

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: Monday, 7 February 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in **MEETING SPACE - BLOCK 1, FLOOR 2 - COUNTY HALL** on **TUESDAY, 15 FEBRUARY 2022** at **4.00 PM**.

Yours faithfully

Daljit Lally
Chief Executive

To Tynedale Local Area Council members as follows:-

T Cessford (Chair), A Scott (Vice-Chair (Planning)), A Dale, SH Fairless-Aitken, C Horncastle, JI Hutchinson, D Kennedy, N Morphet, N Oliver, J Riddle, A Sharp, G Stewart and H Waddell

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS** (Pages 1 - 2)
2. **APOLOGIES FOR ABSENCE**
3. **MINUTES** (Pages 3 - 22)
Minutes of the following meetings of the Tynedale Local Area Council, as circulated, to be confirmed as a true record and signed by the Chair.
 - a) 14 December 2021
 - b) 11 January 2022

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room.

NB Any member needing clarification must contact Legal Services Manager at monitoringofficer@northumberland.gov.uk. Please refer to the guidance on disclosures at the rear of this agenda letter.

DEVELOPMENT CONTROL

5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 23 - 26)
To request the committee to decide the planning applications attached to this report using the powers delegated to it.
Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>
6. **20/03425/FUL** (Pages 27 - 56)
Development of 9 no. residential dwellings (100% affordable) including associated access, car parking, landscaping and all other ancillary works (amended layout and housing mix)
Land North of Piper Road, Piper Road, Ovingham, Northumberland

- 7. 21/03104/FUL** (Pages 57 - 66)
- Construction of a first floor rear garden room extension with balcony and external staircase
Saxby House, Station Road, Corbridge, NE45 5AY
- 8. PLANNING APPEALS UPDATE** (Pages 67 - 78)
- For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.
- 9. LOCAL TRANSPORT PLAN PROGRAMME 2022-23** (Pages 79 - 98)
- The report sets out the details of the draft Local Transport Plan (LTP) programme for 2022-23 for consideration and comment by the Local Area Council, prior to final approval of the programme by the Interim Executive Director of Planning and Local Services in consultation with the Cabinet Member for Environment and Local Services.
- 10. LAND AT MICKLEY SQUARE: APPLICATION FOR LAND TO BE REGISTERED AS TOWN OR VILLAGE GREEN** (Pages 99 - 508)
- To inform the Committee of the Inspector's recommendations as to whether the application to register land at Bewick Green, Mickley Square should be granted and for Members to determine if the application to register the land should be rejected.
- 11. DATE OF NEXT MEETING**
- The next meeting will be held on Tuesday, 15 March 2022 at 4.00 p.m.
- 12. URGENT BUSINESS**
- To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

This page is intentionally left blank



Northumberland County Council

Appendix 1

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Attendance / Apologies of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote (by majority or Chair's casting vote)

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at County Hall, Morpeth on Tuesday, 14 December 2021 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair for agenda items 62 – 64 and 72)

(Planning Vice-Chair Councillor A Scott in the chair for items 65 - 71)

MEMBERS

C Horncastle
I Hutchinson
D Kennedy
N Morphet
N Oliver

JR Riddle
A Sharp
G Stewart
HR Waddell

OFFICERS

K Blyth

T Crowe
E Sinnamon
N Turnbull

Development Management Area
Manager (West)
Solicitor
Development Service Manager
Democratic Services Officer

3 members of the public were present.

62. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dale.

63. MINUTES

RESOLVED that the minutes of the meeting of Tynedale Local Area Council, held on 9 November 2021, as circulated, be confirmed as a true record and signed by the Chair.

64. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Oliver declared a personal and non-prejudicial interest in planning application 21/03104/FUL as he knew the applicants.

Ch.'s Initials.....

DEVELOPMENT CONTROL

Councillor Cessford then vacated the Chair, for Planning Vice-Chair Councillor Scott to chair the development control section of the agenda, as was the arrangement for all Local Area Councils.

65. PROCEDURE TO BE FOLLOWED AT A PLANNING MEETING

The Chair advised members of the procedure which would be followed at the meeting.

66. DETERMINATION OF PLANNING APPLICATIONS

The committee was requested to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

RESOLVED that the information be noted.

67. 21/03104/FUL

**Construction of a first floor rear garden room extension with balcony and external staircase
Saxby House, Station Road, Corbridge, NE45 5AY**

The Development Management Area Manager (West) introduced the application with the aid of a powerpoint presentation and advised that there were no updates following publication of the report.

Mrs. M. Williams, the applicant, spoke in support of the application and made the following comments:-

- They wished to address 3 points:
 - The reason for their application.
 - Disproportionate development.
 - Unsympathetic design and scale.
- They had suffered from severe flooding twice in 10 years. In 2005, following which £1.2 million was spent on flood defences but they were flooded again following Storm Desmond in December 2015. It had been devastating with the contents of the ground floor being contaminated and thrown into skips. Mud was on every surface, doors couldn't be opened due to being warped and twisted flooring, soft furnishings soaked, and photographs, pictures and memorabilia were irreplaceable.

- The level of trauma was directly related to the level of the flood. In 2005 the water had been 1 metre high. In 2015 it had been 1.6 metres, higher than the applicant.
- The bad experience had been extended by the amount of restitution and restoration required.
- There had been endless meetings with contents and buildings insurers, assessors, surveyors, builders, auditors, project managers, window specialists whilst finding another home, look after the family, holding down a job and hold the community together.
- The demands of rebuilding would be easier if they could live upstairs as the first floor would be habitable.
- The application would give them first floor access and a room to live in during the day, which was not a bedroom.
- It would future proof the house and enable them to return as soon as critical services were back, usually after 2 weeks.
- Disproportionate development and special circumstances had been established in 2016 when a nearby neighbour at Yoton had been permitted to extend by over 100% and lifting their house 2.6 metres to enable them to live above the flood line. Extracts from the Planning Officer's report for that application stated:

'If measures (like this) aren't taken to safeguard local properties the community remains disbanded and susceptible to future flooding impact.'

'...It is clear that in applying a flexible approach to dealing with applications of this nature in flood-hit communities, that the social, environmental and economic aspects of the NPPF can be achieved. The alternative, is to leave a local community vulnerable to the risks of flooding and impose financial and social burdens upon the society. On balance, very special circumstances are considered to exist which would outweigh the harm identified to the Green Belt by reason of inappropriateness and by its impact upon the openness of the Green Belt....'

- Whilst they lived in the same area with the same conditions, the planning officer's report '...hoped that following significant prevention works having been undertaken in the area, that the property would not be affected in the same way again.' The £1.2 million flood defences built after the floods in 2005 had not prevented a more devastating flooding less than 10 years later.
- Reference was made to the UK climate report of October 2021 which stated that 'despite progress of flood risk management, flooding from rivers remains a major risk especially on flood plains.'
- The difference in wording between the reports. Yoton was 'considered to be contained within a built environment and not in the open countryside'.

In response to questions from Members, the following information was provided:-

- Planning officers were not flood experts and could not predict whether there would be another flooding event. They had to assess whether the harm to the Green Belt and the existing property would be outweighed by the very special circumstances put forward by the applicant. Whilst they were sympathetic, officers were of the view that it was not sufficient as the property had previously been significantly extended. Members would need to be satisfied that the requirement for a first floor conservatory was sufficient to outweigh the harm identified and that the applicants could not live on the first floor of the property without this extension, as it would absolutely essential.
- There were 2 reasons for refusal: whether there were very special circumstances which outweighed the harm to the Green Belt and also the design and impact on character grounds.
- This application had received a recommendation for refusal unlike the recommendation for approval at Yoton. The differences were explained as the planning application for Yoton had been received in 2016 not long after the last flood and before implementation of the most recent flood alleviation work in the village. There were also differences between the applications. Yoton had been raised so that all of the key living accommodation, including the kitchen and living rooms, were on the first floor whilst rooms on the ground floor allowed flooding to happen but the family could continue to be resident upstairs. The application under consideration proposed a sunroom at first floor but did not move any other principal accommodation to the same level which would mean they would be without a kitchen. It was necessary to consider whether granting the application for Saxby House the ability to live at the property following another flooding event. It was acknowledged that temporary facilities could be implemented, however the application differed to Yoton where all of the principal accommodation was relocated to the first floor as part of that application.
- The second reason for refusal was the design, scale and massing. If the applicant's arguments for very special circumstances were accepted; the scale, massing of the proposals also had to be considered. Officers did not consider them to be acceptable. However, there was a great deal of sympathy for the applicants concerns regarding the possibility of another flooding event. There was potential for consideration of very special circumstances for the right scheme, but this was not the right design.
- Discussions had been held with the agent to explain officers' concerns regarding another large extension to the property was not acceptable. It was appreciated that it would be advantageous for the applicant to access the first floor of the property externally and therefore discussions regarding external access at first floor could be held.
- No guarantees could be given regarding the effectiveness of the flood defence measures. Consideration had to be given, if there was an extreme flooding event, whether the scheme proposed was absolutely necessary for the applicants to continue to live in the property. The property was large with significant previous extensions and it was not thought that the addition of the sunroom would be essential to allow the residents to continue to live in the property and whether it could be viewed as very special circumstances. Reference were made to the floor plans for

the first floor which showed two large rooms in addition to bedrooms and bathrooms which could be utilised as habitable space should it be required.

- The risk of flooding could be considered as a very special circumstance. However, the proposals needed to allow an individual to live in the property if key principle rooms on the ground floor were flooded. The concern with this application was that the proposal did not future proof the property. Reference also needed to be made to the scale, massing and design and the proposals under consideration did not merit approval.
- The property was not located in a Conservation Area.
- The application had been included on the agenda under the current scheme of delegation which required a decision by the Director of Planning and Chair and Vice Chair of Planning as the Parish Council supported the application.
- Building work after July 1948 was included in the calculation of what was deemed an extension to an existing dwelling when calculating the size of a property. In the case of Saxby House, there was a 2-storey extension to the left of the building, a 2-storey extension with a pitched roof to the rear, a 2-storey extension on the corner of the property where a pitched roof had replaced an original flat roof and a conservatory. Reference to a figure of 44% was believed to be the impact of one of the extensions. There was a disagreement between the agent who thought that the volume of the extensions amounted to 80% whereas officers had calculated this as 125%. Notwithstanding this discrepancy, reference was made to the former guidance used by Tynedale District Council which allowed 33%, although this was not rigidly applied it could be used as a guide to extensions allowed on the size of an original dwelling.
- The application for the 2-storey side extension had been granted in 1996, the 2-storey rear extension with pitched roof and conservatory had been made in 2001, there were no records regarding the 2-storey flat roof extension. The relevant date was 1948.

Councillor Hutchinson proposed acceptance of the recommendation to refuse the application for the reasons in the officer's report, to stimulate debate. This was seconded by Councillor Stewart.

The majority of members were in agreement that the risk of flooding could be viewed as very special circumstances and that it would be beneficial for residents to continue to live in the property whilst repairs were carried out given the time that this could take. They also noted the difficulties of locating alternative properties to rent nearby and were skeptical regarding the nearby flood defence measures. A key feature of the application was the external staircase.

A member enquired if delegated authority could be granted to the Director of Planning regarding changes to the design.

The Development Service Manager reminded members of the concerns regarding the scale, mass and design of the current proposal which meant that

the application could not be delegated to the Director of Planning as members would need to assess the harm of a revised scheme on the Green Belt.

In view of the questions and debate, she suggested that the application be deferred to enable the applicant to revisit the design and for the application to be reconsidered by the committee so the impact of the design on the Green Belt could be assessed and whether very special circumstances existed which outweighed the harm. Alternatively, the application could be refused to enable the applicant to resubmit an amended scheme or appeal to the Planning Inspectorate. It was noted that a Planning Inspector could take a different view regarding very special circumstances.

The Development Management Area Manager (West) explained that if the application was deferred, officers would not normally accept minor amendments to this scheme to make the design acceptable in their view and whether the location of the extension should be moved to a less prominent position. She also stated that, depending on the timing of discussions with the agent / applicant and submission of amended plans, the application could be reconsidered by the Local Area Council in February 2022. A period of time would be agreed with the applicants for discussions, amendments to plans and reconsultation.

Councillor Hutchinson withdrew the motion that the application be refused and moved that the application be deferred to invite the applicants to submit revised plans to deal with concerns regarding the design. Councillor Stewart confirmed that he was in agreement to withdraw the motion that the application be refused. He agreed to second the motion for deferral.

The Development Service Manager confirmed that the whole scheme and issue of very special circumstances would need to be debated in full at a future meeting, as the risk of flooding and whether there were very special circumstances would need to be assessed against the design and appraisal against the Green Belt policies. There could also be a change in members present at that meeting as not everyone was present at this meeting.

Councillor Sharp confirmed that he would not take part in the vote as he had joined the meeting after the officer's presentation had commenced.

Upon being put to the vote the results were as follows: -

FOR: 8; AGAINST: 1; ABSTENTION: 1.

RESOLVED that the application be **DEFERRED** to invite the applicants to submit revised plans to deal with concerns regarding the design.

The meeting adjourned at 5.04 p.m. until 5.08 p.m.

A single presentation was given for agenda items 21/02499/ADE, 21/02500/ADE and 21/02501/ADE, however individual decisions were taken on each item at the conclusion of the debate.

**68. 21/02499/ADE
Advertisement Consent: Installation of 4 No. fascia signs, 3 No. booth lettering signs and 1 No. 15" digital booth screen (as amended)
Land at North East of Bishops Garage Building, Alemouth Road,
Hexham, NE46 3PJ**

The Development Management Area Manager (West) introduced the report with the aid of a powerpoint presentation and advised that there were no updates following publication of the report for agenda items 6 (21/02499/ADE) and 8 (21/02501/ADE). The following revised condition 2 was recommended for agenda item 7 (21/02500/ADE) as the totem sign had been reduced by a further 0.5 metre:

'The development hereby permitted shall not be carried out otherwise in complete accordance with the approved plans. The approved plans for this development are:

6636_AEW_8455_0401 Rev B (07/12/2021) - Block Plan (Signage Application 2)

Drive Totem 1 : 4.5 meter - Sign Type 1A (Issue / Rev 4 - 19/02/2019)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.'

In response to questions from Members the following information was provided: -

- The booth signs adjacent to windows were positioned at different heights depending on their purpose. The measurements in paragraph 2.30 on page 20 of the agenda indicated the height of the sign and not the size of the lettering.
- Whilst it was noted that Hexham Town Council had objected on the grounds that the applications were not in line with principles outlined in the Neighbourhood Plan (policies HNP2, 3, 4 and 5), only amenity and public safety could be assessed as part of an advertisement application. The amenity of the immediate areas and looking towards the Conservation Area had been assessed and advice sought from the Council's Design & Built Heritage Officers who were satisfied with the revised applications.
- Officers had discussed the proposals with the applicant in order to reduce the proliferation of signs and also their size and remove any felt to be unnecessary, those proposed on elevation A. The remaining signs were considered to be acceptable on the application site, the wider bunker site and on the townscape itself.
- It was confirmed that it did not matter what a sign said or who it was for, the relevant issue was its appearance.
- The advertising signs within these applications were for locations within the site and not on the main road. The totem sign, in the corner of the car park, would be the tallest sign, and would not be higher than the building.

It was expected that a separate application would be made for a sign on the main road.

Councillor Horncastle proposed acceptance of the officer's recommendation that permission be granted. This was seconded by Councillor Sharp and unanimously agreed.

RESOLVED that the application be **GRANTED** permission for the reasons and with the conditions as outlined in the report.

69. 21/02500/ADE

**Advertisement consent for 1 no. 4.5 metre high totem sign (as amended)
Land at North East of Bishops Garage Building, Alemouth Road,
Hexham, NE46 3PJ**

Councillor Oliver proposed acceptance of the officer's recommendation that permission be granted, subject to the revisions to condition 2. This was seconded by Councillor Riddle and unanimously agreed.

RESOLVED that the application be **GRANTED** permission for the reasons and with the conditions as outlined in the report and the following revised condition 2:

'The development hereby permitted shall not be carried out otherwise in complete accordance with the approved plans. The approved plans for this development are:

6636_AEW_8455_0401 Rev B (07/12/2021) - Block Plan (Signage Application 2)

Drive Totem 1: 4.5 meter - Sign Type 1A (Issue / Rev 4 - 19/02/2019)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.'

70. 21/02501/ADE

**Advertisement consent for 4 no. freestanding signs and 14 no. Dot signs (as amended)
Land at North East of Bishops Garage Building, Alemouth Road,
Hexham, NE46 3PJ**

Councillor Hutchinson proposed acceptance of the officer's recommendation that permission be granted. This was seconded by Councillor Stewart and unanimously agreed.

RESOLVED that the application be **GRANTED** permission for the reasons and with the conditions as outlined in the report.

71. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

On the conclusion of the above items, Councillor Scott vacated the Chair. Councillor Cessford returned to the Chair and continued the meeting.

72. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 11 January 2022 at 4.00 p.m.

The Chair Informed members that North East Ambulance Service would be in attendance at the meeting of the Health and Well-Being OSC on 5 April 2022.

CHAIR _____

DATE _____

This page is intentionally left blank

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at County Hall, Morpeth on Tuesday, 11 January 2022 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair)

MEMBERS

A Dale
SH Fairless-Aitken
I Hutchinson
D Kennedy
N Morphet
N Oliver

JR Riddle
A Scott
A Sharp
G Stewart
HR Waddell

OTHER MEMBERS

G Sanderson
R Wearmouth

Leader
Deputy Leader and Portfolio
Holder for Corporate Services

OFFICERS

G Binning
D Brown

S Daniell
P Hedley
D Hunt

A Fisher
N Turnbull

Deputy Chief Fire Officer
Strategic Policy, Risk and
Performance Officer
Community Safety Team Leader
Chief Fire Officer
Area Manager (West),
Neighbourhood Services
Construction Manager
Democratic Services Officer

ALSO PRESENT

Councillor Glen Sanderson, Leader of the Council
Councillor Richard Wearmouth, Deputy Leader and Portfolio Holder for
Corporate Services

1. MEMBERSHIP

Ch.'s Initials.....

It was noted that following the byelection in the Hexham East ward on 16 December 2021, Suzanne Fairless-Aitken had been elected and had become a member of the Tynedale Local Area Council.

The Chair reported that a number of matters due to be considered by the County Council on 5 January 2022 had been deferred, including the item on the Local Area Council review and therefore no decision had been made regarding the future structure or number of Vice-Chairs.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Horncastle.

3. PUBLIC QUESTION TIME

There were no questions from members of the public.

4. PETITIONS

This item was to:

a) Receive any new petitions:

There were none to consider.

b) Consider reports on petitions previously received:

There were none to consider.

c) To consider updates on petitions previously considered:

There were none to consider.

5. LOCAL SERVICES UPDATE

Members received the following updates from the Area Managers from Neighbourhood Services and Technical Services:

Neighbourhood Services:

- Following another challenging year, teams had emptied bins, kept streets clean and continued the recovery work following Storm Arwen, over the festive period. Immediately after the storm, they had assisted with clearing the road network, before moving to parks, cemeteries and other public open areas with high footfall. Plantations and urban woodlands would be

cleared in due course and everyone was thanked for their patience as it would take time before a full recovery was made.

- Essential services had not been disrupted by Covid although 3 staff were currently absent in the west area with 20 members of staff across the county in Neighbourhood Services. Messages regarding good hand cleanliness, use of face coverings and social distancing were emphasised to ensure that front line services were not affected.
- Approximately 250 additional properties had been added to the kerbside glass recycling trial in Hexham from 14 January 2022. Extra collections continued at bring sites.
- There had been some missed waste collections from higher ground the previous week due to wintry road conditions.
- Normal grounds maintenance and street cleansing work had resumed following the storm. Requests for areas requiring hedges and shrubs to be trimmed or leaves cleared should be emailed to officers.
- Additional sweepers had been deployed to help remove the large volume of detritus generated by the storm.
- The process to recruit seasonal summer staff had commenced.

He placed on record his thanks and appreciation for the huge efforts by the front-line teams over a continuing difficult period. This was supported by the Chair and members of the Local Area Council.

Responses to issues raised by Councillors included:

- Alerts regarding missed bins were placed on the Council's website and circulated via social media channels. It was agreed that ward members would also be sent an email notification. In the majority of cases, residents were advised to present their bins for collection the following day, unless the weather and road conditions meant that this would not be possible and alternative advice provided.
- Arrangements were made with developers regarding the collection of bins on new and partly constructed sites depending on the size of the development, number of houses in occupation and access. He would discuss a site in Corbridge with Councillor Oliver the following day.
- It was likely that landowners were making their own arrangements regarding fallen trees which would be difficult for the Council to ascertain and therefore removal of logs by individuals was not queried.
- Some locations required frequent checks to ensure that gulleys and drains were not blocked by leaves and other detritus.

Councillor Riddle, Portfolio Holder for Local Services reported that it had been necessary to bring forward waste collection for 40,000 households due to the days on which Christmas Day and Boxing Day had fallen in 2021. The communication messages had worked well with only a small number of missed bins.

The following issues were also raised by Councillors:

- It was suggested that a framework be established regarding fallen trees including contact information for the various departments involved to make it easier for residents who needed to make insurance claims.
- There was concern regarding drainage around the new High school site in Hexham.
- The staff were thanked for their prompt response to install physical barriers to prevent access under fallen trees resting on electricity cables after Storm Arwen. It had been surprising and worrying that drivers had ignored the road closure signs, given the precarious and potentially dangerous situation.

Technical Services:

- The number of actionable defects had reduced following highways inspections which were up to date in the Tynedale area. Actionable defects were being repaired within the specified timeframe.
- The gully wagon had returned to its normal rota following Storm Arwen clean-up work. Significant work had been required to clear the hierarchy of roads including the A68. Damage had been caused to gulleys with upended trees and root balls. Work continued on U and C classified roads with extra staff resources and equipment, including gully wagons, street sweepers and tree teams. It was anticipated that a further 6 weeks would be required to complete the full clear up operation
- A dedicated drainage gang continued to work renewing gully pots, cross drains, ditching etc.
- 24 of 28 highway investment schemes in the Local Transport Plan had been completed to date and an update was given on the status of outstanding schemes.
- Flags to Flex work was due to start within the next 4 – 6 weeks.
- 100,000 metres² of permanent surfacing had been completed within the current financial year to date.
- A summary of Members' schemes completed within the previous month was provided. Road markings would be renewed in the summer when durability would be longer lasting.
- They were now halfway through the winter services period; there had been a few marginal condition forecasts to deal with and a couple of snow events on the highest parts of the network.
- Operations were covid compliant with revised risk assessments and operational procedures. Managers and supervisors conducted winter services activities in the main remotely using the web-based software systems.
- Salt heaps and grit bins were replenished regularly by dedicated teams when requests were received by the area office.
- The staff had been incredibly busy with the winter services rota, storm clean up and the general day to day work.

The Chair, on behalf of all Tynedale members, thanked the Local Services staff for their hard work, particularly in inclement weather.

The following issues were discussed:

- Use of stronger, thicker paving flags and strategic placement of bollards were to be installed to stop vehicles cracking new paving when replaced in the summer holidays at Hencotes by St Cuthbert's Close.
- The design was to be amended and finalised for the Fellhouse/Woolfhill junction.
- Reports of inadequate repairs to the road network by utilities to be given to the Streetworks Team to enable inspection and the relevant contractor charged for repairs.
- Requests for the spray width of gritting to be widened, to include adjacent paths as well as roads, to be emailed with precise locations e.g. Aydon.
- Investment was required in underground pipe infrastructure given the number of gas and water leaks which impacted on highways programmes, Kevin Mavin, Network Co-ordinator, was thanked for the invaluable assistance he provided.

Updates were to be obtained for Councillor Cessford (Priestland) and Morphet (gully wagon) following the meeting.

RESOLVED that the updates be noted.

The meeting adjourned for a short period and resumed at 4.48 pm.

6. NORTHUMBERLAND FIRE AND RESCUE SERVICE: COMMUNITY RISK MANAGEMENT PLAN 2022-26 CONSULTATION

The Local Area Council received a presentation from the Chief Fire Officer on the draft Community Risk Management Plan 2022 – 2026. (A copy of the power point presentation and draft plan were enclosed with the signed minutes). He introduced his colleagues also in attendance: Graeme Binning, Deputy Chief Fire Officer, Deborah Brown, Strategic Policy, Risk and Performance Officer and Simon Daniell, Community Safety Team Leader.

He explained that all fire and rescue authorities were required to produce a Community Risk Management Plan which must:

- reflect up to date risk analyses;
- demonstrate how prevention, protection and response activities would best be used to prevent and mitigate the impact of identified risks on its communities;
- outline required service delivery outcomes including the allocation of resources;
- set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005;
- cover at least a three-year time span;
- reflect effective consultation throughout its development; and

- be easily accessible and publicly available.

The plan would need to be reviewed as often as required, for example, as it had been in response to the Covid-19 pandemic. An annual update reviewed performance, changes to risk and whether this impacted on the service.

The plan set out the definition of risk as a 'combination of the likelihood and consequence of a hazardous event' and provided more information to explain the risk analysis process and the 10 most frequently attended incidents in the previous 5 years. Over 90% of attendances were attributable to these incident types and rarely changed which allowed the service to target resources effectively. Dwelling fires were highlighted as one of the top incidents and the plan set out what they did to reduce risk and what they planned to do, to further reduce risk.

The fire and rescue service also needed to be prepared to respond to emerging risks, which although infrequent, had the potential for a high impact. This included:

- Climate change and extreme weather events.
- Pandemic.
- Future housing and commercial development.
- Ageing population and increased vulnerability.
- British Volt.
- Ashington, Blyth and Tyne Rail Line.

The aims and priorities for 2022/23 were outlined.

Consultation on the plan had commenced on 5 January 2022 and was due to close on 16 February 2022. Councillors and members of the public were encouraged to respond to the survey or provide feedback to allow the fire and rescue service to better shape and deliver their service.

Comments from the committee and responses from the Chief Fire Officer were as follows:

- An audit of clad buildings in the county had been undertaken following the Grenfell tragedy and some remedial action had been taken. There were no buildings over 18 metres high with external cladding that fell within the Grenfell review categories for recommendations and actions; it was therefore a low risk and not included within the CRMP.
- The fire and rescue service were not a statutory consultee on planning applications but did respond to surface water flooding incidents. They worked with colleagues in Local Services regarding clearance of drains or culverts or identification of areas where there were repeat flooding problems. He agreed to speak to Councillor Kennedy outside the meeting regarding flooding concerns at properties near the new high school in Hexham.

- The plan was more user friendly, however it was suggested that measurements should be in kilometres² and miles².
- It would be more beneficial to set out the range of areas that stations covered rather than an average, as it would explain the difference in response times, particularly in rural areas. The average had been calculated as part of a national comparison.
- Recruitment of Retained Duty Service personnel was problematic across the UK. The service was reviewing how flexible, dynamic and creative it needed to be including review of contracts to remove historical requirements, realistic expectations of candidates in terms of fitness and technical capabilities, provision of support through the pre-selection and testing process, removal of the requirement to start the process over if a candidate failed assessment in one area. They had moved to a continuous recruitment process to have officers ready before they were needed and would have 30 new RDS candidates available in the first 6 months of 2022.
- The fire and rescue service did not work with Highways England on specific performance measures or outcomes when managing accidents on roads. They did however work together if there would be an impact on the road infrastructure which would affect the fire and rescue service's ability to respond to incidents. Information was also occasionally exchanged between both parties when undertaking road safety analysis and reviews.
- The youth cadet scheme was currently running at 7 fire stations in Northumberland and discussions had recently been held about the scheme starting at another. This included Hexham, Allendale and Haltwhistle. Councillor Scott requested she be involved in discussions regarding a scheme at Prudhoe.
- Information was to be checked from the Met Office in the Flooding and Water Rescue section on page 23. It was believed that more information should be included, as whilst there was expected to be fewer rainy days in summer, the amount of rain that fell would increase by approximately 14% under a 2°C warming scenario and 28% under a 4°C warming scenario.
- The service was working with Newcastle University to understand why more outdoor fires were being started by young people and if incidents were being recorded accurately. A range of preventative measures and reactive work was carried out by fire crews and the community safety section in areas where these were prevalent. They worked with communities to obtain intelligence and worked with schools to influence behaviour in the longer term. They specifically worked with young people who set fires under 'Programme Extinguish' to understand why, other risk factors and worked with partners in other organisations for referrals. This included colleagues in Northumbria Police given the success of previous anti-social behaviour work.
- Fluctuation in outdoor fires was driven by the weather with spikes being seen in spells of good weather during school holidays. A reduction in the number of fires had been seen during the pandemic lockdowns and had increased when restrictions had eased. This was believed to be due to sections of the population visiting the countryside who did not understand the countryside code, set campfires and used disposable barbeques in areas where they should not, as they did not understand the risk of

wildfires. Northumberland FRS was the national lead for wildfires and had developed the National Fire Chiefs Council education media programme for wildfire events.

Councillors expressed their admiration to officers for the commitment of those in the service, their professionalism and prompt response to incidents.

RESOLVED that the report and presentation be received and that the comments be noted.

The meeting adjourned for five minutes and resumed at 5.26 pm.

7. BUDGET 2022-23 AND MEDIUM-TERM FINANCIAL PLAN

Councillor Sanderson, Leader of the Council and Councillor Wearmouth, Deputy Leader and Portfolio Holder for Corporate Services gave a presentation to outline the approach being taken to set the budget for the next financial year, looking at the current position, challenges and opportunities and the impact this would have on the delivery of services. The detail regarding initiatives and schemes would be presented at a separate meeting. (A copy of the presentation is enclosed with the signed minutes.)

The presentation highlighted:

- The work of frontline services during the pandemic, and following Storm Arwen, was appreciated and acknowledged with no budget cuts being proposed.
- Health inequalities to be addressed across the county with a summit planned in March 2022 to make meaningful change with partner organisations.
- Unexpectedly, employment rates were largely comparable with pre-pandemic rates at 4.1% which was lower than regional and national figures and the economic performance of the county was quite strong. Targeted interventions hoped to address areas where unemployment figures were higher, including those within the 18–24-year-olds, areas where there were job vacancies and the necessity of introducing a real living wage in adult social care to retain staff who were leaving for jobs in other sectors.
- The vision and aims of the Corporate Plan identified 48 key priorities with targeted actions to enable their delivery. Examples included strengthening relationships with town and parish councils, welcoming new businesses, free town centre car parks etc.
- The overall funding context for the 2022/23 budget was set out; the increase in Council Tax precept remained at 2% without holding a referendum with an additional 1% for Adult Social Care for the next three years.
- Areas were outlined where the Council intended to invest in the future of the county.

- A review of the Budget for 2022-23 and the Medium-Term Financial Plan required savings of £9.704 million to balance the budget. A provisional savings requirement of £28 million had also been calculated for the following two financial years. The approach to identifying spend and savings within the budget were outlined with proposed savings by Portfolio Holder, although some of these included opportunities for income generation.
- The consultation was due to close on 21 January 2022. Over 200 responses had been received to date which was helpful when assessing areas which operated well and those that didn't, as well as suggestions where more funds should be allocated, before the budget was finalised and published ahead of scrutiny and consideration by Full Council on 23 February 2022.

The following issues were discussed:

- How unemployment was to be addressed, welcoming new industries and their supply chain, investment in further education and skills at Northumberland College and the Energy Central Learning Hub for vocational skills. Borderlands funding was available for projects in Haltwhistle and Bellingham and the Heritage Action Zone in Hexham and exploration of opportunities for sustainable jobs in farming and climate change in rural areas.
- Details of career support via advisors, the Kick Start programme and apprenticeships would be provided outside the meeting.
- Investment in public toilet provision would be welcomed in Hexham.
- Partnership working with Northumberland County Council on tourism would be welcomed by Hexham Town Council.
- Dualling of the A1 was required at the earliest opportunity and should be supported by all. Delays had been due to environmental audit work and an announcement on funding was expected in June 2022, subject to the aforementioned.
- Concern regarding the increase in the RPI and inequalities of those individuals on short term contracts and using foodbanks. A paper written by Alan Milburn, the former Secretary of State for Health, on tackling health inequalities was commended as a useful document.
- Progress on improving broadband and mobile telephone reception in rural areas had stalled and was required to enable individuals to work from home and operate businesses. A procurement exercise was believed to be underway to improve broadband speeds for the hardest to reach homes. Northumberland was included within the first group and it was expected that progress would be seen in the near future. It would be beneficial to receive an update from the Broadband Team.
- It would be more helpful to receive a longer-term financial settlement from the government. A thorough analysis was required of all areas across the Council to drive efficiencies and transformation, scrutiny of this was encouraged. There was concern that the Council's balances would be used to balance the budget and significant savings would be required in the next few years. The only certainties with regard to income related to

Council Tax and business rates and there was shared frustration regarding the notification system of local government financing. However it was expected that different elements of funding from national government would reduce the amount required to be saved in the future.

- Representatives from the administration sat on the Local Enterprise Partnership and North of Tyne Combined Authority to support businesses and promote local interests. Whilst funding streams had switched from European to Shared Prosperity, the latter would be used to replace projects in the rural economy.
- Once the public consultation ended, all members would be invited to attend and review the budget proposals when it was considered by scrutiny.

The Chair thanked the Councillors Sanderson and Wearmouth for their presentation.

RESOLVED that the presentation be received.

9. LOCAL AREA COUNCIL WORK PROGRAMME

A list of agreed items for future Local Area Council meetings was circulated. (A copy is enclosed with the minutes.)

Members were invited to email any requests to the Chair and / or Democratic Services Officer between meetings.

Items to be referred to the LAC Chairs Briefing for consideration for inclusion in the work programme:

- Broadband Update
- Outside Bodies
- Local Cycling, Walking and Infrastructure Plans

RESOLVED that the work programme be noted.

10. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 15 February 2022 at 4.00 p.m.

CHAIR _____

DATE _____



Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

15 FEBRUARY 2022

DETERMINATION OF PLANNING APPLICATIONS

Report of the Interim Executive Director of Planning and Local Services

Cabinet Member: Councillor CW Horncastle

Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Tynedale Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application

- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

Important Copyright Notice

- 6 The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

BACKGROUND PAPERS

These are listed at the end of the individual application reports.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy:	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for Money:	None unless stated

Human Resources:	None
Property:	None
Equalities:	None
Risk Assessment:	None
Sustainability:	Each application will have an impact on the local environment and it has been assessed accordingly
Crime and Disorder:	As set out in the individual reports
Customer Considerations:	None
Consultations:	As set out in the individual reports
Wards:	All

Report author Rob Murfin
 Report of the Interim Executive Director of Planning and Local
 Services 01670 622542
 Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.



Northumberland
County Council

Tynedale Local Area Council Planning Committee
15 February 2022

Application No:	20/03425/FUL		
Proposal:	Development of 9 no. residential dwellings (100% affordable) including associated access, car parking, landscaping and all other ancillary works (amended layout and housing mix)		
Site Address	Land North of Piper Road, Piper Road, Ovingham, Northumberland		
Applicant:	Miss Shona Ferguson, Northumberland Estates, Estates Office, Alnwick Castle, Alnwick, NE66 1NQ	Agent:	None
Ward	Bywell	Parish	Ovingham
Valid Date:	15 October 2020	Expiry Date:	28 February 2021
Case Officer Details:	Name: Mr Neil Armstrong Job Title: Principal Planning Officer Tel No: 01670 622697 Email: neil.armstrong@northumberland.gov.uk		

Recommendation: That this application be GRANTED subject to completion of a Section 106 Agreement



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

1.1 The application has been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Council's delegation scheme due to objections received from Ovingham Parish Council and local residents. It was agreed that the application raises issues of strategic, wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

2.1 Full planning permission is sought for the construction of nine new affordable dwellings along with associated access and infrastructure on land to the north of Piper Road, which is located to the north of Ovingham. The submitted plans propose the following mix:

- 6 x two-bedroom bungalows
- 2 x two-bedroom dwellings
- 1 x four-bedroom dwelling

2.2 The site area is approximately 0.31 hectares and is currently in agricultural use. It is a greenfield site directly adjoining, but outside of, the built-up area of Ovingham and is within the Green Belt. The site is bound:

- to the north by agricultural land;
- to the east by agricultural land;
- to the south by residential dwellings on Piper Road and a largely built-up area of housing with the River Tyne approximately 0.25km beyond; and
- to the immediate west by recently constructed affordable housing at Piper Road, Hawthorn Gardens and Dyer Close with the recreation ground beyond.

2.3 The proposals would essentially form an extension of the existing recent housing development of 22 affordable properties that have been constructed to the west and vehicular access to the new site would be taken from this. Those properties were constructed under planning permission 15/00808/FUL, which followed the original grant of permission for 20 affordable properties permitted under 12/03579/FUL. The development was considered to be an exception to inappropriate development in the Green Belt on the basis of being a limited form of affordable housing provision, and which was secured as such through a Section 106 agreement.

2.4 The proposals have been amended during the course of the application in order to revise the proposed housing mix following discussions with officers in relation to the identified affordable housing need in the area. In terms of tenure the applicant is proposing a mix of six units for affordable rent, comprising 5 x two-bedroom bungalows and 1 x four-bedroom house, with the remaining three units being home ownership products.

3. Planning History

Reference Number: 12/03579/FUL

Description: Proposed residential development comprising of 20 affordable dwelling units with associated landscaping and infrastructure (100% affordable housing development amended 11.07.2014)

Status: Permitted

Reference Number: 15/00808/FUL

Description: Erection of 22 no affordable dwellings along with necessary associated infrastructure works (Certificate B received)

Status: Permitted

Reference Number: 17/00918/DISCON

Description: Discharge of conditions 2 (approved plans) 3 (pre-commencement archaeology) 4-7 (drainage) 8 (adherence to ecology survey) 9 (adherence to pollution guidance) 10 (pre-commencement landscaping) 11 (pre-commencement SUDS pond) 12 (pre-commencement construction plan) 13 (pre occupation parking) 14 (details of roadworks) 15 (damage to highway) 16 (dropped kerbs) 17 (sample materials) 18 (coal mining risk assessment) and 19 (contamination) on approved planning application 15/00808/FUL.

Status: Partial consent/refusal

4. Consultee Responses

Ovingham Parish Council	<p><u>November 2020</u></p> <p>Objects – refers to need to address matters identified as part of previous application for housing to the west of the site (12/03579/FUL) in relation to flooding and drainage; foul sewerage; ecology; and development in the Green Belt. Queries the supporting evidence of housing needs survey Suggests conditions that will be required in the event that permission is granted.</p> <p><u>February 2021</u></p> <p>Further comments and objection provided in response to submission of the applicant's housing needs survey. The submitted documents do not support the view that the only suitable location for an additional 9 houses is in Ovingham and object on that basis. Reiterate comments made in relation to development in the Green Belt; ecology and loss of hedgerow; site compound; foul and surface water drainage; and objections raised by residents in relation to site levels and impacts on existing properties.</p> <p><u>August 2021</u></p> <p>Further comments in response to alterations to house types and site layout. Reiterate objections made in previous comments and support for objections raised by residents.</p>
Highways	No objection subject to conditions.
County Ecologist	No objection subject to conditions.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Public Protection	No objection subject to conditions.
County Archaeologist	No objection subject to condition.
Waste Management - West	No response received.

The Coal Authority	No objection
Northumbrian Water Ltd	No objection subject to conditions.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	92
Number of Objections	12
Number of Support	0
Number of General Comments	0

Notices

General site notice: 2 November 2020
No press notice required.

Summary of Responses:

Objections have been received from 11 residents in the locality and also the CPRE, The Countryside Charity, that raise concerns in respect of the following matters:

- inappropriate development in the Green Belt and intrusion into countryside
- query need and evidence for further housing in this location
- proposed layout of housing and effects on visual amenity and longer-range views
- proposed materials
- loss of hedgerow and habitat, and effects on wildlife and ecological value of site
- additional traffic and effects on highway safety
- flood risk and foul and surface water drainage
- adverse effects on residential amenity and impacts during construction
- allocation of affordable housing for local needs
- potential for further development in this location and cumulative impacts
- impacts on local infrastructure and lack of amenities

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QI75WKQSJG500>

6. Planning Policy

6.1 Development Plan Policy

Tynedale Local Plan (2000)

GD2 Design criteria
GD4 Range of transport provision for all development
GD6 Car parking standards outside the built-up areas
NE7 New buildings in the Green Belt
NE8 New dwellings in the Green Belt
NE18 Protection of agricultural land
NE27 Protection of Protected Species

NE33 Protection of trees, woodlands and hedgerows
NE34 Tree felling
NE37 Landscaping in developments
BE28 Archaeological assessment
H16 Community facilities and infrastructure requirements with new housing
H23 Affordable rural housing exception sites
H31 Public open space within housing areas
H32 Residential design criteria
LR11 Outdoor sports facilities for new developments
LR14 Location and design of play areas
LR15 Play areas in new residential developments
CS19 Location of development either causing or adjacent to pollution sources
CS21 Location of noise sensitive uses
CS23 Development on contaminated land
CS24 Development adjacent to or in vicinity of contaminated land

Tynedale LDF Core Strategy (2007)

GD1 Locational policy setting out settlement hierarchy
GD2 Prioritising sites for development
GD3 Green Belt
GD4 Principles for transport
GD5 Minimising flood risk
GD6 Planning obligations
BE1 Principles for the built environment
NE1 Principles for the natural environment
H1 Principles for housing
H2 Housing land supply
H3 Location of new housing
H4 Housing on greenfield land
H5 Housing density

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG) (2018, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy
STP 2 Presumption in favour of sustainable development
STP 3 Principles of sustainable development
STP 4 Climate change mitigation and adaptation
STP 5 Health and wellbeing
STP 7 Strategic approach to the Green Belt
HOU 2 Provision of new residential development
HOU 5 Housing types and mix
HOU 6 Affordable housing provision
HOU 7 Exception sites
HOU 8 Residential development in the open countryside
HOU 9 Residential development management
QOP 1 Design principles

QOP 2 Good design and amenity
 QOP 4 Landscaping and trees
 QOP 5 Sustainable design and construction
 QOP 6 Delivering well-designed places
 TRA 1 Promoting sustainable connections
 TRA 2 The effects of development on the road network
 TRA 4 Parking provision in new development
 ICT 2 New developments and infrastructure alignment
 ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment
 ENV 2 Biodiversity and geodiversity
 ENV 3 Landscape
 ENV 7 Historic environment and heritage assets
 WAT 2 Water supply and sewerage
 WAT 3 Flooding
 WAT 4 Sustainable Drainage Systems
 POL 1 Unstable and contaminated land
 POL 2 Pollution and air, soil and water quality
 INF 1 Delivering development related infrastructure
 INF 2 Community services and facilities
 INF 5 Open space and facilities for sport and recreation
 INF 6 Planning obligations

6.4 Other Documents/Strategies

- National Design Guide (2021)
- National Model Design Code (2021)
- Strategic Housing Land Availability Assessment (SHLAA) including Five-Year Housing Land Supply of Deliverable Sites (September 2019)
- Northumberland Strategic Housing Market Assessment (SHMA - 2015)
- Partial SHMA Update (2018)
- Housing Land Supply Position (January 2021)
- Supplementary Planning Document - New Housing: Planning Obligations for Sport and Play Facilities (March 2006)
- Tynedale Open Space, Sport and Recreation Strategy – Facilities for Children’s Play, Informal Open Space and Sports Facilities (updated January 2007)
- Green Belt Review 2015 – Addendum 2018

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Tynedale Core Strategy (TCS) and the saved policies of the Tynedale Local Plan (TLP) as identified above. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.4 Having regard to the assessment of the site, its constraints and the application proposals, as well as the responses received during the consultation period, the main issues for consideration are considered to include:

- principle of development
- landscape and visual impact
- residential amenity
- sustainable transport and highway safety
- ecology
- drainage and flood risk
- archaeology
- ground conditions
- Planning Obligations

Principle of Development

7.5 The site is located within the open countryside outside of the 'smaller village' of Ovingham as identified within the TCS. The TCS defines open countryside as everywhere outside the built-up area of a town or village. Policy GD1 of the TCS states that development in the open countryside will be limited to the re-use of existing buildings, whilst Policies H1 and H3 direct new build housing to more sustainable locations within main towns, local centres and smaller villages. It is acknowledged that Ovingham is deemed to be a generally sustainable location as a smaller village and the site is relatively well related to existing development. It has a range of services and facilities, public transport connections and is within walking distance of the railway links at Prudhoe to Newcastle, Carlisle and beyond.

