALL TRAFFIC (B.O.A.T.s)~~ [the ways indicated by brown dashes on the said plan and on the plan accompanying this declaration are definitive ROADS USED AS PUBLIC PATHS (R.U.P.P.s)] [the ways coloured green on the said plan and on the plan accompanying this declaration are definitive or dedicated as BRIDLEWAYS] [the ways coloured purple on the said plan and on the plan accompanying this declaration are definitive or dedicated FOOTPATHS] [There were no definitive or dedication Rights of Way over my property.]
[Month][Year] [Full Name]
 3. There are no additional ways over the land edged red on the plan accompanying this declaration since the statement dated 20 JULY 95 referred to in 2 above, [other than those definitive routes coloured yellow and those dedicated routes coloured by yellow dashes and marked * (byway) * (bridleway) * (footpath) on the plan accompanying this declaration].
[day, month, year]
- * Delete as appropriate.

AND I MAKE this solemn declaration on the 7th day of SEP 1995 conscientiously believing it to be true
[Month, Year]

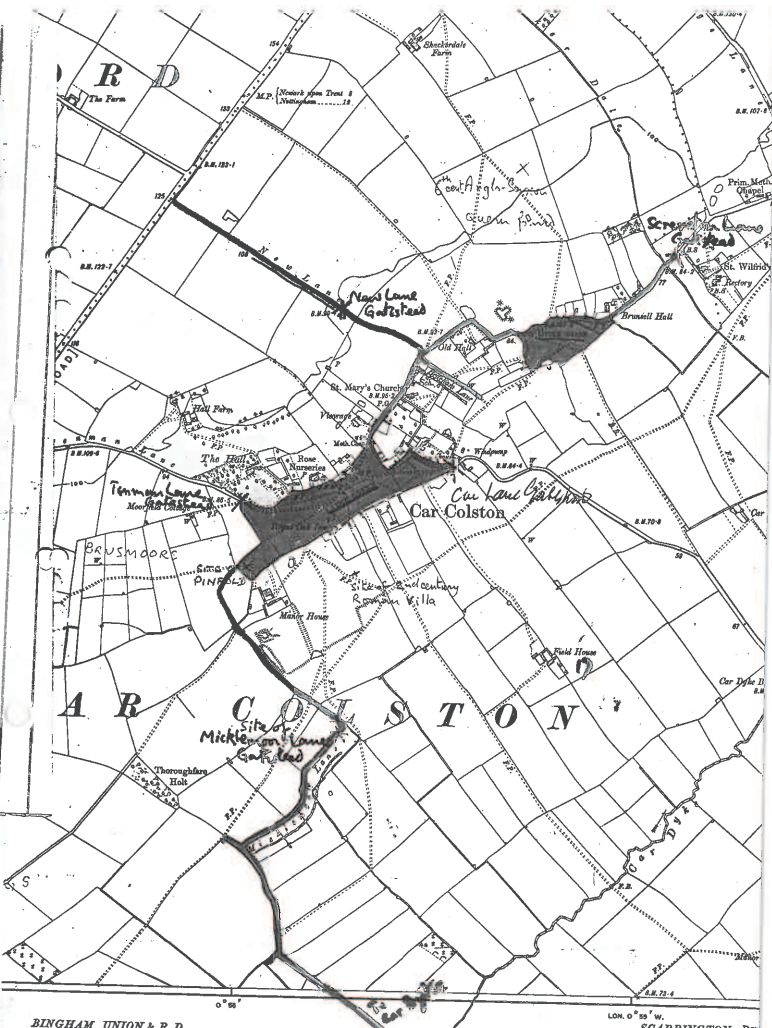
and by virtue of the Statutory Declarations Act 1835.

