

Helen Lancaster

From: Maurice Hodgson
Sent: 14 January 2017 11:52
To: Lancaster, Helen
Subject: Corbridge Market Place - Corrective Application.

Hello Helen

Following your correspondence of 14/12/16 Ref.HI/Z199 on the above matter and that you required a response from us by 20th January, I have recently held a meeting with our legal advisors as to how best to respond to the Open Spaces Society letter of objection from Hugh Craddock and as a result of that meeting the advice received was :-

1. In the light of the comments made by Hugh Craddock of the Open Spaces Society to Helen Lancaster on 24 November 2016, it seems that the Parish Council may struggle to provide evidence to satisfy the statutory test for deregistration.
2. On discussion it has become apparent that removing the statutory designation as a village green would raise issues about public rights over those parts of the Market Place which are registered. As it is registered, the effective rights of the landowner are dormant. Once land ceases to be registered, there is a potentially complex interaction of potential public highway rights and/or private rights of access for properties surrounding the Market Place.
3. In those circumstances, it may be sensible for the Parish Council to ask NCC to take no further action on the deregistration application at the present time.
4. I would, however, suggest that the Parish Council opens discussions with NCC over the potential for NCC to make a scheme of management under the Commons Act 1899. I attach the 1982 Regulations which include the model scheme.
5. In the past, NCC have made such schemes at the same time as entering into an agency agreement under section 101 Local Government Act 1972 with the relevant Parish Council. Those agreements in essence enabled the Parish Councils to utilise the provisions of the Management Scheme which technically rest with NCC (as the district council for Northumberland). I know there are a number of Councils with such agreements and I will send you a copy from my home computer. One slight word of

caution is that the wording of such an agreement may have evolved since the version I shall send.

6. My reason for suggesting consideration of a scheme is that it provides clearer powers for works to be carried out which would reduce the amount of car parking and free up more space for recreational use.
7. We did mention researching the reason for the original registration in the 1960s. Whilst it would be fascinating, I don't think it will add anything to how the Parish Council may wish to see the area managed in the future.

As a result of this advice The Parish Council would ask you to take no further action with this application at the present time and we would like to open up discussions with NCC in order to make a scheme of management under the Commons Act 1899 and at the same time enter into an Agency Agreement under Section 101 Local Government Act 1972 in order to make better use of Corbridge's Historic Market Place.

I would appreciate a response from you indicating your willingness to pursue such an arrangement.

Regards

Maurice Hodgson

Chairman Corbridge Parish Council.