7.6 Policy H4 of the TCS seeks to maximise the proportion of new housing on previously developed land, stating that housing on green field sites will not be permitted except in a limited number of circumstances, including that all of the dwellings are affordable, they would meet an identified local need for such housing and there is a lack of alternative previously developed sites.

7.7 Policy H7 of the TCS sets out the provision for meeting affordable housing needs. This includes meeting the need in the main towns, local centres and smaller villages that have an adequate range of services (as defined in Policy H3). This need will be met as locally as possible through ways including permitting affordable housing schemes as windfalls, including those on exception sites.

7.8 The site is located within the Green Belt and Policy NE7 of the TLP states that within the Green Belt, planning permission will only be granted for the construction of new buildings for identified purposes, including limited affordable housing for local community needs within existing settlements, subject to Policy H23 being satisfied.

Policy NE8 of the TLP states that there will be a presumption against the construction of new dwellings in the Green Belt.

7.9 Following on from this, Policy H23 of the TLP sets out a rural exception policy that states *“residential development will be allowed on land within or adjoining settlements with an adequate range of services and facilities where it is clearly demonstrated that there is an overriding local need for affordable housing which cannot be met in any other way, provided that:*

- (a) appropriate legal agreements (such as Section 106 obligations) are entered into to ensure that all dwellings provided will be, and will remain, available for occupancy by eligible local people at an affordable cost either to rent or buy and that proper management is guaranteed in the long term; and*
- (b) developments do not have any adverse impact on the character and/or appearance of settlements, their setting or the surrounding countryside; and*
- (c) it does not consist of a mixture of affordable housing and general market housing”.*

7.10 The most up-to-date Green Belt policy guidance is set out within the NPPF. Paragraph 137 states *“the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”* The Green Belt serves five purposes as identified within paragraph 138 of the NPPF, which are:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.11 Paragraph 147 states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. Paragraph 148 goes on to state that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.

7.12 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although exceptions to this include:

- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);*

7.13 Paragraph 78 of the NPPF refers specifically to exception sites stating *“in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs”*.

7.14 The NPPF defines rural exception sites as:

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

7.15 With regard to the emerging NLP, Ovingham is identified as a Service Village within draft Policy STP 1, which will accommodate employment, housing and services that maintains and strengthens their role. The hierarchy within the draft policy can be given significant weight at this time, although the rest only has little weight. The Service Villages sit below the Main Towns and Service Centres. The policy goes on to state that sustainable development will be supported within Green Belt inset boundaries and settlement boundaries defined on the Local Plan policies map. However, given that this site is within the open countryside as also defined in the NLP, Policy STP 1 criterion g. states that development will only be permitted if it can be demonstrated that it provides for residential development in accordance with draft Policies HOU 7 (exception sites) or HOU 8 (isolated residential development in the open countryside). At this time only limited and little weight can be given to Policies HOU 7 and HOU 8 respectively.

7.16 The emerging NLP makes provision for rural exception sites. These are intended to help address pressing affordable housing needs of rural communities by enabling the release for development of small sites that would not normally be used for housing. In the context of the NPPF's definition of major development, small sites are considered to be less than 0.5 hectares in size or comprise less than 10 dwellings, which would apply in this case. Such sites are specifically for the purposes of providing affordable housing in perpetuity for households who are either current local residents or have an existing family or employment connection (e.g. essential local workers) to the particular area.

7.17 Part 2 of Policy HOU 7 in the NLP states that:

The development of small Rural Exception Sites that would not normally be used for housing within, adjacent to or well-related to an existing settlement will be supported, where:

- a. The local need for affordable housing is clearly justified and evidenced in an up-to-date local housing needs assessment or other evidence of local housing needs verified by the Council as being necessary to meet local community needs for households who are either current local residents or have an existing family or employment connection to the particular area in which the development is proposed to take place;*
- b. The affordable housing is secured in perpetuity through a Section 106 agreement;*
- c. The development is well-related to local services and facilities, including those outside the settlement where the development is proposed to be located; and*
- d. The development is in scale and keeping with the form, character and landscape setting of the settlement in which it takes place and does not unjustifiably adversely impact on the natural, built and historic environment.*

7.18 The emerging NLP does not propose to alter the Green Belt boundary in this location, and therefore the application site would remain within this designation if the Plan were subsequently adopted. Draft Policy STP 8 of the NLP currently has little weight but sets out the approach to development within the Green Belt, which includes that development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported unless very special circumstances clearly

outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal. Furthermore, development that is not inappropriate in the Green Belt, as defined in national planning policy, will be supported.

7.19 Having regard to the above policy context, in order to be able to support the principle of development in such a location it will need to be clearly demonstrated that the proposals would deliver limited affordable housing for local community needs, and in the context of Policy H23 of the TLP, where it is clearly demonstrated that there is an overriding local need for affordable housing which cannot be met in any other way. The policy also requires that the development is on land within or adjoining the settlement and that it would not have any adverse impacts on the character and/or appearance of settlements, their setting or the surrounding countryside.

7.20 The case of *Robb v South Cambridgeshire District Council* [2017] addressed the issue of limited affordable housing within the Green Belt and a requirement to comply with local plan policies. Ouseley J accepted the claimant's interpretation of Paragraph 89 of the NPPF that was relevant at the time (albeit with similar wording to paragraph 149 of the current 2021 NPPF), stating "*When the NPPF refers to an exception treating as appropriate development limited affordable housing for local community needs under policies set out in the Local Plan it plainly intended that the relevant Policy should be properly complied with*". In this context, in order for development to be considered an exception to inappropriate development in the Green Belt under paragraph 149 f), it must comply with the aims of a development plan policy – in this instance Policies NE7 and H23 of the TLP. If the application does not comply with the relevant policy, it is not appropriate development and planning permission can only be granted where very special circumstances exist.

7.21 The site would be in accordance with the relevant requirements of Policy H23 of the TLP in the context of its location immediately adjacent to and adjoining the settlement of Ovingham. As referred to above the village benefits from local services and facilities, including first and middle schools, and is also located in close proximity to public transport connections as well as the main town of Prudhoe, which lies to the south side of the River Tyne. Further detailed consideration will be given later in this report to the impacts upon the character of the settlement, its setting and the surrounding countryside in order to cover that aspect of Policy H23. However, it is acknowledged that the proposals would result in a relatively small-scale form of development that would be well related to and located immediately adjacent to existing housing development.

7.22 With regard to the requirement to demonstrate a local affordable housing need, and in the context of Policy H23 of the TLP an overriding local need for affordable housing which cannot be met in any other way, officers have been in discussion with the Council's Housing Enabling Officers (HEO) on the proposals as submitted. Officers have also given consideration to additional information provided by the applicant that indicates that there are constraints to development on other sites in and around the settlement.

7.23 Although limited weight can be given to it at this stage it should also be noted that draft Policy HOU 7 of the emerging NLP refers to support for rural exception sites where "*the local need for affordable housing is clearly justified and evidenced in an up-to-date local housing needs assessment or other evidence of local housing needs verified by the Council as being necessary to meet local community needs for households who are either current local residents or have an existing family or employment connection to the particular area in which the development is proposed to take place*".

7.24 Although it was not formally submitted as part of the planning application when first submitted, the applicant has since provided a supporting Housing Needs Survey from July 2019 (HNS) that covers the Parish of Horsely including the parishes of Bywell, Ovington, Ovingham and Prudhoe. The HNS has been prepared using census data, population projections, data from the local authority, including the Strategic Housing Market Assessment (SHMA), evidence from estate and letting agents and a household survey.

7.25 Following consultation with the HEO on the submitted HNS their comments noted that the survey includes the larger settlement of Prudhoe, which seems to be where the majority of the housing need is evidenced, and with the committed sites already within the town it could be argued that this need is being met. The HNS also does not take into account sites with permission granted and those which are providing affordable housing. The survey findings identified that two and three-bedroom houses were the biggest priority for the area, but it has not taken into consideration the 60+ two-bedroom houses on the Prudhoe Hospital site, which is currently under development and that will meet the local need for this house type in the local area for the foreseeable future. However, the HEO notes that the above will have limited effect on this application as the application is proposing two-bedroom bungalows that are needed in the area.

7.26 The HEO notes that Northumberland Homefinder data suggests there is a local need for 2 x one-bedroom units, 1 x two-bedroom unit and 1 x four-bedroom unit within Ovingham itself. This increases to 7 x one-bedroom units, 2 x two-bedroom units and 1 x four-bedroom unit when also taking into account Ovingham and the adjoining parishes of Ovington and Horsely. Following discussions with the HEO, the applicant has submitted the current amended layout and housing mix, which the HEO states will meet the demand for Ovingham and the surrounding villages of Ovington and Horsely. The HEO has advised that a proposed tenure mix of six units for affordable rent comprising 5 x two-bedroom bungalows and 1 x four-bedroom house with the remaining three units being home ownership products would be acceptable in this instance. This would need to be secured through a Section 106 Agreement.

Summary

7.27 The NPPF makes clear at Paragraph 149 f) that only limited affordable housing for local community needs will be considered as an exception to inappropriate development in the Green Belt. Furthermore, Policy H23 of the Tynedale District Local Plan only allows for affordable housing where there is an overriding local need for affordable housing which cannot be met in any other way and that satisfies other criteria. In order to meet the exception to inappropriate development in the Green Belt the relevant rural exception policy will need to be satisfied in full.

7.28 In addition, although more limited weight can be applied to it at this stage, draft Policy HOU 7 of the emerging NLP sets out the proposed approach to such proposals and any application would need to clearly demonstrate that the local need for affordable housing is clearly justified and evidenced. Similar to Policy H23 of the TLP, Policy HOU 7 includes other criteria that needs to be satisfied, including that the development is well-related to local services and facilities and does not unjustifiably adversely impact on the natural, built and historic environment.

7.29 In light of the above, and having regard to the advice received from the HEO, the amended proposed housing mix could now be said to meet the identified affordable housing need for the area and result in limited affordable housing for local

community needs. The Strategic Housing Land Availability Assessment (SHLAA - 2019) does not identify any other suitable or available sites other than that covered by the application site and the adjoining development to the west (site 2643), whilst no housing sites are allocated in Ovingham, Horsley or Ovington as part of the emerging NLP. Having regard to the supporting information provided by the applicant, and given the Green Belt constraints within and around the settlements of Ovingham, Ovington and Horsely, it is acknowledged that it would not appear likely that the provision could be provided on other more suitable sites without releasing Green Belt land.

7.30 On this basis, and subject to further detailed consideration of the effects on the character of the site and surrounding area in the following sections of this report, the general principle of the development as a rural exception site for limited affordable housing could be said to be in accordance with Policies NE7 and H23 of the TLP, and result in an exception to inappropriate development in the Green Belt having regard to paragraph 149 f) of the NPPF. On this basis the principle of development could also be said to be acceptable having regard to draft Policies HOU 7 and STP 8 of the emerging NLP. The following sections of this report will consider other matters and consideration will be given to any other harm, along with the overall planning balance within the conclusion of the report.

Design and Visual Impact

7.31 In addition to Policy GD1 of the TCS, which requires the scale and nature of development to respect the character of the town or village concerned, Policies GD2 and H32 of the TLP seek to ensure that development is appropriate for its location in terms of matters such as layout, scale, design and impact upon the amenity of residents. Reference has also been made above to Policy H23 of the TLP in relation to assessment as a rural exception site.

7.32 Policy BE1 of the TCS seeks to conserve and where appropriate enhance the quality and integrity of Tynedale's built environment and its historic features including archaeology, giving particular protection to listed buildings, scheduled monuments and conservation areas. Policy NE1 of the TCS sets out principles for the natural environment, including protecting and enhancing the character and quality of the landscape and avoiding the urbanisation of the countryside. The NPPF seeks to conserve and enhance the natural environment and looks to ensure that good design in new development is appropriate for its location.

7.33 The NPPF at paragraph 126 states that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"* and recognises that *"good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Officers note the added emphasis to design in the revised version of the NPPF published in July 2021, and that this is a key aspect of achieving sustainable development. In effect, design has been given greater weight in the decision making process and the National Design Guide and National Model Design Code are material considerations.

7.34 Paragraph 134 of the NPPF states that *"development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design"* and references the National Design Guide and National Model Design Code in this respect. Conversely, significant weight should be given to design that reflects local design policies and government guidance on design and/or outstanding or innovative designs that promote high levels of sustainability or

help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.35 The 10 characteristics in the National Design Guide that can be used to appraise a development are:

1. *Context – enhances the surroundings.*
2. *Identity – attractive and distinctive.*
3. *Built form – a coherent pattern of development.*
4. *Movement – accessible and easy to move around.*
5. *Nature – enhanced and optimised.*
6. *Public spaces – safe, social and inclusive.*
7. *Uses – mixed and integrated.*
8. *Homes and buildings – functional, healthy and sustainable.*
9. *Resources – efficient and resilient.*
10. *Lifespan – made to last.*

7.36 In terms of emerging planning policies, draft Policies QOP 1, QOP 2, QOP 3, QOP 4, QOP 5 and QOP 6 of the NLP are relevant in relation to achieving high quality sustainable design and well-designed places in accordance with the NPPF, but have little weight at this time.

7.37 The proposal would result in the expansion of the existing housing development to the west, and although not as large as that scheme, would result in further encroachment into the open countryside and Green Belt to the north of Piper Road and the more established built-up area of Ovingham. This would result in some further harm to the openness of the Green Belt and the open countryside, as well as the character of the site and surrounding area.

7.38 Notwithstanding the above, and in considering the scheme in the context of an exception to inappropriate development in the Green Belt based on the NPPF, the layout, scale and design of the proposed dwellings as submitted are considered to be generally acceptable and are similar in character to the recent development to the west. The application proposes to predominantly use brick with some render, which is considered to be acceptable in the context of the existing development surrounding the site and the wider Ovingham area.

7.39 As with the adjacent development it is considered important to ensure there is an appropriate frontage onto Piper Road, which is noted in the plans and submitted layout. This would result in the loss of some of the existing hedgerow to the southern boundary of the site where unavoidable to accommodate the development, including for pedestrian access points from Piper Road. However, the submitted plans look to retain sections of this where possible and also supplement with new hedgerow planting.

7.40 The proposed house types within the development, including bungalows and two-storey dwellings, would result in a mixed but acceptable form of development in terms of scale and design. As with the adjacent development to the west, the provision of a footpath along the northern side of Piper Road for the length of the site frontage, together with pedestrian access gates would ensure that the frontage of the site would not “turn its back” on Piper Road. Landscaping and boundary treatments, as well as details of the proposed materials for development can be secured by condition to ensure that the development would be of an appropriate appearance to reflect the mixed character and appearance of development in the immediate and wider area.

7.41 Subject therefore to the imposition of such conditions, the proposal would accord with the general provisions of Policies BE1 and NE1 of the TCS, Policies GD2, H23 and H32 of the TLP and with the wider aims of the NPPF in terms of matters of layout, scale design and effects on the character of the site and wider area and achieving good quality design. It is noted that there are concerns in relation to the potential for further development in this area, however any future applications would be assessed on their own merits and an approval for this site would not establish a precedent for future housing.

Residential Amenity

7.42 As well as looking to achieve a good quality of design in new residential development, Policies GD2 and H32 of the TLP set out the requirements for developments to ensure there would be no adverse effects upon residential amenity, and future occupants would also achieve acceptable standards of amenity. Draft Policy QOP 2 of the emerging NLP also states that development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in the local area. These policies are consistent with the aims of the NPPF with paragraphs 130 and 185 relating to considering the effects on amenity, both in terms of impacts on existing residents as well as future occupiers of development.

7.43 In this instance the proposal has the potential to impact upon the amenity of properties to the south and west on Piper Road, Hawthorn Gardens and Dyer Close. Such impacts could be in relation to the introduction of new housing on the site with associated new activity and disturbance, as well as impacts on visual amenity, outlook, light and privacy.

7.44 Having regard to the scale and layout of the development, which is much smaller than the previously approved scheme to the west, it is not felt that the proposals would result in significant or harmful impacts upon the amenity of the adjacent residents, either on its own or in combination with the adjoining scheme. As was noted at the time of the 2012 application, the existing houses on Piper Road to the south tend to have long 'rear' gardens, almost all of which have detached garages and driveways to the northern end of their gardens accessed from Piper Road.

7.45 The five proposed dwellings at plots 5 – 9, two of which are bungalows and three are two-storey, would have their front elevations facing towards the rear of the properties opposite and, whilst some change in outlook and longer-range views may be experienced, this would not be at the expense of significant or adverse impacts on privacy in the context of the separation distances set out within Policy H32 of the TLP. The north facing elevations of the existing properties on Piper Road are set around 15 – 19 metres from Piper Road and having regard to the submitted site layout plans and section drawings, there would be a separation distance to the front elevations of the new dwellings of around 28.8 metres – 31.3 metres.

7.46 There have been some concerns raised in relation to the raising of ground levels of in order to achieve satisfactory drainage from the site and how this may impact upon the properties to the south. However, having regard to the proposed layout and the separation from these properties it is not considered that there would be significant or harmful effects on amenity as a result. A condition to secure final details of the finished ground and floor levels could be attached with any recommendation to approve in order to further consider this aspect if required. Reference has also been made to having bungalows to the road frontage instead of two-storey properties. However, the proposed mix along the frontage is considered to

be acceptable and would not result in significant or harmful impacts on amenity and reflects the form of development to the west of the site, which is also deemed to be acceptable.

7.47 Whilst there would be changes to the character of the area, given the layout and scale of development and the relationship between existing and proposed properties, the proposals are not felt to result in significant or harmful impacts upon the amenity of existing residents, whilst an acceptable level of amenity could be achieved for future occupants of the new dwellings. The proposal would therefore be in accordance with Policies GD2 and H32 of the TLP and the NPPF in this respect.

Sustainable Transport and Highway Safety

7.48 New housing development needs to be assessed in terms of matters of sustainable transport and highway safety having regard to Policies GD4 and GD6 of the TLP, Policy GD4 of the TCS and the NPPF. Paragraph 110 of the NPPF looks to ensure that safe and suitable access to a site can be achieved by all users. Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.49 With regard to the emerging NLP, draft Policies TRA 1, TRA 2 and TRA 4 currently have limited weight but refer to promoting sustainable connections, considering effects on the transport network and parking provision.

7.50 Consultation has taken place with Highways Development Management (HDM) and following the submission of revised plans to address matters in relation to pedestrian connectivity and maintenance of land within the layout, HDM raise no objection subject to conditions. Proposed conditions include the provision of a new footway along the site frontage with Piper Road, car/cycle parking provision, drainage, construction method statement and a refuse strategy.

7.51 Whilst concerns have been raised in relation to increased traffic and matters of highway safety, on the basis that HDM have raised no objection to the proposals, there are not considered to be any grounds to prevent development of the site with regard to matters of access and highway safety. Subject to recommended conditions, the proposals would therefore be in accordance with Policy GD4 of the TCS, Policies GD4 and GD6 of the TLP and the NPPF.

Ecology

7.53 The development plan and NPPF highlight the importance of considering potential effects upon the biodiversity and geodiversity of an area. In this instance the proposal will also impact upon an existing hedgerow to the southern boundary of the site, although the scheme proposes to retain sections of this and provide new planting. Policies NE27, NE33, NE34 and NE37 of the TLP and Policy NE1 of the TCS are therefore relevant. Section 15 of the NPPF relates specifically to the conservation and enhancement of the natural environment, including impacts on habitats and biodiversity.

7.54 The application is accompanied by an ecological assessment and the proposals have been considered by the Council's Ecologists. They note that improved grassland/arable land and a section of mature hedgerow will be lost as part of the development, together with an area of bare ground and ruderal vegetation. In addition, they note that the area may support foraging badger and the hedgerows may be used

by breeding birds. However, an appropriate package of measures to mitigate these impacts have been suggested in the submitted ecology and arboricultural reports. These conditions include protection measures during construction for the existing hedgerow and details of new landscaping, including not less than 80 metres of new hedgerow to compensate for that lost.

7.55 In light of the above, whilst there are ecological impacts arising from the proposed development of the site, it is considered that these can be mitigated by the recommended conditions. Having regard to the comments of the Council's Ecologists it is considered that the proposal would be acceptable in terms of ecological impacts, subject to conditions, having regard to the relevant development plan policies above and the NPPF.

Drainage and Flood Risk

7.56 The application has been assessed against Policy GD5 of the TCS and the NPPF in relation to ensuring development is directed to areas at a lower risk of flooding and that it would not increase flood risk elsewhere. In addition, Policy CS27 of the TLP relates to matters of sewerage and ensuring there is adequate capacity to serve development.

7.57 The application is accompanied by a surface water drainage statement that has been considered by Northumbrian Water (NWL) and the Lead Local Flood Authority (LLFA). Objections have also been received from interested parties in relation to drainage and flood risk and the capacity of the existing network.

7.58 NWL have responded advising that the application does not provide sufficient detail with regards to the management of foul and surface water from the development to be able to assess their capacity to treat the flows from the development. However, no objection is raised and NWL recommend that a condition is attached should permission be granted to secure further details of the foul and surface water drainage proposals.

7.59 The LLFA raised an initial objection and sought further information to demonstrate that the development will not impact on a newly installed flood alleviation scheme, and that the foul water pipe would not impact a culverted watercourse or surface water sewer. Following the submission of further information, the LLFA has withdrawn its objection, subject to conditions to be attached to any grant of permission. These relate to surface water drainage during construction, inspection and survey of an existing filter trench and culverted watercourse, and the invert level of the foul water sewer in relation to the culverted watercourse.

7.60 On this basis, subject to the recommended conditions it is considered that an acceptable form of development can be achieved in respect of matters of drainage and flood risk, in accordance with Policy CS27 of the TLP, Policy GD5 of the TCS and the NPPF.

Archaeology

7.61 Policy BE28 of the TLP requires appropriate archaeological assessment of sites where this may be a material consideration in its development. Paragraph 194 of the NPPF also requires an assessment and, where necessary, field evaluation where sites include, or have the potential to include, heritage assets with archaeological interest.

7.62 Consultation has taken place with the Assistant County Archaeologist (ACA) on the submitted archaeological assessments and further survey work that has been undertaken on site. The ACA highlights that the proposed development is located in a wider archaeological landscape containing known sites from the prehistoric period onwards. The evaluation has demonstrated the presence of a continuation of the prehistoric site revealed in the housing development to the immediate west. While the new evaluation has identified remains in the northern part of the site, evaluation of the southern extent was hampered by the presence of a large spoil heap.

7.63 Looking at the extent and spread of archaeological remains in the southern extent of the development site to the immediate west, there remains the possibility that comparable or associated remains could actually spread across much of the proposed housing development site. Based on the information gained to date, the archaeology on this site does not appear to be of such significance that it requires preservation in situ. It is, however, still likely to be of local to regional significance and as a result it is important that preservation by record is carried out to an appropriate level.

7.64 The ACA states that features of this type and date need to be investigated and recorded in plan to gain a sufficient understanding of the site before the archaeological site is built on. Archaeological monitoring of strip foundations and service trenches is not appropriate on a site of this date and nature, as it neither results in effective preservation by record nor preservation in situ. Having considered the archaeological potential of the site and nature of the proposed development, the ACA recommends that an archaeological mitigation condition is attached to this application in line with paragraph 205 of the NPPF.

7.65 Having assessed the potential archaeological impact of the proposed development on below ground archaeological remains, and based on the available information, the ACA raises no objections to the proposals from an archaeological perspective, providing that the site is the subject of an appropriate programme of archaeological work. Subject to this condition, the proposal would be in accordance with Policy BE28 of the TLP and the NPPF.

Ground Conditions

7.66 Parts of the application site fall within the higher risk Coal Authority referral area with others falling within the lower risk Coal Authority standing advice area. A coal mining risk assessment has been submitted along with land contamination assessments and consultation has taken place with the Coal Authority and the Council's Public Health Protection team (PHP).

7.67 The Coal Authority has advised that the submitted information is sufficient to demonstrate that the application site is safe and stable for the proposed development and no objection is raised.

7.68 PHP have also raised no objection and recommend that conditions are attached to any approval to protect surrounding residential amenity from construction noise and dust. In addition, conditions are recommended to protect the new properties from gases of mining origin as well as in relation to any unexpected contamination.

7.69 On this basis, and subject to recommended conditions, the proposal would be in accordance with Policy CS23 of the TLP and the NPPF.

Planning Obligations

7.70 Policy GD6 of the TCS sets out that planning obligations will be sought where necessary to prescribe the nature of development; or secure compensation from the developer for loss or damage caused by the development; or mitigate the impact of a development. Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

7.71 Draft Policies INF 1 and INF 6 of the emerging NLP also set out the requirements for providing supporting infrastructure, including through the use of planning obligations, although these currently have limited and little weight respectively.

7.72 In this case it is considered that should planning permission be granted then planning obligations will need to be secured through a Section 106 legal agreement in respect of the affordable housing provision given that this is proposed as an exception site and would only be acceptable in the Green Belt on that basis, as well as a sport and play contribution.

7.73 In terms of the affordable housing provision, the Section 106 Agreement will need to be agreed with the HEO as well as the applicant in order to secure the 100% affordable housing provision and the relevant tenures. This will require the submission of an Affordable Housing Statement to include agreed house types and tenure mix, arrangements for transfer to a Registered Provider and for them to remain as affordable housing in perpetuity, any arrangements for the marketing of affordable home ownership products and the basis on which the affordable homes will be occupied.

7.74 At present there is a deficiency in the amount of children's play provision and outdoor sports facilities in Tynedale. The former Tynedale Council adopted its Supplementary Planning Document (SPD) *Planning Obligations for Sports and Play Facilities* on 7 March 2006 which seeks financial contributions for sport and play facilities, and provision of outdoor sport from all new housing developments.

7.75 The total contribution sought is dependent upon the number of bedrooms proposed at a rate of £1,088 per 1-bedroomed dwelling to a total of £4,352 for dwellings providing 4 or more bedrooms. In this instance, the proposal would incur a total contribution towards sports and play provision of £17,408. The applicant has been made aware of this and has indicated that they would accept the requirement, which can be secured through the Section 106 Agreement.

Equality Duty

7.76 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.77 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.78 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.79 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.80 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1. Ovingham is considered to be an acceptable and sustainable location for new residential development in principle having regard to the current development plan and the NPPF, as well as the draft policies of the emerging NLP. However, the application site is within the Green Belt where the construction of new buildings is considered to be inappropriate development, unless satisfying an exception listed at paragraphs 149 and 150 of the NPPF.

8.2 Paragraph 149 f) sets out an exception to inappropriate development with regard to "*limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)*". In this instance Policy H23 of the TLP would be applicable for the purposes of this assessment, and only limited weight can be given to draft Policy HOU 7 of the emerging NLP at this time. The site adjoins existing development on Piper Road to the south and west and is reasonably well related to the built form of the village. On this basis the proposal would satisfy the relevant requirements of Policy H23 of the TLP, as well as draft Policy HOU 7 of the emerging NLP.

8.3 Given the scale of the development, it is felt that the proposals would result in a 'limited' form of affordable housing provision. Having regard to the assessment set out within this report, including consideration of the applicant's supporting information and consultation with the HEO, the proposal is considered to satisfy Policy H23 of the TLP as a rural exception site, and therefore also the exception to inappropriate

development in the Green Belt set out at paragraph 149 f) of the NPPF as limited affordable housing.

8.4 The proposed layout, scale and design of the new housing is considered to be acceptable in this location in the context of its relationship with existing housing and having regard to the character and appearance of the settlement and the surrounding countryside. Furthermore, on the basis of the layout and scale of the development, the proposals are not felt to result in any significant or adverse impacts upon the amenity of existing residents in the area. Impacts on the character of the area in terms of the loss of hedgerow can be mitigated through new planting proposals.

8.5 Following consultation with relevant consultees, and subject to conditions where required, it is considered that an acceptable form of development can be achieved in relation to matters such as access and highway safety; drainage and flood risk; ecological impacts; archaeology; and ground conditions.

9. Recommendation

That this application be GRANTED permission subject to the completion of a Section 106 Agreement to secure 100% affordable housing provision on the site and a financial contribution to sport and play provision and the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and documents. The approved plans and documents for this development are:-

3964 10 02 J – Proposed Site Plan
3964 20 01 B – 2 Bed Bungalow – Plot 1 & 2
3964 20 02 A – 2 Bed Bungalow – Plot 3-4 & 5-6
3964 20 06 B - 2 Bed House – Plot 8 & 9
3964 20 09 A – 4 Bed House – Plot 7

C-GA-005 P6 - Proposed Drainage Strategy
Surface Water Drainage Strategy – CK21 Ltd ref: Project 9133 Rev C (July 2021)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

03. Notwithstanding any description of the materials in the application, no construction of the dwellings above damp proof course level shall be undertaken until precise details, to include samples, of the materials to be used in the construction of the external walls and roofs of the dwellings have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies GD2, H23 and H32 of the Tynedale Local Plan, Policies NE1 and BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

04. Notwithstanding the details submitted with the application, a detailed landscaping scheme showing both hard and soft landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority. This shall include the planting of not less than 80 metres of locally native hedging of local provenance, including a planting schedule setting out species, numbers, densities and locations, the provision of all new boundary treatments, the creation of areas of hardstanding, pathways, etc., areas to be seeded with grass, and other works or proposals for improving the appearance of the development.

The scheme shall be carried out in accordance with the approved drawings not later than the expiry of the next planting season (November – March inclusive) following commencement of the development, or as otherwise agreed in writing with the Local Planning Authority.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with the provisions of Policies GD2, NE37 and H32 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

05. Notwithstanding the details submitted with the application, all trees and hedges within, and to the boundaries, of the site identified for retention on the approved plans shall be retained and protected throughout the course of development in accordance with updated details that shall first have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This shall include measures for minimising the impact of groundworks in close proximity to the existing trees and hedges to be retained and shall be prepared in accordance with guidance set out in 'BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations' British Standards Institution, 2012. These measures shall be implemented in complete accordance with the approved scheme and shall be provided and remain in place throughout the course of the construction of the development.

Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with the provisions of Policies GD2, NE33, NE37 and H32 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

06. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Piper Road, Ovingham Ecological Survey Report', BSG Ecology Ltd., 17.9.19) including, but not restricted to:

- inclusion of 'in built' bat roost and nesting bird features in the new houses and/or hedgehog boxes in garden areas at a rate of not less than 1 feature per dwelling with types, numbers and locations to be agreed in writing with the Local Planning Authority before the development progresses above foundation level;
- adherence to timing restrictions; adherence to precautionary working methods;
- adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK' Bat Conservation Trust/Institution of Lighting Professionals, 2018;
- any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped;
- an updating in season ecological survey to be carried out in the event that works do not commence before the end of August 2022, with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the Local Planning Authority before works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with the provisions of Policy NE27 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

07. No removal of vegetation shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Netting of hedgerows or trees is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of any netting shall first be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with the provisions of Policy NE27 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

08. All new garden boundary fences or walls shall include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species, in accordance with the provisions of Policy NE27 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

09. No dwelling shall be occupied until the car parking areas indicated on the approved plans, have been hard surfaced, sealed and marked out in parking bays. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale Local Plan and the National Planning Policy Framework.

10. No development shall commence until details of the proposed new footway running along the site frontage on Piper Road have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

11. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway, in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

12. No dwelling shall be occupied until the cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity and sustainable development, in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

13. Prior to occupation, details of surface water drainage to manage run off from private land shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

14. No development shall commence until a Construction Method Statement, together with supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes, and vehicles.
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors; iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD2 and GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

15. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste, in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD2 and GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

17. Prior to any works on the northern perimeter of the development, an inspection and survey of the existing filter trench and culverted watercourse shall be undertaken. Post development a further inspection of this trench and culvert shall be undertaken. Any damages, defects and debris caused by the development shall be put right to the satisfaction of the Local Planning Authority in accordance with a scheme of details that shall first be submitted for approval in writing.

Reason: To ensure adequate protection from flood risk on and off site, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

18. The invert level of the proposed foul water sewer shall be no greater than 300mm to the base of the culverted watercourse.

Reason: To provide adequate protection to the culverted watercourse, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

19. No development shall commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources, in accordance with Policy GD5 of the Tynedale Core Strategy, Policy CS27 of the Tynedale Local Plan and the National Planning Policy Framework.

20. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policies GD2, CS19 and CS22 of the Tynedale Local Plan and the National Planning Policy Framework.

21. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policies GD2, CS19 and CS22 of the Tynedale Local Plan and the National Planning Policy Framework.

22. No development shall commence until a written dust management plan has been submitted and approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, dealing with complaints of dust and arrangements for monitoring air quality during construction. The development shall thereafter be carried out in accordance with the plan so agreed at all times.

Reason: To ensure a commensurate level of protection against windblown dust and debris in accordance with Policies GD2, CS19 and CS22 of the Tynedale Local Plan and the National Planning Policy Framework.

23. If during redevelopment contamination not previously considered within the approved plan: "Phase I Contaminated Land Desk Study – DBS Environmental Ltd May 2020 Ref: 1354R001i2 REV A FINAL" is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority – the written method statement must be written by a competent person. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant/developer shall submit a signed statement indicating this to discharge this condition.

"Competent Person" has the same definition as defined within the National Planning Policy Framework (NPPF).

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

24. No dwelling shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2

standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings) have been submitted to and approved in writing by the Local Planning Authority. The aforementioned report must also detail to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling. Furthermore, the report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health and amenity of the occupants of the respective properties, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

25. No dwelling shall be brought into use or occupied until the applicant/developer has submitted a validation and verification report to the approved methodology in Condition 24 which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

26. Prior to the installation of any external lighting in association with the development hereby permitted, details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- the specific location of all external lighting units;
- design of all lighting units;
- details of beam orientation and lux levels; and
- any proposed measures such as motion sensors and timers that will be used on lighting units

The approved lighting scheme for shall be installed in accordance with the approved details and shall be maintained as such thereafter, unless removed entirely.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies GD2 and H32 of the Tynedale Local Plan, Policies BE1 and NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

27. A programme of archaeological work is required in accordance with NCC Environment and Design Team (NCEDT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 12/11/21). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCEDT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCEDT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCEDT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason The site is of archaeological interest, in accordance with Policy BE28 of the Tynedale Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

28. Notwithstanding the details submitted with the application, prior to the construction of groundworks of the new dwellings hereby approved, details to be shown on annotated site plans to include:

- a) existing site levels;
- b) proposed site levels; and
- c) proposed finished floor levels of the dwellings

shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved levels.

Reason: In the interests of visual and residential amenity, in accordance with the provisions of Policies GD2 and H32 of the Tynedale Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

29. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no extensions, dormer windows and curtilage buildings shall be added to or constructed within the curtilage of the dwellinghouses hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact of any additions on the appearance of the dwellinghouses, the Green Belt and the affordability of the properties may be properly assessed, in accordance with Policies GD2, H23 and H32 of the Tynedale Local Plan and the National Planning Policy Framework.

Informatives

01. Your attention is drawn to the Agreement under Section 106 of the Town and Country Planning Act 1990 affecting this site.

02. You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

03. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

04. You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

05. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

06. You are advised to contact the Councils Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect to street lighting to ensure sufficient illumination levels of the public highway.

07. The applicant/developer is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition 11 of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk

08. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the Highway.

09. You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979.

10. The risk of encountering nesting birds or other protected species in connection with the execution of this planning consent is low, but there is a small risk that individual animals may be encountered during works.

Wild birds and their nests are strictly protected under the Wildlife and Countryside Act 1981 (as amended). All wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Accordingly, any vegetation removal or soil stripping undertaken between 1 March – 31 August carried out as part of the proposal should be preceded by checks to confirm that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice by telephoning Natural England's advice line on 0845 600 3078. Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk.

11. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on their records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

12. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Background Papers: Planning application file(s) 20/03425/FUL

This page is intentionally left blank

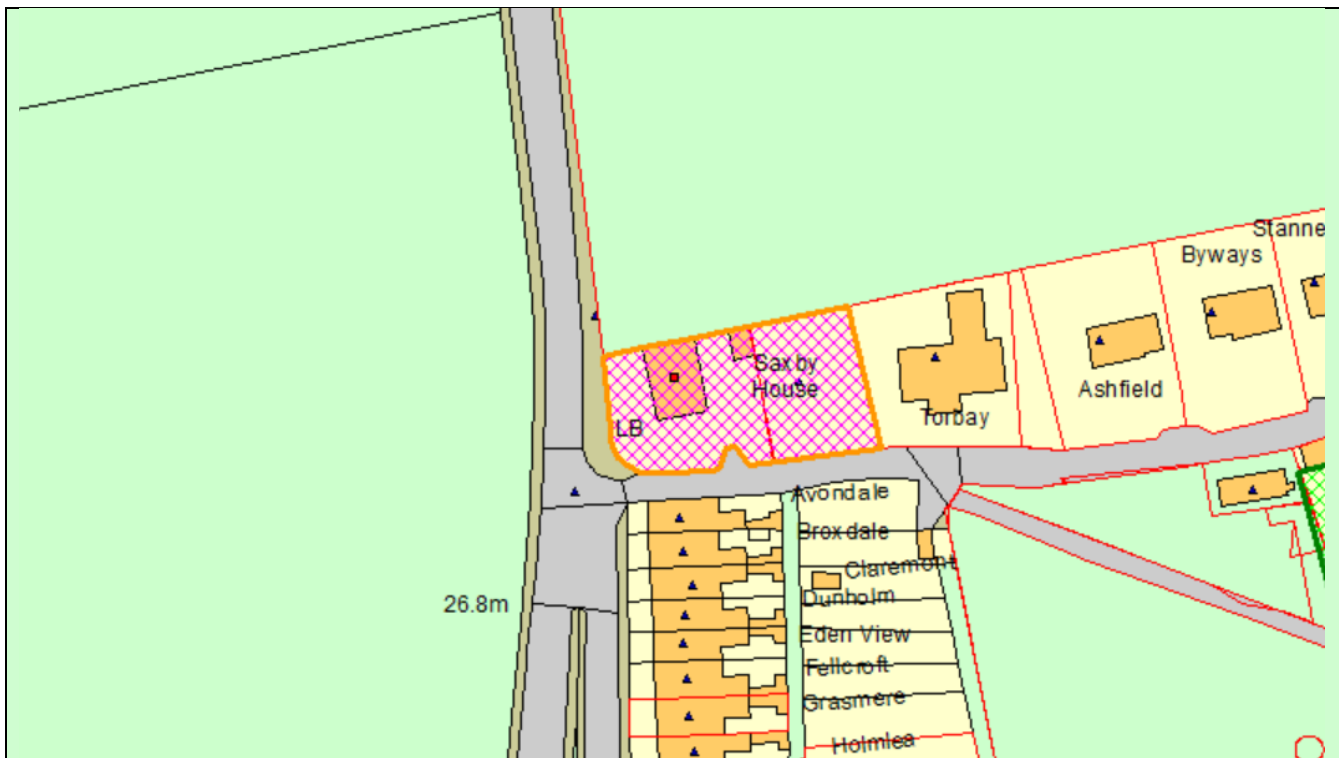


Northumberland County Council

Tynedale Local Area Council Planning Committee 15 February 2021

Application No:	21/03104/FUL		
Proposal:	Construction of a first floor rear garden room extension with balcony and external staircase		
Site Address	Saxby House, Station Road, Corbridge, NE45 5AY		
Applicant/ Agent	Mrs Jenny Ludman 26 Hallgate, Hexham, NE46 1XD,		
Ward	Corbridge	Parish	Corbridge
Valid Date	4 August 2021	Expiry Date	29 September 2021
Case Officer Details	Name: Miss Casey Scott Job Title: Planning Technician Tel No: Email: Casey.Scott@northumberland.gov.uk		

Recommendation: That this application be REFUSED planning permission.



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

1.1 The application site is located within the Parish of Corbridge. Corbridge Parish Council wish to support the application, which is contrary to officer recommendation for the application.

1.2 Following referral to the Director of Planning and the Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Virtual Delegation Scheme, it was agreed that the application raises issues of strategic, wider community or significant County Council interest, and so should be considered by the Committee.

1.3 The application came before the Tynedale Local Area Committee on 14th December 2021, where it was deferred by Members in order that the applicant could try and amend the scheme to overcome the issues raised. Amended plans have been received and are considered below.

2. Description of the Proposals

2.1 Full planning permission is sought for the construction of a first floor rear garden room extension with a balcony and external staircase to a residential property at Saxby House, Corbridge.

2.2 Saxby House is a large, detached stone property set within a generous curtilage. The property is constructed of stone with white timber sash windows and a dual pitched slate roof. The property is set on the corner of Station Road and The Stanners, located in a group of to the south of the village of Corbridge ad adjacent to an open field in a prominent location.

2.3 The current proposal seeks to construct a first floor orangery to the rear of the property, positioned above stone postings, leaving a void underneath. The orangery would measure 2.47m in height to the bottom with a void area underneath and 5.17m to roof of the flat roof. The orangery would extend 3.65m in length from the rear of the property and 5.32m in width, and would be constructed of stone with upvc openings to the northern, eastern and southern elevations, with a roof lantern to match the existing. To the east of the orangery at first floor level, a balcony is proposed which would measure 3.4m in length beyond the currently proposed first floor garden room, and 5.04m in width. The balcony would be accessed via a new external metal stairs to the south side of the balcony. The balcony would be enclosed with a glass balustrade that would sit flush with the proposed orangery and original building. The scheme includes the erection of a 1.9m privacy screen from the balcony to the east.