Declared at [address]

Howe house
CAR COLSTON
NOTTS

Before me

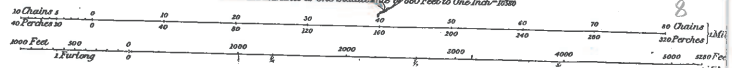
J. J. O'Leary
[Commissioner of Oaths or a Justice of the Peace or Solicitor]

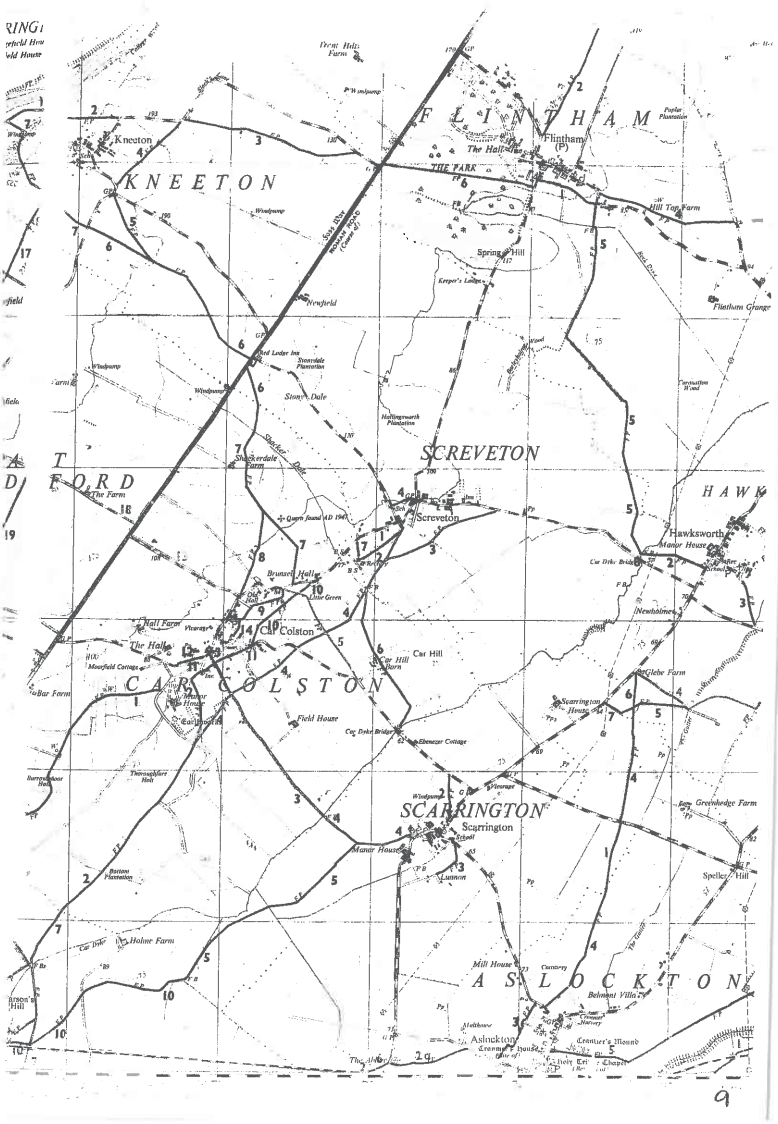


BINGHAM UNION & R. D.

LOC. 0° 25' W. SCARRINGTON PH.

Scale Six Inches to One Statute Mile or 600 Feet to One Inch = 1800





RING
field House
old House

17

18

19

20

PTC.TH/SF20/1477M
Tim Hart
(0115) 977 4395
(0115) 977 2414
11 December 1995

Mr R C Haynes
Chairman of the Car Colston Common
Right Owners
Holly Lodge
Car Colston
NOTTINGHAM

1st Class

Dear Sir


NOTTINGHAMSHIRE COUNTY COUNCIL
DEPOSIT OF STATEMENT AND PLAN
SECTION 31(6) OF THE HIGHWAYS ACT 1980
PARISH : CAR COLSTON
NAME OF LANDOWNER : CAR COLSTON COMMON RIGHT OWNERS
NAME OF PROPERTY : CAR COLSTON COMMON

I wish to acknowledge the receipt of your deposited statement and plan on
4 December 1995.

