COMMONS REGISTRATION ACT 1965

Reference No. 228/3570/23

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 623 of the Commons Registration Act 1965 that on 17th November 1984 the registration at Entry No. 1 in the Land Section of Common Land, Section of Register Unit No. CL 74 and CL 80 in the Register of Commons has been extirpated by you because final and the Registrations at Entry No. 1 in the Land Section of Register Units No. WO 64 and WO 65 in the Register of Town or Village Greens has been extirpated by you because void.

Given under my hand and seal this 17th November 1984.

[Signature]
Commons Commissioner
Dear Sir/Madam,

Please find enclosed a copy of the map scale 1:6000 showing the extent of the Common land. I have given the best of my knowledge and I most earnestly solicit further information. I do not intend to deduct my share in any way as no change is proposed to Section 31 (4) of the Highways Act 1950.

I would be most grateful if you would acknowledge receipt of the enclosed.

[Signature]

R.C. Harders
Counseal
P.TH/SM4
Mr T Hart
(0115) 977 4395
(0115) 977 2414
14 August 1993

Mr B C Haynes
Holly lodge
Car Colton
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

[Signature]

for Group Manager (Countryside)
28.11.45

Section 3(6) Statutory Declaration.

Dear Mr. Hunt,

Thank you for the delay in reply to your letter of 14th October 3(6) Statutory Declaration.

I enclose the completed forms for you to read and acknowledge.

Yours sincerely,

[Signature]

[Stamp: Central Registry]

[Stamp: 4 Dec 1945]
NOTTINGHAMSHIRE COUNTY COUNCIL

DEPOSIT OF STATEMENT and PLAN

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

To

1. I am and have been since [DATE] the occupier within the meaning of the above section of
the land known as [NAME OF LAND] more particularly delineated on the attached
[Name of farm, etc.]
accompanying this statement and thereon marked red.

2. The aforementioned land lies in the Parish/Community of [PARISH/COMMUNITY] (and
[....]

3. The ways coloured orange on the said plan appear on the Definitive Map as FREEHOLD OPEN
TO ALL TRAFFIC (A.A.T).

4. The ways coloured by orange dashes on the said plan have been dedicated as BYWAYS OPENED
TO ALL TRAFFIC (A.A.T.)

5. The ways coloured by brown dashes on the said plan appear on the Definitive Map as ROADS
USED AS PUBLIC PATHS (P.U.P.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 appropriate]

Signed (Landowner)

[Name of Landowner]

[Address]

[Date]

Signed (Witness)

[Name of Witness]

[Address]

[Occupation]

P.013
NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

[Full Name]

1. I am and have been since the date of this declaration the land owner of
   ____________________________________________
   (name of land, etc.)

   more particularly delineated on the plan accompanying this declaration and thereon edged red.

2. On the __________ day of _______________________, I, _______________________,
   (name of person)
   [Full Name]

   County Council, being the appropriate Council, a statement accompanied by a plan delineating my
   property by red edges which state that the ways indicated on the said plan are the ways edged on the
   plan accompanying this declaration and thereon edged red.

   The ways indicated by brown dashes on the said plan and on the plan accompanying this declaration are
   defined ROADS USED AS PUBLIC PATHS (LUP/P)

   The ways coloured green on the said plan and on the plan
   accompanying this declaration are defined as BRIDLEWAYS (the ways enclosed purple on the
   said plan and on the plan accompanying this declaration are defined or dedicated FOOTPATHS)

   There were no definite or dedication Rights of Way over my property.

3. There are no additional ways over the land edged red on the plan accompanying this declaration since
   the statement dated ______________, referred to in 2 above, other than those definite routes coloured
   [day, month, year]
   yellow and those dedicated routes coloured by yellow dashes and marked
   [day, month, year]

   * Delete as appropriate.

   [Address]

   [Signature of Owner]

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

   [Independent Professional]

   [Date]

   [Commissioner of Oaths or a Justice of the Peace or Solicitor]
Mr B C Hayes
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 2914
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)
THE CAR COLSTON COMMON-RIGHT OWNERS COMMITTEE,
c/o BEECH CLOSE HOUSE,
CAR COLSTON,
NOTTINGHAMSHIRE, NG13 8JE.
Telephone: 01949 20273.

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.

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 superseded by that Act and, therefore, we are positively instructed not to renew said declaration.

Yours Sincerely

[Signature]

N.J. Hanson,
Chairman.

C.c. Mr R.C. Haynes,
Holly Lodge.
Mr T.P. Hart,
Nottinghamshire County Council
Environment Department,
Trent Bridge House,
Fox Road, West Bridgford,
Nottingham, NG2 3TT.


Dear Mr. Hart,

Statutory Declaration Form,
Section 37 (2) 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 me one 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 (8) OF THE HIGHWAYS ACT 1980

[Full Name] [Signature of Chairman of the Committee]

[Name of Town Council]

[Signature of Town Clerk]

The Member of the Committee.