2.4 The current application is a resubmission of a similar previously refused application, reference 20/03550/FUL. This previous proposal was refused in February 2021 under delegated powers for the following reasons:

1. The proposed development, by virtue of its size, scale and massing in the context of previous additions to the property, would result in disproportionate cumulative additions over and above the size of the original building. The proposal is therefore inappropriate development within the Green Belt, and the very special circumstances necessary to outweigh this harm by reason of inappropriateness and by having a greater impact on openness do not exist. The principle of the proposal would therefore be contrary to Policies NE7, NE14 and H20 of the Tynedale Local Plan, and the National Planning Policy Framework.

2. The proposed development, by virtue of its scale, massing and design, would have an unacceptable adverse impact on the character and appearance of the property, the streetscene and on the amenity value of the wider area. The development would be contrary to Policies BE1 and NE1 of the Tynedale District Local Plan, Policies GD2, H20 and H33 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.”

2.3 The application site is located within open countryside, situated within the Green Belt as identified in the Development Plan and is located within Flood Zone 3 as identified by the Environment Agency.

3. Planning History

Reference Number: 16/02360/FUL

Description: Proposed dwelling x 1

Status: Withdrawn

Reference Number: 20/03550/FUL

Description: Construction of a first floor rear orangery extension with bi folding doors to front onto a composite decking area with spiral staircase, glass ballustrades around perimeter, double glazed sky pod roof system and upvc double glazed windows

Status: Refused

Reference Number: T/20100143

Description: Replacement of flat roof with pitched roof and replacement of external wall leaf from rendered to natural stone finish

Status: Permitted

Reference Number: T/78/E/553

Description: Erection of one detached dwelling house.

Status: Permitted

Reference Number: T/960850

Description: Proposed construction of a two storey side extension (As amended by drawing 96/131 Revision A received 21/1/97)

Status: Permitted

Reference Number: T/20011025

Description: Construction of a conservatory to the rear of

Status: Permitted

4. Consultee Responses

Corbridge Parish Council	Corbridge Parish Council would support this application. Adaptation of existing houses vulnerable to flooding at The Stanners is very sensible.
--------------------------	---

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	2
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice, displayed 19th August 2021
No Press Notice Required.

Summary of Responses:

None received.

6.Planning Policy

6.1 Development Plan Policy

Tynedale LDF Core Strategy 2007

Policy GD1 – Locational policy setting out settlement hierarchy

Policy GD5 – Flood Risk

Policy NE1 – Principles for natural environment

Policy BE1 – Principles for the built environment

Tynedale District Local Plan 2000 (Saved Policies 2007)

Policy GD2 – Design Criteria for development

Policy H20 – Residential extensions in the open countryside

Policy H33 – Residential extensions

Policy NE7 – Green Belt

Policy NE14 – Extensions to buildings in the Green Belt

6.2 National Planning Policy

National Planning Policy Framework (July 2021)

6.3 Emerging Planning Policy

Northumberland Local Plan Publication Draft (Regulation 19) with Main Modifications (June 2021)

Policy STP 1 – Spatial Strategy (Strategic Policy)

Policy STP 2 – Presumption in favour of sustainable development

Policy STP 3 – Principles of sustainable development (Strategic Policy)

Policy STP 4 – Climate change mitigation and adaptation (Strategic Policy)

Policy STP 7 – Strategic approach to the Green Belt (Strategic Policy)

Policy QOP 1 - Design principles

Policy QOP 2 - Good design and amenity

Policy QOP 5 – Sustainable design and construction

Policy QOP 6 – Delivering well-designed places

Policy HOU 8 – Residential development in the open countryside

Policy HOU 9 - Residential development management

Policy ENV 1 – Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

Policy ENV 3 - Landscape

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Tynedale LDF Core Strategy 2007 and the Tynedale District Local Plan 2003 as identified above. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP – Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.4 The main issues for consideration in the determination of this application are:

- Principle of the Development within the Green Belt
- Design and Visual Impact
- Impact on Residential Amenity
- Flood Risk

Principle of the Development and Green Belt

7.5 The building is set within a small group of buildings, located within the open countryside and Green Belt. Policy GD1 of the Tynedale Core Strategy states that in open countryside development will be limited to the re-use of existing buildings, unless the development is covered by other Development Plan policies. The principle of extending a property in the open countryside accords with Policy GD1 in this regard, though acceptability of the principle of the works should be in relation to compliance with other relevant development plan Policies. Policy H20 allows limited extension to existing dwellings in the open countryside.

7.6 The application site is located within the Green Belt. Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 of the NPPF states that the Green Belt serves the following five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.7 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. An exception to this is *'extensions to existing buildings, provided that the proposal does not result in disproportionate additions over and above the size of the original building'*

7.8 The property has previously been subject to numerous extensions. Consent reference T/960850 granted permission for a two storey extension to the south facing gable elevation; this application was taken before Members of the former Tynedale District Planning Committee in January 1997 as officers had recommended refusal on the grounds that the proposal would result in an unsympathetic addition in regard to scale and design. Members of that Committee subsequently granted consent. This addition led to a 44% increase in the overall volume of the original building.

7.7 From here, permission was granted for a minor increase in volume of the roof and replacement of render elevation with a stone clad elevation in order to improve the appearance of the building under decision T/20100143 in April 2010. The officer report describes a previous two storey extension to the northeast corner of the property and goes on to state that the previous additions to the property at the time amounted to a 121% cumulative increase in scale over and above the size of the original building. The approved minor works under T/20100143 amounted to a 125% cumulative increase.

7.8 As set out earlier in this report, the previous additions to the property have already led to additions which amount to a cumulative increase in scale by 125%. This is disputed by the applicant who consider that the figure lies at around 80%. In either case, the extensions to the original property are already significant and could not be considered as limited. Officers consider that the previous additions to the property are already a substantial and clearly disproportionate increase over and above the scale of the original building. The addition of a further extension as proposed under the current application would lead to a significantly extended building in this open countryside and Green Belt location contrary to the NPPF, Tynedale Core Strategy Policy GD1 and policies H20, NE7 and NE14 of the Tynedale District Local Plan.

7.9 For the reasons set out above, the proposed development is considered to be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances. Paragraph 148 of the NPPF then states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 148 states that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.10 The applicant has submitted a supporting statement that sets out that they consider that the proposed extensions are necessary to allow them to live on the first floor of the property in the event of flooding and that this amounts to Very Special Circumstances. The site lies partly within Flood Zone 3 and the property was last significantly affected by flooding after storm Desmond in 2015 when the property had to be evacuated.

I have also included plans to show how the proposed layout of the rooms would be altered in order to create an independent habitable space. The extension would become a lounge, and one of the existing bedrooms (which is above the utility room downstairs) would be converted into a temporary kitchen, as all the utilities are there. If they didn't have the extension, there would be no living area; Mr and Mrs Williams' two sons both still live at home, and Mr and Mrs Williams have a small grandchild who comes to stay regularly as they care for him some of the time. In addition, they both work from home; the tiny bedroom is used by the grandchild, and there is a small self-contained study, and the landing is used as a further study space. I hope this explains the space issue, and why they would need this additional space to make the first floor habitable as a self-contained space and how it would work. The proposed kitchen would be above the existing utility room and all the plumbing is in place to convert this into a small kitchen area.

7.11 Officers entirely sympathise with the applicant's desire to make their property more resilient to flooding, and hope that following significant prevention works having been undertaken in the area, that the property would not be affected in the same way again. However, whilst operational works to provide external first floor access could be acceptable in principal, the addition of the sun room extension to this already large property is not considered necessary to enable the applicants to continue to live above the ground floor. Consequently, it is not considered that Very Special Circumstances exist that would outweigh the harm to the Green Belt caused by inappropriate development.

Design and Visual Impact

Secondly, with regard to considering an alternative location: I would just like to reassure you that we did look into this in some detail when we met on site. Notwithstanding that there is a small lane between the two properties, the main doors and kitchen windows of the neighbouring house face towards the rear of Saxby House, and any first floor extension would result in direct overlooking into the kitchen and living space of next door. I am forwarding you a picture my clients have taken from the first floor looking towards the neighbour, and I hope that this might explain why they really do not want to consider having an extension on the other side. Even if they didn't have any windows on the south elevation of the proposed first floor extension (which would make it very dark), the outdoor platform and stair access would still directly overlook their neighbours, (and a number of other rear gardens along that terrace). It would be a very different kind of scheme, and would need a fresh application, with fresh consultation with neighbours etc. They have spoken to their neighbours, who have made it clear that they would strongly object to anything on that side, and Mr and Mrs Williams understandably do not want to fall out with their neighbours over this, so it really is not an option.

7.12 Policies GD2, H20 and H33 of the Tynedale District Local Plan require extensions to residential properties to respect the character of the building, whilst Policy H20 also requires extensions in the open countryside to not substantially increase the size of the property.

7.13 Set out Policy BE1 of the Tynedale Core Strategy, development must enhance the quality and integrity of Tynedale's built environment. The first sentence of Para 126 of NPPF sets out that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.'. Paragraph 130 of the NPPF states planning policy and decision should ensure that 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;'. Likewise Paragraph 134 maintains that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'.

7.14 It is proposed to construct a first floor garden room extension with a balcony and associated privacy screen, glass balustrade and metal staircase. The northern elevation of the property forms the boundary with the open field adjacent to it and is highly prominent on approach from Corbridge village. The location of sun room at the first floor is out of keeping with the character of the existing property and would highly visually intrusive from the wider area, particularly when lit in the dark. The proposed privacy screen at this height and in this position would also detract from the appearance of the property and the street scene. Consequently, the proposed development would not respect the character of the building or the character or appearance of the surrounding area. It is considered that the inappropriate design and the subsequent visual impact of the proposal would conflict with Policy BE1 of the Tynedale Core Strategy, Policies GD2, H20 and H33 of the Tynedale District Local Plan and the NPPF.

Impact on Residential Amenity

7.15 The proposed is set within a large curtilage, therefore the nearest neighbouring property is approximately 30m to the east of the proposed balcony. Any impact on the amenity of these neighbours as a result of this development would be mitigated through the use of a fixed screen, that could be secured through a planning condition.

7.16 The proposed green room extension has been assessed and this part of the scheme would not result in any overbearing impact, loss of light or loss of privacy. The proposal can therefore be considered in accordance with Policies GD2 and H33 of the Tynedale District Plan and the NPPF.

Flood Risk

7.17 The proposal for the raised garden room and balcony within the residential curtilage of a property within Flood Zone 3 would not lead to an increased flood risk within the site or elsewhere, in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Recommendation

That this application be REFUSED planning permission for the following reasons:

Reasons

1. The proposed development, by virtue of its size, scale and massing together with previous extensions to the property, would result in disproportionate cumulative additions over and above the size of the original building. The proposal is therefore inappropriate development within the Green Belt, and the very special circumstances necessary to outweigh this harm have not been demonstrated. The principle of the proposal would therefore be contrary to Policies NE7, NE14 and H20 of the Tynedale Local Plan, and the National Planning Policy Framework.
2. The proposed development, by virtue of its scale, massing and design, would be highly prominent and would have a significantly detrimental impact on the character and appearance of the property and the wider area. The development would be contrary to Policy BE1 of the Tynedale District Local Plan, Policies GD2, H20 and H33 of the Tynedale District Local Plan, and the National Planning Policy Framework.

Background Papers: Planning application file(s) 21/03104/FUL, 20/03550/FUL, 19/00750/FUL, 19/00151/FUL, 20/04134/FUL, 19/00750/FUL, 19/01422/FUL, 18/04028/FUL, 20/04134/FUL, 19/01031/OUT, 16/04673/OUT, 19/01251/FUL, 20/00825/FUL.



Northumberland County Council

Appeal Update Report

Date: February 2022

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.

Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
20/03861/VARYCO	Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows	26 May 2021 Delegated Decision - Officer Recommendation: Refuse

	<p>and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	
19/04660/FUL	<p>New external plant – Asda, Main Street, Tweedmouth</p> <p>Main issues: insufficient information in relation to noise and potential impacts on residential amenity.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02536/FUL	<p>Retrospective - Installation of hard standing, electricity and water points, alterations to access and other ancillary works - land west of North Farm Cottages, Embleton</p> <p>Main issues: incursion into the open countryside and would erode the rural character of the site and its surroundings.</p>	<p>26 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03231/OUT	<p>Erection of 4no. dwellinghouses (C3 use class) with all matters reserved – land north-west and south-east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p>	<p>10 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p>	<p>13 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education,</p>	<p>16 September 2021</p> <p>Appeal against non-determination</p>

	primary healthcare and affordable housing have not been secured.	
21/01085/FUL	<p>Single storey front extension – 2 The Limes, Morpeth</p> <p>Main issues: the proposals would result in an incongruous and overbearing addition with visual harm to the property and wider street scene.</p>	<p>12 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/04369/REM	<p>Reserved Matters application in accordance with condition 1, 2 and 5 - seeking approval of layout, scale, appearance and landscaping, including details of materials/finishes (residential development of up to 6 dwellings) pursuant to planning permission 13/00802/OUT - land north of High Fair, Wooler</p> <p>Main issues: layout, scale and massing would be out of character with surrounding area.</p>	<p>18 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01578/OUT	<p>Outline permission with all matters reserved - demolition of existing garage, stable block and tennis court and erection of 1 dwelling with associated driveway and landscaping (Self Build) - land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the countryside and would not respond to the character of the area.</p>	<p>19 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/04343/LBC	<p>Listed building consent for metal railings to balcony – 8 Prospect Place, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building.</p>	<p>19 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01918/FUL	<p>Demolition of modern agricultural sheds and development of six new residential dwellings, including gardens, car parking, and all ancillary works – Longbank Farm, Longhoughton</p> <p>Main issues: principle of housing in an isolated location in the open countryside is unacceptable; significant urbanising effects in the open countryside eroding the local landscape and not enhancing the Northumberland Coast AONB; insufficient information to assess off-site highway works; and no Section 106 Agreement completed to</p>	<p>26 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	secure affordable housing.	
20/01600/FUL	<p>Development of 9no. affordable houses, including access road, gardens, car parking and other ancillary works - land north of B6350, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; development in an unsustainable location in the open countryside; results in encroachment into the countryside, loss of mature trees and visually intrusive and harmful impact on rural and open character of the site and setting of Corbridge; and loss of Grade 2 agricultural land.</p>	<p>27 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03224/FUL	<p>Change of use of private dwelling into 4no. holiday lets and separate holiday home to rent and erection of 4no. holiday homes to rent with associated car parking – Bayview, Beachway, Blyth</p> <p>Main issues: inadequate off-road car parking provision and resultant off-site impacts; increased noise and light pollution to the shoreline of the Northumberland Shore SSSI and harmful to bird species in that area; inadequate provision to mitigate the impact of increased recreational disturbance to designated sites of ecological importance; insufficient information to demonstrate that the proposals are acceptable in terms of coastal erosion vulnerability and surface water drainage; and insufficient information to demonstrate the proposals are acceptable in terms of impacts on the World War II pill box and setting of Blyth Battery.</p>	<p>27 October 2021</p> <p>Appeal against non-determination</p>
20/04348/FUL	<p>Former Veterinary Clinic Converted to 4 x Residential Apartments – 37-39 Croft Road, Blyth</p> <p>Main issues: harmful impact on residential amenity; fails to address highway safety matters in relation to parking provision; and lack of completed planning obligation in respect of a contribution to the Coastal Mitigation Service.</p>	<p>27 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03777/FUL	<p>Change of use to dwelling with single storey extension and internal/external alterations – The Water House, Redesmouth, Hexham</p> <p>Main issues: no completed Section 106 Agreement to secure planning obligation of financial contribution for sport and play</p>	<p>28 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	provision.	
20/02282/LBC	Listed building consent for replacement of all single glazed windows with double glazed units matching the current design – West House, Chillingham Castle, Chillingham Main issues: insufficient information to demonstrate that the proposed works are necessary or justified and the existing windows are beyond reasonable repair.	2 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/00667/FUL	Conversion of agricultural buildings into 4no. residential units – High Baulk Farm, Great Whittington Main issues: retention and alteration of modern hay barn as part of conversion works is unacceptable in principle; and harmful design that would not be in keeping with the curtilage listed buildings.	2 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/01660/FUL	Proposed erection of perimeter fencing and gates – site of former The Bungalow, High Pit Road, Cramlington Main issues: by virtue of siting, height and design the proposal constitutes an incongruous feature that fails to respect or enhance the character of the area.	3 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/02878/FUL	Change of use of land for siting of shepherd's huts and associated development – land north of White House Farm, Sleafy Main issues: inappropriate development in the Green Belt.	4 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/03062/FUL	Proposed alterations and rear extension to dwelling house (retrospective) - 23 Shoresdean, Berwick-upon-Tweed Main issues: poor quality flat roof design with detrimental impact on the property and the character of the environment.	10 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/00656/FUL	Retrospective: replacement of all windows and doors – 67 Main Street, North Sunderland, Seahouses Main issues: proposal does not preserve or enhance the character and appearance of the Conservation Area and results in less than substantial harm with no public benefits.	22 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/02916/FUL	Addition of a balcony to the first floor east facing gable elevation accessed by new door – 1 Elfin Way, South Shore, Blyth	24 November 2021

	Main issues: incongruous feature on the property that fails to respect or enhance the character of the area; and harm to amenity.	Delegated Decision - Officer Recommendation: Refuse
21/00465/FUL	Resubmission: alterations to existing window opening on front elevation and installation of replacement balcony – Riverview, Shepherds Hill, Alnmouth Main issues: unacceptable impact on amenity of neighbouring properties; and detrimental impact on the AONB.	1 December 2021 Delegated Decision - Officer Recommendation: Refuse
20/00705/FUL	Proposal for the erection of a dwelling and garage with associated landscaping – Plot 28, Grange Road, Berwick Main issues: scale and visual impact would be detrimental to and out of character with the immediate surroundings.	1 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/02734/FUL	Demolish garage and erect two storey side extension and single storey flat roof rear extension – 23 The Beeches, Ponteland Main issues: disproportionate addition to the property resulting in negative impact to the character of the area and inappropriate design.	7 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01136/FUL	Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.	13 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01697/FUL	Single-storey dual pitched extension to rear – 11 Quatre Bras, Hexham Main issues: the extension would not be in keeping with the traditional character of the building or the Hexham Conservation Area; and detrimental impact on residential amenity of neighbouring properties.	17 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01882/FUL	Change of use of agricultural buildings to residential use and incorporation into existing dwelling; creation of one new dwelling - Stublic Hill, Langley-on-Tyne, Hexham Main issues: the site is located in open countryside, the building is of no historic merit and the conversion proposes a large	4 January 2022 Delegated Decision - Officer Recommendation: Refuse

	extension; inappropriate design resulting in harm to the building and the North Pennines AONB; and no contribution to sports and play provision has been provided.	
21/03059/FUL	Erection of garage – The Red House, Fairmoor, Morpeth Main issues: inappropriate development in the Green Belt.	6 January 2022 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land from agricultural for the siting of 4 caravans	1 February 2021
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB	1 February 2021

	Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height	
--	---	--

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/01932/FUL	<p>Construction of single dwelling with annex and ancillary accommodation, c.6.5 metre high wind turbine, associated landscaping and highway works (amended description) - land south of Church Lane, Riding Mill</p> <p>Main issues: isolated dwelling in the open countryside; inappropriate development in the Green Belt; insufficient information to fully assess ecological impacts; harmful impacts on the character of the site, wider area and countryside; lack of completed Section 106 Agreement to secure planning obligations for contributions to sport and play provision; and insufficient information to assess noise from wind turbine and impacts in residents and local area.</p>	<p>Hearing date: 18 January 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/01584/FUL	<p>Demolition of agricultural buildings. Replace and build on footprint 4 workers cottages and install solar panels – South Dissington Farm, Eachwick</p> <p>Main issues: development in the open countryside and no demonstrated need for new rural worker’s dwellings; and inappropriate development in the Green Belt with no very special circumstances demonstrated.</p>	<p>Hearing date: to be confirmed.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: the proposal would appear as</p>	<p>Hearing date: to be confirmed.</p> <p>Committee Decision - Officer</p>

	<p>an incongruous and over-dominant addition to the street scene, would not be sympathetic to the built environment or local character, and would fail to add to the overall quality of the area and undermine community cohesion.</p>	<p>Recommendation: Approve</p>
--	--	------------------------------------

Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

Elizabeth Sinnamon
 Development Service Manager
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk

This page is intentionally left blank



Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

DATE: 15 FEBRUARY 2022

LOCAL TRANSPORT PLAN PROGRAMME 2022-23

Report of the Interim Executive Director: Rob Murfin, Interim Executive Director of Planning and Local Services

Cabinet Member: John Riddle, Cabinet Member for Environment and Local Services

Purpose of report

This report sets out the details of the draft Local Transport Plan (LTP) programme for 2022-23 for consideration and comment by the Local Area Council, prior to final approval of the programme by the Interim Executive Director of Planning and Local Services in consultation with the Cabinet Member for Environment and Local Services.

Recommendations

Members of the Local Area Council are asked to comment on the proposals, so that their comments can be considered in the finalisation of the LTP programme for 2022-23.

Link to Corporate Plan

This report is relevant to the following key themes in the Corporate Plan for 2018-2021:

- 'Connecting - We want you to have access to the things you need'
- How - "We want to be efficient, open and work for everyone"

- 'Living - We want you to feel safe, healthy and cared for'
- 'Enjoying - We want you to love where you live'
- Success Measures - "We want to make a difference"

Key issues

1. The Local Transport Plan grant allocation is determined for the Council by the Department of Transport (DfT). The DfT have yet to announce the capital allocations for 2022/23 and beyond. Subsequently, at this stage an indicative settlement of £23,488,124 has been assumed, based on the LTP allocation received from the DfT at the start of 2021/22.
2. A sum of £62,500 of the overall allocation will be retained by the North East Joint Transport Committee to cover central transport costs of the Joint Transport Committee. A £23,425,624 Council Local Transport Plan programme has therefore been developed for 2022-23, consisting of improvements and maintenance schemes to address four key areas: Walking and Cycling; Safety; Roads; and Bridges, Structures & Landslips.
3. Appendix A to D sets out the details of the recommended LTP Programme for 2022-23.
4. The final LTP programme will need to be reviewed and refined as appropriate to reflect the actual level of funding received from DfT and following consideration of feedback from the LACs, before being finalised in late February 2022.

Background

LTP PROGRAMME 2022 - 23

5. The draft LTP programme 2022/23 is based on an indicative settlement from DfT of £23,488,124, which reflects the LTP allocation received from the DfT at the start of 2021/22. This is made up of an indicative allocation of £21,780,000 for maintenance and £1,708,124 for integrated transport improvements. A sum of £62,500 of the integrated transport allocation will be retained by the North East Joint Transport Committee to cover central transport costs of the Joint Transport Committee, leaving a funding allocation for the Council's 2022/23 LTP programme of £23,425,624.
6. As in recent years, the highway maintenance element of the settlement is expected to include a contribution from the Highway Maintenance Incentive fund initiative. The capital funding from this element assumes that the Council retains the highest possible band 3 status and receives the maximum available funding. Confirmation of the funding settlement from the DfT is expected by the end of March 2022.
7. The £23,425,624 Local Transport Plan programme developed for 2022-23 consists of improvements and maintenance schemes to address four key areas: Walking and Cycling; Safety; Roads; and Bridges, Structures &

Landslips, the details of the 2022/23 LTP programme are set out in Appendix A to D.

8. The summary of proposed expenditure in 2022-23 across scheme types is as follows:

Appendix	Scheme Type	Proposed Expenditure
A	Walking and Cycling	£1,302,000
B	Safety	£2,100,000
C	Roads	£15,275,624
D	Bridges, Structures and Landslips	£4,748,000
	Total Programme	£23,425,624

9. The LTP programme has been developed following a comprehensive review of the needs for the maintenance of the highway asset, identified road safety issues and potential improvement of the highway and transport network. Requests for improvements and maintenance received from the local community over time are recorded in the Directory of Requests database. County Council Members and Town and Parish Councils are provided with details of requests made from their own areas throughout the last year and they are asked to take these into account when considering their priorities for the programme.
10. Priorities for the 2022-23 programme were invited from County Council Members and Town and Parish Councils during summer 2021 and those put forward have been assessed against criteria from our Local Transport Plan and Transport Asset Management Plan (TAMP). These are then combined with consideration of road safety improvement needs, based on accident statistics and other data sources, and the asset management needs of the overall highway network, based on inspections, condition data and the network hierarchy, to determine an overall programme of capital investment.
11. It should be noted that in some cases the budget allocations contained in the Appendices to this report are estimates only. At this stage it is the issue or problem that has been prioritised for inclusion in the programme and the design process will provide options for finding a solution. The assessment of options takes account of a number of factors including value for money and affordability. Costs will be firmed up as the proposals proceed through the design process.
12. It should also be noted that any schemes from the 2021-22 programme which are not completed by the end of the financial year will continue to be implemented in 2022-23 and are not detailed in this report.
13. A brief description of the types of highways and transport issues addressed by the LTP programme is set out below.

14. Priority for Integrated Transport is given to schemes that contribute to the achievements of the LTP objectives. The objectives reflect local needs and are related to national transport goals. These goals are:
 - to support economic growth;
 - to reduce carbon emissions;
 - to promote equality of opportunity;
 - to contribute to better safety, security and health; and,
 - to improve the quality of life and a healthy natural environment.
15. The improvement part of the programme is aimed at creating improvements for all types of users of the highway network. The allocations are split between different types of proposals aimed at making improvements for walking and cycling, as well as improvements for vehicular users such as public transport and road users. The improvements are designed to make the highway environment more attractive to pedestrians and cyclists, address areas of congestion and meet new and increased demands.
16. The Highway Capital Maintenance programme is split between different types of proposals aimed at maintaining the highway infrastructure by achieving objectives set out in the Council's Transport Asset Management Plan (TAMP). Funds are allocated across the programme by applying a scoring process that has been developed following asset management principles in order to deliver the TAMP objectives.
17. The majority of the highway maintenance programme is aimed at addressing the structural decline of our roads as they form the largest part of our highway assets. We also take account of the needs of the other asset groups such as footways and cycleways, drainage, structures and traffic management assets. A risk based approach is used to determine priorities for maintenance and is based on priorities at a strategic level, transport network level and asset maintenance level.
18. It should be noted that proposed expenditure for Maintenance within the programme is £21,453,624 and for Integrated Transport is £1,972,000. These are generally in line with the expected allocations, but with Integrated Transport slightly exceeding the allocation and Maintenance expenditure set to balance this.

Walking and Cycling

19. Improvements for walking and cycling are already a significant feature within the LTP programme. This year the draft LTP for 2022-23 has a specific allocation of £1,302,000 for walking and cycling as set out in Appendix A attached to this report.
20. This allocation includes £222,000 for schemes that directly improve the environment and provision for walking and cycling, as well as £1,080,000 for maintaining existing footpaths (rights of way), footways (along the side of the road) and cycleways (either part of the road or adjacent to it).
21. Alongside these specific allocations, it should be noted that much of the Safety element of the programme in Appendix B will also contribute to ensuring that

the highway environment is improved in a way that will encourage more walking and cycling, for example, £500,000 for the completion of the 20mph programme at schools, which will support cycling and walking by creating a safer environment for cyclists and pedestrians.

22. It should be noted that the Council continues with its initiative to produce Local Cycling and Walking Infrastructure Plans (LCWIPs) in Northumberland's main towns. (Berwick Upon Tweed, Alnwick, Amble, Ashington, Morpeth, Bedlington, Blyth, Cramlington, Prudhoe, Ponteland, Hexham, Haltwhistle). The LCWIPs will provide an evidence base for future investment in walking and cycling and a separate dedicated capital funding allocation of £1.5m for 2022/23 is included within the Council's MTFP to support the development and delivery of walking and cycling schemes. The key outputs of LCWIPs when completed will be:
- A network plan for walking and cycling which identifies preferred routes and core zones for further development;
 - A prioritised programme of infrastructure improvements for future investment;
 - A report which sets out the underlying analysis carried out and provides a narrative which supports the identified improvements and network.
23. Focusing on the main towns will ensure that key employment sites, travel to work areas, school transport interchanges and significant new housing developments are all considered. It is anticipated that as the LCWIPs develop then they will become a key consideration in future when bidding for external funding, seeking developer contributions and allocating funds within future LTP programmes for cycling and walking schemes.
24. It should be noted that a number of County Councillors and Town and Parish Councils put forward priorities for the introduction of new cycleways and footways which when assessed were considered to be beyond the funding scope that would be available through the LTP capital programme. The details of these potential cycleways and footways have been captured separately and recorded so that they can also be considered should any other appropriate sources of external funding or bidding opportunities for such schemes become available.
25. The details of the draft LTP Walking and Cycling Programme of £1,302,000 for 2022-23 is set out in Appendix A, attached to this report.

Safety

26. An allocation of £2,100,000 has been made to improve safety on the highway network. Details of the programme are set out in Appendix B attached to this report
27. £695,000 is aimed at reducing the number and severity of road traffic casualties, through a programme of local safety schemes. Funding available for safety improvements to High Risk Sites will be at an increased level of £400,000 compared to £220,000 in 2017-18. It also includes allocations of

£175,000 for Rural Road Safety Improvements and £50,000 for Urban Road Safety Improvements.

28. £1,055,000 has been allocated to improve traffic management and traffic calming measures. Much of this funding will also create safer conditions where road safety concerns have been identified which will in turn encourage more walking and cycling. Specifically, an allocation of £500,000 has been made for further introduction of 20mph speed limits outside schools which will address safety concerns and should encourage more children and their parents and carers to walk or cycle to school. This final phase of activity should conclude the countywide programme of introducing 20mph speed limits at schools where it is appropriate to do so, with any further works near schools being picked up as part of general safety improvements going forward
29. A £350,000 allocation has been included to continue with the general refurbishment and renewal of existing signage and the replenishment of existing road markings. Both of these activities seek to improve the general safety for the highway user.

Roads

30. This section of the programme is the largest part of the programme with an allocation of £15,275,624 for maintenance of existing roads, including drainage, traffic lights and car park maintenance.
31. The programme is guided by the principles of effective asset management and is made up of £6,805,000 for named carriageway repair and drainage schemes (of which £2,590,000 is on major roads and the resilient road network and £4,215,000 on other local roads); £3,775,000 for surface dressing; £635,000 for micro surfacing and retexturing; and finally £4,060,624 of general refurbishment which includes drainage, traffic signals, car parks and footways as well as preparatory work for the next year's surface treatment programme.
32. The details of the draft Roads Programme for 2022-23 is set out in Appendix C attached to this report.

Bridges, Structures and Landslips

33. An allocation of £2,325,000 has been made for bridge maintenance. Again, effective asset management is the main driver. This includes a programme that also addresses the maintenance backlog by providing bridge strengthening to a number of bridges as this continues to remain a key objective.
34. There is also an allocation of £2,423,000 for addressing landslips to enable stabilisation work as a cost effective approach to prevent the deterioration and potential loss of use of the network at critical locations throughout the County. This includes an allocation from the LTP to deliver an engineering solution to stabilise the active landslip at Todstead on the B6344 Weldon Bridge to Rothbury road. The overall cost of the Todstead scheme is estimated to be £9.3m and will be funded wholly by NCC, with this partly being funded through

LTP capital of £1.863m in 2022/23. The landslip is caused by a complex geotechnical failure of the valley and is an extremely difficult site. Options to arrest the landslip and protect the road are difficult due to the geotechnical properties of the soils, the artesian water pressures, the proximity of the river and the nature conservation designations. A comprehensive ground investigation involving deep boreholes was carried out during 2021, which in itself was complex due to the artesian water pressures encountered. The testing of all the material samples taken during the ground investigation has been undertaken and a full geotechnical interpretative assessment of the landslip is nearing completion that will be used to inform final design of proposals. In parallel, preliminary design work has been completed by specialist geotechnical consultants and contractors to identify an appropriate long term solution for the landslip. It is anticipated that detailed design work will be completed by April 2022 which would allow a contractor to be procured and start work on the construction works mid way through 2022/23. Works are expected to last around 60 weeks and be completed mid way through 2023/24.

- 35. The details of the Bridges, Structures and Landslips Programme of £4,598,000 for 2022-23 is set out in Appendix D, attached to this report.

Next Steps

- 36. Following consideration by Local Area Councils at their meetings in February, any comments received will be considered and the final 2022-23 programmes for the Local Transport Plan will be prepared for consideration and approval by the Portfolio Holder for Environment and Local Services and the Interim Executive Director for Planning and Local Services.
- 37. Following agreement of the final programme, all County Council members and Town and Parish Councils who put forward priorities for the LTP programme will then be provided with further information regarding the outcome of the assessment of their submission and whether it has been possible to include their priority schemes within the programme this year.
- 38. It should also be noted that it is intended to undertake a review of the process for developing future years LTP programmes during 2022/23, in particular to consider moving away from an annual process to a multi-year LTP programme that better aligns with the MTFP period. The LACs will be consulted on any proposed changes as part of the LTP review process.

Implications

Policy	The proposed programmes are consistent with existing policies
---------------	---

Finance and value for money	<p>The LTP Programme allocations are within the expected budget available for 2022-23. The £23,425,624 quoted in this report is an indicative figure and confirmation of the final allocation is awaited from DfT and is expected before March 2022.</p> <p>Should the allocation vary from that expected the programme will be amended in the final decision report.</p>
Legal	<p>The LTP is delivered by the County Council using its powers and in fulfilment of its statutory duties as a Highways Authority, primarily under the provisions of the Highways Act 1980</p>
Procurement	<p>Not applicable</p>
Human Resources	<p>None</p>
Property	<p>None</p>
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	<p>As a key issue for Northumberland, the needs of those that are socially excluded have been taken into account in the development of this programme.</p>
Risk Assessment	<p>The programme has been developed to minimise risks to the travelling public.</p> <p>Risks to the delivery of any individual scheme within the programme will be considered during scheme development. By managing risk at scheme level risk to delivery of the programme will be controlled.</p>
Crime & Disorder	<p>The implications of Section 17, Crime and Disorder Act 1998 have been considered whilst developing this proposal, there are no perceived adverse effects.</p>
Customer Consideration	<p>The delivery of the programme will improve the highways and transport network in Northumberland for the benefit of the travelling public.</p>
Carbon reduction	<p>Schemes to encourage walking and cycling, as well as road safety and those which aim to reduce congestion will encourage modal shift and reduce overall carbon levels making a positive contribution to the achievement of the Council's Climate Change targets.</p>

Health and Wellbeing	Schemes to encourage more active travel through improved infrastructure for walking and cycling, road safety measures and improvement to the condition of footways and roads all act to improve the overall health and wellbeing of our communities.
Wards	All

Background papers

N/A

Report sign off

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	Suki Binjal
Executive Director of Finance & S151 Officer	Jan Willis
Relevant Executive Director	Rob Murfin
Chief Executive	Daljit Lally
Portfolio Holder(s)	John Riddle

Author and Contact Details

Dale Rumney, Principal Programme Officer.

Email dale.rumney@northumberland.gov.uk

Appendices

Appendices A to D – LTP Programme 2022-23

Summary		
Local Transport Plan Programme 2022-23		
Appendix A	Walking and Cycling	£1,302,000
	Improvements for Walking and Cycling	£222,000
	Maintenance of Footpaths, Footways and Cycleways	£1,080,000
Appendix B	Safety	£2,100,000
	Safety Improvement Schemes for All Users	£1,750,000
	Maintenance of Signs and Lines	£350,000
Appendix C	Roads	£15,275,624
	Major Road & Resilient Network Maintenance Schemes	£2,590,000
	Other Local Roads Maintenance Schemes	£4,215,000
	Surface Dressing Programme	£3,775,000
	Micro Surfacing Programme	£635,000
	General/Structural Refurbishment Work	£4,060,624
Appendix D	Bridges, Structures and Landslips	£4,748,000
	Bridges and Structures	£2,325,000
	Landslips	£2,423,000
	LTP Programme Total	£23,425,624
	LTP - Maintenance Block	£21,780,000
	LTP - Integrated Transport Block	£1,708,124
	Less NECA Contribution	-£62,500
	Total	£23,425,624
	Balance	£0

This page is intentionally left blank

			Appendix A
Local Transport Plan Programme 2022-23			
Cycling and Walking		£1,302,000	
Improvements for Cycling and Walking			
Location	Issue	Potential Solution	Budget Allocation
Narrowgate/Bondgate Within & Fenkle St/Market St junction, Alnwick	Pedestrianisation and junction improvements following trial closure - Phase 1	New road layout.	£40,000
Percy Drive near the Health Centre, Amble	Pedestrian safety	Zebra Crossing	£20,000
Blanchland	Village centre improvements	various tbc	£5,000
Various Countywide	Disabled access	Dropped Kerbs	£50,000
Various Countywide, including High Pit Road Cramlington, Crow Hall Lane, Cramlington & Cheviot View Ponteland.	Access to bus services	New/improved bus stops	£27,000
Bridleway between the High School and St James Rbt, Alnwick	Route to school	Surface upgrade	£80,000
		sub total	£222,000
Maintenance of Footpaths, Footways and Cycleways			
Rights of Way			
Reference	Proposed Improvement	Budget Estimate	
Slaley	Route reconstruction (byways 49,39,19)	£55,000	
Knaresdale with Kirkhaugh	Structure consolidation	£45,000	
Blanchland BY 26 (Baybridge Road)	Feasibility and design for consolidation/reconstruction works	£15,000	
Haltwhistle FP 25	Feasibility and design for consolidation/reconstruction works	£10,000	
Bedlington Permissive Path on NCC land	Riverside Bridlepath requires rebuild alongside river blyth in Bedlington Country Park. Phase 1 design and cost	£15,000	
Blyth Rights of way and permissive Bridleway links	Surface and accessibility improvements	£20,000	
Blyth FP 91	Seaton Sluice ECP surface and accessibility improvement	£10,000	
Ponteland FP 91	Riverbank stabilisation	£20,000	
Hexham FP7	Path improvements linking QE II school access	£10,000	
National Park	Path surface improvements. Details to be agreed.	£10,000	
Various	Capitalised signage works.	£15,000	
Various	Capitalised surface improvements.	£50,000	
Various	Capitalised structures improvements.	£45,000	
Various	Capitalised accessibility improvements.	£10,000	
	Total	£330,000	
Footway Maintenance			
B6305	Hencotes, Hexham	£60,000	
A192	Newgate Street, Morpeth (Phase)	£60,000	
C99	High Street, Amble	£80,000	
U6084	Woodside Crescent, Hadston	£60,000	
U3149	Magdalene Fields, Warkworth	£70,000	
U113	Dean Drive, Tweedmouth	£50,000	
U6111	Lancaster Park, Morpeth (Phase)	£70,000	
C410	Newsham Road, Blyth (Phase)	£60,000	
U9707	Elsdon Avenue (opp. shops), Seaton Delaval	£40,000	
	Total	£550,000	
General Cycleway and Footway Refurbishment Work		£200,000	
A countywide programme of sites selected on a priority basis.			
Cycling and Walking Total		£1,302,000	

Local Transport Plan Programme 2022-23			Appendix B
Safety	£2,100,000		
Local Safety Schemes			
Location	Issue	Potential Solution	Budget Allocation
Various Countywide	High Risk & Route Action Sites	Various safety measures	£400,000
Various Countywide (includes Holywell Village, Phase 1 Croft Ward Home Zone area)	Urban road safety issues	Various safety measures	£50,000
Various Countywide (includes Warkworth village, Scales Cross, Apperley Dean crossroads, Horsley Village)	Rural road safety issues	Various safety measures	£175,000
Various Countywide	Urgent Safety Measures	Various safety measures	£50,000
Junction Improvements, C265/C270 The Glen Crossroads	Implementation of Safety Measures	Improved signs and markings	£20,000
		Sub Total	£695,000
Traffic Calming			
Location	Issue	Potential Solution	Budget Allocation
Beresford Road, Seaton Sluice	Traffic speeds	Traffic calming measures	£100,000
		Sub Total	£100,000
Traffic Management			
Location	Issue	Potential Solution	Budget Allocation
Craster	Parking issues	Implementation of entry scheme following experimental order	£50,000
Various Countywide	Traffic speeds	Reduced speed limits (non school related)	£50,000
Crow Hall Lane, Cramlington	Road safety concerns	Introduction of 40mph speed limit	£50,000
East Thirston	Traffic speeds	Introduction of 30mph speed limit	£25,000
B6303 Station Road Catton to Allendale 30mph Extension	Reduced speed limit	Extension of 30mph limit	£20,000
Various Countywide	Various traffic management issues	Traffic Regulation Orders	£200,000
Schools countywide	Safety outside schools	School 20mph speed limits	£500,000
Countywide Safer Streets for schools (Lynemouth, Moorhouse Lane Ashington)	Safety outside schools	Various safety measures	£60,000
		Sub Total	£955,000
General Traffic Sign/Road Markings Refurbishment			£350,000
A countywide programme of sites selected on a priority basis.			
		Safety Total	£2,100,000

Local Transport Plan Programme 2022-23

Roads

£15,275,624

Major Road & Resilient Network Maintenance Schemes

Road No	Location	Description	Budget Estimate
A1167	North Road, Berwick	Carriageway Resurfacing	£180,000
A197	Hirst Roundabout, Ashington	Carriageway Resurfacing	£120,000
B1505	Horton Road, Shankhouse	Carriageway Resurfacing	£90,000
A686	Esp Hill, Haydon Bridge	Carriageway Resurfacing	£200,000
A197	Woodhorn Road, Newbiggin	Carriageway Resurfacing	£320,000
C172	Greenside Bank, Flotterton	Carriageway Resurfacing	£120,000
A1061	Laverock Hall Road Phase 1	Carriageway Resurfacing	£240,000
B6318	High Seat to Rudchester Phase 2	Carriageway Resurfacing	£180,000
A193	Cowpen Road, Blyth	Carriageway Resurfacing	£110,000
B6318	Wallhouses	Carriageway Resurfacing	£150,000
A696	South of Shiningpool Bridge, Belsay	Carriageway Resurfacing	£220,000
A698	Ord Road, Tweedmouth	Carriageway Resurfacing	£100,000
B6346	Canongate Bridge to Smiley Lane, Alnwick Phase 1	Carriageway Resurfacing	£200,000
A190	Seghill to Annitsford Phase 2	Carriageway Resurfacing	£150,000
B6341	Knocklaw, Rothbury	Carriageway Resurfacing	£210,000
Major Road & Resilient Network Maintenance Schemes Total			£2,590,000