The information contained therein will be held by this authority for the next six
years. It will be necessary for you to arrange for a Statutory Declaration to be
made by you through a Solicitor or Justice of the Peace at any time during the six
year period to cover the items shown within your deposited statement and plan and
in order to validate the deposit.

I must remind you that it is yours or your successors responsibility to renew your
statutory declaration within a six year (or less) period.

Yours faithfully



for Group Manager (Countryside)

PTC.TH/SF20/1477M
Tim Hart
(0115) 977 4395
(0115) 977 2414
11 December 1995

Mr R C Haynes
Chairman of the Car Colston Common
Right Owners
Holly Lodge
Car Colston
NOTTINGHAM

1st Class

Dear Sir

**NOTTINGHAMSHIRE COUNTY COUNCIL
DEPOSIT OF STATEMENT AND PLAN
SECTION 31(6) OF THE HIGHWAYS ACT 1980
PARISH : CAR COLSTON
NAME OF LANDOWNER : CAR COLSTON COMMON RIGHT OWNERS
NAME OF PROPERTY : CAR COLSTON COMMON**

I wish to acknowledge the receipt of your Statutory Declaration on
4 December 1995.

The information contained therein will be held by this authority as validation for the
original statement and plan deposited. It will be necessary for you or your
successors to renew the Statutory Declaration within the six year period which
commenced when you made the initial deposit of statement and plan.

Any changes to the circumstances concerning the land holding or rights of way held
therein will require to be notified to this authority and should also be identified
within the terms of a new Statutory Declaration covering a modified statement and
plan.

Yours faithfully


for Group Manager (Countryside)

008462

THE CAR COLSTON COMMON-RIGHT OWNERS COMMITTEE.

c/o BEECH CLOSE HOUSE,
CAR COLSTON,
NOTTINGHAMSHIRE, NG13 8JE.

Telephone: 01949 20213.

Mr T.P. Hart,
Group Manager (Countryside)
Nottinghamshire County Council,
Planning and Economic
Development Department,
Trent Bridge House,
Fox Road; West Bridgford;
Nottingham, NG2 6BJ.



215 March 2001.

Dear Mr Hart,

Section 31 (6) of the Highways Act [1980].

Your letter, dated 11th December 1995, to my predecessor Mr R.C. Haynes emphasised that this Committee has the "responsibility to renew your statutory declaration within a six year (or less) period."

Please would you:-

- either a) send to me the appropriate forms so that we can renew that statutory declaration,
or b) confirm, as a formal record, an instruction to us that, because of the Countryside & Rights of Way Act [2000], the need for the renewal of such a statutory declaration has been superceded by that Act and, therefore, we are positively instructed not to renew such a declaration.

Yours sincerely

[Redacted signature]

M. J. Hanson,
Chairman.

c.c. Mr R.C. Haynes,
Holly Lodge.



THE CAR COLSTON COMMON-RIGHT OWNERS COMMITTEE.

c/o BEECH CLOSE HOUSE,
CAR COLSTON,
NOTTINGHAMSHIRE, NG13 8JE.

Telephone: 01949 20213.

Mr T.P. Hart,
Nottinghamshire County Council
Environment Department,
Trent Bridge House,
Fox Road; West Bridgford,
Nottingham, NG2 5FT.

31st March 2001.

Dear Mr Hart,

Statutory Declaration Form,
Section 31 (6) of the The Highways Act [1980].

Thank you very much for the Statutory Declaration Form, which you have sent to me. Unfortunately, we do not have a 'coloured-up' copy of the original form. Please could you send one to me so that there is no misunderstanding.