I, [Full Name], do solemnly and sincerely declare as follows on behalf of the Committee:

1. I am the owner of the land known as [Name of Land]

2. The description of the land, namely, [Description of Land], is more particularly described on the plan accompanying this declaration.

3. On the [Date] of [Month] [Year], Nottinghamshire County Council, being the appropriate Council, a declaration accompanied by a plan delineating the property by red edges which stated that "The way coloured orange on the said plan and on the plan accompanying this declaration are definitive or dedicated byways open to all traffic. The way indicated by green dashes on the said plan and on the plan accompanying this declaration are defined as public paths. [Other]," is hereby declared to be the definitive roads used as public paths. [Other].

4. With reference to 2 above, I, [Full Name], do confirm that there are no additional public ways over the land edged red on the Plan and in the Statement dated [Date] of [Month] [Year].

5. [Delete as appropriate]

AND I MAKE this solemn declaration on the [Date] of [Month] [Year], conscientiously believing it to be true and in the form of the Statutory Declarations Act 1855.

Declared at [Address]

Before me

[Commissioner of Oaths or Justice of the Peace or Solicitor]

[Signature of Town Clerk]

3 June 1996
Mr A. Trundle,
Nottinghamshire County Council
Environment Department,
Trent Bridge House,
Fox Road, West Bridgford,
Nottingham, NG2 8BJ.

7th April 2001.

Dear Mr Trundle,

Statutory Declaration Form,
Section 3 (4) of the Highways Act [1980].

Thank you very much for your handwritten note and the plan, which
shows what you have been told, and I am grateful to be informed
about 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 inform-
ation, which has been handed down to you is not consistent with
some other written evidence.

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

[Handwritten signature]

M. J. Hanson,
Chairman.
THE CAR COLSTON COMMON-SIGHT OWNERS COMMITTEE,

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

Telephone: 01159 234 222

3rd August 2001

New Lane, Car Colston.

Dear Dr Hert,

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 9/9/1995. 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 [SUPP] 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 this 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 letter, dated 2nd and 21st July?

Yours sincerely,

M.J. Hanson,
Chairman.
NOTTINGHAMSHIRE COUNTY COUNCIL,
DEPOSIT OF STATEMENT AND PLAN

To: Notts County Council.

1) I am, and have been since 1st May 1958, the Chairman of the Car Colston Common Rights Owners Committee, whose members 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']:
   a) There is one RUPP along New Lane (formerly footpath) and formerly known as Green Lane, which is marked brown. New Lane is also registered as common-land [see also para. 1) above].

5) Brideways:
   a) On the Definitive Map, there are no known Brideways which affect the common-land.
   b) There are no known Brideways, 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, FP2 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 term-roads, 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 belief.

Signed: M.J. Henson, Chairman.
Address: Beech Close House; Car Colston; Notts; NG13 8BJ.
Date: 4/11/2001

Witnessed by: Miss J. Pope,
Address: The Cottage-at-the-Green; Car Colston; Notts; NG13.
Occupation: Solicitor.
**NOTE**

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

- Tenman Lane
- St. Martin's Church
- Seven Trent Water Pumping Station
- Royal Oak Public House
- Little Common
- Large Common
- New Lane
- Screveton Lane
- Screveton
- Car Dyke

Scale 1:3,000 Car Dyke (Please see survey map)

N.B. a) The ends of the Common Land are marked on the map by the gateposts on Tenman Lane, Car Lane and Screveton Lane.

b) The land marked on the map is the large area between the Large Common and the Small Common it is registered as Common Land under the Commons Registration Act (1965).

c) New Lane and Bleak Lane are marked; Midsummer Lane lies approximately 200m north from the Large Common to Car Dyke.
MAP 2

To the edge of the Lane
Common
(See also Map 1.)
Micklemoor Lane
Gatehead

Common Land
Access Roads, but
some are too
small to be shown

NOTE
Footpaths
are thought
to be correct
but not
reliable; see also
locations at 1:6,336/cm
and 1:10,000 (D.H.S.)
drawn
from M.T.
2/11/2001

Scale 1:5,000

CAR COLSTON (E&OE)
NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 3 (6) OF HIGHWAYS ACT 1980.

1. 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 "Way Open to All Traffic" ("BOAT").
   b) There is one "Road Used as a Public Path" ("RUPP"), but its existence is under question as it 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 7, 8, 9, 10, 11, 12, and 14 do affect the Common Land.
      ii) FPs does not affect the Common Land, but it is marked for clarity's sake.
   e) FP7 exists, but it does not show on the map.

3. With reference to parts 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 day of November 2001, conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at

Before me

M.J. Hanson,
Chairman of the Car Colston
Common-Right Owners Committee.
Mr J Hanson
Chairman
The Car Colston Common-right Owners Committee
go Beacon House
Car Colston
Nottinghamshire NG13 8JE

Dear Mr Hanson

NOTTINGHAMSHIRE COUNTY COUNCIL
DEPOSIT OF STATEMENT AND PLAN AND STATUTORY DECLARATION
SECTION 31(8) 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