Other Local Roads Maintenance Schemes

Other Local Roads Maintenance Schemes - North Northumberland

Road No	Location	Description	Budget Estimate
B6347	West Falldon to Rock Mill	Carriageway Resurfacing	£180,000
C70	Preston Tower	Carriageway Resurfacing	£120,000
B6346	A697 jct. to New Bewick Farm	Surface Dressing Preparation	£190,000
U1063	Brewery Road, Wooler	Carriageway Resurfacing	£100,000
C176	Trewitt Hall to Netherton	Carriageway Resurfacing	£160,000
U3124	Swansfield Park Road, Alnwick	Carriageway Resurfacing	£120,000
C136	The Lee to B6342 junct. Phase 2	Carriageway Resurfacing	£80,000
B6525	Barmoor to Doddington	Surface Dressing Preparation	£70,000
U113	Dean Drive, Tweedmouth Phase 1	Carriageway Resurfacing	£160,000
B6354	Etal Road, East Ord	Carriageway Resurfacing	£40,000
B1341	A1 to Lucker	Surface Dressing Preparation	£80,000
Sub Total			£1,300,000

Other Local Roads Maintenance Schemes - Ashington and Blyth

Road No	Location	Description	Budget Estimate
C403	Unity Terrace, Cambois	Carriageway Resurfacing	£180,000
U9511	Princess Louise Road, Blyth	Carriageway Resurfacing	£170,000
U6710	Fourth Avenue, Ashington	Carriageway Resurfacing	£130,000
U9503	Thoroton Street, Blyth	Carriageway Resurfacing	£90,000
U6704	Alexandra Road, Ashington	Carriageway Resurfacing	£90,000
Sub Total			£660,000

Other Local Roads Maintenance Schemes - Cramlington, Bedlington and Seaton Valley

Road No	Location	Description	Budget Estimate
C420	Durham Road, Cramlington	Carriageway Resurfacing	£200,000
B1319	Low Main Place/ Station Road, Cramlington Village (phase)	Carriageway Resurfacing	£160,000
Sub Total			£360,000

Other Local Roads Maintenance Schemes - Tynedale

Road No	Location	Treatment	Budget Estimate
B6320	Bellingham to Hareshaw junct. Phase 2	Surface Dressing Preparation	£170,000
B6305	Allendale Road junction, Hexham Phase 2	Carriageway Resurfacing	£130,000
U8289	Whetstone Bridge Road, Hexham	Carriageway Resurfacing	£90,000
C254	Ovingham to Wylam	Carriageway Resurfacing	£100,000
C198	Hareshaw Common (Greenhaugh to Sundaysight jct)	Carriageway Resurfacing	£180,000
U5079	Kielder Road, Kielder	Carriageway Resurfacing	£90,000
C199	Falstone to Lanehead Phase 2	Carriageway Resurfacing	£70,000
B6309/C247	East Wallhouses to A69	Surface Dressing Preparation	£50,000
C202/U5026	Buteland Fell (further phase)	Carriageway Resurfacing	£105,000

C324	Tows Bank, North of Eals (Phase)	Carriageway Resurfacing	£80,000
C282	Dalton to Channel Well, Hexham	Surface Dressing Preparation	£50,000
		Sub Total	£1,115,000

Other Local Roads Maintenance Schemes - Castle Morpeth

Road No	Location	Treatment	Budget Estimate
C144	Maidens Hall, nr. Pigdon	Carriageway Resurfacing	£140,000
C187	Harwood Phase 3	Carriageway Resurfacing	£200,000
U6112	Gas House Lane, Morpeth	Carriageway Resurfacing	£90,000
C341	Fenwick to Matfen	Carriageway Resurfacing	£70,000
U9071	Kirkley Mill Farm to Berwick Hill	Surface Dressing Preparation	£160,000
C129	A1 junct. to Tritlington	Carriageway Resurfacing	£120,000
		Sub Total	£780,000

Other Local Roads Maintenance Schemes - Total **£4,215,000**

Surface Dressing Programme

Major Road & Resilient Network - Countywide

Road Number	Location	Description	Budget Allocation
A1068	Hawkhill Bridge to Lesbury	Surface Dressing	£125,000
B6341	Elsdon to A696 junct.	Surface Dressing	£190,000
B6344	Knocklaw to Black Burn Bridge, Rothbury	Surface Dressing	£80,000
A696	Monkridge to Raylees	Surface Dressing	£90,000
B1342	Outchester to jct Waren Mill	Surface Dressing	£70,000
A689	Slaggyford to Lintley Bank	Surface Dressing	£115,000
A689	County Boundary to Halton Lea Gate	Surface Dressing	£65,000
B6318	Low Teppermoor to Carraw Farm	Surface Dressing	£120,000
A6079	Wall to Low Brunton	Surface Dressing	£65,000
A197	Pegswood Bypass Ph 2	Surface Dressing	£155,000
A1068	Hagg Farm to Mile Road jct	Surface Dressing	£35,000
A697	Linden Square	Surface Dressing	£25,000
A197	Rotary Parkway (Lidl Rbt to Hirst Rbt), Ashington	Surface Dressing	£50,000
B1331	Nedderton village	Surface Dressing	£50,000
		Sub Total	£1,235,000

Other Local Roads - North Northumberland

Road Number	Location	Description	Budget Allocation
C33	Pawston to Scottish Border	Surface Dressing	£150,000
B6342	Rothbury 30 limit to The Lee Junction	Surface Dressing	£115,000
B1339	Embleton Mill	Surface Dressing	£100,000
C85	Glanton to High Powburn	Surface Dressing	£110,000
C60	Cragmill Road, Belford (East of A1)	Surface Dressing	£20,000
C60	Cragmill Road, Belford (West of A1)	Surface Dressing	£40,000
B6349	Station Road, Belford	Surface Dressing	£30,000
C12	Duddo to Grindon	Surface Dressing	£85,000
C23	East Learmouth to East Moneylaws	Surface Dressing	£85,000
C182	Whitton Bank Road, Rothbury	Surface Dressing	£40,000
U3030	Low Buston to Shortridge Hall	Surface Dressing	£120,000
C51	North Middleton Junction to Cheviot Street, Wooler	Surface Dressing	£100,000
		Sub Total	£995,000

Other Local Roads - Castle Morpeth

Road Number	Location	Description	Budget Allocation
C343	Birney Hill to The Plough Inn	Surface Dressing	£160,000
B6309	Stamfordham Rd to Heugh	Surface Dressing	£60,000
C364	Stannington to Duddo Hill	Surface Dressing	£150,000
C144	Netherwitton to Folly House	Surface Dressing	£140,000
B6309	West Belsay to A696	Surface Dressing	£120,000
		Sub Total	£630,000

Other Local Roads - Tynedale

Road Number	Location	Description	Budget Allocation
C322	Whitfield to U7011 jct	Surface Dressing	£105,000
U7070	Melkridge to Henshaw	Surface Dressing	£145,000
B6305	Lowgate to Hexham	Surface Dressing	£95,000
U5010	Greenrigg to Sweethope Lough	Surface Dressing	£135,000
C195	Ridsdale to Knowesgate	Surface Dressing	£75,000

C268	Epershield	Surface Dressing	£135,000
C265/C270	Lead Road (A68 to B6306)	Surface Dressing	£175,000
Sub Total			£865,000

Other Local Roads - Ashington and Blyth

Road Number	Location	Description	Budget Allocation
U6575	Boiler Road, Ashington	Surface Dressing	£50,000
Sub Total			£50,000

Surface Dressing Programme Total **£3,775,000**

Micro Surfacing Programme

Other Local Roads - North Northumberland

Road Number	Location	Description	Budget Allocation
B6345	Acklington Road, Amble	Micro Surfacing	£65,000
U3102	Greyfield Estate, Embleton	Micro Surfacing	£50,000
Sub Total			£115,000

Other Local Roads - Castle Morpeth

Road Number	Location	Description	Budget Allocation
U6109	Church Walk, Morpeth	Micro Surfacing	£70,000
U6088	The Gables, Widdrington Station	Micro Surfacing	£55,000
Sub Total			£125,000

Other Local Roads - Ashington and Blyth

Road Number	Location	Description	Budget Allocation
U9516	Twelfth Avenue, Blyth	Micro Surfacing	£80,000
U9524	Shearwater Way, Blyth	Micro Surfacing	£45,000
Sub Total			£125,000

Other Local Roads - Cramlington, Bedlington and Seaton Valley

Road Number	Location	Description	Budget Allocation
U9567	Broad Law Business Park, Cramlington	Micro Surfacing	£60,000
U6551	Poplar Grove, Dene View East & West, Bedlington	Micro Surfacing	£60,000
U9540	The Crescent, Seghill	Micro Surfacing	£50,000
Sub Total			£170,000

Other Local Roads - Tynedale

Road Number	Location	Description	Budget Allocation
U8293	Wydon Park, Hexham	Micro Surfacing	£40,000
U8276	Castle Road, Prudhoe	Micro Surfacing	£60,000
Sub Total			£100,000

Micro Surfacing Programme Total **£635,000**

General Refurbishment Countywide

General Carriageway Refurbishment Work

A countywide programme of sites selected on a priority basis.

£2,025,624

Surface Dressing & Micro surfacing Pre Patching Work

Preparation of sites included in the programme

£200,000

Retexturing Refurbishment

A countywide programme of sites selected on a priority basis.

£50,000

General Structures Refurbishment Work

A countywide programme of sites selected on a priority basis.

£450,000

General Drainage Refurbishment Work

A countywide programme of sites selected on a priority basis.

£805,000

General Car Park Refurbishment Work

A countywide programme of sites selected on a priority basis.

£100,000

Traffic Signal Refurbishment	<u>£100,000</u>
Highway Maintenance Assessment and Advance Design	<u>£330,000</u>
General Refurbishment Countywide Total	<u>£4,060,624</u>

		APPENDIX D
Local Transport Plan Programme 2022-23		
Bridges, Structures and Landslips		£4,748,000
Bridges and Structures		
Location	Description	Budget Estimate
Various	Structural Assessments	£120,000
Various	Interim Measures Inspections	£35,000
Various	Advance Preparation - Advance design of future schemes	£300,000
Berwick Old Phase 3	Phase 3 - Refurbishment of the outer masonry elements	£500,000
C279 Blue Gables	Strengthening of RC slab	£160,000
C358 Ogle North	Strengthening of masonry arches extended with RC slabs	£170,000
C82 Dubbs Burn	Strengthening of brick arch	£160,000
U4093 Harwood Village	Refurbishment	£130,000
C205 Middleburn	Strengthening of RC slab	£130,000
U6008 Earsdon Mill	Strengthening of steel trough deck	£150,000
U33 Fenwick Granary Ford	Strengthening of RC Slab	£160,000
C2 Union Chain Bridge	Contribution to restoration	£150,000
U8177 Garden House	Strengthening of filler beam deck	£160,000
Bridges and Structures Total		£2,325,000
Landslip Management		
Location	Description	Budget Estimate
Todstead	Land slip	£1,863,000
A697 Haugh Head, Wooler	Embankment stabilisation	£250,000
C100 Guyzance Mill	Embankment stabilisation	£80,000
U5034 Blindburn	Road strengthening and drainage	£30,000
A686 North of Light Birks	Haunch failure	£80,000
Various	Advance preparation	£120,000
Landslip Management Total		£2,423,000
TOTAL		£4,748,000

This page is intentionally left blank



Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

Date: 15th February 2022

Land at Mickley Square: Application for land to be registered as
Town or Village Green

Purpose of report.

The purpose of this report is

- 1) to inform the Committee of the Inspector's recommendations as to whether the application to register land at Bewick Green, Mickley Square should be granted and
- 2) for Members to then determine if the application to register the land should be rejected.

Recommendations:

To adopt the recommendation of the Inspector, Mr James Marwick, namely that the application to register land at Bewick Green, Mickley Square, Stocksfield as a Town or Village Green be rejected.

Key issues

1. The Council is the Commons Registration Authority under the provisions of the Commons Act 2006 and is obliged to amend the statutory register where any unregistered land within Northumberland becomes a Town or Village Green within the meaning of the Act.
2. On 7th January 2019 Northumberland County Council as Commons Registration Authority received an application from Mr George Hepburn OBE for the registration of land at Bewick Green, Mickley Square, Stocksfield as Village Green.

3. The application was supported by 24 signed statements and, in accordance with the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007 the application was publicised. Only one representation was received from the Highways Authority but this was subsequently withdrawn after the Applicant agreed to exclude the highways from his application. A non-statutory Inquiry was held remotely on 3rd March 2021 which was presided over by an independent inspector, a specialist barrister, namely Mr James Marwick of Trinity Chambers in Newcastle. A one day Inquiry was held with a view to undertaking an examination of the evidence submitted by the parties concerned and for the Inspector to then prepare a report in relation to his findings for subsequent consideration by the Tynedale Local Area Council.
4. Mr Marwick has now produced his report which is attached as Appendix 1.

Report Author Helen Lancaster Senior Manager Legal Services

Helen.Lancaster@Northumberland.gov.uk

BACKGROUND

Consideration of the Application and Objections

1. The Committee must determine whether this application should be accepted or rejected. Whilst the Committee is not bound to follow the Inspector's recommendations, it will need to give full consideration to the findings of the Inspector which were made after a one day Inquiry on the facts and the law. The Inspector heard and considered the evidence, analysed the relevant facts and has applied the law to those facts. Matters such as planning merits and social needs cannot be taken into account when considering whether land should be registered; the Committee's consideration is limited to whether or not the statutory criteria set out below have been established.
2. The Inspector has produced a detailed report which is attached as Appendix 1 which contains his recommendations.

Outline of relevant issues

3. The Council is the Registration Authority for the registration of Town and Village Greens and has a statutory duty to decide whether an application should be accepted or rejected.
4. The Application has been made pursuant to the Commons Act 2006. The Act requires each registration authority to maintain a register of town and village greens within its area. Section 15 provides for the registration of land as town and village green where the relevant statutory criteria are established in relation to such land.
5. This Application was made under s15 (1) of the Commons Act 2006 (*'any person may apply to register land ...as a town or village green where subsection (2)..applies'*) on the basis that section 15 (2) applied.
6. Section 15 (2) applies where –
 - a) *a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and*
 - b) *they continue to do so at the time of the application.*
7. To be successful in an application an applicant must establish that **all** of the statutory criteria have been satisfied.

The Land

8. The application concerns land at Bewick Green, Mickley Square. The land is located at the junction of Bewick Garth and Station Bank in the

village of Mickley (itself located between Prudhoe and Stocksfield, and sometimes known as Mickley Square). The application land comprised areas of mainly grassed open space either side of the public highway.

Ownership

9. Upon enquiries being made with HM Land Registry the land was confirmed to be unregistered.

The Application

10. The Application was made on the basis that it is a limb (ii) case, namely one relying on use by a significant number of the inhabitants of a neighbourhood within a locality rather than simply a locality. The original application received on 24th March 2018 was later amended to include reference to a relevant locality on 7th January 2019. The Application asserted that the 24 signed statements showing use of the land for activities including dog walking, playing football camping and participation in the annual barbecue provided justification for the application to register the land as a town or village green.

Representations

11. **County Council Highways**- only one representation was received from Highways who stated that the present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921. Their objection was therefore that this part of the application site is a public right of way for highways purposes for all types of traffic and questioned whether its statutory registration as a village green is compatible with it being a highway.
12. **The Applicant** – The Applicant was given the opportunity to comment on the objection and stated that the existence of a public road across the Green was not a reason to refuse the application and that the advice of the Open Spaces Society on this issue was that the representation from the Highways Authority would not prevent the Green from being registered. However, Directions were then issued by the Inspector and the Applicant subsequently agreed to exclude the highway land from his application.
13. The matter then proceeded to an Inquiry to examine these issues, and the Inspector, Mr Marwick was appointed and gave initial directions. He then held a pre-inquiry hearing and gave directions for the conduct of the Inquiry.
14. The Inquiry took place remotely at which the Applicant and four other witnesses gave evidence and the Applicant made submissions

Legal Issues/statutory criteria

15. The burden of proving that the application land has become a town or village green lies with the applicant. The standard of proof is the balance of probabilities. The statutory criteria are as paragraph 6 above; each element of the statutory criteria must be proved on the balance of probabilities.

The Inspector's report

16. The Inspector goes through each of the relevant statutory considerations and confirms that his recommendations are that the application must fail because a significant number of local inhabitants have not indulged in lawful sports and pastimes during the relevant 20 year period.
17. He recommends accordingly to the Registration Authority that the application be dismissed with the reasons for the dismissal being stated as those set out in this report.

BACKGROUND PAPERS

Commons Act 2006

IMPLICATIONS ARISING OUT OF THE REPORT

Policy: N/A

Finance and value for money N/A.

Legal

The determination of an application involves the taking of a quasi-judicial decision which may be the subject of legal challenge. It is therefore essential that the evidence relating to the application is properly tested prior to the taking of any decision. Having read the report of the Inspector and in particular with regard to his overall conclusions and recommendations it is considered that he has undertaken a thorough Inquiry in relation to all the relevant aspects of both the village green application and the objections thereto. He has considered all the evidence and submissions in applying the law to his considerations.

Human Resources: N/A.

Property N/A

Equalities

(Impact Assessment attached)

Yes No N/A

Risk Assessment

Given the contentious nature of this application there may be a risk of challenge with associated costs implications

Carbon Reduction

None.

Crime & Disorder

N/A

Customer Considerations:

N/A.

Consultation

The statutory consultation processes have been followed.

Wards

Cramlington West

Appendices

Appendix 1: Report of James Marwick dated 29th March 2021

Appendix 2: Final submissions of the Applicant.

Appendix 3: Inquiry bundle containing redacted copies of the application, evidence in support, Directions, plans and other relevant information.

Appendix 1

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

REPORT
Of
James Marwick
29th March 2021

**Northumberland County Council
County Hall
Morpeth
Northumberland**

-Application Number VG84/2018-

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY AS A TOWN OR VILLAGE GREEN**

WRITTEN REPORT

Introduction

1. This written report relates to an application by Mr. George Hepburn OBE made under section 15 of the Commons Act 2006 (as amended) (the **Act**) for the registration of land known as and situate at Bewick Green in Mickley as a town or village green.
2. I was instructed by Northumberland County Council in its capacity as the relevant Registration Authority to hold a non-statutory public inquiry in relation to the application and to provide my findings and recommendations by way of a written report for consideration by the Registration Authority.
3. The Inquiry was held remotely on 3rd March 2021. Mr. Hepburn was the only interested party who appeared at the Inquiry. I was extremely grateful for the manner and skill in which he presented his case to the Inquiry which was of significant assistance. I express my thanks to him and to all the witnesses who gave evidence by Zoom. I was entirely satisfied that a fair hearing was achieved and that Mr. Hepburn was afforded a fair and reasonable opportunity to present his case for registration.
4. The evidence was completed within a morning and I subsequently received additional closing submissions from Mr. Hepburn on 12th March 2021 in accordance with my directions.
5. There had been a single bundle for the purposes of the Inquiry which contained *among others* the application, the representations and documentary evidence relied on in support of the application and relevant correspondence between the Registration Authority and the interested parties. References in square brackets in this report are to page numbers in the bundle. The bundle should be annexed to this report, together with the further closing submissions of Mr. Hepburn, for the purposes of the presentation of this report to the relevant committee.
6. I set out my recommendations to the Registration Authority in this report. I make clear at the outset of this Report that the Inquiry was not concerned with the merits or otherwise of any future development of the application land but rather whether the statutory test for registration under section 15(2) of the Act is satisfied.

The Application

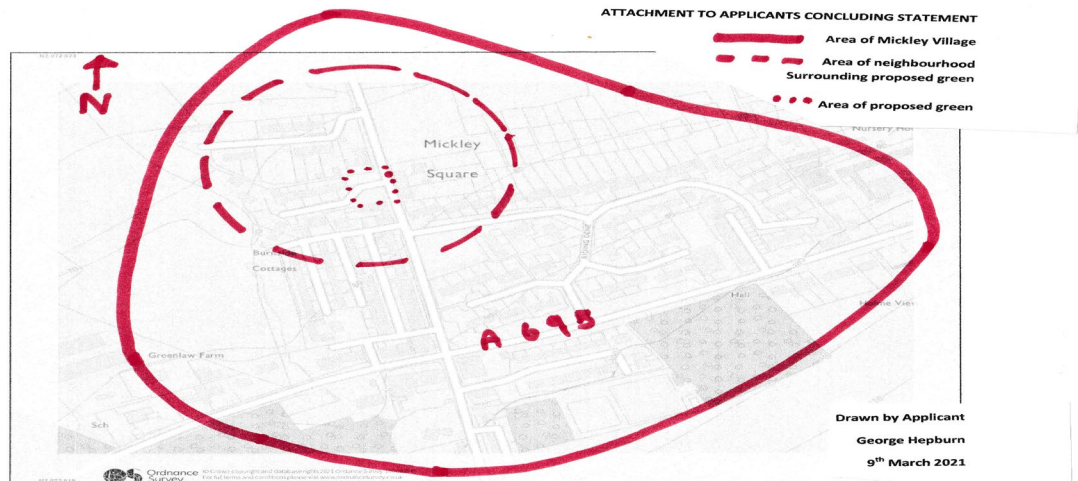
7. The application (originally received on 24th March 2018, but later amended to include reference to a relevant locality on or about 7th January 2019) was made by Mr. Hepburn under section 15(1) of the Act and sought registration in accordance with alleged qualifying user under section 15(2) of the Act [A2].
8. The application sought registration of land located at the junction of Bewick Garth and Station Bank in the village of Mickley (itself located between Prudhoe and Stocksfield, and sometimes known as Mickley Square). The application land comprised areas of mainly grassed open space either side of the public highway. The application as originally submitted sought registration of the public highway itself but Mr. Hepburn, sensibly in the circumstances, agreed to withdraw the application insofar as it related to the public highway upon an objection by Northumberland County Council in its capacity as Highways Authority being raised (email exchange at [C6] confirms this).
9. The application land can be clearly seen in the photographs exhibited to the application [A19-20] and I have also had the benefit of being able to view the same using Google Street Views. For ease of reference for anyone reading this report, the below screenshot shows the application land either side of the carriageway. Mr. Hepburn's house can be seen on the left hand side of the screenshot immediately adjacent to one of the grassed areas. It was not suggested that there had been any marked change in appearance of the application land in the relevant 20 year period.



10. The locality relied on in the application was the Mickley Electoral Ward. At the Inquiry Mr. Hepburn made clear that he would seek to rely on either the village of Mickley as the relevant neighbourhood within a locality or, alternatively and primarily, that there was a more immediate

neighbourhood comprising the streets in the vicinity of the application land in the part of the village in question.

11. I invited Mr. Hepburn to submit a relevant plan delineating the boundaries of such a neighbourhood and he duly did so with his closing submissions. For ease of reference, I set out a copy of the relevant plan submitted with the closing submissions below.



12. There were letters of support from approximately 20 households comprising inhabitants or former inhabitants of Mickley, submitted with the application, which spoke generally to continuous user of the application land for lawful sports and pastimes in the 20 years preceding the application. The evidence in support was largely from those who live or have lived in immediate close proximity to the application land. The two grassed areas of open space either side of the public highway are unregistered land according to the Land Registry.
13. The Registration Authority consulted on the application and only a single representation was received, from Northumberland County Council in its capacity as the relevant Highways Authority. In that representation dated 8th August 2019 the Highways Authority objected to registration of the application land insofar as it comprised the public highway on the basis that registration was incompatible with its status as a public right of way. As I have set out above, that objection has now fallen away given the concessions made by Mr. Hepburn.

Evidence

14. In accordance with my directions there was evidence from Mr. Hepburn and four other witnesses at the Inquiry selected by Mr. Hepburn [A33]: Mr. Christopher Johnson [A37], Mr. Leslie Ashworth [A23], Mrs. Susan Green [A29] and Reverend Mark Sharman [A45]. All were open, honest and straightforward witnesses doing their best to assist the Inquiry. Each had provided letters in support of the application and

supplemented their evidence orally. I was able to ask them questions material to my considerations.

15. I was satisfied that the evidence from these witnesses was likely reflective of the evidence that would have come from the majority of any other witnesses in support of the application. My overall impression from the witness evidence was that the application land was not a destination in itself for lawful sports and pastimes for a large number of residents in the village but would rather be used perhaps several times a week by children living in the immediate vicinity given it was a safe and easily accessible open space, supplemented by dog walkers who might wander on to the grassed areas with their dogs as part of longer walks.
16. There would be occasional use by others such as those meeting friends whilst out on walks. There was an annual BBQ from about 2008 to 2017 which was the main organised activity which took place on the grassed areas, sometimes attended by up to about 50 people. There were other larger areas of open space in the village including a football field and a nearby green closer to the heart of the village adjacent to Riding Dene and Station Bank. The witnesses were accepting that, in general terms, such open spaces may have been more of a draw for villagers generally but were clear where necessary as regards the particular qualities of the application land which made it an attractive open space especially for younger children living in its immediate vicinity.
17. I summarise the oral evidence below though I touch upon any discrete matters of evidence as necessary in my analysis of the application later in this report.
18. Mr. Hepburn had lived at Bewick House immediately adjacent to the application land since 2007. His own user of the application land for sports and pastimes had been relatively limited save that he was the main organiser of the residents' BBQ which had happened every year from about 2008 to 2017 on the area immediately outside of his house. He was able to speak to regular user by dog walkers and groups of children playing, though my impression was not of sustained heavy user but rather of user perhaps several times a day on average by dog walkers and, subject to the season and weather, groups of local children. Mr. Hepburn had helped to maintain the land by mowing the grass and occasionally had dealt with tree pruning.
19. Mr. Johnson was a long term local resident of the Mickley area and for many years had run the local newsagent just beyond the application green (until about 2008). He in fact recalled assisting with the planting of a sapling on one of the parcels of grassed land when it had first been laid out. His evidence was that the application land had been laid out as amenity land at the same time as the development of the adjacent housing. Again, his own user of the land appeared to be relatively limited but he did confirm the user of the land by local dog walkers and children. Mr. Johnson also spoke to the sense of neighbourhood in the

immediate vicinity of the application land referencing a close knit community in that part of the village as distinct from in particular the Riding Dene estate.

20. Mrs. Green had lived at 1 Eltringham Cottages since about 1996, an address which overlooked the application land. Her children had grown up using the application land. Her son in particular had not liked using the large open space in the heart of the village. There had been user on a regular basis by children and dog walkers though the extent of user would be weather dependent. Children might be on there up to once per day. It was easily accessible for her family. They had attended the BBQs referred to by Mr. Hepburn.
21. Reverend Sharman had lived at 4 Eltringham Cottages since about 1995. He considered the application land to be a positive space which dog walkers would use and where children would play. His three children had used the application land occasionally as had Reverend Sharman himself. Again I formed the impression from his evidence that there was not heavy user of the application land but rather the expected user by local children from time to time, and as a stopping point for dog walkers.
22. Mr. Ashworth had lived in Mickley for many years. At material times he and his family had lived at 23 Riding Terrace very close to the application land. He had used the application land whilst walking his dogs which could be up to 2 or 3 times a day. He had attended the annual BBQs. His two children had used the application land when growing up for outside play. Children perhaps used the application land 2 or 3 times per week.
23. I was entirely satisfied that the oral evidence from these witnesses reflected the broad tenor of the supporting letters and documentation provided with the application. The supporting documentation spoke to similar user (see, for example, letter of Mr & Mrs Newton [A43]) and also evidenced the desire of local residents for the application land to be kept as amenity land- of course, that is not a material consideration as to whether the statutory test is met.
24. The Inquiry had been publicised but no members of the public sought to join the Inquiry to give evidence which is not unusual in this type of case.

Relevant Law

25. So far as is relevant section 15(2) provides that land is to be registered as a town or village green where:-

*“(a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least years; and
(b) they continue to do so at the time of the application.”*

26. The determination requires the straightforward application of law to the facts.
27. The burden of proving that the application land has become a town or village green lies with the applicant. The standard of proof is the balance of probabilities. All the elements required to establish that land has become a town or village green must be properly and strictly proved by an applicant on the balance of probabilities, per the guidance given by Lord Bingham in R v. Sunderland City Council ex parte Beresford [2004] 1 AC 889:-

"As Pill LJ. Right pointed out in R. v Suffolk County Council ex parte Steed (1996) 75 P&CR 102, 111, "it is no trivial matter for a landowner to have land, whether in public or private ownership, registered as a town green..."

"It is accordingly necessary that all ingredients of this definition should be met before land is registered, and decision-makers must consider carefully whether the land in question has been used by the inhabitants of a locality for indulgence in what are properly to be regarded as lawful sports and pastimes and whether the temporal limit of 20 years' indulgence or more is met."

28. The constituent elements of the statutory criteria are not defined in the Act but have been the subject of extensive judicial consideration in the authorities.

Lawful Sports and Pastimes

29. This is a composite expression and it is sufficient for use to be either for a lawful sport or lawful pastime: per R. v Oxfordshire County Council ex parte Sunningwell Parish Council [2000] 1 AC 335 at 356G onwards.
30. If user for walking is referable to formal or informal paths or straying from such paths, the decisive factor is how matters would have appeared to the reasonable landowner: R. (Laing Homes Limited) v Buckinghamshire County Council [2003] EWHC 1578. The reasonable landowner is entitled to consider that user of the kind referable to the exercise of a public right of way may extend beyond the limits of the right of way but still be referable to right of user, support for which can be drawn from Oxford County Council v Oxford City Council [2004] Ch 253 at 258.

Significant Number

31. A "significant number" means that the number of people using the land in question is sufficient to indicate that their use of the land signifies that it is in general use by the local community for informal recreation rather than occasional use by individuals as trespassers: R (McAlpine) v Staffordshire County Council [2002] EWHC 76 (Admin) at paragraph 71. In Leeds Group v Leeds City Council [2011] EWCA Civ 1447 it was expressed in terms that there must be use of such an amount and in such a manner as would reasonably be regarded as the assertion of a

public right. It is for an applicant to demonstrate “*significance*” in relation to the chosen locality and only qualifying user counts for that purpose.

Of the Inhabitants of any Locality, or of any Neighbourhood within a Locality.

32. A “*locality*” is a division of the County known to the law: MoD v Wiltshire CC [1995] 4 All ER 931 at 937b onwards. A “*neighbourhood*” is a deliberately more imprecise term but an area must have a sufficient degree of cohesiveness to be recognisable as a distinct neighbourhood and not an arbitrary area delineated on a map: per Sullivan J in R v South Gloucestershire Cheltenham Builders [2004] JPL 965.

As of Right

33. Use of land “*as of right*” has been held to be use which is without force, without secrecy and without permission (user *nec vi, nec clam, nec precario*): per R (Lewis) v Redcar and Cleveland BC [2010] UKSC 11. What matters is the outward appearance of user to the reasonable landowner and not the subjective intention of the user.

Continuous User for 20 Years of the Land

34. The qualifying user for lawful sports and pastimes must be continuous throughout the relevant 20 year period (being the 20 year period immediately pre-dating the application: here, 24th March 1998 to 23rd March 2018 though nothing would turn on the adoption of a later period).

35. There need not be evidence of user of every square foot of land. The land must be clearly identified so that it is clear what area of land is subject to the rights established by registration. It was well established that there is no requirement for a piece of land to have characteristics of what might be regarded as a traditional village green: per Oxford County Council.

Application of Law to Evidence

The Application Land

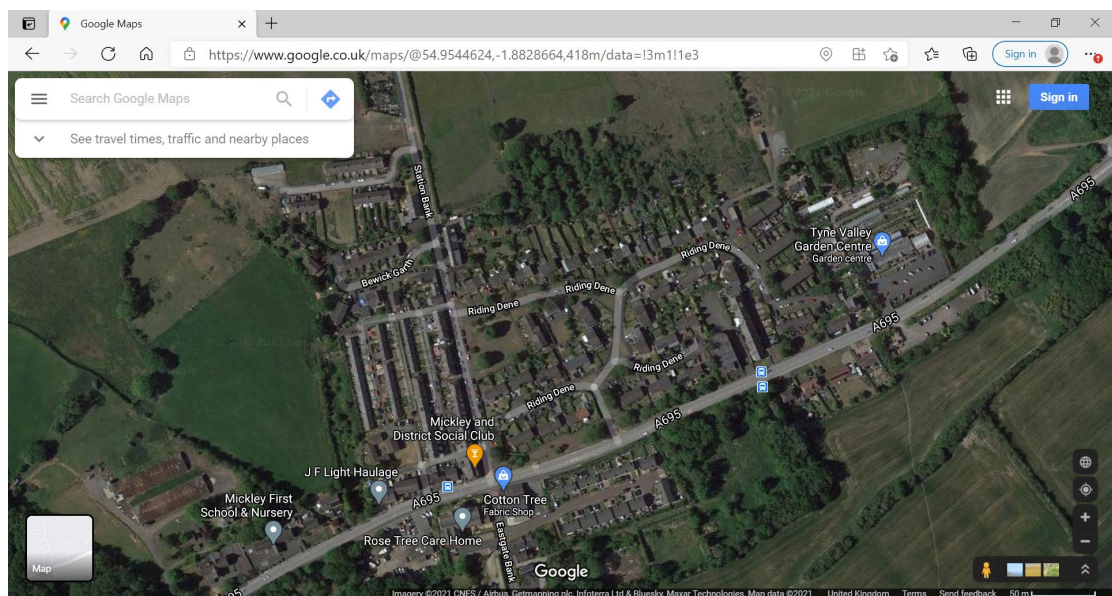
36. The relevant land sought to be registered has been clearly identified. It is that identified on the plan in support of the application [A13 & A24] but amended so as to exclude the carriageway. Its physical boundaries are obviously clear from the photographic evidence and it is clear that it is a sufficiently identifiable area for the purposes of village green registration in principle.

20 Year Period

37. The relevant period, as I have set out above, ought to be regarded as the twenty year period immediately pre-dating the application as first made, i.e. 24th March 1998 to 23rd March 2018. This is not a case where there has been any shift of user overtime and thus even if a modestly later 20 year period was used (e.g. 1999 to 2019) it would not impact upon the outcome of this application.

Locality and Neighbourhood within a Locality

38. A relevant locality has been identified, namely the Mickley Ward and I am equally satisfied that Mickley village would amount to a qualifying neighbourhood within the electoral ward as it is plainly has the degree of recognisable cohesiveness necessary to satisfy the relevant threshold.
39. The boundaries of the village are identified on the plan exhibited to Mr. Hepburn's closing submissions. Again for ease of reference, I set out a satellite overview of the village which shows its spread.



40. The balance of evidence I heard was that residents would generally refer to themselves as living in Mickley, which is a village with at least several hundred residents. Whilst there was some evidence that residents living in the vicinity of Bewick Garth and the application land (such as Mr. Johnson) would regard this as a distinct area to other parts of the village such as the Riding Dene estate (which can be seen in the screenshot above), I did not form the impression of strong evidence of any discrete neighbourhood in or around Bewick Garth. This I think is borne out by the boundary of the suggested neighbourhood in the plan attached to the closing submissions by Mr. Hepburn which is arbitrary in its limits.
41. Whilst I think nothing ultimately turns on the issue for the purposes of the application, I am not satisfied that any neighbourhood within Mickley has been identified which I could be satisfied has the sufficient degree of cohesiveness. In a relatively small village, it was always going to be a difficult proposition to establish the same.

Quality of User: Significant numbers using the application land as of right for lawful sports and pastimes

42. This is a case where any user for lawful sports and pastimes has been open and without permission, and therefore likely "as of right". The evidence in support of the application was all one way in this respect

consistent with this being amenity land laid out at the same time as the development of the nearby residential housing.

43. The real question is therefore whether there is evidence of a significant number of local residents within the neighbourhood using the land for lawful sports and pastimes.
44. Unfortunately, I am not satisfied that Mr. Hepburn has been able to demonstrate sufficient quality of user.
45. The main user has been user by children for occasional playing and by dog walkers.
46. The witnesses were frank that there whilst there had been regular user by children, it had not been heavy user. This was because of two interlinked reasons, as I see it. First, it was generally only children who lived in the immediate vicinity of the application land who would play on it and therefore there was a limited pool of children/family users at any one time. Second, there were other larger spaces in the village which could be used by children in the village for recreation and thus the application land, being two small parcels of land, understandably did not present a considerable draw to wider users of the village as the scope for playing on the same was relatively limited. The two parcels of land do not give the impression that the application land would be treated as a park by the wider community.
47. The user by dog walkers appears to have been relatively regular and sustained but in relation to the application land it appears to have been no more than an area where dogs, and sometimes their owners, might stretch their legs whilst on a longer route (save, again, for those dog owners living in the immediate vicinity). The difficulty this presents is that the objective landowner may more readily have associated the user by such dog walkers as brief straying off the public highway which enclosed the two parcels of land on multiple sides, rather than the assertion of a public right to use the land as a town or village green.
48. I accept the user for an annual BBQ between 2008 and 2017 but such limited one off user in itself does not add great weight to the overall sufficiency of user especially where it encompasses only part of the 20 year period.
49. I equally accept that there will have inevitably been further lawful user such as small gatherings of local residents otherwise going about their business in the village (Mr. Johnson was very clear in his evidence on this), as well as occasional picnicking together with other occasional user which one would expect to be seen on two small parcels of amenity land in a village.

50. Mr. Hepburn recognised at the outset of the Inquiry the difficulty in establishing sufficient user by local residents of the village generally hence the focus on a smaller neighbourhood.
51. His closing submissions make the fair point that the smaller size of the neighbourhood contended for would be consistent with less frequent activities on the land but still sufficient user to warrant registration (at paragraph 3).
52. My overall findings are that there has been not sufficient user by a significant number of local inhabitants of the village of Mickley. Qualifying user has been largely confined to residents living in the immediate vicinity and in my view the evidence of wider user, beyond dog walkers straying from the highway, is relatively limited. Thus even if I had been satisfied that there was a smaller, more immediate neighbourhood as submitted by Mr. Hepburn, I would not have been satisfied that sufficient quality of user had been established. In my view, even approaching matters by reference to a smaller neighbourhood would still require a degree of user beyond that which has been established (especially as it would not be clear if, say, all dog walkers lived within the smaller neighbourhood). This is why I am satisfied that my findings as to neighbourhood are not ultimately determinative of the application. The evidence user is overall simply too trivial.
53. I recognise in reaching this decision that the application land offers an amenity value to local residents but an application for village green registration is not self-proving by reference to the same. My conclusions are not a green light to any possible future development and any later application to change the planning user of the land would be judged on its own merits.

Continuation and use of Land

54. I am satisfied that any claimed user continued up to until the date of the application and I discerned no material differential in user of the two parcels of land to warrant different findings in relation to their respective user.

Conclusions & Recommendations

55. My overall conclusion is that the application must fail because a significant number of local inhabitants have not indulged in lawful sports and pastimes during the relevant 20 year period. I recommend to the Registration Authority accordingly that the application be dismissed and the reasons for the dismissal be stated to be those set out in this report.

JAMES MARWICK
29th March 2021

Trinity Chambers
The Custom House

Quayside
Newcastle Upon Tyne
NE1 3DE

Appendix 2 – Final submissions of the Applicant

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT
BEWICK GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE
GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

APPLICANTS CONCLUDING STATEMENT

1 The applicant believes that the evidence provided to the Inquiry shows that there are no reasons by way of trigger events or ownership that prevent the land at Bewick Garth being considered for registered as a village green.

2 The applicant attaches a plan showing the locality as the village of Mickley (sometimes known as Mickley Square) but distinct from West Mickley, Mount Pleasant or High Mickley which are the other villages or hamlets within the local authority ward of Mickley.

It further shows the neighbourhood using the land as the streets and houses immediately surrounding the land of about 24 households and notes the evidence given by witnesses that people in these households know each other, support each other and take part in activities and pastimes together.

3 The applicant believes that the evidence presented to the Inquiry shows that a significant number of people have taken part in lawful sports and pastimes on the land without let or hindrance for the period of 20 years notably the annual village barbeque attended by about 50 people a year over 10 years.

The applicant believes that the evidence should be assessed in relation to:

- (a) The number of people in the neighbourhood which means there is unlikely to be frequent activities on the land. The number of children in the neighbourhood, for example, has changed during the period under consideration.
- (b) The size of the land which restricts the range of activities that can take place and the availability of a large open area and a playing field nearby.

Taking these factors into account, the applicant believes there has been sufficient activity of different kinds to warrant registering the land as a village green.