As you will appreciate, Common Land is different from other land and hence the form does not really cover our situation. Would it be acceptable to re-type the form and complete it in a manner for which I attach, herewith, a draft?

Yours sincerely




M. J. Hanson,
Chairman.

NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

MICHAEL JONATHAN HANSON (as Chairman of the Car Colston Common Right Owners Committee)

DO SOLEMNLY AND SINCERELY DECLARE as follows: *on behalf of Committee*

[Full Name] *The Members of the aforesaid Committee (hereinafter referred to as the Members of the Committee)*

1. I am and have been since *the Members of the Committee have been* the owner of the land known as *the Common Land at Car Colston*

more particularly delineated on the plan accompanying this declaration and thereon edged red, *for many many years, as was confined when the registration under the Common Registration Act (1965) became final.*

2. On the day of I, *M. J. Hanson* deposited with [month] [year] [Full Name]

Nottinghamshire County Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that "[the ways coloured orange on the said plan and on the plan accompanying this declaration are definitive or dedicated BYWAYS OPEN TO ALL TRAFFIC (B.O.A.T.S)]" "[the ways indicated by brown dashes on the said plan and on the plan accompanying this declaration are definitive ROADS USED AS PUBLIC PATHS (R.U.P.P.s)]" "[the ways coloured green on the said plan and on the plan accompanying this declaration are definitive or dedicated as BRIDLEWAYS]" "[the ways coloured purple on the said plan and on the plan accompanying this declaration are definitive or dedicated FOOTPATHS]" "[There are no definitive or dedicated Rights of Way over my property.]

3. With reference to 2 above, I, *M. J. Hanson* confirm that there are no additional public ways over the land edged red on the Plan and in the Statement dated [Full name] [day, month, year] (other than those definitive routes coloured yellow and those dedicated routes coloured by yellow dashes and marked "byway" (bridleway) (footpath) on the Plan accompanying this Declaration).

* Delete as appropriate.

AND I MAKE this solemn declaration of the day of conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835. [Month, Year]

Declared at [address] [signature of landowner] *The Chairman of the Car Colston Common-Right Owners Committee*

Before me [Commissioner of Oaths or a Justice of the Peace or Solicitor]

THE CAR COLSTON COMMON-RIGHT OWNERS COMMITTEE.

c/o BEECH CLOSE HOUSE,
CAR COLSTON,
NOTTINGHAMSHIRE, NG13 8JE.

Telephone: 01949 20213.

Mr A. Trundle,
Nottinghamshire County Council
Environment Department,
Trent Bridge House,
Fox Road; West Bridgford,
Nottingham, NG2 6BJ.

7th April 2001.

Dear Mr Trundle,

Statutory Declaration Form,
Section 31 (6) of the The Highways Act [1980].

Thank you very much for your handwritten note and the plan, which shows what, you have been told, is thought to be the extent of the Common Land etc., here at Car Colston.

As you realise, the subject of Common Land is a complicated one and I think that it may not surprise you to know that the information, which has been handed down to you is not consistent with some other written evidence.

I would readily call in at you office to discuss the matter, but I'm sure that these sort of queries can be sorted out most easily by meeting on the site. Please would you let me know when you will be in this area, as I would be very pleased to meet you.

If you wish to discuss the matter on the telephone, before we do meet, please do not hesitate to telephone me on the above number.

Yours sincerely

[Redacted signature]

M. J. Hanson,
Chairman.



THE CAR COLSTON COMMON-RIGHT OWNERS COMMITTEE.

c/o BEECH CLOSE HOUSE,
CAR COLSTON,
NOTTINGHAMSHIRE, NG13 8JL

Telephone: 01949 20213

NCC ENVIRONMENT EAST AREA
NEWARK FILE 2391027A01
PASS TO Info R
Action REPLY
RECEIVED 07 JUL 2001 RSH
COMMENTS: Copied to Eamcan
ACK'D PASSED FOR FILING FINAL REPLY

Dr T. Hart,
Nottinghamshire County Council
Environment Department,
Trent Bridge House,
West Bridgford,
Nottingham, NG2 6BJ.