George Hepburn OBE
9th March 2021

ATTACHMENT TO APPLICANTS CONCLUDING STATEMENT

- Area of Mickley Village
- Area of neighbourhood Surrounding proposed Green
- Area of proposed green



Drawn by Applicant
George Hepburn
9th March 2021

Appendix 3 Inquiry Bundle

IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK GREEN
IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

INQUIRY BUNDLE

Helen Lancaster
Principal Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

A. Application

- | | | | |
|----|----------|--|------------|
| 1. | 01347810 | | A 1 - A 61 |
|----|----------|--|------------|

B. Directions

- | | | | |
|----|---|--|-----------|
| 1. | Inspector's Directions BEWICK GREEN (final) | | B 1 - B 4 |
| 2. | Inspector's Directions BEWICK GREEN (FINAL) | | B 5 - B 6 |

C. Objections and Withdrawal of Objections

- | | | | |
|----|--|------------|-----------|
| 1. | 11:23 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland | 08-08-2019 | C 1 - C 2 |
| 2. | 1403690 - Letter to helen Lancaster Oct 19 | | C 3 - C 5 |
| 3. | 16:55 email FW Mickley Square - application for village green | 04-02-2021 | C 6 - C 7 |

D. Correspondence

- | | | | |
|-----|--|------------|-------------|
| 1. | 11:34 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 1 - D 2 |
| 2. | 11:57 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 3 - D 5 |
| 3. | 19:40 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 6 - D 10 |
| 4. | 07:42 email Registration of Mickley village green | 23-03-2018 | D 11 |
| 5. | 11:28 email Re Application to register village green | 30-04-2018 | D 12 - D 14 |
| 6. | 10:33 email Re FW Application to register village green | 01-05-2018 | D 15 - D 19 |
| 7. | 14:09 email Re FW Application to register village green | 12-06-2018 | D 20 - D 26 |
| 8. | 22:02 email Re FW Application to register village green | 02-07-2018 | D 27 - D 33 |
| 9. | 09:16 email Re FW Application to register village green | 03-07-2018 | D 34 - D 42 |
| 10. | 21:50 email Re FW FW Application to register village green | 10-09-2018 | D 43 - D 51 |
| 11. | 07:56 email Re FW FW Application to register village green | 24-10-2018 | D 52 - D 62 |
| 12. | Letter to applicant returning application due to no 'locality' being specified | 18-11-2018 | D 63 |
| 13. | 21:43 email Re Application to register village green at Mickley Square | 08-04-2019 | D 64 - D 65 |
| 14. | Letter confirming regulations | 10-04-2019 | D 66 - D 67 |
| 15. | 16:41 email Bewick Green | 12-04-2019 | D 68 |
| 16. | Letter confirming application acceptance | 16-05-2019 | D 69 |
| 17. | 17:34 email Mickley Village Green | 13-07-2019 | D 70 |
| 18. | 11:23 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland | 08-08-2019 | D 71 - D 72 |

19.	09:34 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland	11-09-2019	D 73 - D 74
20.	21:03 email Registration of Green at Mickley Square	27-10-2019	D 75
21.	Letter to helen Lancaster Oct 19 - attachment		D 76 - D 78
22.	12:50 email Re Registration of Green at Mickley Square	28-10-2019	D 79 - D 81
23.	16:53 email Re FW Registration of Green at Mickley Square	18-12-2019	D 82 - D 87
24.	12:34 email Re FW Registration of Green at Mickley Square	21-04-2020	D 88 - D 92
25.	11:51 email Re FW Registration of Green at Mickley Square	22-05-2020	D 93 - D 102
26.	15:01 email Re FW Registration of Green at Mickley Square	26-05-2020	D 103 - D 109
27.	08:54 email Re FW FW Registration of Green at Mickley Square	17-09-2020	D 110 - D 118
28.	09:33 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 119 - D 127
29.	09:54 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 128 - D 141
30.	10:05 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 142 - D 157
31.	18:37 email Re FW FW Registration of Green at Mickley Square	09-11-2020	D 158 - D 173
32.	18:56 email FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	10-11-2020	D 174
33.	Inspector's Directions BEWICK GREEN (final) - attachment		D 175 - D 178
34.	10:57 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	11-11-2020	D 179 - D 180
35.	09:23 email Re FW Application for village green -land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 181 - D 182
36.	10:56 email RE FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 183 - D 185
37.	14:18 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 186 - D 187
38.	14:19 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 188 - D 193
39.	15:19 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 194 - D 195
40.	15:19 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 196 - D 197
41.	14:25 email FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	23-11-2020	D 198
42.	Email attachment 1 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland (2)		D 199 - D 259
43.	Email attachment 2 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland		D 260 - D 261

44.	Email attachment 3 - 1403690 - Letter to helen Lancaster Oct 19		D 262 - D 264
45.	Email attachment 4 - Inspector's Directions BEWICK GREEN (final)		D 265 - D 268
46.	Email attachment 5 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland		D 269 - D 270
47.	14:01 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	25-11-2020	D 271 - D 276
48.	16:49 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	30-11-2020	D 277 - D 279
49.	11:45 email Application documents	08-12-2020	D 280
50.	16:48 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	14-01-2021	D 281 - D 283
51.	21:15 email Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland	14-01-2021	D 284 - D 286
52.	07:41 email Mickley Square - application for village green	19-01-2021	D 287
53.	12:11 email Re Mickley Square - application for village green	23-01-2021	D 288 - D 289
54.	11:22 email RE Mickley Square - application for village green	25-01-2021	D 290 - D 292
55.	Inspector's Directions BEWICK GREEN (FINAL) - attachment		D 293 - D 294
56.	18:57 email Re Mickley Square - application for village green	25-01-2021	D 295 - D 297
57.	19:43 email Re FW Mickley Square - application for village green	01-02-2021	D 298 - D 302
58.	16:55 email FW: Mickley Square - application for village green	04-02-2021	D 303 - D 304
59.	11:37 email RE Bewick Green	17-02-2021	D 305

A. Application

Application to Northumberland County Council

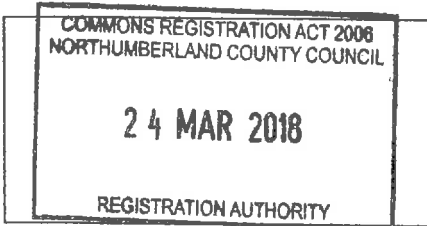
**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 1 of 2

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority
indicating valid date of receipt:



Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
Insert name of
registration
authority.

1. Registration Authority

To the

Northumberland County Council,
County Hall, A197,
Morpeth NE61 2EF

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name:

Full postal address:

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

If **section 15(6)*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.

5. Description and particulars of the area of land in respect of which application for registration is made

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

Name by which usually known:

Bewick Green

Location:

Area of open green at Mickley Square to the west of Eltringham Cottages at the junction with Bewick Garth which runs through the middle of Bewick Green
Photos attached as Exhibit D

** Only complete if the land is already registered as common land.*

Shown in colour on the map which is marked and attached to the statutory declaration. Exhibit A

Common land register unit number (if relevant) *

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Mickley Ward of Prudhoe Town Council as shown on map attached – Exhibit B

Tick here if map attached:

7. Justification for application to register the land as a town or village green

Note 7

Enjoyment by a significant number of inhabitants of Mickley Square as of right in lawful sports and pastimes for a period of at least 20 years under section 15(3) of the Commons Act 2006, as witnessed by the 24 enclosed signed statements showing use for activities including playing games, football, picnics, snowball fights, dog walking, camping and participation in community events notably the annual BBQ.

The BBQ has been held annually since 2010 at the initiative of local residents, one of whom provides a large bbq. It is regularly attended by about 50 people from Mickley Square who bring picnic tables and chairs and their own food to bbq. The event starts late afternoon to enable young children to take part and ends about 9pm depending on the weather.

The Green is mainly used by people in the immediate area of 23 households. On these households

- 13 current households have provided letters of support
- 3 household have given verbal support but not provided letters
- 5 households have said the green is best left unregistered as it has never been an issue in the village
- 2 households have not responded at all

In addition, there are three letters of support from local people living living further away in Mickley Ward and three letters of support from former residents who have moved away.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

<p>Note 8 Please use a separate sheet if necessary.</p> <p>Where relevant include reference to title numbers in the register of title held by the Land Registry.</p> <p>If no one has been identified in this section you should write "none"</p> <p>This information is not needed if a landowner is applying to register the land as a green under section 15(8).</p> <p>Note 9 List all such declarations that accompany the application. If none is required, write "none".</p> <p>This information is not needed if an application is being made to register the land as a green under section 15(1).</p> <p>Note 10 List all supporting documents and maps accompanying the application. If none, write "none"</p> <p>Please use a separate sheet if necessary.</p>	<p>8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green</p> <p style="text-align: center;">None</p> <p>Result of a search of H M land Registry records showing that the land is not registered is attached as Exhibit C</p> <hr/> <p>9. Voluntary registration – declarations of consent from ‘relevant leaseholder’, and of the proprietor of any ‘relevant charge’ over the land</p> <p style="text-align: center;">None</p> <hr/> <p>10. Supporting documentation</p> <p>Exhibit A : Map showing location of Bewick Green</p> <p>Exhibit B : Map showing Mickley Ward</p> <p>Exhibit C : Result of Land registry search</p> <p>Exhibit D : Photos of Bewick Green</p> <p>Exhibit E : Letters of support (listed separately and contained in Folder 2)</p>
--	---

Note 11

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

Note 12

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

11. Any other information relating to the application

Date:

26 March 2018

Signatures:

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

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.

Choklat
CHARLES
HOBURN

¹ Insert full name (and address if not given in the application form).

I,.....~~CHOKLAT CHARLES HOBURN~~....., solemnly and sincerely declare as follows:—

² Delete and adapt as necessary.

1.² I am the person who has signed the foregoing application.

³ Insert name if Applicable

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ Complete only in the case of voluntary registration (strike through if this is not relevant)

~~4.⁴ I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:~~

- ~~(i) a declaration of ownership of the land;~~
- ~~(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have~~

Cont/

Formatted: Indent: Left: 0.81
Right: 1.04 cm, Space Before:

Formatted: No bullets or num

Formatted: Indent: Left: 0.81
No bullets or numbering

⁴ Continued

~~been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.~~

Formatted: Space Before: 1.25

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

GEORGE CHARLES

at

HEPBURN

Signature of Declarant

this

26

day of

March 2018

Before me *

Signature:

Address:

Cameron Carls
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

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 (and address if not given in the application form).*

I, George Charles Hepburn of bewickHouse, Bewick Garth, Mickley Square, Northumberland NE43 7AU solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am the person who has signed the foregoing application.

³ *Insert name if Applicable*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

Cont/

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 *George Charles Hepburn*
at *Prudhoe, Northumberland*
this *23rd* day of *APRIL 2019*

Signature of Declarant

Before me *

Signature:

Address:

Cameron Caris
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

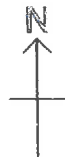
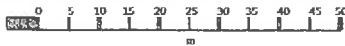
* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

EXHIBIT A : BEWICK GREEN MARKED IN RED.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey Licence No. 100051661



EXHIBIT B - MICKLEY WARD

— ward boundary

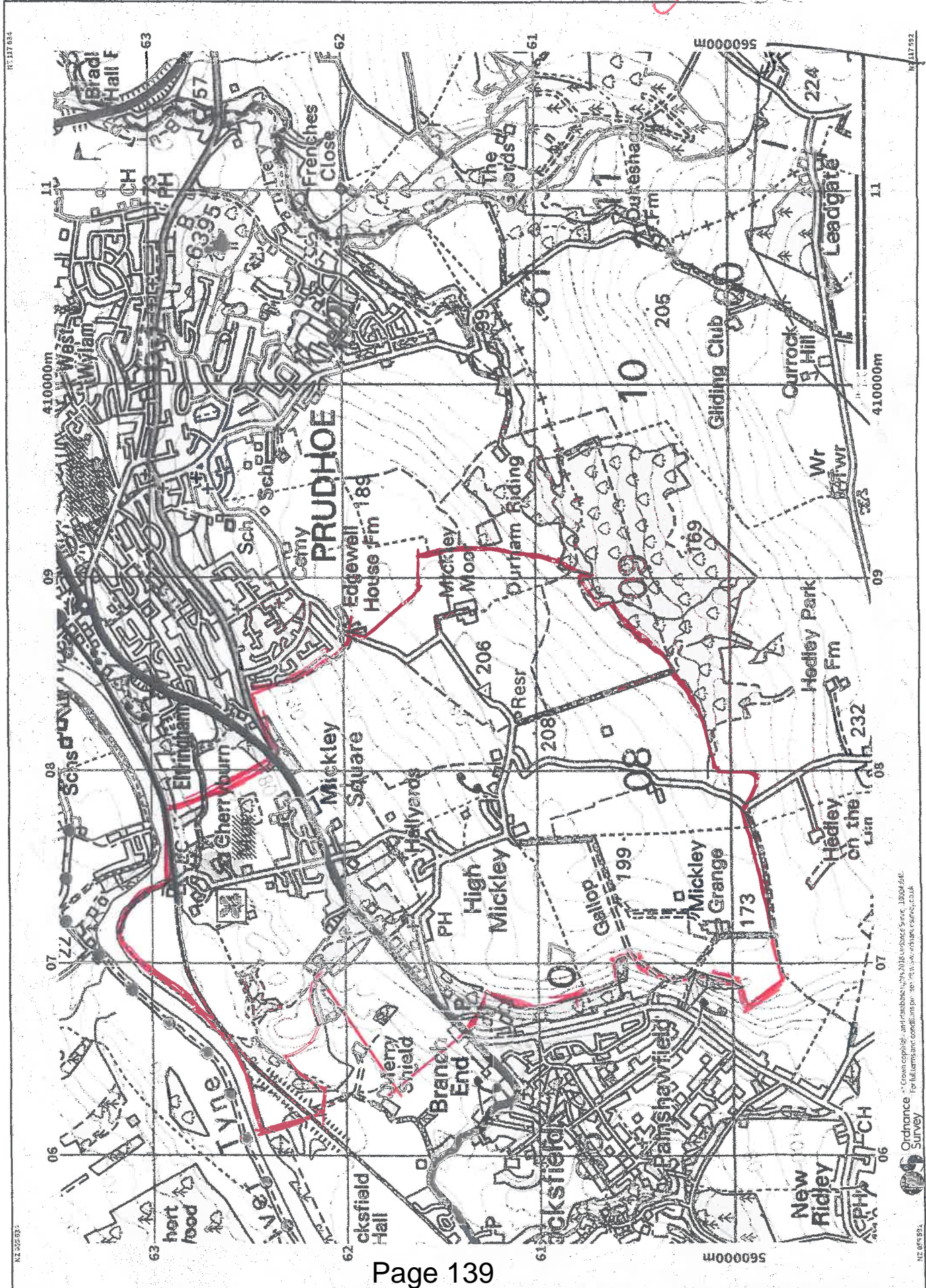


EXHIBIT C

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

Property	Land edged blue on the plan attached to the application and described in form SIM as LAND AT, BEWICK GARTH, MICKLEY, STOCKSFIELD, NORTHUMBERLAND, NE43 7AU.
----------	---

The index map does not define the extent of the land in any registered title. This reflects the fact that the boundary of a registered estate as shown for the purposes of the register is a general boundary, unless shown as determined under section 60 of the Land Registration Act 2002. You might also wish to refer to the individual register and title plan of any adjoining titles for details of the surrounding registered estates and their general boundaries and/or determined boundaries.

Result

The index map has been searched in respect of the Property with the following result:

No registered estate, caution against first registration or application for first registration or application for a caution against first registration is shown on the index map in relation to the Property. We therefore hold no records in respect of the Property.

The plan lodged with your application for a search of the index map has been accepted for this application. Any statement of disclaimer has been disregarded as it is assumed that it was not intended to apply for the purposes of the application.

Please note that the acceptance of the plan for this particular application does not necessarily mean that the same plan would be accepted if subsequently used for another application. All plans lodged with a Land Registry application should comply with the guidelines in Land Registry's Practice Guide 40, Supplement 2. Lodging a plan which does not comply with the guidelines may result in

Continued on page 2

Your Reference: HEPBURN	Key Number: -----	Any enquiries concerning this certificate to be addressed to: TF RO CO
George Hepburn Bewick House Bewick Garth Mickley Square NE43 7AU		Durham Office PO Box 75 Gloucester GL14 9BD
		Tel. No: (0300) 006 0010

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

requisitions being raised, (such as a request to delete a statement of disclaimer) or the application being cancelled.

For further information about:

SIMS - see Practice Guide 10 - Official searches of the index map

How to obtain official copies - see Practice Guide 11 - Inspection and applications for official copies

Plan requirements for registration - see Practice Guide 40 - Land Registry plans - (www.gov.uk/land-registry).

Ordnance Survey map products - (www.ordnancesurvey.co.uk).

END OF RESULT.

KE

George Hepburn
Bewick House
Bewick Garth
Mickley Square
NE43 7AU

| |

EXHIBIT C

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

If no postal address insert description, for example 'land adjoining 2 Acacia Avenue'.

To find out more about our fees visit www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 4.

1	Local authority serving the property: Northumberland				
2	Property to be searched Flat/unit number: Postal number or description: see continuation sheet Name of road: Bewick Garth Name of locality: Mickley Square Town: Stocksfield Postcode: NE43 7AU Ordnance Survey map reference (if known): NZ07484 62278 Known title number: not known				
3	Application and fee <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 80%;">Application</th> <th style="width: 20%;">Fee paid (£)</th> </tr> </thead> <tbody> <tr> <td>Search of the index map</td> <td style="text-align: center;">£7</td> </tr> </tbody> </table> Fee payment method <input checked="" type="checkbox"/> cheque made payable to 'Land Registry' <input type="checkbox"/> direct debit, under an agreement with Land Registry	Application	Fee paid (£)	Search of the index map	£7
Application	Fee paid (£)				
Search of the index map	£7				

This panel must always be completed.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in practice guide 10: inspection and application for official copy. Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Any attached plan must contain sufficient details of the surrounding roads and other features to enable the land to be identified satisfactorily on the Ordnance Survey map. A plan may be unnecessary if the land can be identified by postal description.

4	This application is sent to Land Registry by <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Key number (if applicable):</div> Name: George Hepburn Address or UK DX box number: Bewick House, Bewick Garth, Mickley Square, NE43 7AU Email address: Reference:
	Phone no: _____ Fax no: _____
5	Issue of certificate of result of search in paper format where an email address has been supplied If you have supplied an email address in panel 4, then, unless you complete the box below, any certificate of result of search of the index map will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing. <input type="checkbox"/> I have supplied an email address but require the certificate of result of search to be issued in paper format instead of being issued electronically
6	I apply for an official search of the index map in respect of the land referred to in panel 2 shown marked in blue _____ on the attached plan
7	Signature of applicant: _____ Date: 21st December 2017

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 86 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

© Crown copyright (ref: LR/HO) 04/17

PHOTOS OF BEWICK GREEN

EXHIBIT D



Views of Bewick Green from the south looking north towards Bewick House showing Bewick Garth crossing Bewick Green

EXHIBIT D



Views of Bewick Green looking north towards Dene House

Application to Northumberland County Council

**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 2 of 2

Application to register Bewick Green

Exhibit E

Letters of support

No	Name	Address	Date	Comment
E1	Leslie and Jean Ashworth	23 Riding Terrace, Mickley NE43 7BU	17/03/18	In nhood
E2	Melvyn Charlton	(formerly of) 19 Riding Terrace, Mickley, NE43 7AU	9/03/18	Ex nhood
E3	Jacqueline Dowson	Dene House, Station Bank, Mickley NE43 7AU	17/03/18	In nhood
E4	Andy and Sue Green	1 Eltringham Cottages, Mickley NE43 7BX	18/03/18	In nhood
E5	Edward Fenwick	21 Riding Terrace, Mickley, NE43 7BU	9/03/18	In nhood
E6	George Hepburn	Bewick House, Bewick Garth, Mickley, NE43 7AU	24/03/18	In nhood
E7	Jan McGregor Hepburn	Post Office Cottage, Station Bank, Mickley NE43 7BX	24/03/18	In nhood
E8	Chris and Helen Johnson	Heathcote, Mickley, NE43 7BS	8/03/18	Ex nhood
E9	Cheryl Johnson	Rivendell, Bewick Garth, NE43 7AU	17/03/18	In nhood
E10	Adrian Lamb	8 Bewick Garth, Mickley, NE43 7AU	19/03/18	In nhood
E11	Paul and Bettina Newton	Phoenix House, Bewick Garth, Mickley, NE43 7AU	16/03/18	In nhood
E12	Rev Mark Sharman	4 Eltringham Cottages, Mickley, NE43 7BX	4/03/18	In nhood
E13	Keith Shaw and Diane Westwood	20 Riding Terrace, Mickley, NE43 7BU	17/03/18	In nhood
E14	Hilary Skoyles	58 Riding Dene, Mickley, NE43 7DQ	5/03/18	In nhood
E15	Stephen Smith	2 Sandysykes, Prudhoe NE42 6LW	19/03/18	Ex nhood
E16	Graham Storey	3 Eltringham Cottages, Mickley NE43 7BX	24/03/18	In nhood
E17	Rob Warr	5 Riding Terrace, Mickley NE43 7BU	19/03/18	Nr nhood
E18	Paul and Jane Tailford	13 Riding Terrace, Mickley NE43 7BU	25/03/18	Nr nhood
E19	Andrea Charlton	5 North View, Mickley, NE43 7DA	25/03/18	Nr nhood

Totals: currently living in neighbourhood = 13 (out of 23)

Previously lived in neighbourhood = 3

Currently living near neighbourhood = 3

f 1

23 Riding Terrace
Mickley
Stocksfield
Northumberland
NE43 7BU

17th March 2018

To whom it may concern,

We write in support of the claim to register The Green (designated in red on the attached plan) at Mickley Square as an official village green at Northumberland County Council.

We have lived in Mickley Square at our address adjacent to The Green for many years.

During the whole of this period The Green has been completely open to the public and used as a recreational area by local children, by residents of South View as a means of access to their homes, and for many years as an area where summer barbeques which we have attended are held. The Green is also used responsibly by dog owners including ourselves on a daily basis. It has never been fenced and no notices have been displayed seeking to curtail access by local residents.

The Green is also important in providing an attractive setting for some of the oldest houses in Mickley Square which are grouped round The Green. Loss of this open space would certainly have an adverse impact on this setting, which leads down to the significant tourist destination of the birthplace of Thomas Bewick, the noted 19th century engraver and natural history author.

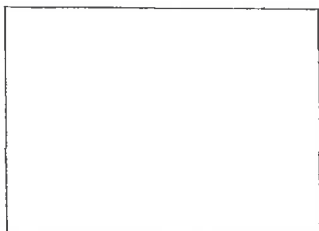
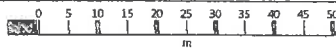
The Green therefore has considerable recreational and social value as well as being an attractive area of open green space within the village. By registering The Green as an official village green the hope is that this open space will be preserved for the amenity of all residents for years to come.

We fully support the application to register The Green as an official village green and write this letter in the knowledge that it will be used in evidence as part of the application for village green status.

Yours sincerely,

11

x marks my house.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E 2

19 Riding Terrace,
Mickley,
Stocksfield.
Northumberland NE43 7BU

9th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at the above mentioned address which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan between 1956-1996.

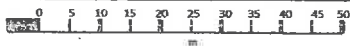
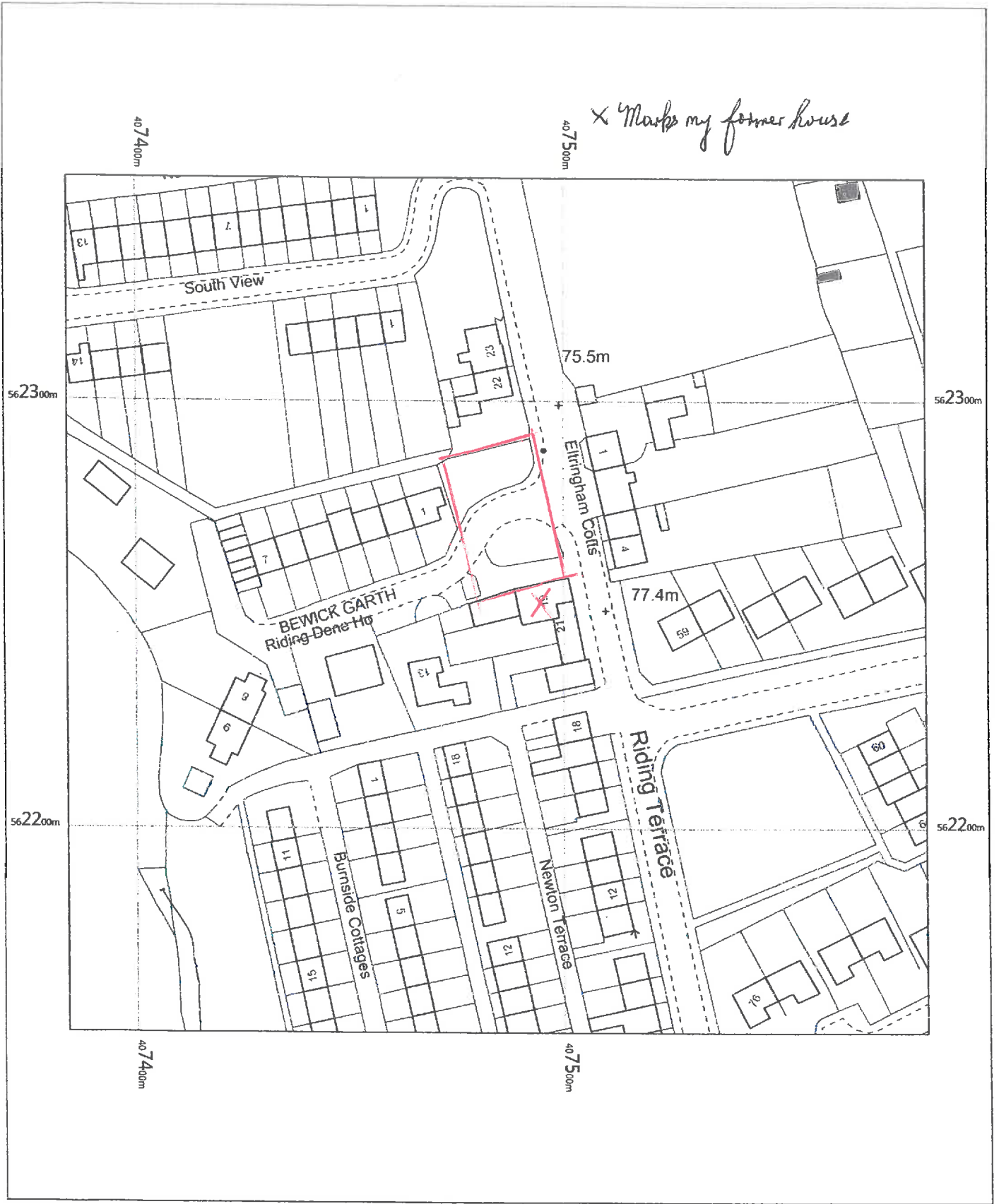
During the 40 years I lived there I would walk over the green, exercise my dog, play games, chat with people and was never stopped or questioned what I was doing. I have learned from friends at Mickley that these activities still happen and there is now an annual barbecue on The Green.

I firmly believe that these activities should be treated by Law as having a Lawful origin and I strongly support the application to register The Green as a village green which would benefit the neighbourhood for years to come.

Yours sincerely

Melvyn Charlton

X Marks my former house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey, Licence no. 100051661



Dene House,
Station Bank
Mickley Square
NE43 7AU

17th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2015.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

During this time, my children have played on the Green and I have walked across it. I have also attended the annual village BBQ held on The Green.

I have carried out these activities without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

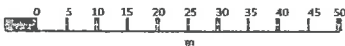
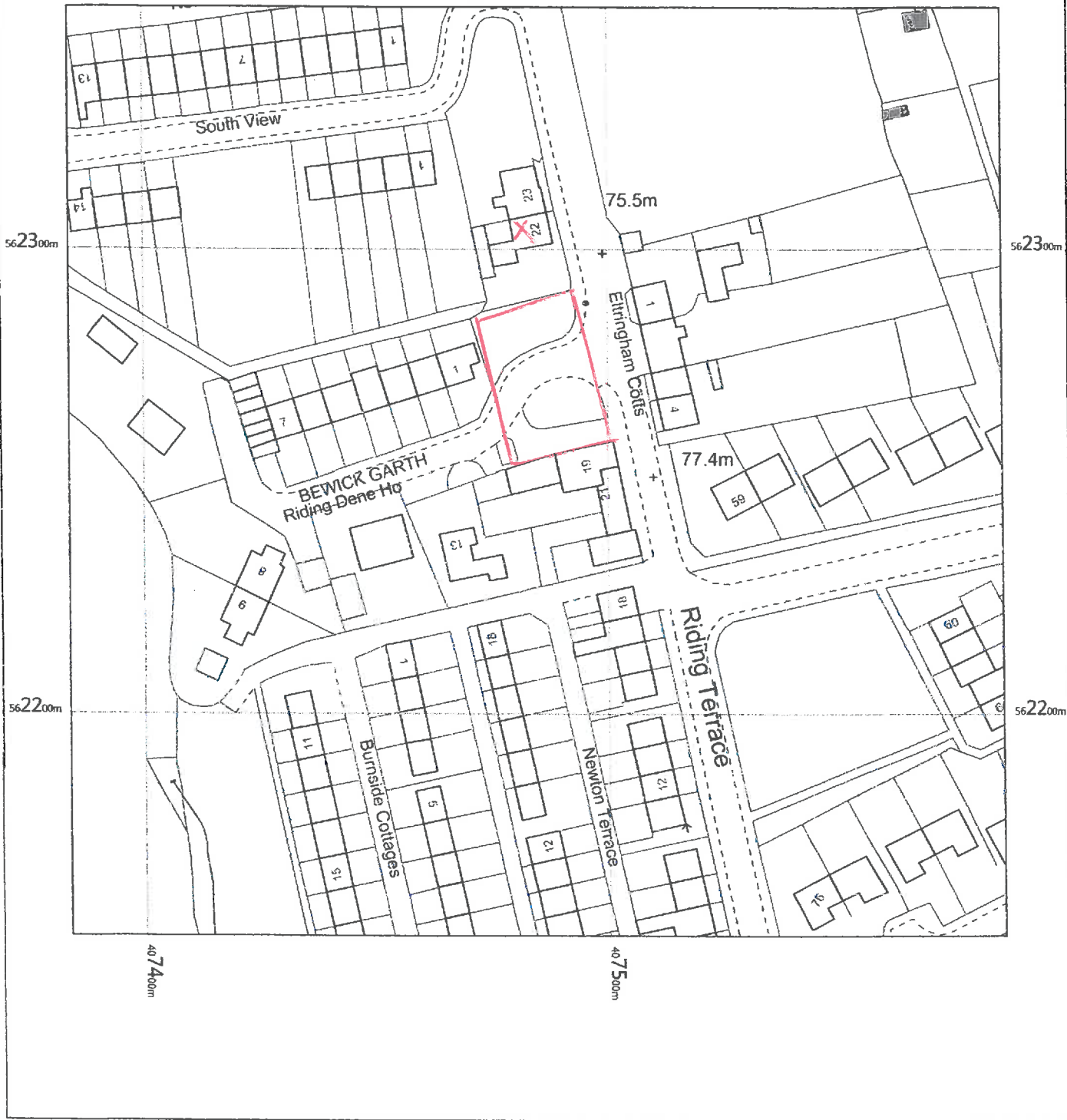
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Jacqueline Dowson

* Marks my house

* marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey, Licence no. 100051661



E4

1 Eltringham Cotts

Mickley
Stocksfield
NE43 7BX

18/3/2018

Evidence in support of claim to register The Green at Mickley Square

We have lived at this address, which is directly opposite the the Green at Mickley Square, marked in red on the attached plan, since 1996.

During the time we have lived here, our use of the Green has never been challenged by anyone and we have never had access denied when walking across The Green. We have never seen any notices prohibiting the public using The Green and there have never been any physical barriers preventing access such as fencing or walls.

Over the years, we have used The Green for various forms of recreation including walking the dog and community celebrations. Our children have played games on The Green in common with many of the children who live in the surrounding houses. Our family have regularly attended the annual village barbeque on The Green which has been held over the previous 7 years.

We can confirm that I have carried out the activities referred to in this letter for years without anyone trying to stop us and believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support the application to ensure that The Green continues to be used benefit the neighbourhood for years to come.

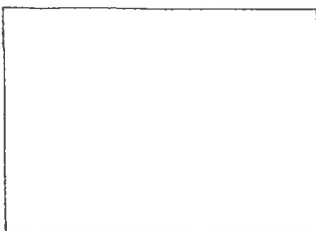
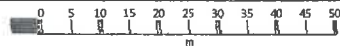
Yours Sincerely,

Mr Andy and Mrs Sue Green



X MARKS MY HOME

sign



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



21 Ridding Terrace

Mickley.

NE43 7BU

09.03.2018.

Evidence in support of the claim to register The Green in Mickley square. I have lived in Mickley for 66 years, 42 years at this address, which is in sight of the area named as The Green at Mickley Square, marked in red on the attached plan. In all that time I have lived in the village no one has stopped or challenged me when walking across the green.

I have never seen any notices prohibiting the public using the green and it has never been fenced in.

Over the years I have seen the green used for recreations such as playing games, community celebration, the annual village barbeque has been held on the green for the passed seven year's with out any problems. I can also go back 50 years or more to the days during the school holidays some of the local boy's, my shelf included would use the green as one of our regular camping sites this was also with out any problems. I have seen the activities referred to in this letter carried out for years without any complaints from any one, no one has ever been stopped from using the green.

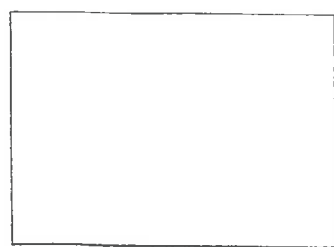
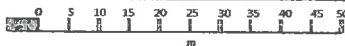
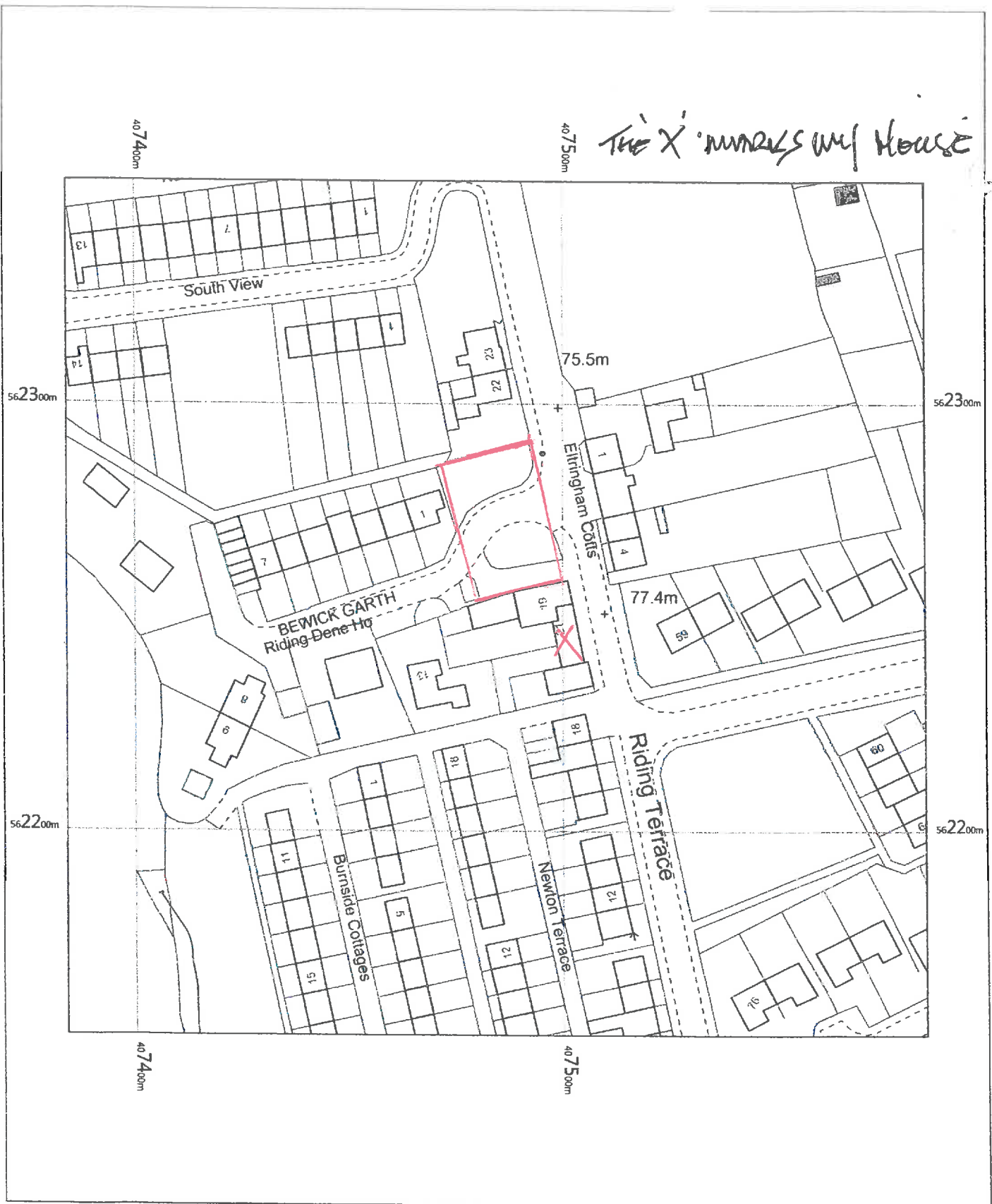
I have written knowing that this letter will be used in evidence to support the application to register The Green as a village Green. I fully support the application to ensure that the Green continues to be used for the benefit of the neighbourhood for many years to come.

Yours sincerely

J E Fenwick

2

The 'X' marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey, Licence no. 100051661



Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

24th March 2018

**Evidence in support of claim to register
Bewick Green at Mickley Square**

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

I regularly walk over the Green and since about 2009 I have cut the grass on the Green as well. I have also pruned the tree nearest to my house on two occasions, cut down a dead tree and planted a new one.

In 2010 we created a flower bed and improved the public path in front of Bewick House to tidy up what had been a unseemly gravel area, where the previous owner of Bewick House had parked his cars.

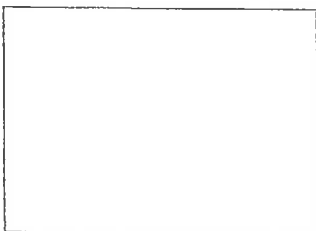
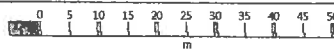
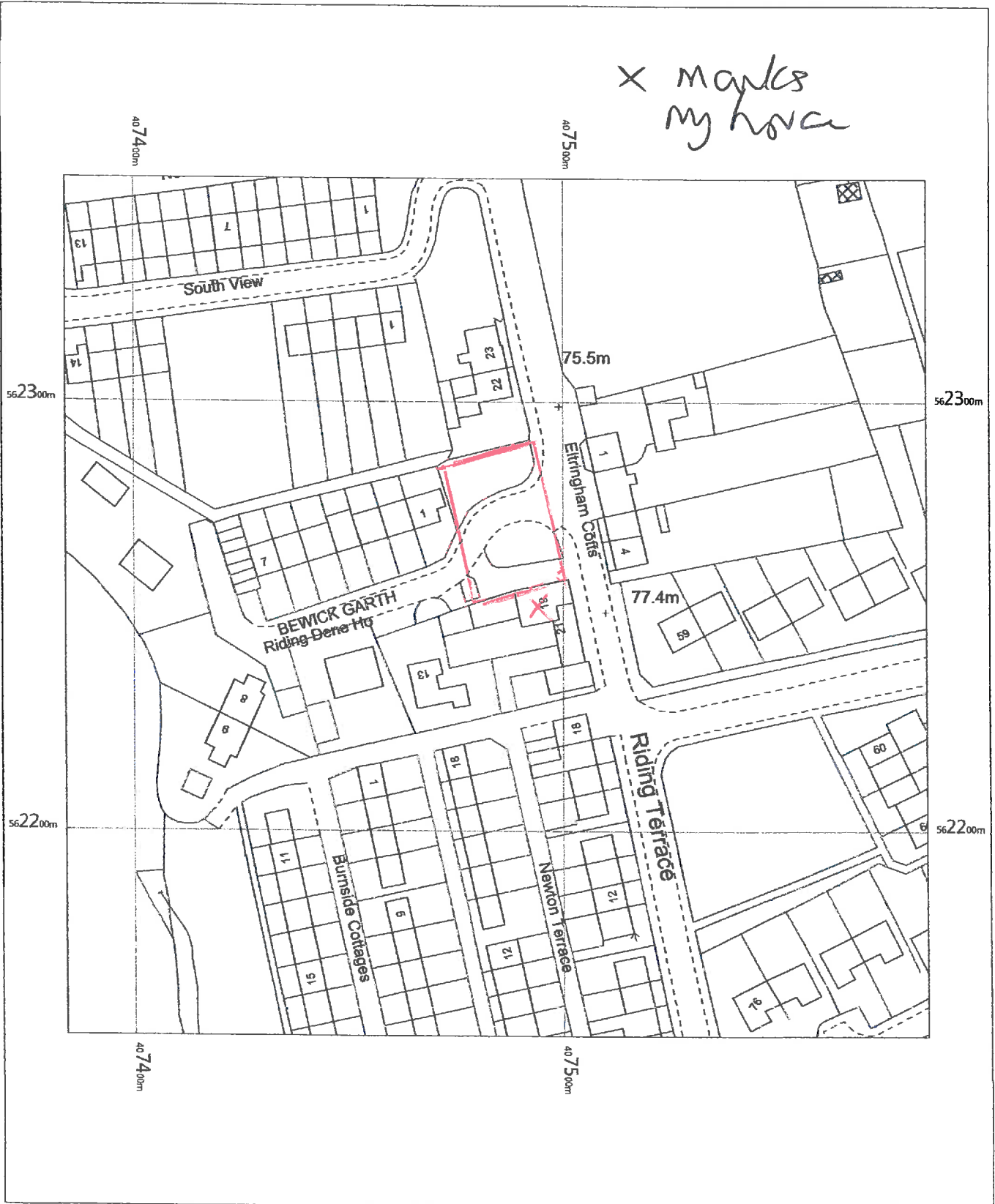
I am one of the organisers of the annual village BBQ which has been held on the Green since 2008. It is advertised to the surrounding houses and regularly draws about 50 people who bring their own chairs and tables and use a large BBQ provided by one of the neighbours. It has become an eagerly anticipated annual get together.

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely, George Hepburn OBE

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLIT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E7

Post Office Cottage,
Station Bank
Mickley.
Northumberland
NE437BX

24th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have been at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1990.

During this time I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise and eating lunch. There has been an annual village barbeque on The Green for the past 7 years which I have attended on occasions. I also plant up and maintain the two large planters, one on each side of the green, and have done this for several years.

I often see and hear children playing on the green, and people walking their dogs; it is a village amenity.

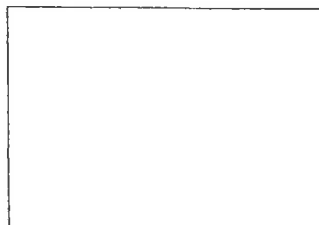
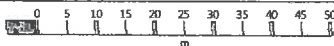
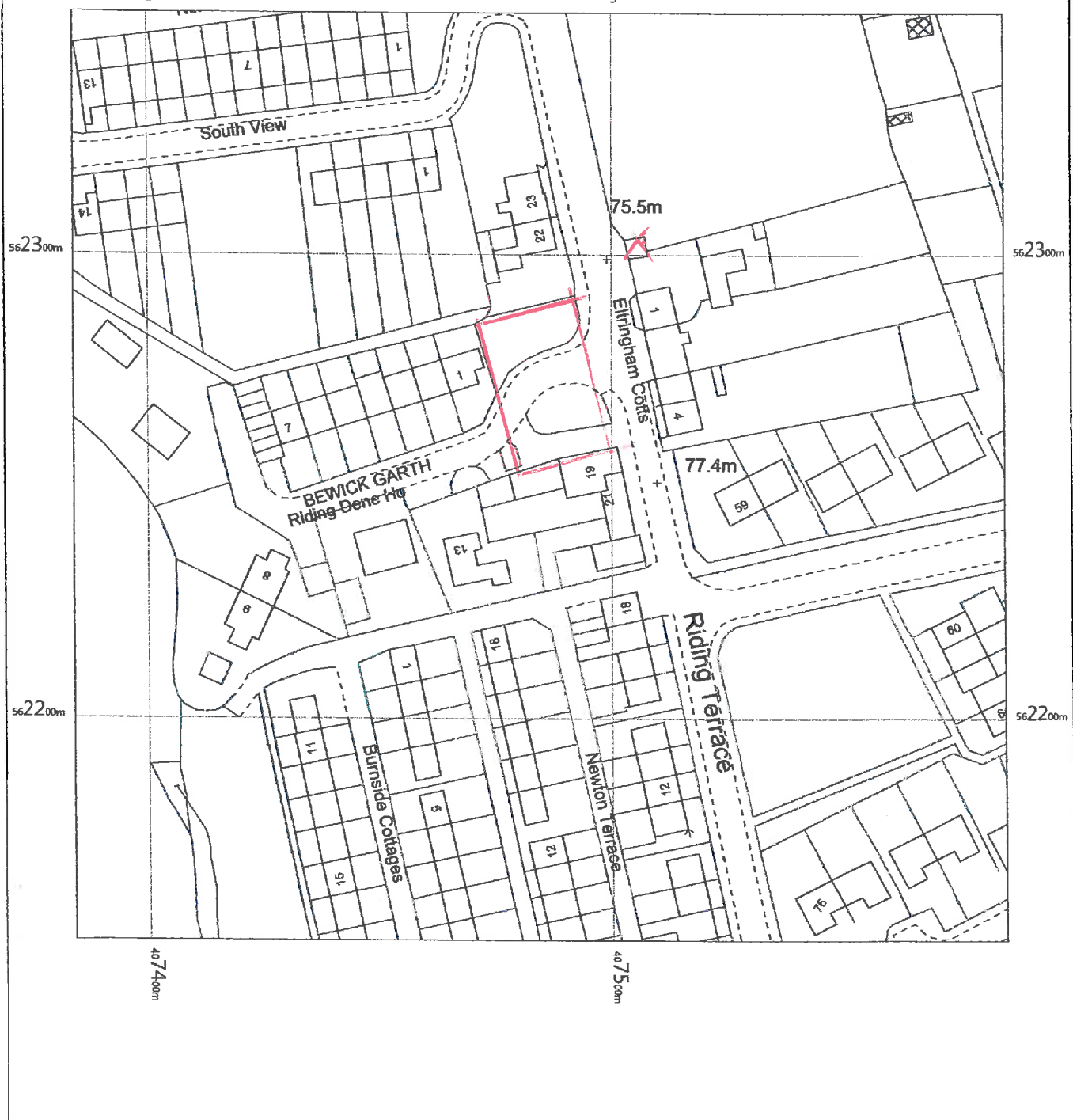
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

J.D. McGregor Hepburn

x marks my office



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



8 March 2018

Evidence in support of claim to register The Green at Mickley Square

I resided at Dene House, 22 Riding Terrace, Mickley, NE43 7BU from 1952 through to my marriage in 1977. The property is still owned by me and my wife and throughout my residency in Mickley the green outlined on the attached plan, in red, has been a place of recreation. I operated the village Post Office from the property through to its closure in 2008. I have memories of children playing on the green.