3rd August 2001.

Sean J. Hart,

New Lane, Car Colston.

Thank you for your letter, dated 30th July 2001, to which I think that the answers are:-

- a) The maps which have been issued by Notts County Council [NCC] to us do not have any dates on them, so it is not possible to know to which map you refer by quoting the date 9/9/1965. Please may I have a date-stamped copy?
- b) The Countryside & Rights of Way Act [The CRow Act, 2000] includes words to the effect that Roads used as Public Paths [RUPPs] will be re-designated as a new category of way known as a Restricted Byway having public rights of way for non-motorised users. Bearing that in mind and bearing in mind that The CRow Act allows for up to five years for mapping to be completed and for landowners to apply to a council for orders diverting or extinguishing footpaths or bridleways and a right of appeal against refusals, it does seem sensible to defer the query about New Lane until all such questions have been considered. The proposal to refer it to the Planning Inspectorate does appear to be a waste of time and money and I understand from The Country Land & Business Association [CLA] that most queries such as the one about New Lane are being so deferred.
- c) If you will not agree to defer the query about New Lane, please will you, or Mr Hudson, reply to the points in my letters, dated 2nd and 21st July?

Yours sincerely



M. J. Hanson,
Chairman.



NOTTINGHAMSHIRE COUNTY COUNCIL.

DEPOSIT OF STATEMENT AND PLAN

SECTION 31 (6) OF THE HIGHWAYS ACT, 1980.

To: *Notts County Council*

- 1) I am, and have been since 1st May 1998, the Chairman of the Car Colston Common-Right Owners Committee, whose members of are the owners of the Common-Land, at Car Colston, as is registered under the Commons Registration Act [1965] and as delineated in red, and coloured green, on the attached plan accompanying this statement.
- 2) The aforementioned land lies in the Parish of Car Colston.
- 3) Byways Open to All Traffic ['BOATS']:-
 - a) On the Definitive Map, there are no known BOATS which affect the common-land at Car Colston.
 - b) There are no known BOATS, which have been dedicated as such and which affect the common-land.
- 4) Roads Used as Public Paths ['RUPPs']: there is one RUPP along New Lane [formerly Footpath 13 and formerly known as Green Lane], which is marked brown. New Lane is also registered as common-land [see also para: 1) above].
- 5) Bridleways:-
 - a) On the Definitive Map, there are no known Bridleways which affect the common-land.
 - b) There are no known Bridleways, which have been dedicated as such and which affect the common-land.
- 6) Footpaths:-
 - a) Those Footpaths [FPs], which are agreed as being correctly marked on the Definitive Map are marked with a solid brown line.
 - b) There are no known FPs, which have been dedicated as FPs.
 - c) The FPs, which are not correctly marked on the Definitive Map, are marked with 'dashed' brown lines. Note: this applies to all of those parts of FP1, FP3 and FP12 which affect the common-land.
 - d) There has been discussion about the possibility of FP16 being designated along Bedeham Lane, but [as far as I know] that subject will be discussed under the Countryside & Rights of Way Act, 2000.
- 7) Apart from the tarmac-road, there are no known other ways over the common-land which have been dedicated as highways.


The above information is provided to the best of my knowledge and is belief.

Signed:

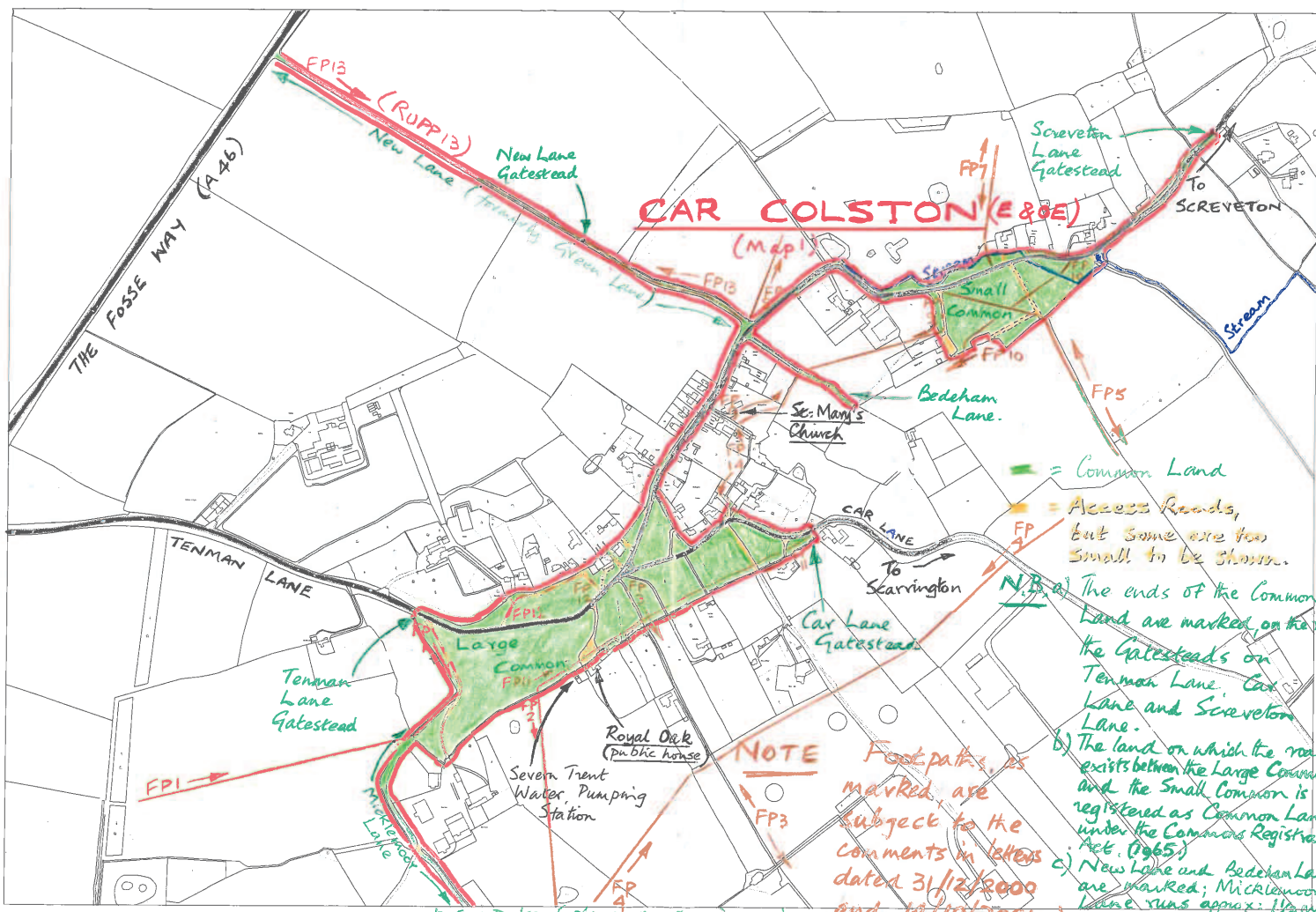

M.J. Hanson,
Chairman.

Address: Beech Close House; Car Colston; Notts, NG13 8JE.
Date: *29/11/2001* November 2001.

Witnessed by:


Miss J. Pope.