Never have I or my wife been challenged nor stopped from walking or sitting on The Green nor have there ever been signs or notices prohibiting use by members of the public.

Whilst no longer living at Dene House I rent the property out and I know that my tenants and their children have used The Green for playing and picnicking. Additionally I know that they have attended the annual Village Barbeque since its inception in 2009.

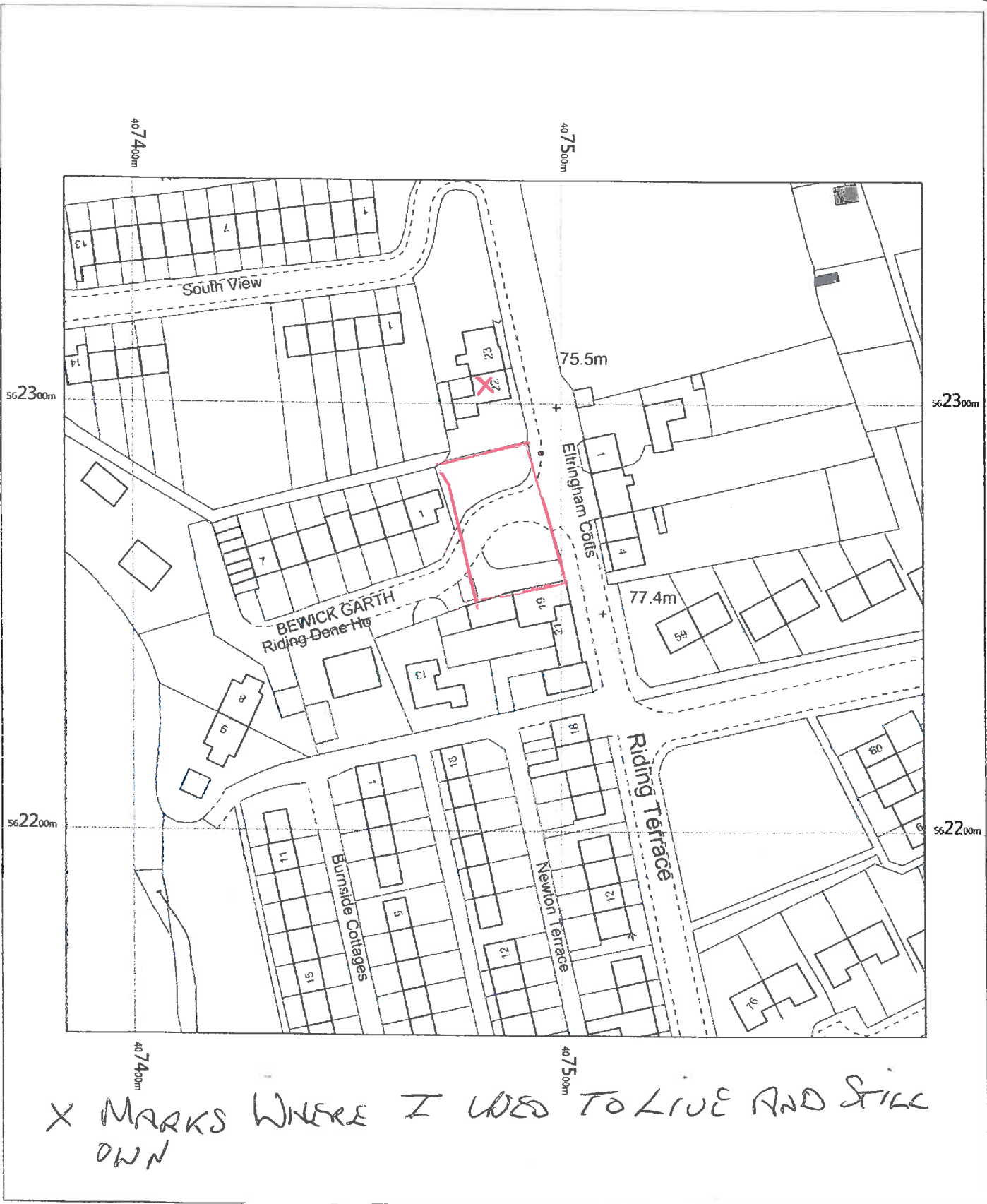
I believe that the activities of walking and sitting enjoying the fresh air that me and my wife have enjoyed over many years should be treated by the law as having a lawful origin.

I understand that this letter will be used in evidence to support the application to register The Green as a village green. My wife and I fully support the application to ensure that The Green remains a space to be used and enjoyed by the residents of the neighbourhood for years to come.

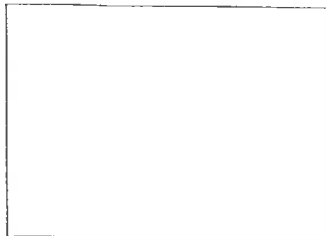
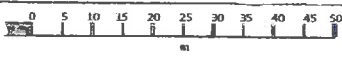
Yours faithfully

Christopher Johnston and Susan Helen Johnston

28



X MARKS WHERE I USED TO LIVE AND STILL OWN



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey, Licence no. 100051661



RIVENDELL, BEWICK GARTH
MICKLEY, STOCKSFIELD,
NORTHUMBERLAND, NE43 7AU

17/3/2018

I have lived at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1996

During the time I have lived here I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting members of the public from using The Green, and it has never been fenced in.

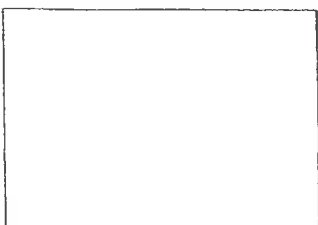
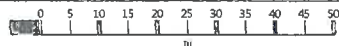
Over the years I have used The Green for many recreational activities such as, playing games with my children, they learned to ride their bikes on the green, picknicking , playing with and training my dogs, and photographing various members of my family as it has always been such a nice setting. Also there has been an annual village barbecue held on The Green for the past 7 years, organised, well attended, and enjoyed by the residents of Bewick Garth and surrounding neighbours. This has always helped greatly to establish a good community spirit among the residents.

I have carried out the above activities referred to in this letter for years without anyone trying to stop me, and I believe the activity should be treated by the law as having lawful origin.

I have written knowing that this letter will be used as evidence to support the application to register The Green as a Village Green. I fully support the application to ensure that The Green will continue to be used for the benefit of the neighbourhood for years to come.

Yours sincerely

CHERYL JOHNSON



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: 8LJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E 10

8 Bewick Garth

Mickley

Stocksfield

NE43 7AU

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since September 2016.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

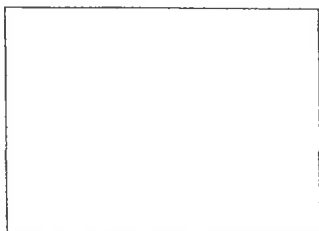
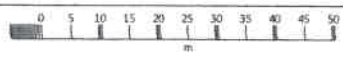
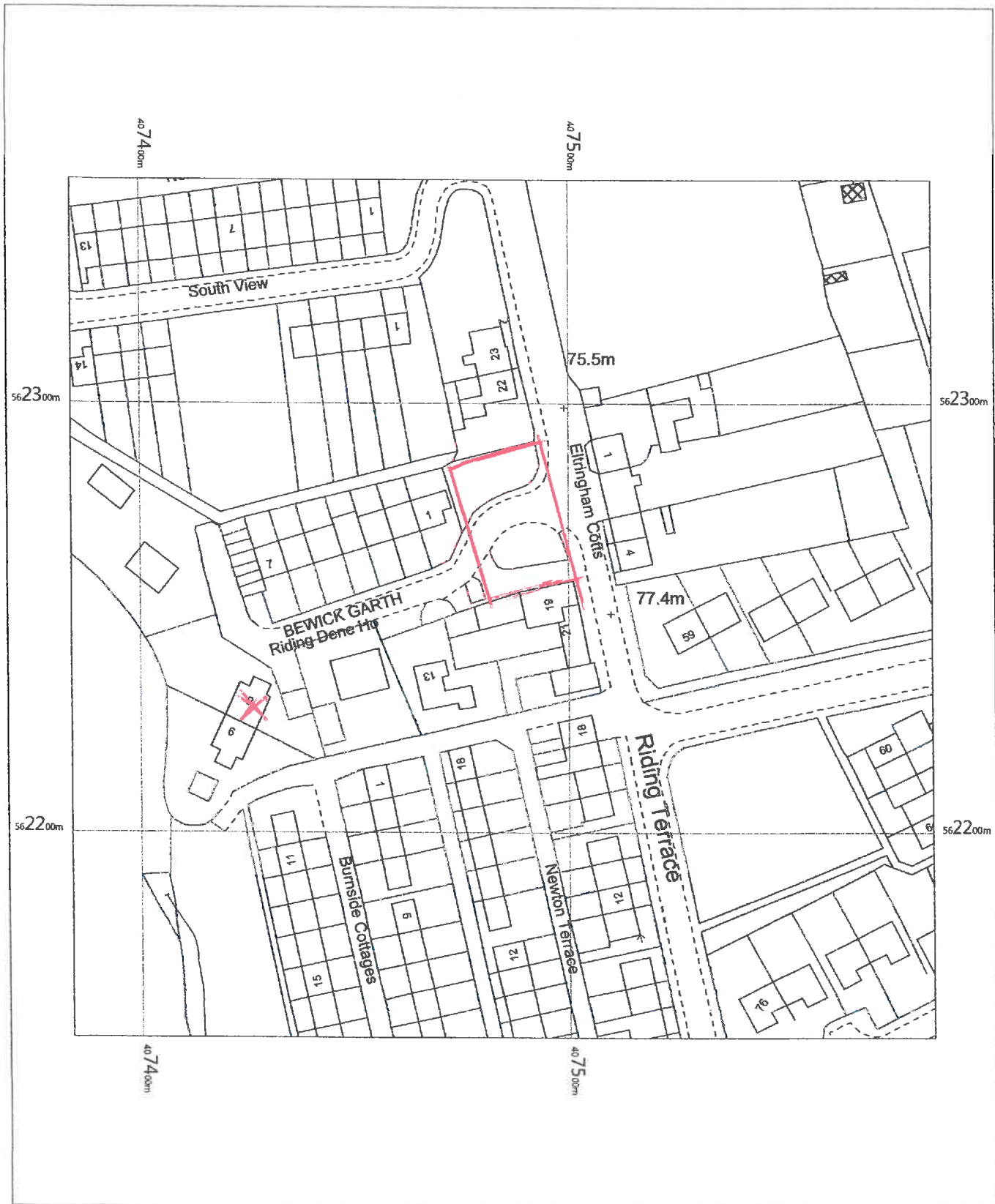
There has been an annual village barbeque on The Green for the past 7 years. Although we were unable to make it last year, I am looking forward to joining in with this over the coming years. We were informed about this before we bought our house, and this was an influencing factor, as we wanted to live somewhere which has a strong community spirit.

I understand that The Green has been used for many years for walking the dog/ exercise/ playing games/ community celebrations/ picnicking, etc., and I believe these activities should be treated by the law as having a lawful origin. I am strongly of the opinion that it is very important for a community that it should have access to a common shared area which can be used for the benefit of all who live near-by.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Mr Adrian Lamb



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk
 1:1250 scale print at A4, Centre: 407484 E, 562252 N
 ©Crown Copyright Ordnance Survey. Licence no. 100051661



EU

Paul and Bettina Newton
Phoenix House
Bewick Garth
Mickley Square
Northumberland
NE43 7AU

16th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2004.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. We have never seen any notices prohibiting the public from using The Green and it has never been fenced in.

Over the years, we have used The Green for various forms of recreation including picnics, playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended and enjoyed.

The Green is popular with our children who can kick a football around or play catch in a safe and pleasant environment and it is particularly lovely in the Spring time when the daffodils are in bloom.

We have carried out the activities referred to in this letter for years without anyone trying to stop us and we believe the activity should be treated by the law as having a lawful origin.

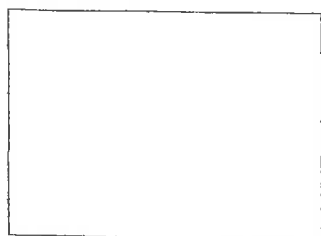
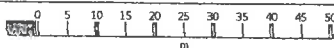
We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support this application to ensure that The Green continues to be used to the benefit of the neighbourhood for years to come.

Yours sincerely

Paul Newton

Bettina Newton

X marks my house.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



F12

Rev. Mark Sharman

4 Eltringham Cottages

Mickley, Stocksfield NE43 7BX

4/3/2018

Evidence in support of claim to register

The Green at Mickley Square

Dear Sir

I have lived at this address, which is opposite The Green at Mickley Square, marked in red on the attached plan, since 1995.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking the dog, playing games, community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I believe that this communal open space is vital for keeping a sense of community in our village.

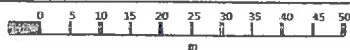
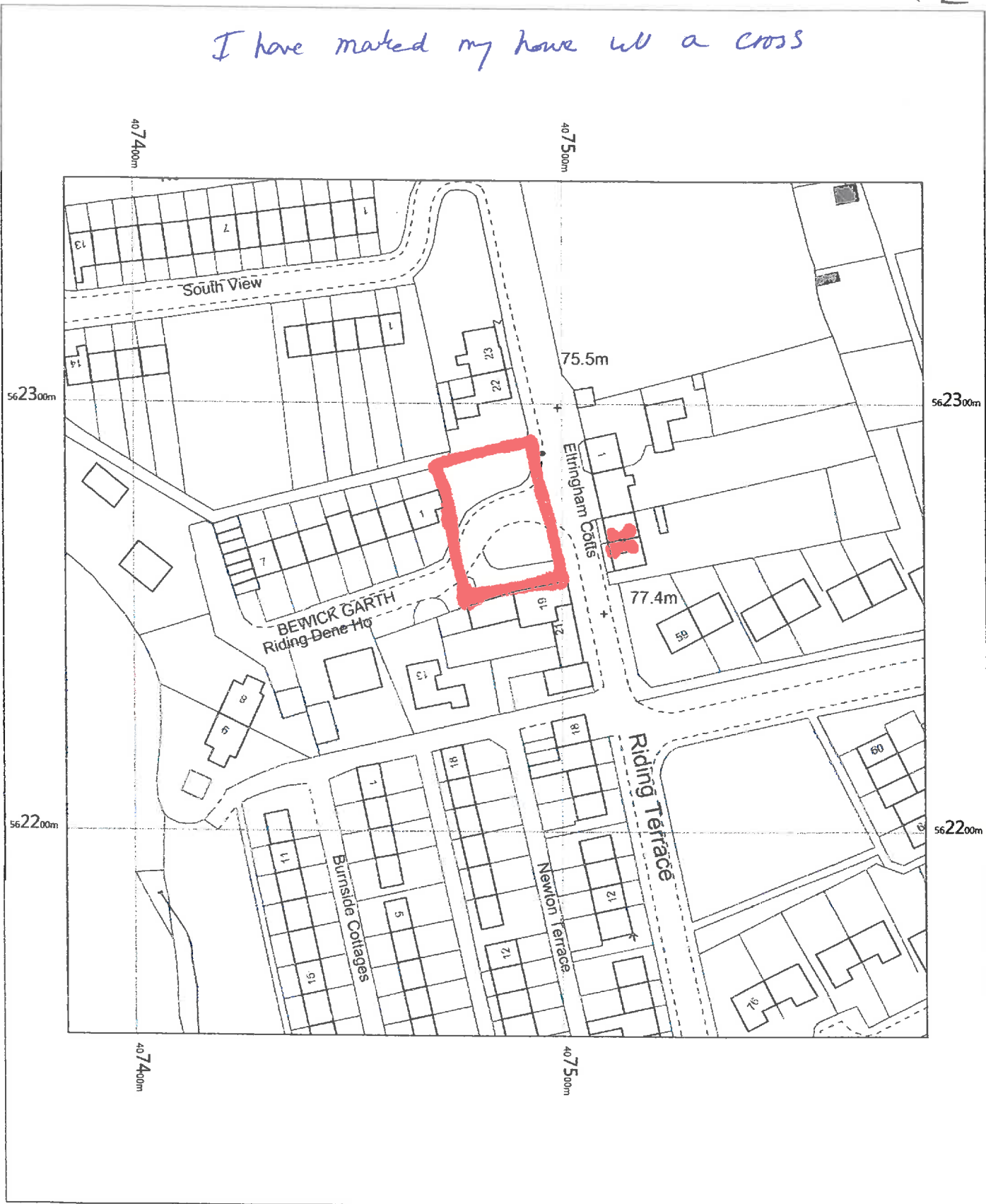
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

REV MARK SHARMAN

I have marked my house with a cross



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey Licence no. 100061661



20 Riding Terrace, F13
MICKLEY
NE4 3 7BU

17th March 2018.

EVIDENCE IN SUPPORT OF A CLAIM TO REGISTER
BEWICK GREEN AT MICKLEY SQUARE

We have lived at the above address for the past twenty-nine years and you will see from the attached plan that we are close to the area in question.

In all that time we have never been stopped or challenged by anyone when crossing the green and there have never been any prohibiting notices or fencing.

Over the years our family have used Bewick Green for play and community activities and as a pathway to the lanes in the lower part of the village. We believe that such activity should be treated by the law as having a lawful origin.

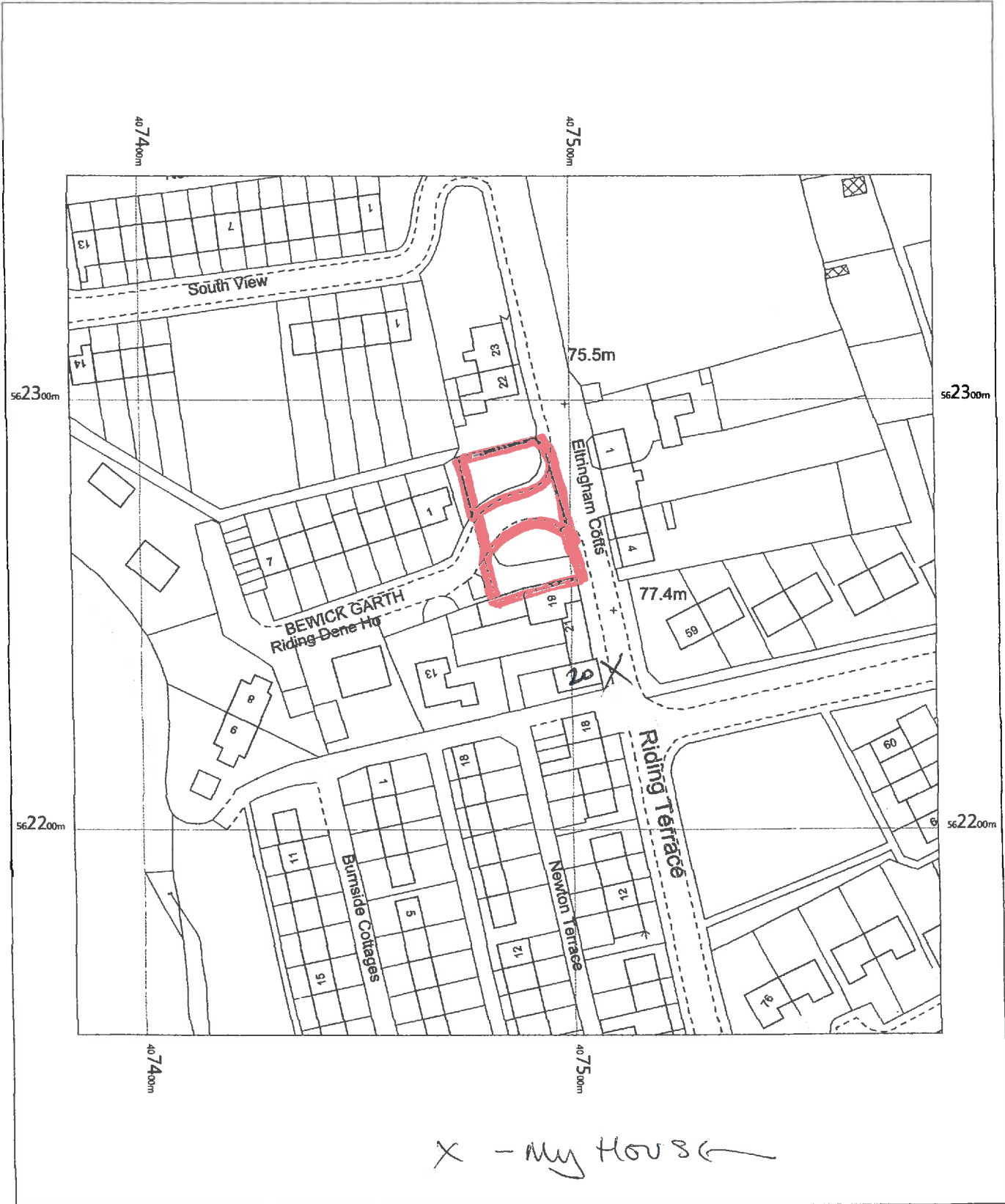
We fully support the application to register Bewick Green as a village green and are content that this letter may be used in evidence for the application.

Yours sincerely,

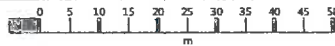
[Dr. Keith Shaw]

X13

Bewick House



X - my house ←



18/8/18.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: 8LJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



58 Riding Dene,
Mickley Square,
Stocksfield.
Northumberland.
NE43 7DQ

05/03/2018

Evidence in support of claim to register

"The Green" at Mickley Square

I have lived at this address, which is in the neighbourhood of "The Green" at Mickley Square, marked in red on the attached plan, since September 2013.

During the time I have lived in Mickley Square, no one has stopped or challenged me when walking on "The Green". I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

In this time, I have used "The Green" for recreation including walking the dog and community celebrations. There has been an annual village barbeque on "The Green" for the past 7 years and I have attended this enjoyable event.

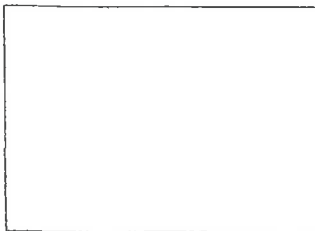
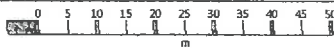
I have carried out the activities referred to in this letter in the time we have lived here without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter may be used as evidence to support the application to register "The Green" as a village green. I fully support the application, to ensure that "The Green" continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

Hilary Skoyles

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



2 Sandysykes
Halfway
Prudhoe
Northumberland
NE42 6LW

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, since returning to the area in 2008. Between 1975 and 1986 I lived in Bewick Garth, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time I lived here, I was never stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including, walking on, making snow men, playing snowballs and generally playing games as a child.

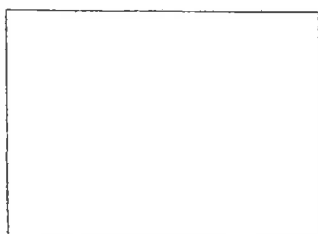
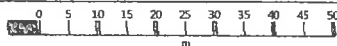
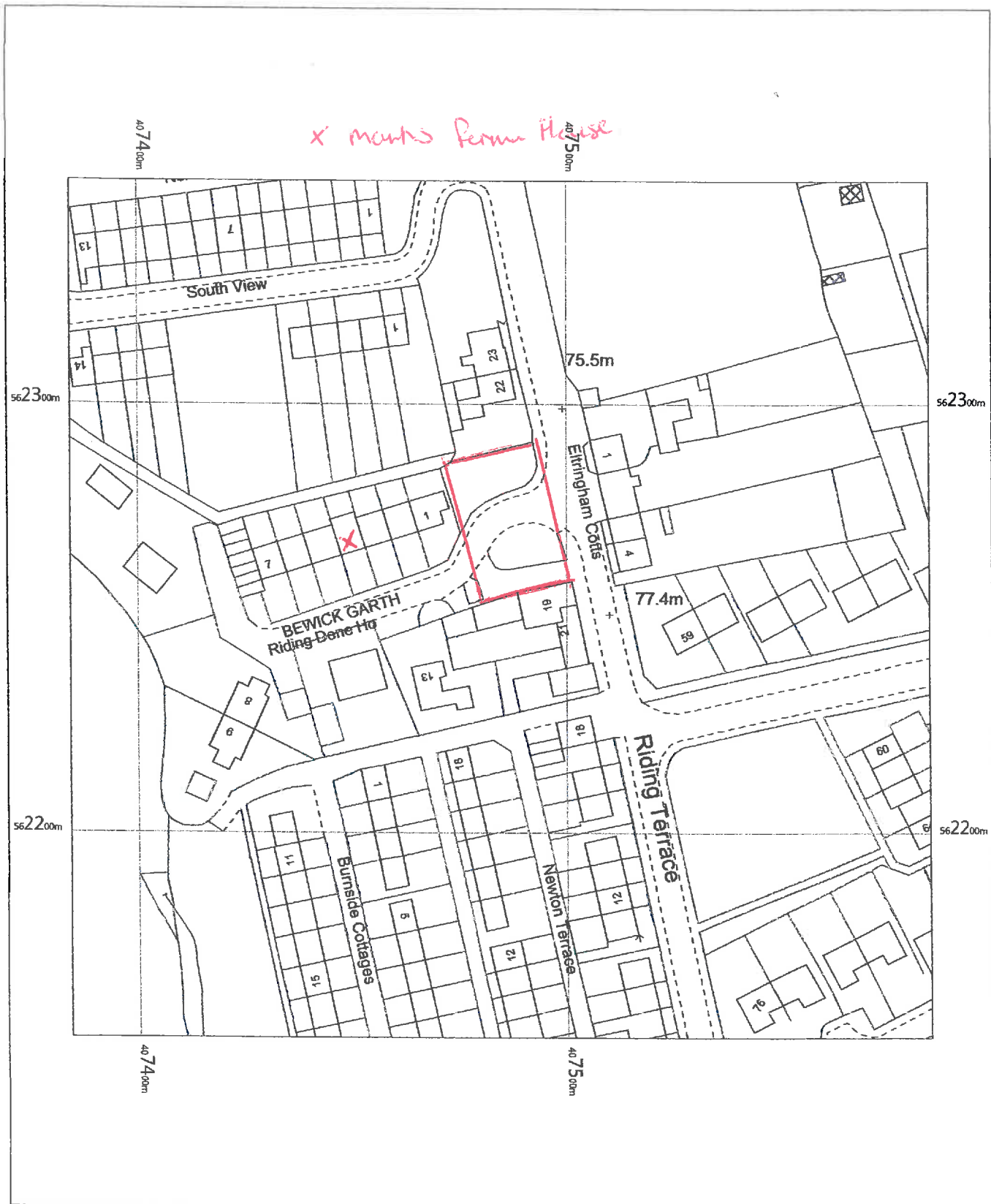
I carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Stephen Smith

x marks Farm House



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



2 Eltringham Cottages

Mickley Square

NE43 7BX

25/3/18

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the opposite The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise, playing games and community celebrations. My 3 young children regularly play football on the green as we can keep an eye on them from our house. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

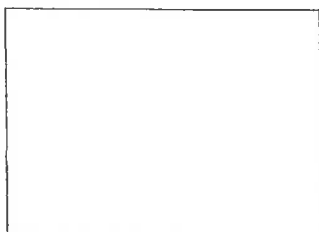
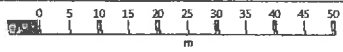
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Graham Storey

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E17

Mr RD Warr
5 Riding Terrace
Mickley Square
Stocksfield
NE43 7BU

Monday 19th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2005.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

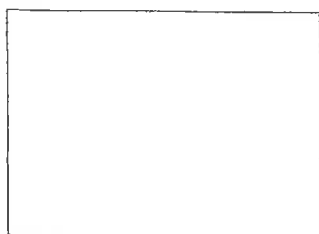
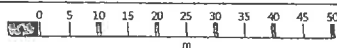
Over the years, I have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

Rob Warr

£187



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
 www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



Paul and Jane Tailford
13 Riding Terrace
Mickley Square
NE43 7BU

25th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We live at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, we have used The Green for recreation including playing games and *community celebrations*. There has been an annual village barbeque on The Green for the past 7 years which we have attended with our family. We walk across the green most days on the way to our allotment.

We have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

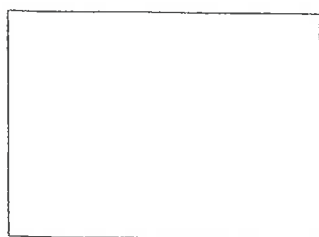
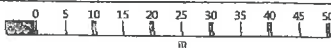
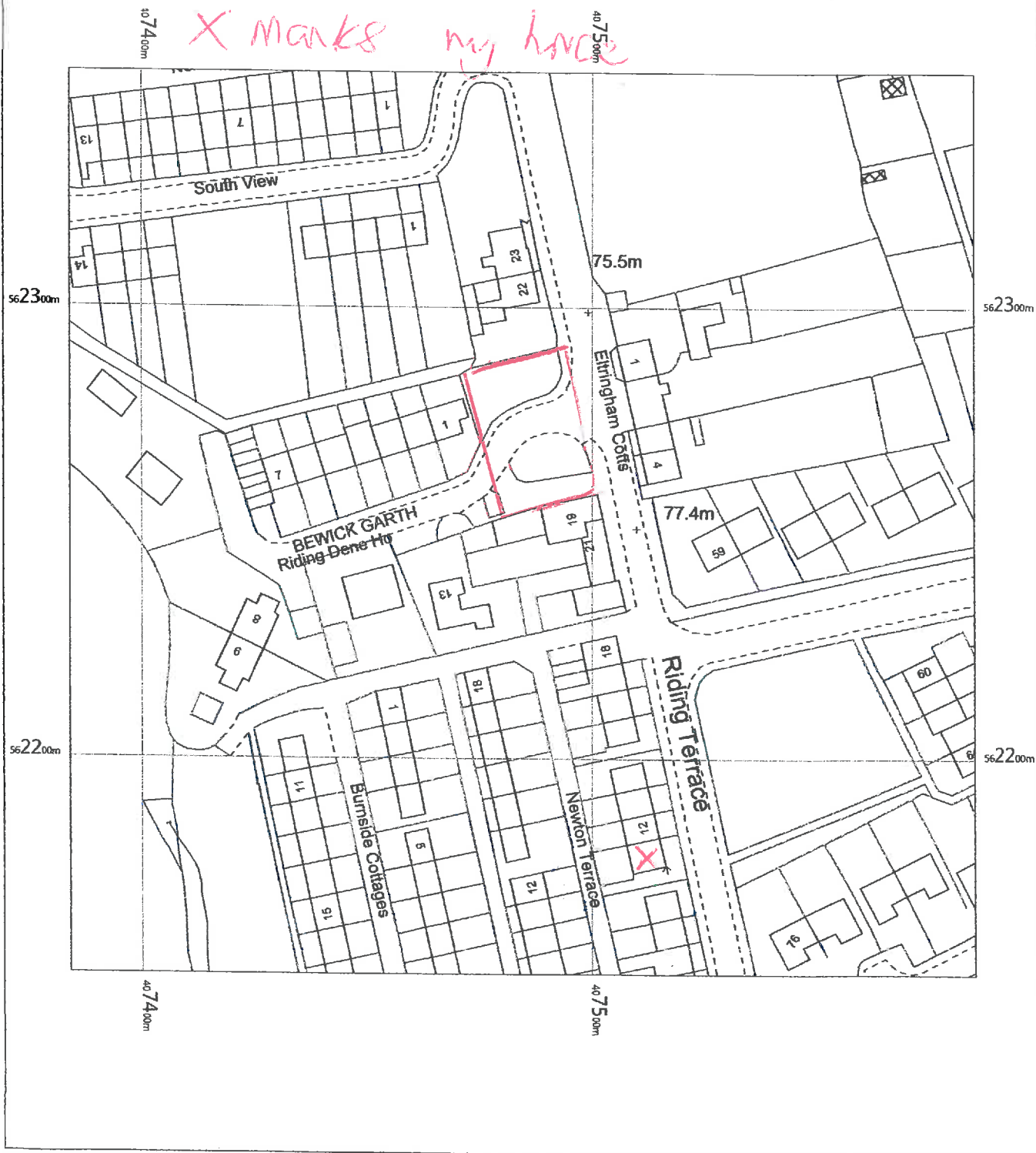
Yours sincerely,

Paul and Jane Tailford

Sign PT

Sign JT

X MARKS my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



S, North View
mickley
Stacksfield,
Northumberland.
NE43 7DA

E 19

23.3.18

I have lived, at this address, which is in the neighbourhood of The Green at mickley Square, marked in red on the attached plan, since 1994.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking, community celebrations etc. There has been an annual village barbeque on The Green for the past 7 years (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin. I have

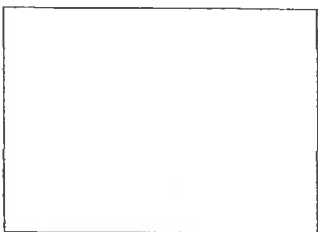
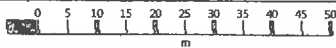
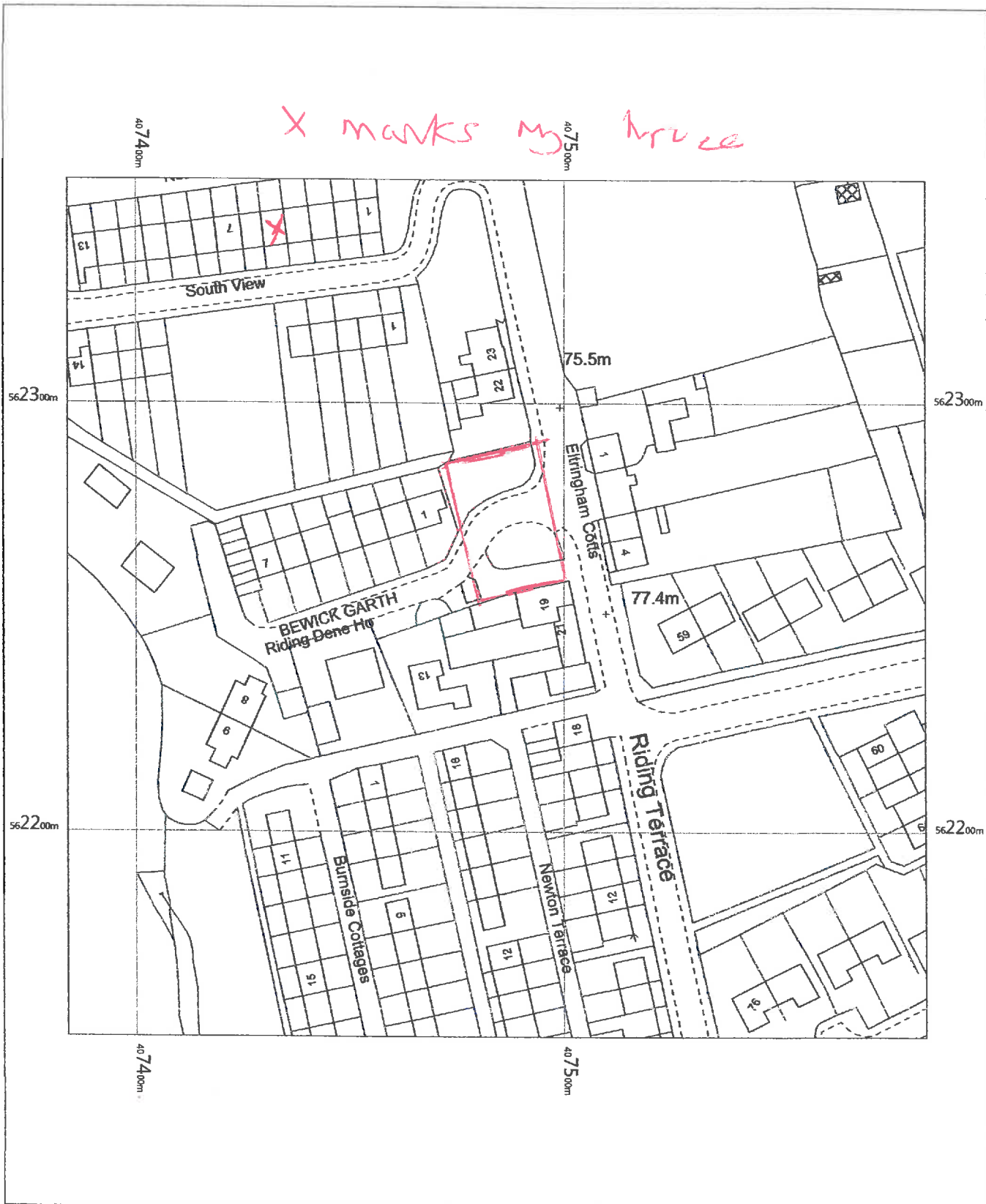
P.T.O

written knowing that this letter will be used in evidence to support the application to register the The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

ANDREA CHARLTON.

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



B. Directions

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.
 - (1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).
 - (2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.
 - i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
 - ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-
 1. A list of witnesses whom they intend to call to give oral evidence.
 2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
 3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.
- iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-
 1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
 2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.
- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
 - (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
 - (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

FINAL DIRECTIONS

1. The below directions follow the Pre-Inquiry Review on 8th December 2020 and take account that the Inquiry in this matter will take place remotely on 3rd March 2021 (by Zoom) with likely limited further evidence from the parties.
 - (1) The Non-Statutory Public Inquiry will proceed remotely on 3rd March 2021 at 9.30am (with a time estimate of no longer than one day).
 - (2) The Parties shall provide the Registration Authority with an email address of any representative or witness who will attend the Inquiry Hearing on their behalf by no later than 24th February 2021. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device.
 - (3) Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry. By 17th February 2021, the parties shall provide to the Inquiry:-
 - a) A bundle of documents (in pdf form, if possible), including any witness evidence, which they intend to rely on in addition to any witness evidence or documents already provided to the Registration Authority (*I bear in mind that the Applicant indicated he would be unlikely to be relying on any further evidence beyond that already filed and that the Objector would likely be relying on no more than one witness statement*).
 - b) If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

- (4) The Registration Authority will thereafter circulate a core inquiry bundle (including copies of relevant application and objection documentation, witness evidence already filed and correspondence between the parties, together with a plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)).
- (5) The Registration Authority at the same time shall circulate any bundles of further documents filed by the parties in accordance with paragraph (3) above (again in default of any request to the contrary, in pdf form) and, if it is convenient, the same may be incorporated into the core bundle for ease of reference at the Inquiry.
- (6) The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, by no later than 17th February 2021. The advertisement(s) will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely.
- (7) Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours (and subject to the practicalities of the same during any prevailing lockdown), to inspect the core inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- (8) The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm.
- (9) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application. The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.

19th January 2021

C. Objections and Withdrawal of Objections

Kathy Robson

From: David Brookes <david.brookes@northumberland.gov.uk>
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services

Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134

EMail: david.brookes@northumberland.gov.uk

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition "on the land", John Riddall in 'Getting Greens Registered' (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the 'public' status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitney) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

Kathy Robson

From: Helen Lancaster
Sent: 04 February 2021 16:55
To: David Brookes
Cc: Lynne Jackson
Subject: FW: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Hi David,

Just to confirm that the applicant as agreed to exclude the highways land from his application.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster
Sent: 25 January 2021 11:36
To: David Brookes <David.Brookes@northumberland.gov.uk>
Cc: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Mickley Square - application for village green

David,

I enclose some Directions issued by the Inspector James Marwick and confirm that I have, on behalf of the Registration Authority put forward your proposal to the applicant.

I will get back to you further once I have a substantive response.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

D. Correspondence

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 11:34
To: Anne Dale
Cc: Helen Lancaster
Subject: Re: Land at Bewick Garth, Mickley Square

Dear Helen,

I apologise. I thought I had emailed you about the land at Mickley Square but the email went to Anne and not to you.

I am considering whether I should seek to have the land outside my house on the corner of Bewick Garth and Station Bank registered as a village green and would be grateful for your advice.

I'm happy to come over to County Hall to discuss this with you or to do so over the phone as suits you best.

As it happens, and what prompted me to check this email train, is that I am at County Hall on Wednesday 20th for a meeting between 12 noon and 3pm.

So, if by any chance, you were free before or after that, would be convenient for me to meet you then.

But I realise this is short notice and coming up to Christmas so more than happy to arrange to call over or to speak on the phone after Christmas as is convenient to you.

Best wishes, George

web: bewickhouse.com

tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 29 November 2017 at 17:03, Anne Dale <anne.dale@northumberland.gov.uk> wrote:

George,

Please may I introduce you to Helen Lancaster from NCC who I have spoken to concerning the piece of land at Bewick Garth. Please could you make contact with Helen as I think that this would be the best way forward for you to obtain the information you require.

With kind regards

Anne

Councillor Anne Dale,
Stocksfield, Mickley & Broomhaugh and Riding Division,
Northumberland County Council



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 11:57
To: Helen Lancaster
Subject: Re: Land at Bewick Garth,Mickley Square

Thanks; that would be great if I could be away at 11.50.

By the way, it is not clear to me who owns the land??

Best wishes, George

web: bewickhouse.com
tel: [REDACTED]
column: <http://georgehep.wordpress.com/>

On 18 December 2017 at 11:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

George,

Thank you for your e-mail.

I will be at County Hall on Wednesday and although as adviser to the Commons Registration Authority I cannot provide you with any advice as such on the application process I am happy to talk through the procedure with you.