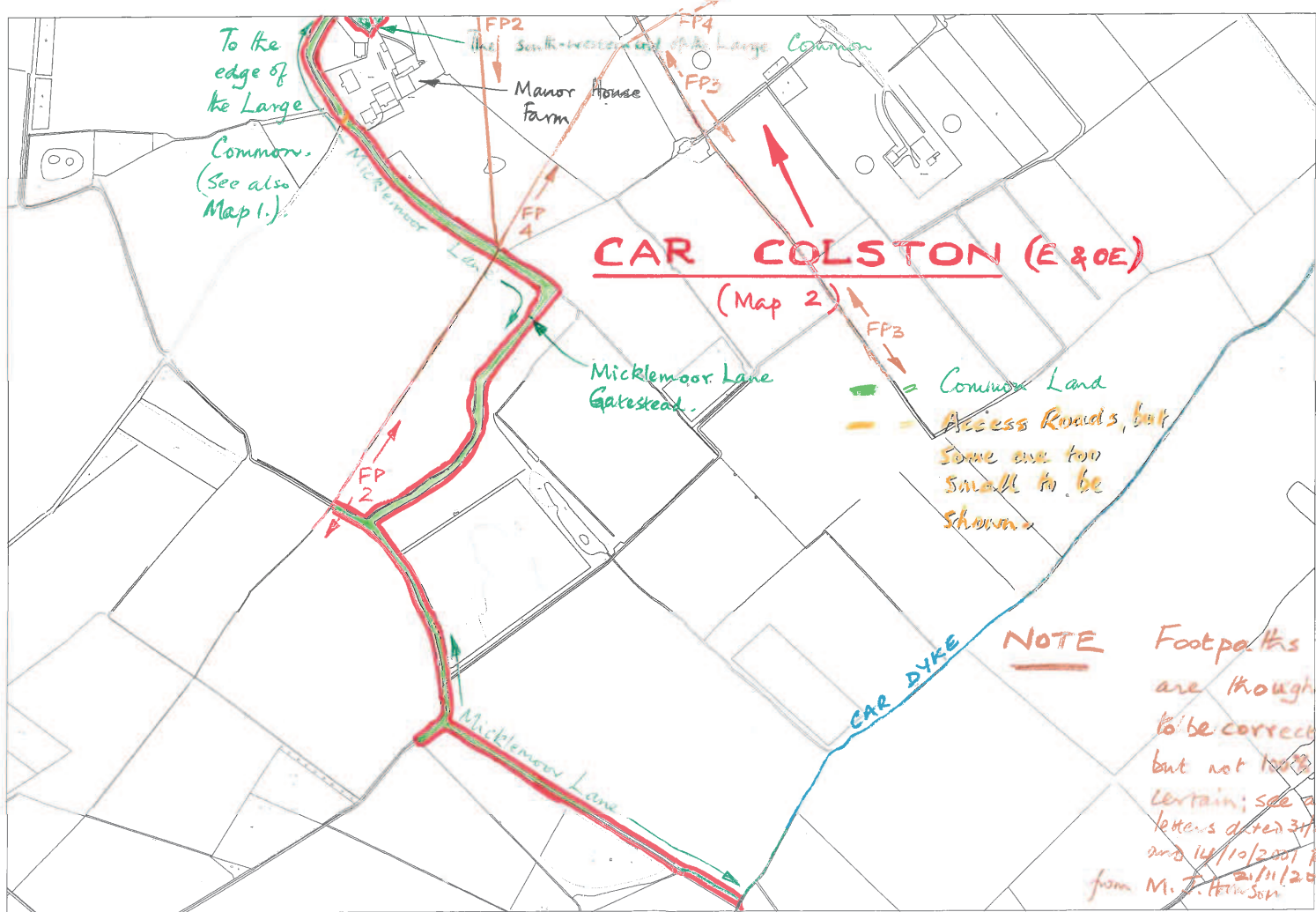
Address: The Cottage ~~in~~ the Green; Car Colston; Notts, NG13.
Occupation: Solicitor.