I could meet you in County Hall reception at 11:30 if that assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:[REDACTED]]
Sent: 18 December 2017 11:34
To: Anne Dale
Cc: Helen Lancaster
Subject: Re: Land at Bewick Garth,Mickley Square

Dear Helen,

I apologise. I thought I had emailed you about the land at Mickley Square but the email went to Anne and not to you.

I am considering whether I should seek to have the land outside my house on the corner of Bewick Garth and Station Bank registered as a village green and would be grateful for your advice.

Im happy to come over to County Hall to discuss this with you or to do so over the phone as suits you best.

As it happens, and what prompted me to check this email train, is that I am at County Hall on Wednesday 20th for a mweeting between 12 noon and 3pm.

So, if by any chance, you were free before or after that, would be convenient for me to meet you then.

But I realise this is short notice and coming up to Christmas so more than happy to arrange to call over or to speak on the phone after Christmas as is convenient to you.

Best wishes, George

web: bewickhouse.com

tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 29 November 2017 at 17:03, Anne Dale <anne.dale@northumberland.gov.uk> wrote:

George,

Please may I introduce you to Helen Lancaster from NCC who I have spoken to concerning the piece of land at Bewick Garth. Please could you make contact with Helen as I think that this would be the best way forward for you to obtain the information you require.

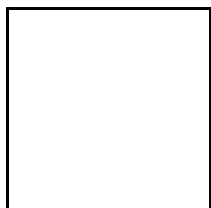
With kind regards

Anne

Councillor Anne Dale,

Stocksfield, Mickley & Broomhaugh and Riding Division,

Northumberland County Council



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 19:40
To: Helen Lancaster
Subject: Re: Land at Bewick Garth, Mickley Square

Thank you Helen, and look forward to meeting you.

I am right at the beginning of the process and believe I need to establish:

- If the land is registered as a Green (according to searches carried out when we bought our house in 2005, it is not)
- Who owns the land???
- Whether there is a 'trigger event' that would prevent registration (not that I am aware)?
- Whether the owner has deposited a statement that would prevent registration?

I would be very grateful if you could point me in the right direction to resolve these preconditions.

This is a very small piece of land, bisected by a road (and will bring a plan). I would be interested to know whether there is a minimum size for a green..

I know I then to gather evidence but am already in touch with two people who have used the green over 20 years so hopeful that I can do so.

One of the regular events now is an annual village BBQ which I believe counts as a 'sport or pastime'

All this culled from gov.uk and a quick read of the Open Space Society guide.

I realise you cannot provide advice but grateful for your time on Wednesday.

Best wishes, George

web: bewickhouse.com

tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 18 December 2017 at 14:30, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

George,

Thank you, I will note the date and time in my diary.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 18 December 2017 11:57
To: Helen Lancaster

Subject: Re: Land at Bewick Garth, Mickley Square

Thanks; that would be great if I could be away at 11.50.

By the way, it is not clear to me who owns the land??

Best wishes, George

web: bewickhouse.com
tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 18 December 2017 at 11:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

George,

Thank you for your e-mail.

I will be at County Hall on Wednesday and although as adviser to the Commons Registration Authority I cannot provide you with any advice as such on the application process I am happy to talk through the procedure with you.

I could meet you in County Hall reception at 11:30 if that assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 18 December 2017 11:34
To: Anne Dale
Cc: Helen Lancaster
Subject: Re: Land at Bewick Garth, Mickley Square

Dear Helen,

I apologise. I thought I had emailed you about the land at Mickley Square but the email went to Anne and not to you.

I am considering whether I should seek to have the land outside my house on the corner of Bewick Garth and Station Bank registered as a village green and would be grateful for your advice.

Im happy to come over to County Hall to discuss this with you or to do so over the phone as suits you best.

As it happens, and what prompted me to check this email train, is that I am at County Hall on Wednesday 20th for a mweeting between 12 noon and 3pm.

So, if by any chance, you were free before or after that, would be convenient for me to meet you then.

But I realise this is short notice and coming up to Christmas so more than happy to arrange to call over or to speak on the phone after Christmas as is convenient to you.

Best wishes, George

web: bewickhouse.com
tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 29 November 2017 at 17:03, Anne Dale <anne.dale@northumberland.gov.uk> wrote:

George,

Please may I introduce you to Helen Lancaster from NCC who I have spoken to concerning the piece of land at Bewick Garth. Please could you make contact with Helen as I think that this would be the best way forward for you to obtain the information you require.

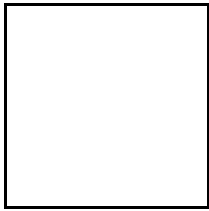
With kind regards

Anne

Councillor Anne Dale,

Stocksfield, Mickley & Broomhaugh and Riding Division,

Northumberland County Council

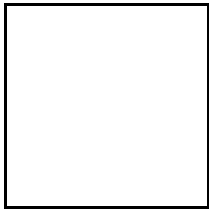


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 23 March 2018 07:42
To: Helen Lancaster
Subject: Registration of Mickley village green

Dear Helen,

We spoke before Christmas about plans to apply for registering the green here.

I will complete the application over the weekend and would hope to deliver it to County Hall early next week.

Is that right and should I mark it for your attention?

Best wishes, George

tel: [REDACTED]

Kathy Robson

From: George Hepburn
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services

Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 01 May 2018 10:33
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor

Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,


I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

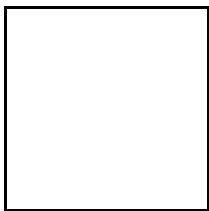
From: George Hepburn [mailto: 
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 12 June 2018 14:09
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 12 June 2018 09:13

To: Helen Lancaster

Subject: Re: FW: Application to register village green

Dear Helen,

I'm contacting you as you suggested at this point to ask if there has been any progress with application to register the Green at Mickley Square. When you last emailed, you had contacted colleagues concerning trigger events and such like? Thanks again.

Best wishes George
(sent clumsily from my phone)

On Tue, 1 May 2018, 10:33 George Hepburn, <[REDACTED]> wrote:

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.


I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

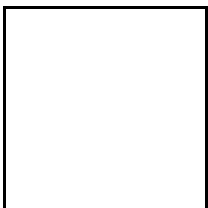
From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]



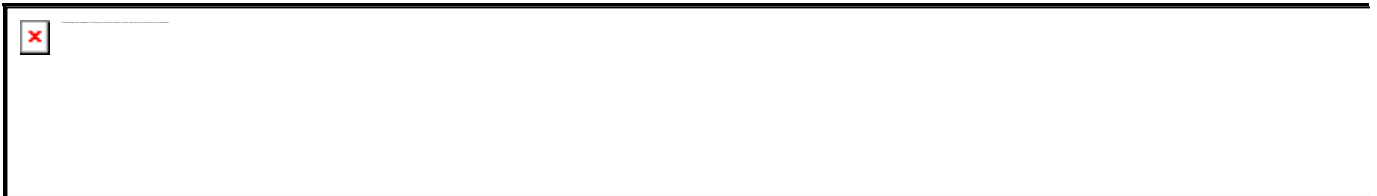
Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing

or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please

contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 02 July 2018 22:02
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I am meeting some of the people who wrote supporting letters on Thursday and so wondered if any more progress to report?

Best wishes, George

tel: [REDACTED]

On Tue, 12 Jun 2018 at 14:09, George Hepburn <[REDACTED]> wrote:

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 12 June 2018 09:13
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I'm contacting you as you suggested at this point to ask if there has been any progress with application to register the Green at Mickley Square. When you last emailed, you had contacted colleagues concerning trigger events and such like? Thanks again.

Best wishes George
(sent clumsily from my phone)

On Tue, 1 May 2018, 10:33 George Hepburn, < [REDACTED] > wrote:

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.


I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Northumberland
County Council

[www.n](http://www.northumberland.gov.uk)

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 03 July 2018 09:16
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you very much. That's really helpful.

Best wishes George
(sent clumsily from my phone)

On Tue, 3 Jul 2018, 08:55 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now heard from both the Planning Inspectorate and the Council's planning department with regard to this matter both of whom have confirmed that there has been no trigger event in relation to this land.

I confirm that the next stage in the process is to check the application against the relevant legislation to ascertain whether your documentation can be formally accepted by the Commons Registration Authority. If the application can be formally accepted this does not mean that the application has been successful but rather that it can be allotted a unique reference number and can proceed to the next stage.

I confirm that given the amount of other Commons Registration Authority work we have at present this may take some time but I would hope to be able to get back to you further by 20th July.

Please feel free to get back to me if you haven't heard from me by then.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall

Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 02 July 2018 22:02
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I am meeting some of the people who wrote supporting letters on Thursday and so wondered if any more progress to report?

Best wishes, George

tel: [REDACTED]

On Tue, 12 Jun 2018 at 14:09, George Hepburn < [REDACTED] > wrote:

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 12 June 2018 09:13
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I'm contacting you as you suggested at this point to ask if there has been any progress with application to register the Green at Mickley Square. When you last emailed, you had contacted colleagues concerning trigger events and such like? Thanks again.

Best wishes George
(sent clumsily from my phone)

On Tue, 1 May 2018, 10:33 George Hepburn, < [REDACTED] > wrote:

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor

Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,


I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please

contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 10 September 2018 21:50
To: Helen Lancaster
Subject: Re: FW: FW: Application to register village green

Dear Helen,

You thought you would be in a position to give a substantive reply to the application by 24th August and so wonder if there has been any progress?

Best wishes, George

tel: [REDACTED]

On Tue, 24 Jul 2018 at 17:13, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Apologies for not getting back to you last week.

I confirm that unfortunately other urgent matters have intervened to prevent this matter progressing and I am now due to be on annual leave. I would however hope to be in a position to respond substantively to you by close of play on 24th August; if you have not heard from me by then please feel free to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 03 July 2018 08:55
To: 'George Hepburn'
Subject: RE: FW: Application to register village green

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now heard from both the Planning Inspectorate and the Council's planning department with regard to this matter both of whom have confirmed that there has been no trigger event in relation to this land.

I confirm that the next stage in the process is to check the application against the relevant legislation to ascertain whether your documentation can be formally accepted by the Commons Registration Authority. If the application can be formally accepted this does not mean that the application has been successful but rather that it can be allotted a unique reference number and can proceed to the next stage.

I confirm that given the amount of other Commons Registration Authority work we have at present this may take some time but I would hope to be able to get back to you further by 20th July.

Please feel free to get back to me if you haven't heard from me by then.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 02 July 2018 22:02
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I am meeting some of the people who wrote supporting letters on Thursday and so wondered if any more progress to report?

Best wishes, George

tel: [REDACTED]

On Tue, 12 Jun 2018 at 14:09, George Hepburn < [REDACTED] > wrote:

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 12 June 2018 09:13
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I'm contacting you as you suggested at this point to ask if there has been any progress with application to register the Green at Mickley Square. When you last emailed, you had contacted colleagues concerning trigger events and such like? Thanks again.

Best wishes George
(sent clumsily from my phone)

On Tue, 1 May 2018, 10:33 George Hepburn, < [REDACTED] > wrote:

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn
Sent: 24 October 2018 07:56
To: Helen Lancaster; Dale Anne
Subject: Re: FW: FW: Application to register village green

Dear Helen,

In your last email, you asked me to contact you again if I had not heard by 19th October which I am now doing.

I saw Cllr Dale last week about another matter and she asked to be copied into this email.

Best wishes, George

tel: [REDACTED]

On Tue, 11 Sep 2018 at 07:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I thank you for your e-mail.

I confirm that a number of pressing issues have again intervened in the interim period and there are other village green issues which need to be dealt with but I would hope that this matter can be progressed to the next stage within the next few weeks.

If you have not heard from me 19th October then please feel free to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council

County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 10 September 2018 21:50
To: Helen Lancaster
Subject: Re: FW: FW: Application to register village green

Dear Helen,

You thought you would be in a position to give a substantive reply to the application by 24th August and so wonder if there has been any progress?

Best wishes, George

tel: [REDACTED]

On Tue, 24 Jul 2018 at 17:13, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Apologies for not getting back to you last week.

I confirm that unfortunately other urgent matters have intervened to prevent this matter progressing and I am now due to be on annual leave. I would however hope to be in a position to respond substantively to you by close of play on 24th August; if you have not heard from me by then please feel free to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 03 July 2018 08:55
To: 'George Hepburn'
Subject: RE: FW: Application to register village green

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now heard from both the Planning Inspectorate and the Council's planning department with regard to this matter both of whom have confirmed that there has been no trigger event in relation to this land.

I confirm that the next stage in the process is to check the application against the relevant legislation to ascertain whether your documentation can be formally accepted by the Commons Registration Authority. If the application can be formally accepted this does not mean that the application has been successful but rather that it can be allotted a unique reference number and can proceed to the next stage.

I confirm that given the amount of other Commons Registration Authority work we have at present this may take some time but I would hope to be able to get back to you further by 20th July.

Please feel free to get back to me if you haven't heard from me by then.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 02 July 2018 22:02
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I am meeting some of the people who wrote supporting letters on Thursday and so wondered if any more progress to report?

Best wishes, George

tel: [REDACTED]

On Tue, 12 Jun 2018 at 14:09, George Hepburn <[REDACTED]> wrote:

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:[REDACTED]]
Sent: 12 June 2018 09:13

To: Helen Lancaster

Subject: Re: FW: Application to register village green

Dear Helen,

I'm contacting you as you suggested at this point to ask if there has been any progress with application to register the Green at Mickley Square. When you last emailed, you had contacted colleagues concerning trigger events and such like? Thanks again.

Best wishes George
(sent clumsily from my phone)

On Tue, 1 May 2018, 10:33 George Hepburn, <[REDACTED]> wrote:

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

Once I have replies we are then in a position to ascertain whether the right to apply exists in this case and we can then move to the next stage.

I will therefore contact you further once I have replies. This may take some time and again, I would suggest that you contact me if you have not heard from me further by the end of week commencing 4th June 2018.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:]
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Error! Filename not specified.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Northumberland

County Council

George Hepburn OBE
Bewick House
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 8 November 2018

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to my recent e-mail to you to confirm that we have now had the opportunity to consider whether the Form 44 application submitted by yourself has been 'duly made'.

I confirm that having had responses from the Planning Inspectorate and the Council's own Planning Services department that no 'trigger event' has taken place in relation to the land we have gone on to consider the application against the relevant Regulations and Guidance in order to ascertain if it has been 'duly made'.

Having done so I confirm that I must return your application to you as not being 'duly made' at this stage.

This is because you have not specified a 'locality' within your application at question 6. I confirm that further guidance on this point is available on the DEFRA website or from the Open Spaces Society.

I confirm that, following relevant Guidance and case law, we will now allow you to take a reasonable opportunity to amend and resubmit with the necessary changes and I confirm that you have until close of business on 31st January 2019 in order to do so.

Yours sincerely

Helen Lancaster
Principal Solicitor

Helen Lancaster, Principal Solicitor, Legal Services

Directorate of Human Resources/Organisational

Development and People Services,

County Hall, Morpeth,

Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk

www.northumberland.gov.uk



Kathy Robson

From: George Hepburn
Sent: 08 April 2019 21:43
To: Helen Lancaster; Dale Anne
Subject: Re: Application to register village green at Mickley Sqyare

Dear Helen,

Could you please tell me if there has been any progress in your consideration of my application to register the green at Mickley Square, resubmitted to you on 7th January. I have copied ion Cllr Dale as she asked to be kept informed. Thank you.

Best wishes, George

tel: [REDACTED]

On Thu, 31 Jan 2019 at 10:09, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have received your documentation which will now be considered further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 30 January 2019 12:00
To: Helen Lancaster
Subject: Application to register village green at Mickley Sqyare

Dear Ms Lancaster,

Can I check that you receive my revised submission left at County Hall on 7th January as tomorrow is the deadline for the resubmission as per your letter of 8 November. Thank you.

Best wishes, George

tel: [REDACTED]



 **Northumberland**
County Council

www.northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Northumberland

County Council

George Hepburn OBE
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 10 April 2019

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to my e-mail to you of 10th April 2019 and return to you your application.

I confirm that this is because the relevant Regulations require that Form 44 is supported by a statutory declaration as set out in Form 44 made by yourself as the applicant.

Unfortunately, while you provided a sworn Form 44 when you originally submitted the application, it has not been re-sworn when you added the additional information.

I therefore look forward to receiving the Form 44 freshly sworn which will mean that all of it is supported by a statutory declaration. It may be that if you take this back to original solicitors who undertook the statutory declaration process they may be able to assist quickly.

I confirm that I have set aside some time during week commencing 22nd April to look at outstanding village green matters and therefore if you could return it to me in time for then I would hope to progress it then.

I appreciate that the requirement to be re-sworn may appear pedantic. However, the Registration Authority must be and appear to be impartial and I have no doubt that this is an issue which could be raised in an objection to the application at a subsequent Inquiry (should an Inquiry be necessary) if it is not rectified now.

I hope that this assists.

Helen Lancaster, Principal Solicitor, Legal Services
Directorate of Human Resources/Organisational
Development and People Services,
County Hall, Morpeth,
Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk
www.northumberland.gov.uk



Yours sincerely

Helen Lancaster
Principal Solicitor

Kathy Robson

From: George Hepburn
Sent: 12 April 2019 16:41
To: Helen Lancaster
Subject: Bewick Green

Thank you for your letter. I can get a statutory declaration executed but am away next week so will probably not be able to get it back to you till the middle of the following week.

Best wishes, George

tel: [REDACTED]



Northumberland

County Council

George Hepburn OBE
Bewick House
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 16 May 2019

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to previous correspondence and confirm that your aforementioned application has now been accepted as 'duly made' and has been allotted the reference number VG84.

The application will now proceed to the next stage, namely sending notices of the application to relevant persons and publicising of the application and I will be in touch further in this regard. At this stage I anticipate that this is likely to be after week commencing 3rd June 2019.

Yours sincerely

Helen Lancaster
Principal Solicitor

Helen Lancaster, Principal Solicitor, Legal Services

Directorate of Human Resources/Organisational

Development and People Services,

County Hall, Morpeth,

Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk

www.northumberland.gov.uk



Kathy Robson

From: George Hepburn
Sent: 13 July 2019 17:34
To: Helen Lancaster; Dale Anne
Subject: Mickley Village Green

Dear Ms Lancaster,

Cllr Dale was asking me about progress last week and I'm sorry to say that I must have mislaid your last letter which I think said that the case for registering the Green had been accepted and that you would be putting up notice for consultation?

Is that correct and when might this happen please?

Apologies again and would it be possible to email me the letter for my records?

Best wishes, George

tel: [REDACTED]

Kathy Robson

From: David Brookes
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134
EMail: david.brookes@northumberland.gov.uk

Kathy Robson

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 11 September 2019 09:34
To: David Brookes
Subject: RE: Bewick Green, Mickley Square, Stocksfield, Northumberland

Hi David,

Thank you for your representation received while I was on annual leave.

The consultation period closes on 3rd October so if you have further information/representations I look forward to receiving it/them by then.

If you require further assistance with regard to any representations please contact Lynne Jackson.

Many thanks,

Helen Lancaster

Principal Solicitor

Legal Services

Northumberland County Council

County Hall

Morpeth

NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: David Brookes [mailto:david.brookes@northumberland.gov.uk]

Sent: 08 August 2019 11:23

To: Kathy Robson

Cc: Mike Robbins; Andrea Todd; Helen Lancaster

Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF
Tel: 01670 624134
EMail: david.brookes@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square
Attachments: Letter to helen Lancaster Oct 19.doc

Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition “on the land”, John Riddall in ‘Getting Greens Registered’ (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the ‘public’ status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitmey) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

**Save Time Do It Online!**

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 18 December 2019 16:53
To: Helen Lancaster; Charles Morgan
Subject: Re: FW: Registration of Green at Mickley Square

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.


I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

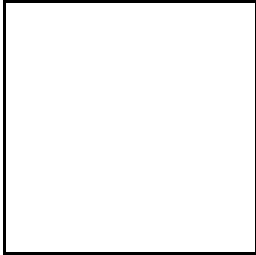
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:[REDACTED]]
Sent: 29 January 2020 10:30

To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Cllr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, <[REDACTED]> wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

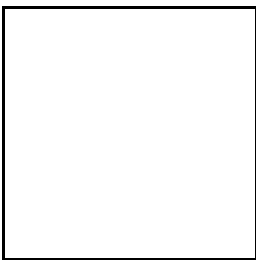
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

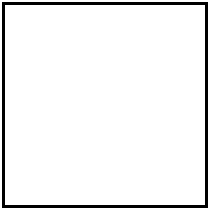


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 22 May 2020 11:51
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Thank you for letting me know. I may wish to appoint counsel too.
Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 23 April 2020 12:55
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Clr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, < [REDACTED] > wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.


These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

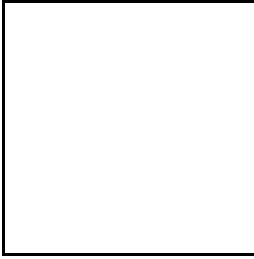
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

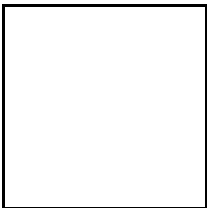


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

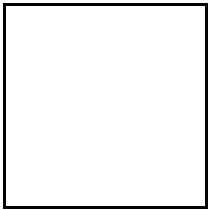


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 23 April 2020 12:55

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:████████████████████]

Sent: 21 April 2020 12:34

To: Helen Lancaster

Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: ██████████

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Cllr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, < [REDACTED] > wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:████████████████████]

Sent: 28 October 2019 12:50

To: Helen Lancaster

Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: ██████████

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

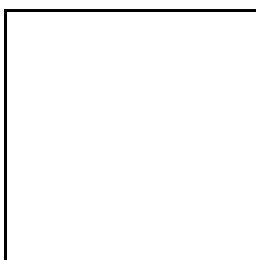
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

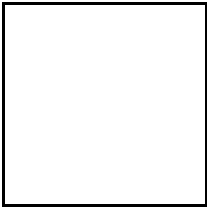


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

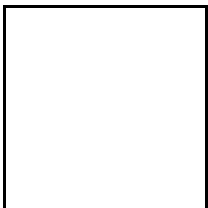


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 17 September 2020 08:54
To: Helen Lancaster; Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I hope you had a good holiday and am emailing as you suggested as I have not heard anything more and look forward to an update. My barrister friend may wish to be involved to make the case for me.

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 17 June 2020 11:28
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail and apologies for the delay in getting back to you.

I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

I will contact you once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 23 April 2020 12:55

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:████████████████████]

Sent: 21 April 2020 12:34

To: Helen Lancaster

Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:[REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Cllr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, <[REDACTED]> wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster

Principal Solicitor

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

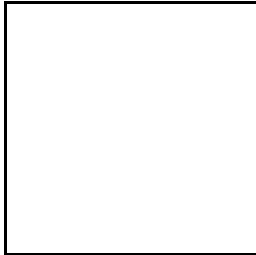
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: 

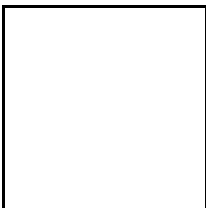


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

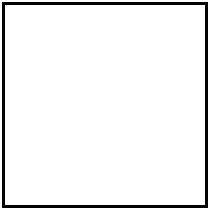


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

A blue banner with a yellow and green patterned border on the left. The text reads: "STAY ALERT CONTROL THE VIRUS SAVE LIVES" in bold black letters. To the right, "CORONAVIRUS STAY ALERT TO STAY SAFE" is written in large white letters. Below this, three bullet points with green circular icons list: "Keep a safe distance from others", "Stay home as much as possible", and "Keep washing your hands regularly". On the right side, there are logos for the UK Government, NHS, and Northumberland County Council.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 09:33
To: Helen Lancaster; Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You suggested I got back to you on or around 9th September which has slipped in my mind but could I now ask about progress please. I note this email trail will celebrate its first anniversary next week!

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 17 June 2020 11:28
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail and apologies for the delay in getting back to you.

I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

I will contact you once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 23 April 2020 12:55

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:████████████████████]

Sent: 21 April 2020 12:34

To: Helen Lancaster

Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:[REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Cllr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, <[REDACTED]> wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster

Principal Solicitor

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

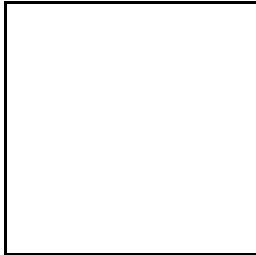
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: 

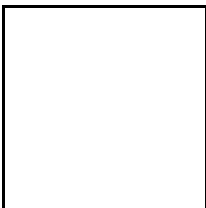


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

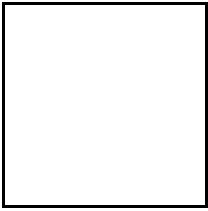


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

A blue banner with a yellow and green patterned border on the left. The text reads: "STAY ALERT CONTROL THE VIRUS SAVE LIVES" in bold black letters. To the right, "CORONAVIRUS STAY ALERT TO STAY SAFE" is written in large white letters. Below this, three bullet points with green circular icons list: "Keep a safe distance from others", "Stay home as much as possible", and "Keep washing your hands regularly". Logos for the UK Government, NHS, and Northumberland County Council are also present.

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: Helen Lancaster
Sent: 20 October 2020 09:54
To: George Hepburn; Anne Dale
Subject: RE: FW: FW: Registration of Green at Mickley Square

Good morning Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now heard from Counsel and I am due to speak to him tomorrow in further detail. Counsel has indicated that he will shortly issue some directions as to what is to happen next with regard to this matter so I anticipate that you should hear from me further by the end of this week or if not, week commencing 2nd November as I am on annual leave next week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 09:33
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>; Anne Dale <Anne.Dale@northumberland.gov.uk>
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You suggested I got back to you on or around 9th September which has slipped in my mind but could I now ask about progress please. I note this email trail will celebrate its first anniversary next week!

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 17 June 2020 11:28
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail and apologies for the delay in getting back to you.

I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.


I will contact you once I have heard further.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: 
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 23 April 2020 12:55

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:████████████████████]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Cllr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, <[REDACTED]> wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:████████████████████]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

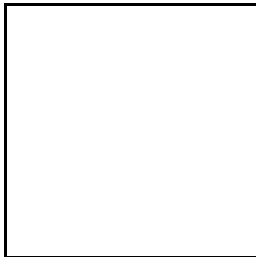
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

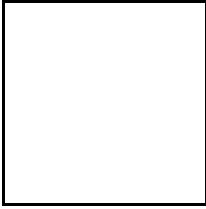


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

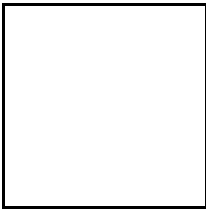


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 10:05
To: Helen Lancaster
Cc: Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Thank you Mrs Lancaster. If you are speaking to your Counsel can I remind you that in an earlier email, I said I was considering appointing Counsel to represent my neighbours and myself.

But I would much rather for the sake of time and money that this could be settled informally. As far as I am aware, the only objection is from Highways and the precedents do not support the Highways position?

Best wishes, George

tel: [REDACTED]

On Tue, 20 Oct 2020 at 09:53, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Good morning Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now heard from Counsel and I am due to speak to him tomorrow in further detail. Counsel has indicated that he will shortly issue some directions as to what is to happen next with regard to this matter so I anticipate that you should hear from me further by the end of this week or if not, week commencing 2nd November as I am on annual leave next week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 09:33
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>; Anne Dale <Anne.Dale@northumberland.gov.uk>
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You suggested I got back to you on or around 9th September which has slipped in my mind but could I now ask about progress please. I note this email trail will celebrate its first anniversary next week!

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 17 June 2020 11:28

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail and apologies for the delay in getting back to you.

I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

I will contact you once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council


County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: 
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 23 April 2020 12:55
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

CLr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, < [REDACTED] > wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.


These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

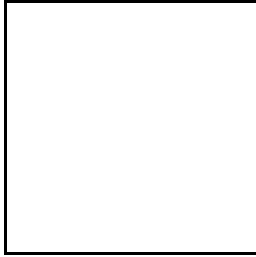
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

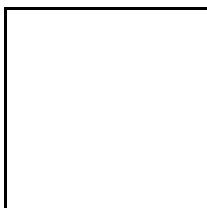


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



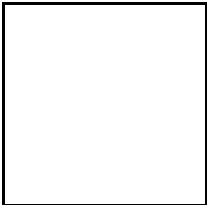
Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing,

copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 09 November 2020 18:37
To: Helen Lancaster
Cc: Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You hoped to have more progress to report in the week beginning 2nd November at the latest so can I ask for an update please?

Best wishes, George

tel: [REDACTED]

On Tue, 20 Oct 2020 at 09:53, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Good morning Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now heard from Counsel and I am due to speak to him tomorrow in further detail. Counsel has indicated that he will shortly issue some directions as to what is to happen next with regard to this matter so I anticipate that you should hear from me further by the end of this week or if not, week commencing 2nd November as I am on annual leave next week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 09:33
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>; Anne Dale <Anne.Dale@northumberland.gov.uk>
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You suggested I got back to you on or around 9th September which has slipped in my mind but could I now ask about progress please. I note this email trail will celebrate its first anniversary next week!

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 17 June 2020 11:28

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail and apologies for the delay in getting back to you.

I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

I will contact you once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council


County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: 
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 23 April 2020 12:55
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Clr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, < [REDACTED] > wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.


These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

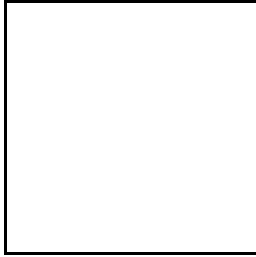
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

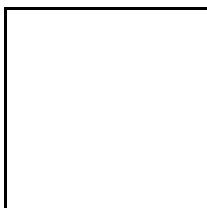


Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



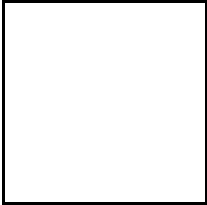
Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing,

copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: Helen Lancaster
Sent: 10 November 2020 18:56
To: George Hepburn
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Attachments: Inspector's Directions BEWICK GREEN (final).docx

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.

(1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).

(2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.

- i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
- ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-

1. A list of witnesses whom they intend to call to give oral evidence.
2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-

1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.

- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
- (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
- (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 11 November 2020 10:57
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

Thank you for forwarding the Inspectors's direction and I will reply with availability in due course.

But could I clarify one point please?

Do I have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway Authority.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec
4th Dec
8th Dec after 3pm
9th Dec
16th Dec before 12 noon
17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government
NHS
Northumberland
County Council

Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 10:56
To: 'George Hepburn'
Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec
4th Dec
8th Dec after 3pm
9th Dec
16th Dec before 12 noon
17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

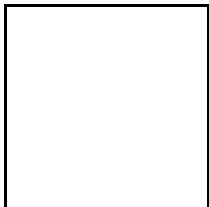
01670 623323

Helen.lancaster@northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 14:18
To: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi David,

I now enclose a link to a pre-inquiry meeting which Counsel has suggested takes place at 11:00am on 8 December 2020.

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcYTGpTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Please let me know if the time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: David Brookes <David.Brookes@northumberland.gov.uk>
Sent: 13 November 2020 08:35
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen

I should be available on any Wed/Thurs/Fri on those dates - I do not normally work Mon-Tues but can be flexible if required.

Cheers

David

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: Tuesday, November 10, 2020 7:00 PM

To: David Brookes <David.Brookes@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 14:19
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Thank you, thats great and confirm the time is good for me.

Could you let me know in due course, who else will be attending please.
Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:07, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Further to my e-mail below I have now received details of the time, date and joining instructions for the pre hearing meeting with Counsel:

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcyTGNoTHV3WjNpYkFIQz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Of course, please let me know if this time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster

Sent: 16 November 2020 10:56

To: 'George Hepburn' <[REDACTED]>

Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec

4th Dec

8th Dec after 3pm

9th Dec

16th Dec before 12 noon

17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

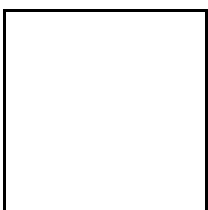
01670 623323

Helen.lancaster@northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

STAY ALERT
CONTROL THE VIRUS
SAVE LIVES

CORONAVIRUS
STAY ALERT
TO STAY SAFE

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: Lynne Jackson
Sent: 16 November 2020 15:12
To: Helen Lancaster
Cc: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Importance: High

Dear Helen,

Your e mail of 10 November below has been passed to me, and I confirm that I am instructed in this matter on behalf of Northumberland County Council in its capacity as Highways Authority for the County of Northumberland.

I confirm that I will be available for a pre-Inquiry hearing at any time between 1 December and 18 December 2020.

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Tuesday, November 10, 2020 7:00 PM
To: David Brookes <David.Brookes@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend).

As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: Lynne Jackson
Sent: 16 November 2020 15:19
To: Helen Lancaster
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, please can you let me have a copy of the Application, or confirm that the same is still available for inspection at County Hall?

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Lynne Jackson
Sent: 16 November 2020 15:12
To: helen.lancaster@northumberland.gov.uk
Cc: david.brookes@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Importance: High

Dear Helen,

Your e mail of 10 November below has been passed to me, and I confirm that I am instructed in this matter on behalf of Northumberland County Council in its capacity as Highways Authority for the County of Northumberland.

I confirm that I will be available for a pre-Inquiry hearing at any time between 1 December and 18 December 2020.

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Tuesday, November 10, 2020 7:00 PM
To: David Brookes <David.Brookes@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323
Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: Helen Lancaster
Sent: 23 November 2020 14:25
To: Lynne Jackson
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Attachments: 01347810.pdf; Re: Bewick Green, Mickley Square, Stocksfield, Northumberland; 1403690 - Letter to helen Lancaster Oct 19.doc; Inspector's Directions BEWICK GREEN (final).docx; RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Application to Northumberland County Council

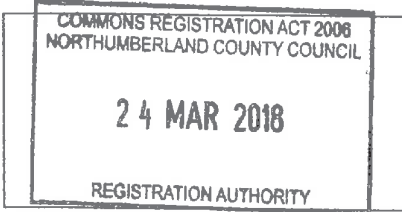
**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 1 of 2

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:



Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
 Insert name of registration authority.

1. Registration Authority

To the

Northumberland County Council,
 County Hall, A197,
 Morpeth NE61 2EF

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

2. Name and address of the applicant

Name:

Full postal address:

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under section 15(8):

If the application is made under section 15(1) of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If section 15(3) or (4) applies please indicate the date on which you consider that use as of right ended.

If section 15(6)* applies please indicate the period of statutory closure (if any) which needs to be disregarded.

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

* Only complete if the land is already registered as common land.

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

5. Description and particulars of the area of land in respect of which application for registration is made

Name by which usually known:

Bewick Green

Location:

Area of open green at Mickley Square to the west of Eltringham Cottages at the junction with Bewick Garth which runs through the middle of Bewick Green
Photos attached as Exhibit D

Shown in colour on the map which is marked and attached to the statutory declaration. Exhibit A

Common land register unit number (if relevant) *

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Mickley Ward of Prudhoe Town Council as shown on map attached – Exhibit B

Tick here if map attached:

7. Justification for application to register the land as a town or village green

Note 7

Enjoyment by a significant number of inhabitants of Mickley Square as of right in lawful sports and pastimes for a period of at least 20 years under section 15(3) of the Commons Act 2006, as witnessed by the 24 enclosed signed statements showing use for activities including playing games, football, picnics, snowball fights, dog walking, camping and participation in community events notably the annual BBQ.

The BBQ has been held annually since 2010 at the initiative of local residents, one of whom provides a large bbq. It is regularly attended by about 50 people from Mickley Square who bring picnic tables and chairs and their own food to bbq. The event starts late afternoon to enable young children to take part and ends about 9pm depending on the weather.

The Green is mainly used by people in the immediate area of 23 households. On these households

- 13 current households have provided letters of support
- 3 household have given verbal support but not provided letters
- 5 households have said the green is best left unregistered as it has never been an issue in the village
- 2 households have not responded at all

In addition, there are three letters of support from local people living living further away in Mickley Ward and three letters of support from former residents who have moved away.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

<p>Note 8 Please use a separate sheet if necessary.</p> <p>Where relevant include reference to title numbers in the register of title held by the Land Registry.</p> <p>If no one has been identified in this section you should write "none"</p> <p>This information is not needed if a landowner is applying to register the land as a green under section 15(8).</p> <p>Note 9 List all such declarations that accompany the application. If none is required, write "none".</p> <p>This information is not needed if an application is being made to register the land as a green under section 15(1).</p> <p>Note 10 List all supporting documents and maps accompanying the application. If none, write "none"</p> <p>Please use a separate sheet if necessary.</p>	<p>8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green</p> <p style="text-align: center;">None</p> <p>Result of a search of H M land Registry records showing that the land is not registered is attached as Exhibit C</p> <hr/> <p>9. Voluntary registration – declarations of consent from 'relevant leaseholder', and of the proprietor of any 'relevant charge' over the land</p> <p style="text-align: center;">None</p> <hr/> <p>10. Supporting documentation</p> <p>Exhibit A : Map showing location of Bewick Green</p> <p>Exhibit B : Map showing Mickley Ward</p> <p>Exhibit C : Result of Land registry search</p> <p>Exhibit D : Photos of Bewick Green</p> <p>Exhibit E : Letters of support (listed separately and contained in Folder 2)</p>
--	---

Note 11

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

11. Any other information relating to the application

Note 12

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

Date:

26 March 2018

Signatures:

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

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 (and address if not given in the application form).

Charles
CHARLES
I.....*HOBURN*....., solemnly and sincerely declare as follows:—

² Delete and adapt as necessary.

1.² I am the person who has signed the foregoing application.

³ Insert name if Applicable

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ Complete only in the case of voluntary registration (strike through if this is not relevant)

~~4. ⁴I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:~~

- ~~(i) a declaration of ownership of the land;~~
- ~~(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have~~

Cont/

Formatted: Indent: Left: 0.81
Right: 1.04 cm, Space Before:

Formatted: No bullets or num

Formatted: Indent: Left: 0.81
No bullets or numbering

⁴ *Continued*

~~been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.~~

Formatted: Space Before: 1.25

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

at
this 26 day of

GEORGE CHARLES
HEPBURN
New 2018

Signature of Declarant

Before me *

Signature:

Address:

Cameron Carls
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

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 (and address if not given in the application form).*

I, George Charles Hepburn of bewickHouse, Bewick Garth, Mickley Square, Northumberland NE43 7AU solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am the person who has signed the foregoing application.

³ *Insert name if Applicable*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

Cont/

⁴ Continued

Formatted: Space Before: 1.25 pt

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 *George Charles Hepburn*
at *Prudhoe, Northumberland*
this *23rd* day of *APRIL 2019*

Signature of Declarant

Before me *

Signature:

Address:

Cameron Caris
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

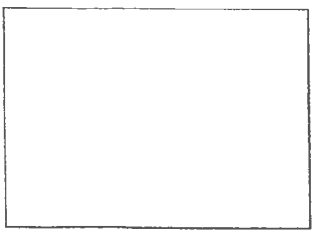
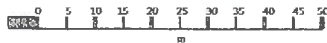
*** The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.**

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

EXHIBIT A.: BEWICK GREEN
MARKED IN RED.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
 www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey Licence no. 10001661



EXHIBIT B - MICKLEY WARD

— ward boundary

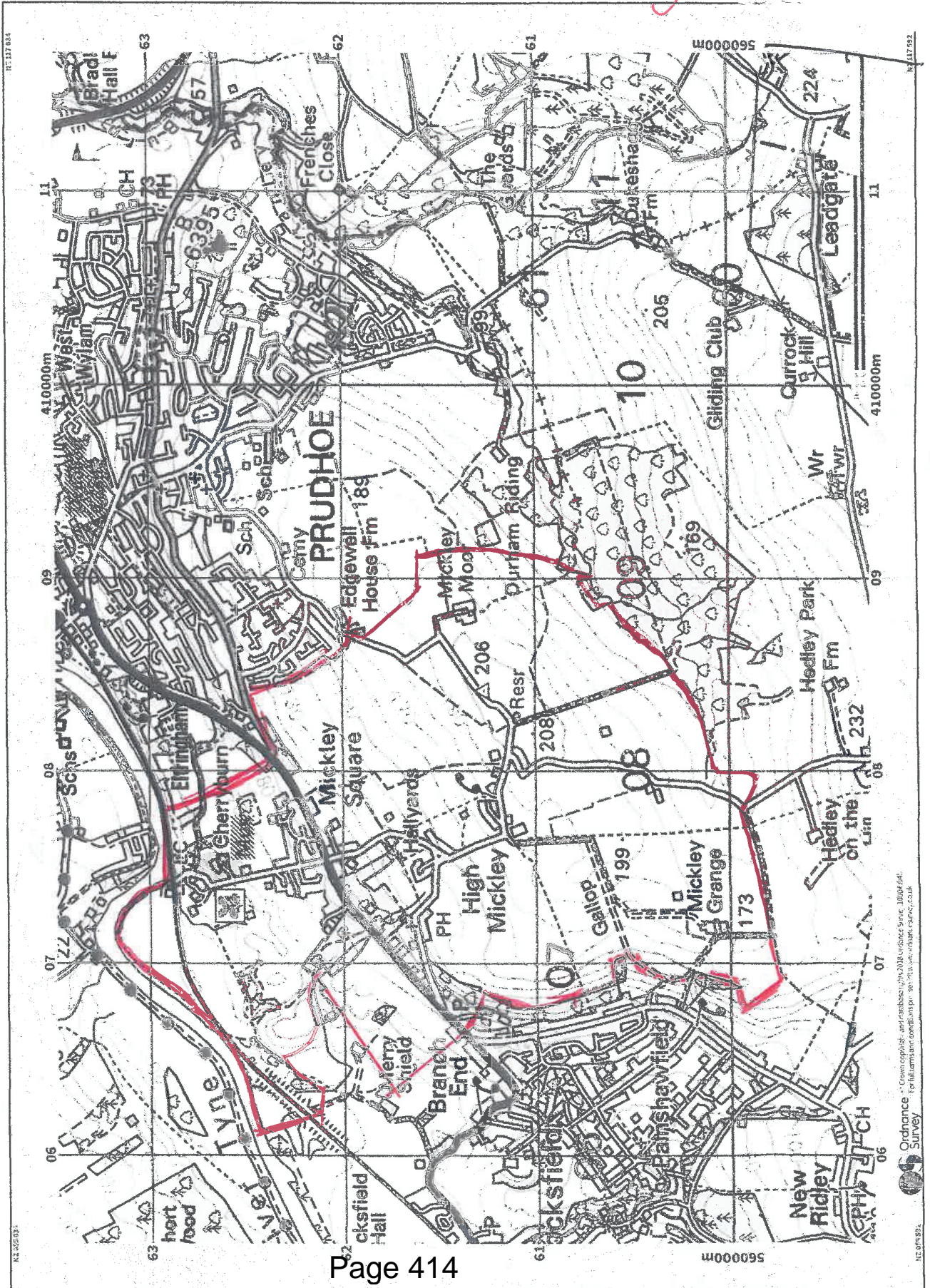


EXHIBIT C

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

Property	Land edged blue on the plan attached to the application and described in form SIM as LAND AT, BEWICK GARTH, MICKLEY, STOCKSFIELD, NORTHUMBERLAND, NE43 7AU.
----------	---

The index map does not define the extent of the land in any registered title. This reflects the fact that the boundary of a registered estate as shown for the purposes of the register is a general boundary, unless shown as determined under section 60 of the Land Registration Act 2002. You might also wish to refer to the individual register and title plan of any adjoining titles for details of the surrounding registered estates and their general boundaries and/or determined boundaries.