= Common Land
 = Access Roads, but some are too small to be shown.
 N.B. a) The ends of the Common Land are marked on the roads by the Gatesteads on Tenman Lane, Car Lane and Screveton Lane.
 b) The land on which the road exists between the Large Common and the Small Common is registered as Common Land under the Commons Registration Act (1965).
 c) New Lane and Bedeham Lane are marked; Micklemoor Lane runs approx. 1/2 miles from the Large Common to Car Dyke

NOTE Footpaths, as marked, are subject to the comments in letters dated 31/12/2000 and 14/10/2001 and 21/11/2001 from M. J. Hanson.

to Car Dyke (please see second map)



NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 3 (6) OF HIGHWAYS ACT 1980.

I, Michael Jonathan Hanson (as the Chairman of the Car Colston Common-Right Owners Committee) do solemnly and sincerely declare on behalf of the Members of that Committee that:-

1. The Members of that Committee have been the owners of the land known as the Common-Land at Car Colston, more particularly delineated on the plan accompanying this declaration and thereon coloured green and edged red, for many, many years as was confirmed when the registration, under The Commons Registration Act (1965) became final.
2. On the 29th day of November 2001, M.J. Hanson deposited with Nottinghamshire County Council, being the appropriate Council, a statement accompanied by a plan delineating the property by red edging [and marking the area of the property by colouring it green] which stated that:-
 - a) There is no 'Byway Open to All Traffic' ['BOAT'].
 - b) There is one 'Road Used as a Public Path' ['RUPP'], but its existence is under question as is discussed in Mr Hanson's letter, dated 21st November 2001. This is marked as "New Lane [formerly Green Lane]" and was, formerly, FP13.
 - c) There are no Bridleways of which Mr Hanson is aware.
 - d) The Footpaths [FPs] are marked in brown solid lines or brown 'dashed' lines [where they are on an access-road to a property]. Please note that:-
 - i) FPs 1, 2, 3, 5, 7, 8, 9, 10, 11, 12, and 14 do affect the Common Land.
 - ii) FP4 does not affect the Common Land, but it is marked for clarity's sake.
 - iii) FP6 exists, but it does not show on the map.
3. With reference to para: 2 above Mr Hanson confirms that, as far as he is aware, there are no other public ways over the land, as edged red and coloured green on the Plan, and as described in this statement.

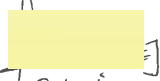
And I make this solemn declaration, of the 29th November 2001, conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at



M.J. Hanson.
Chairman of the Car Colston
Common-Right Owners Committee.

Before me



Solicitor
Pork House
Fiber Lane
Nottingham.

-
EPE.AT/ME19
Mr A Trundle
(0115) 977 4961
(0115) 977 2414
10 December 2001

Mr J Hanson
Chairman
The Car Colston Common-right Owners Committee
c/o Beech House
Car Colston
Nottinghamshire NG13 8JE

Dear Mr Hanson

**NOTTINGHAMSHIRE COUNTY COUNCIL
DEPOSIT OF STATEMENT AND PLAN AND STATUTORY DECLARATION
SECTION 31(6) OF THE HIGHWAYS ACT 1980**

**PARISH : CAR COLSTON
NAME OF LANDOWNER : THE CAR COLSTON COMMON-RIGHTS OWNERS CTTEE
NAME OF PROPERTY : COMMON LAND**

I wish to acknowledge the receipt of your deposited statement and plan and Statutory Declaration on 29 November 2001.

The information contained in the Declaration will be held by this Authority as validation for the contents of the Statement and Plan. It will be necessary for you or your successors to renew the Statutory Declaration every six years, commencing from the date of the initial Statutory Declaration.

Any changes to your land holding or to the rights of way information in your initial Statement and Plan should be notified to the Rights of Way section and should also be identified within a new Statutory Declaration covering a modified Statement and Plan.

Regarding the points raised in your letter I shall reply separately.

Yours sincerely


Angus Trundle
Definitive Map Officer