Result

The index map has been searched in respect of the Property with the following result:

No registered estate, caution against first registration or application for first registration or application for a caution against first registration is shown on the index map in relation to the Property. We therefore hold no records in respect of the Property.

The plan lodged with your application for a search of the index map has been accepted for this application. Any statement of disclaimer has been disregarded as it is assumed that it was not intended to apply for the purposes of the application.

Please note that the acceptance of the plan for this particular application does not necessarily mean that the same plan would be accepted if subsequently used for another application. All plans lodged with a Land Registry application should comply with the guidelines in Land Registry's Practice Guide 40, Supplement 2. Lodging a plan which does not comply with the guidelines may result in

Continued on page 2

Your Reference: HEPBURN	Key Number: -----	Any enquiries concerning this certificate to be addressed to: TF RO CO
George Hepburn Bewick House Bewick Garth Mickley Square NE43 7AU		Durham Office PO Box 75 Gloucester GL14 9BD Tel. No: (0300) 006 0010

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

requisitions being raised, (such as a request to delete a statement of disclaimer) or the application being cancelled.

For further information about:

SIMS - see Practice Guide 10 - Official searches of the index map

How to obtain official copies - see Practice Guide 11 - Inspection and applications for official copies

Plan requirements for registration - see Practice Guide 40 - Land Registry plans - (www.gov.uk/land-registry).

Ordnance Survey map products - (www.ordnancesurvey.co.uk).

END OF RESULT.

KE

George Hepburn
Bewick House
Bewick Garth
Mickley Square
NE43 7AU

EXHIBIT C

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

If no postal address insert description, for example 'land adjoining 2 Acacia Avenue'.

To find out more about our fees visit www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 4.

1	Local authority serving the property:	Northumberland	
2	Property to be searched	Flat/unit number:	
	Postal number or description:	see continuation sheet	
	Name of road:	Bewick Garth	
	Name of locality:	Mickley Square	
	Town:	Stocksfield	
	Postcode:	NE43 7AU	
	Ordnance Survey map reference (if known):	NZ07484 62278	
	Known title number:	not known	
3	Application and fee		
		Application	Fee paid (£)
		Search of the index map	£7
	Fee payment method		
	<input checked="" type="checkbox"/> cheque made payable to 'Land Registry'		
	<input type="checkbox"/> direct debit, under an agreement with Land Registry		

This panel must always be completed.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in practice guide 10: inspection and application for official copy. Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Any attached plan must contain sufficient details of the surrounding roads and other features to enable the land to be identified satisfactorily on the Ordnance Survey map. A plan may be unnecessary if the land can be identified by postal description.

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

© Crown copyright (ref. LR/HO) 04/17

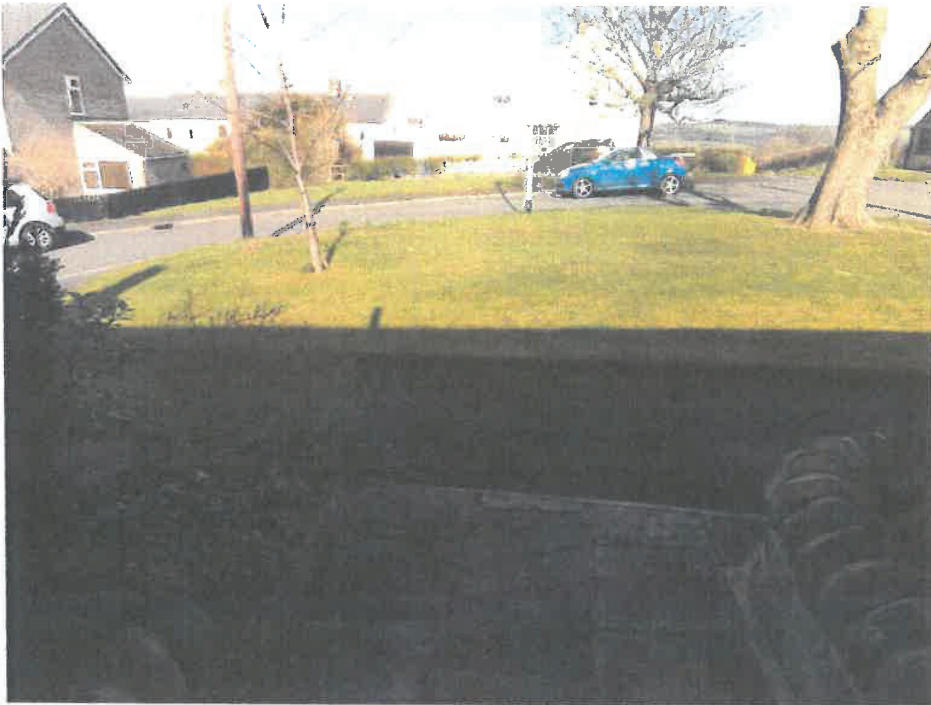
4	This application is sent to Land Registry by	
	Key number (if applicable):	
	Name: George Hepburn Address or UK DX box number: Bewick House, Bewick Garth, Mickley Square, NE43 7AU	
	Email address: Reference:	
	Phone no:	Fax no:
5	Issue of certificate of result of search in paper format where an email address has been supplied	
	If you have supplied an email address in panel 4, then, unless you complete the box below, any certificate of result of search of the index map will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing.	
	<input type="checkbox"/> I have supplied an email address but require the certificate of result of search to be issued in paper format instead of being issued electronically	
6	I apply for an official search of the index map in respect of the land referred to in panel 2 shown marked in blue on the attached plan	
7	Signature of applicant: _____ Date: 21st December 2017	

PHOTOS OF BEWICK GREEN

EXHIBIT D



Views of Bewick Green from the south looking north towards Bewick House showing Bewick Garth crossing Bewick Green



Views of Bewick Green looking north towards Dene House

Application to Northumberland County Council

**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 2 of 2

Application to register Bewick Green

Exhibit E

Letters of support

No	Name	Address	Date	Comment
E1	Leslie and Jean Ashworth	23 Riding Terrace, Mickley NE43 7BU	17/03/18	In nhood
E2	Melvyn Charlton	(formerly of) 19 Riding Terrace, Mickley, NE43 7AU	9/03/18	Ex nhood
E3	Jacqueline Dowson	Dene House, Station Bank, Mickley NE43 7AU	17/03/18	In nhood
E4	Andy and Sue Green	1 Eltringham Cottages, Mickley NE43 7BX	18/03/18	In nhood
E5	Edward Fenwick	21 Riding Terrace, Mickley, NE43 7BU	9/03/18	In nhood
E6	George Hepburn	Bewick House, Bewick Garth, Mickley, NE43 7AU	24/03/18	In nhood
E7	Jan McGregor Hepburn	Post Office Cottage, Station Bank, Mickley NE43 7BX	24/03/18	In nhood
E8	Chris and Helen Johnson	Heathcote, Mickley, NE43 7BS	8/03/18	Ex nhood
E9	Cheryl Johnson	Rivendell, Bewick Garth, NE43 7AU	17/03/18	In nhood
E10	Adrian Lamb	8 Bewick Garth, Mickley, NE43 7AU	19/03/18	In nhood
E11	Paul and Bettina Newton	Phoenix House, Bewick Garth, Mickley, NE43 7AU	16/03/18	In nhood
E12	Rev Mark Sharman	4 Eltringham Cottages, Mickley, NE43 7BX	4/03/18	In nhood
E13	Keith Shaw and Diane Westwood	20 Riding Terrace, Mickley, NE43 7BU	17/03/18	In nhood
E14	Hilary Skoyles	58 Riding Dene, Mickley, NE43 7DQ	5/03/18	In nhood
E15	Stephen Smith	2 Sandesykes, Prudhoe NE42 6LW	19/03/18	Ex nhood
E16	Graham Storey	3 Eltringham Cottages, Mickley NE43 7BX	24/03/18	In nhood
E17	Rob Warr	5 Riding Terrace, Mickley NE43 7BU	19/03/18	Nr nhood
E18	Paul and Jane Tailford	13 Riding Terrace, Mickley NE43 7BU	25/03/18	Nr nhood
E19	Andrea Charlton	5 North View, Mickley, NE43 7DA	25/03/18	Nr nhood

Totals: currently living in neighbourhood = 13 (out of 23)

Previously lived in neighbourhood = 3

Currently living near neighbourhood = 3

£1

23 Riding Terrace
Mickley
Stocksfield
Northumberland
NE43 7BU

17th March 2018

To whom it may concern,

We write in support of the claim to register The Green (designated in red on the attached plan) at Mickley Square as an official village green at Northumberland County Council.

We have lived in Mickley Square at our address adjacent to The Green for many years.

During the whole of this period The Green has been completely open to the public and used as a recreational area by local children, by residents of South View as a means of access to their homes, and for many years as an area where summer barbeques which we have attended are held. The Green is also used responsibly by dog owners including ourselves on a daily basis. It has never been fenced and no notices have been displayed seeking to curtail access by local residents.

The Green is also important in providing an attractive setting for some of the oldest houses in Mickley Square which are grouped round The Green. Loss of this open space would certainly have an adverse impact on this setting, which leads down to the significant tourist destination of the birthplace of Thomas Bewick, the noted 19th century engraver and natural history author.

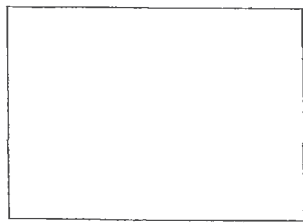
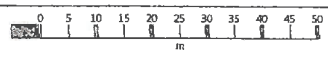
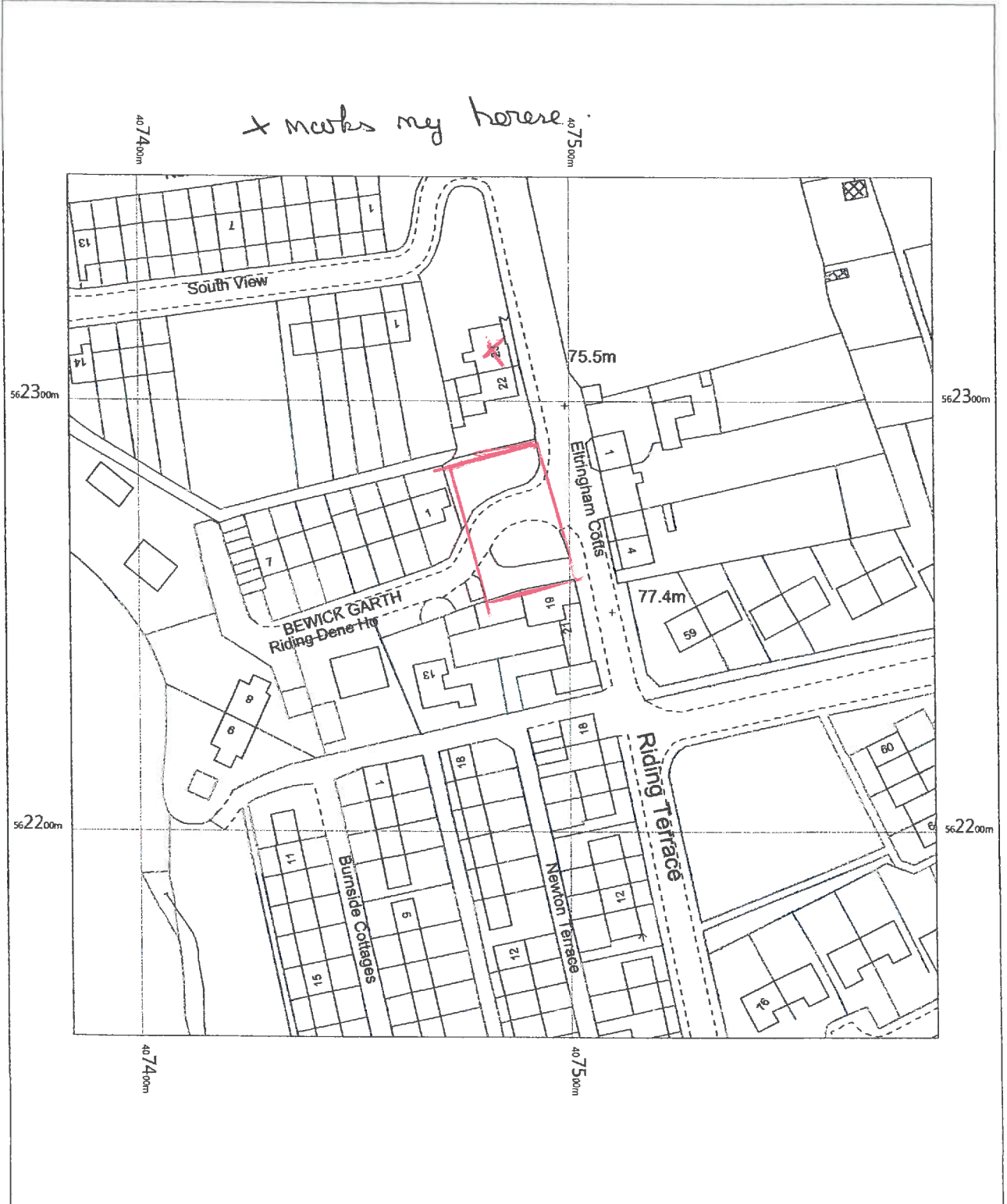
The Green therefore has considerable recreational and social value as well as being an attractive area of open green space within the village. By registering The Green as an official village green the hope is that this open space will be preserved for the amenity of all residents for years to come.

We fully support the application to register The Green as an official village green and write this letter in the knowledge that it will be used in evidence as part of the application for village green status.

Yours sincerely,

E1

x marks my house.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E 2

19 Riding Terrace,
Mickley,
Stocksfield.
Northumberland NE43 7BU

9th March 2018

Evidence in support of claim to register

The Green at Mickley Square

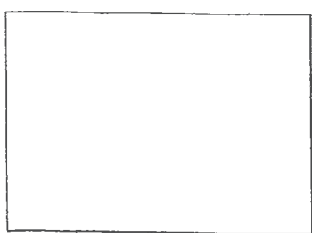
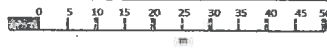
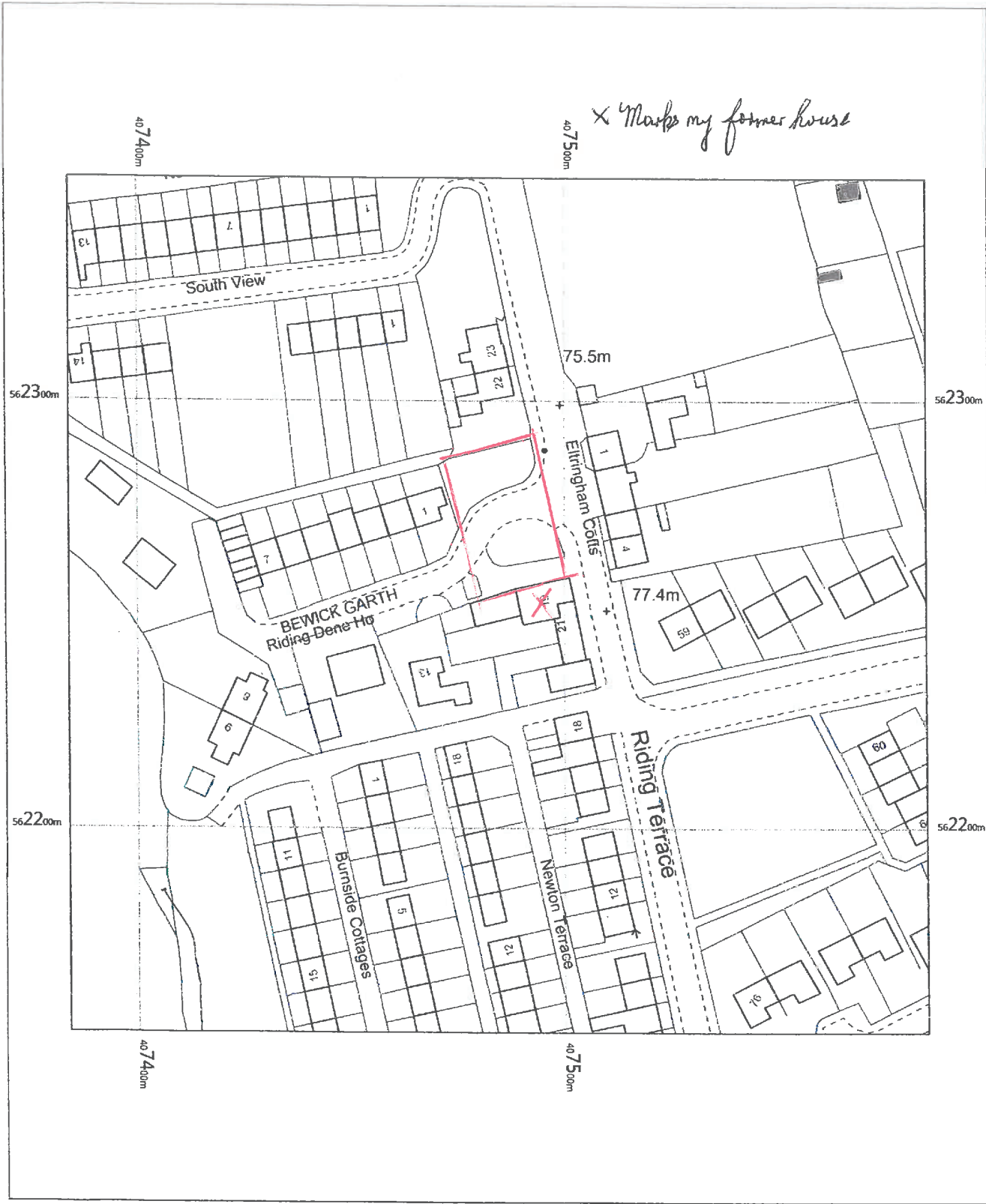
I have lived at the above mentioned address which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan between 1956-1996.

During the 40 years I lived there I would walk over the green, exercise my dog, play games, chat with people and was never stopped or questioned what I was doing. I have learned from friends at Mickley that these activities still happen and there is now an annual barbecue on The Green.

I firmly believe that these activities should be treated by Law as having a Lawful origin and I strongly support the application to register The Green as a village green which would benefit the neighbourhood for years to come.

Yours sincerely

Melvyn Charlton



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey Licence No. 100051661



E3

Dene House,
Station Bank
Mickley Square
NE43 7AU

17th March 2018

**Evidence in support of claim to register
The Green at Mickley Square**

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2015.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

During this time, my children have played on the Green and I have walked across it. I have also attended the annual village BBQ held on The Green.

I have carried out these activities without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

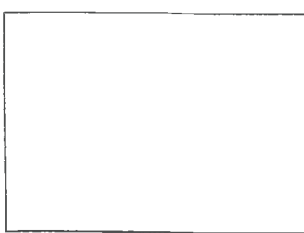
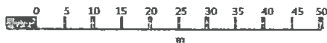
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Jacqueline Dowson

* Marks my house

* marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey Licence 100051661



E4

1 Eltringham Cotts

Mickley
Stocksfield
NE43 7BX

18/3/2018

Evidence in support of claim to register The Green at Mickley Square

We have lived at this address, which is directly opposite the the Green at Mickley Square, marked in red on the attached plan, since 1996.

During the time we have lived here, our use of the Green has never been challenged by anyone and we have never had access denied when walking across The Green. We have never seen any notices prohibiting the public using The Green and there have never been any physical barriers preventing access such as fencing or walls.

Over the years, we have used The Green for various forms of recreation including walking the dog and community celebrations. Our children have played games on The Green in common with many of the children who live in the surrounding houses. Our family have regularly attended the annual village barbeque on The Green which has been held over the previous 7 years.

We can confirm that I have carried out the activities referred to in this letter for years without anyone trying to stop us and believe the activity should be treated by the law as having a lawful origin.

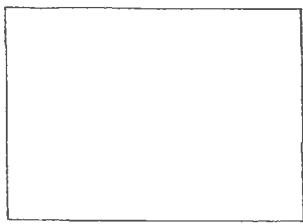
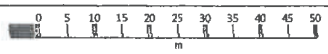
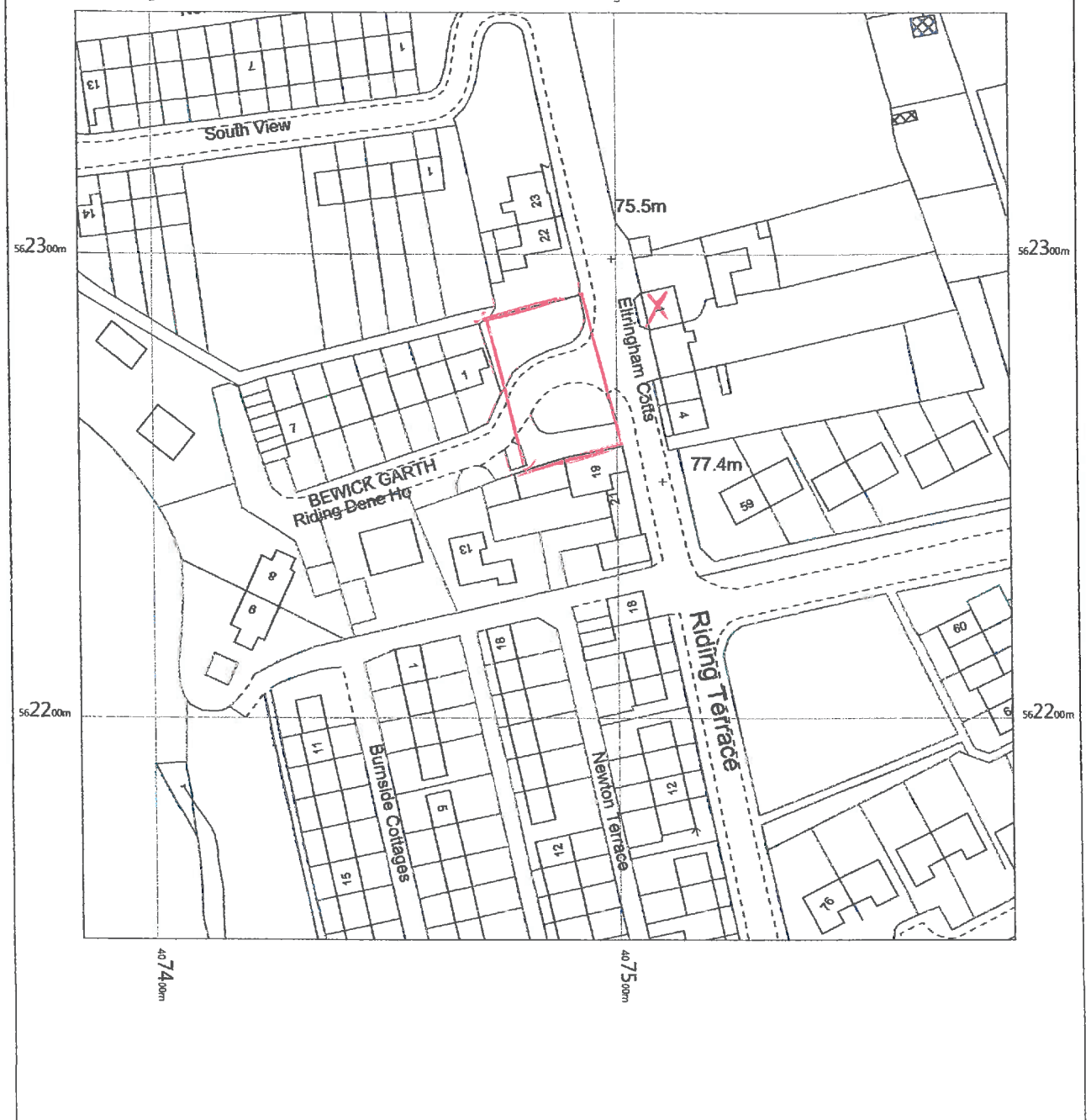
We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support the application to ensure that The Green continues to be used benefit the neighbourhood for years to come.

Yours Sincerely,

Mr Andy and Mrs Sue Green

sign

X MARKS MY HOUSE



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



21 Ridding Terrace

Mickley.

NE43 7BU

09.03.2018.

Evidence in support of the claim to register The Green in Mickley square. I have lived in Mickley for 66 years, 42 years at this address, which is in sight of the area named as The Green at Mickley Square, marked in red on the attached plan. In all that time I have lived in the village no one has stopped or challenged me when walking across the green.

I have never seen any notices prohibiting the public using the green and it has never been fenced in.

Over the years I have seen the green used for recreations such as playing games, community celebration, the annual village barbeque has been held on the green for the passed seven year's with out any problems. I can also go back 50 years or more to the days during the school holidays some of the local boy's, my shelf included would use the green as one of our regular camping sites this was also with out any problems. I have seen the activities referred to in this letter carried out for years without any complaints from any one, no one has ever been stopped from using the green.

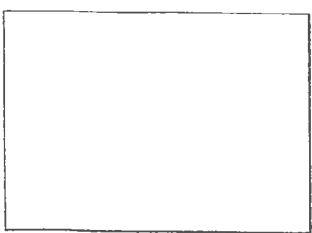
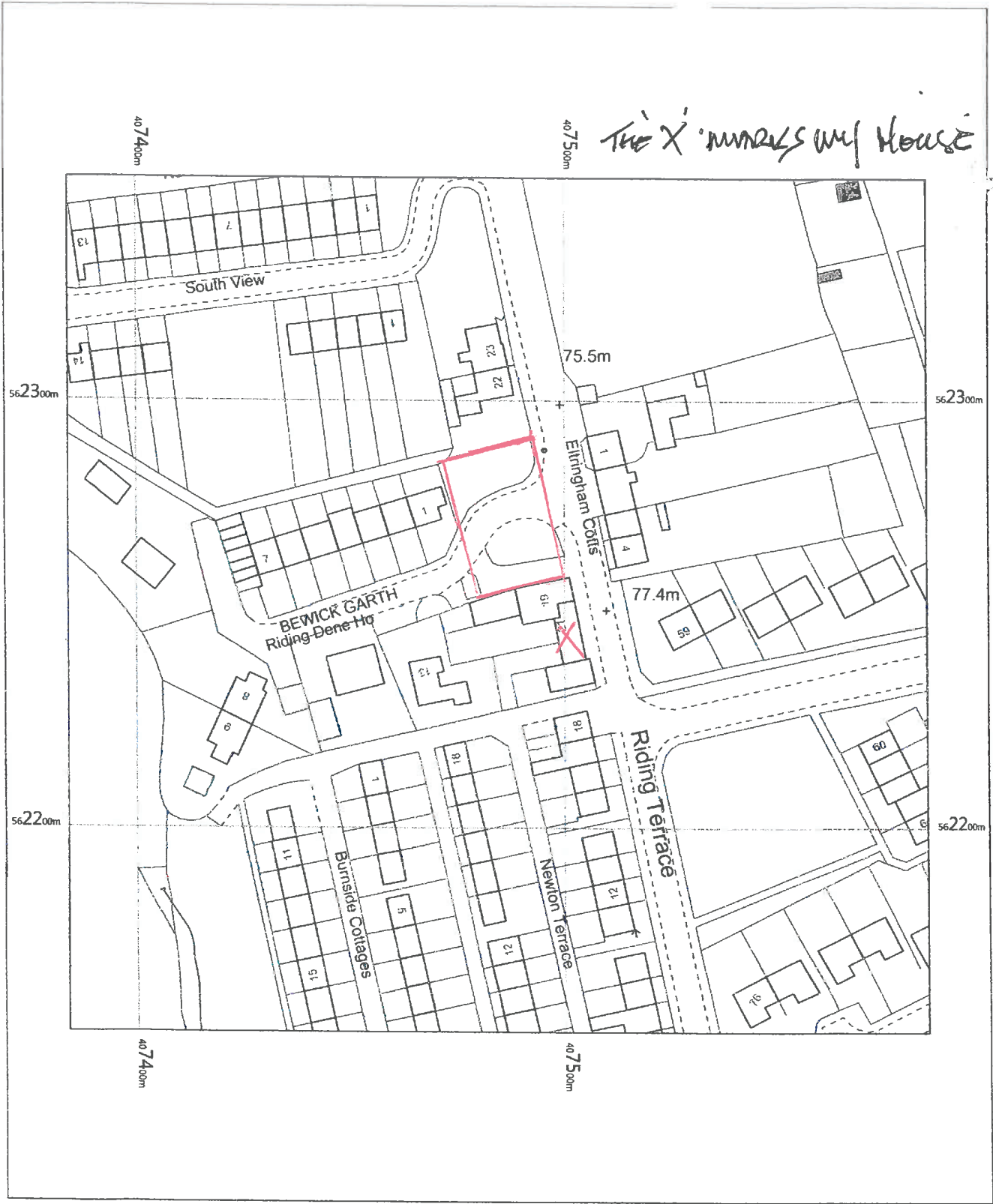
I have written knowing that this letter will be used in evidence to support the application to register The Green as a village Green. I fully support the application to ensure that the Green continues to be used for the benefit of the neighbourhood for many years to come.

Yours sincerely

J E Fenwick

2

The X-marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey Licence No. 100051661



E6

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

24th March 2018

**Evidence in support of claim to register
Bewick Green at Mickley Square**

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

I regularly walk over the Green and since about 2009 I have cut the grass on the Green as well. I have also pruned the tree nearest to my house on two occasions, cut down a dead tree and planted a new one.

In 2010 we created a flower bed and improved the public path in front of Bewick House to tidy up what had been a unseemly gravel area, where the previous owner of Bewick House had parked his cars.

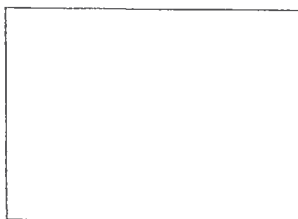
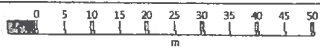
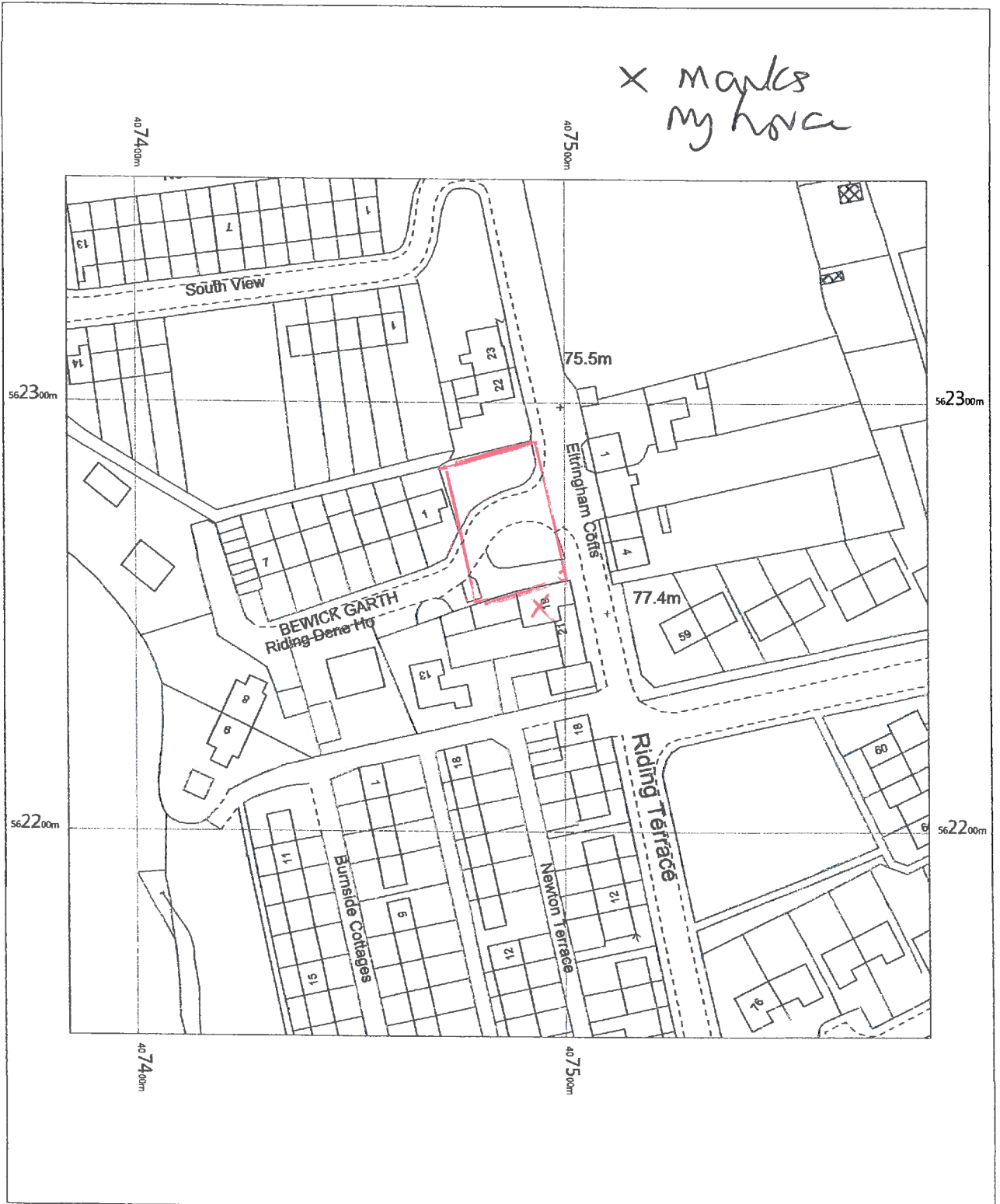
I am one of the organisers of the annual village BBQ which has been held on the Green since 2008. It is advertised to the surrounding houses and regularly draws about 50 people who bring their own chairs and tables and use a large BBQ provided by one of the neighbours. It has become an eagerly anticipated annual get together.

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely, George Hepburn OBE

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E7

Post Office Cottage,
Station Bank
Mickley.
Northumberland
NE437BX

24th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have been at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1990.

During this time I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise and eating lunch. There has been an annual village barbeque on The Green for the past 7 years which I have attended on occasions. I also plant up and maintain the two large planters, one on each side of the green, and have done this for several years.

I often see and hear children playing on the green, and people walking their dogs; it is a village amenity.

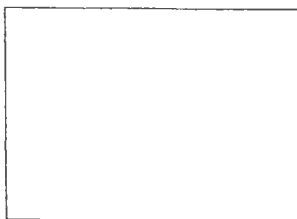
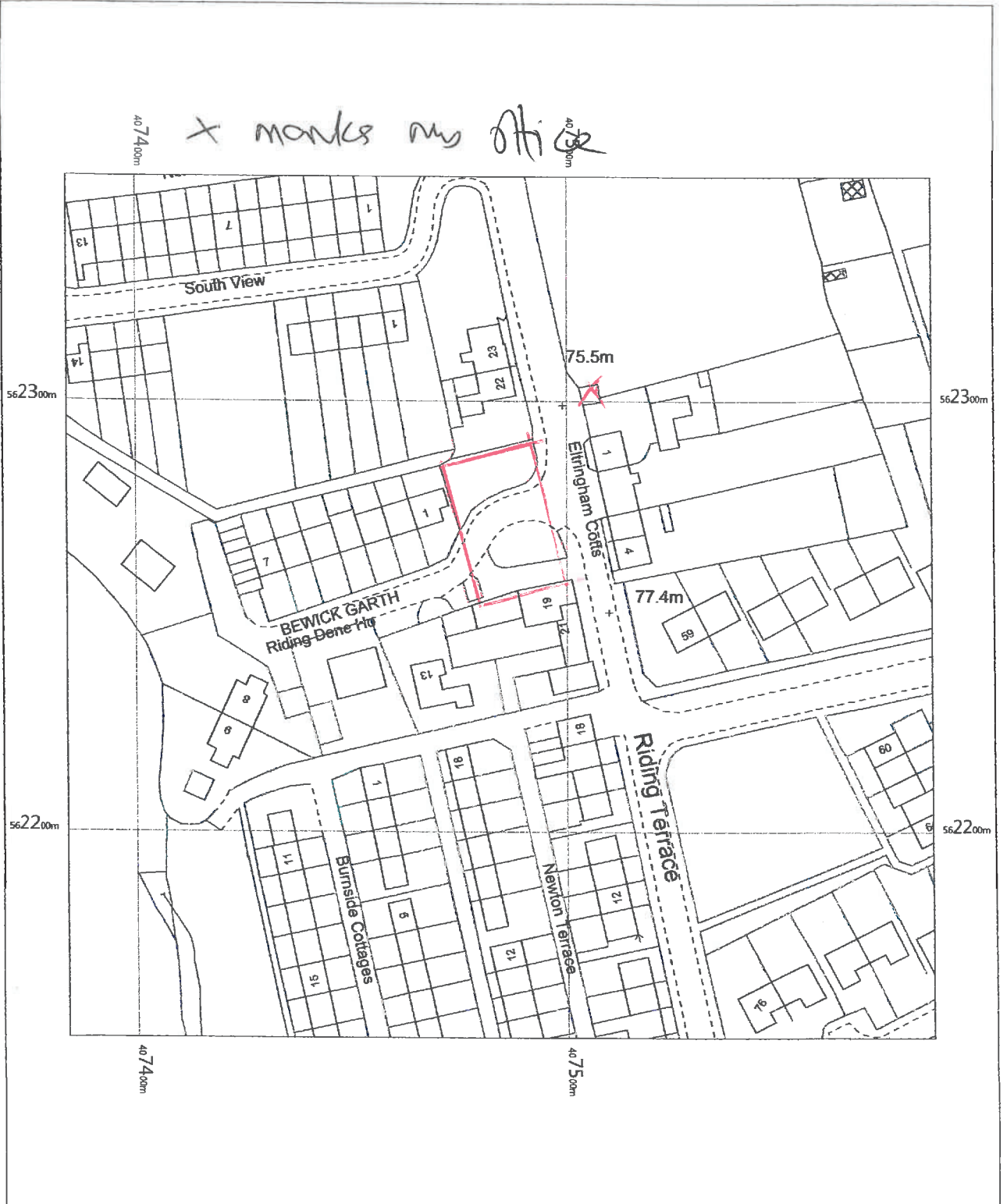
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

J.D. McGregor Hepburn

+ marks my office



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
 www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



8 March 2018

Evidence in support of claim to register The Green at Mickley Square

I resided at Dene House, 22 Riding Terrace, Mickley, NE43 7BU from 1952 through to my marriage in 1977. The property is still owned by me and my wife and throughout my residency in Mickley the green outlined on the attached plan, in red, has been a place of recreation. I operated the village Post Office from the property through to its closure in 2008. I have memories of children playing on the green.

Never have I or my wife been challenged nor stopped from walking or sitting on The Green nor have there ever been signs or notices prohibiting use by members of the public.

Whilst no longer living at Dene House I rent the property out and I know that my tenants and their children have used The Green for playing and picnicking. Additionally I know that they have attended the annual Village Barbeque since its inception in 2009.

I believe that the activities of walking and sitting enjoying the fresh air that me and my wife have enjoyed over many years should be treated by the law as having a lawful origin.

I understand that this letter will be used in evidence to support the application to register The Green as a village green. My wife and I fully support the application to ensure that The Green remains a space to be used and enjoyed by the residents of the neighbourhood for years to come.

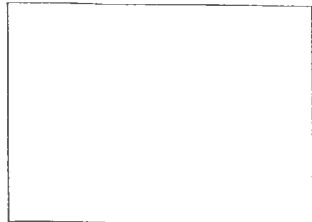
Yours faithfully

Christopher Johnston and Susan Helen Johnston

BE



X MARKS WHERE I USED TO LIVE AND STILL OWN



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey Licence No. 100051661



E9

RIVENDELL, BEWICK GARTH
MICKLEY, STOCKSFIELD,
NORTHUMBERLAND, NE43 7AU

17/3/2018

I have lived at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1996

During the time I have lived here I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting members of the public from using The Green, and it has never been fenced in.

Over the years I have used The Green for many recreational activities such as, playing games with my children, they learned to ride their bikes on the green, picnicking, playing with and training my dogs, and photographing various members of my family as it has always been such a nice setting. Also there has been an annual village barbecue held on The Green for the past 7 years, organised, well attended, and enjoyed by the residents of Bewick Garth and surrounding neighbours. This has always helped greatly to establish a good community spirit among the residents.

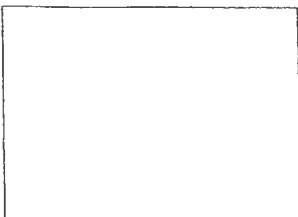
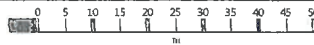
I have carried out the above activities referred to in this letter for years without anyone trying to stop me, and I believe the activity should be treated by the law as having lawful origin.

I have written knowing that this letter will be used as evidence to support the application to register The Green as a Village Green. I fully support the application to ensure that The Green will continue to be used for the benefit of the neighbourhood for years to come.

Yours sincerely

CHERYL JOHNSON

29



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: 8LJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E 10

8 Bewick Garth

Mickley

Stocksfield

NE43 7AU

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since September 2016.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

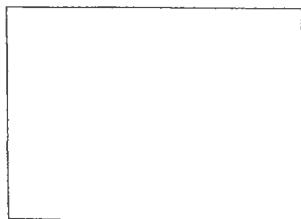
There has been an annual village barbeque on The Green for the past 7 years. Although we were unable to make it last year, I am looking forward to joining in with this over the coming years. We were informed about this before we bought our house, and this was an influencing factor, as we wanted to live somewhere which has a strong community spirit.

I understand that The Green has been used for many years for walking the dog/ exercise/ playing games/ community celebrations/ picnicking, etc., and I believe these activities should be treated by the law as having a lawful origin. I am strongly of the opinion that it is very important for a community that it should have access to a common shared area which can be used for the benefit of all who live near-by.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Mr Adrian Lamb



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: 6LJT-00694017
 www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E 11

Paul and Bettina Newton
Phoenix House
Bewick Garth
Mickley Square
Northumberland
NE43 7AU

16th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2004.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. We have never seen any notices prohibiting the public from using The Green and it has never been fenced in.

Over the years, we have used The Green for various forms of recreation including picnics, playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended and enjoyed.

The Green is popular with our children who can kick a football around or play catch in a safe and pleasant environment and it is particularly lovely in the Spring time when the daffodils are in bloom.

We have carried out the activities referred to in this letter for years without anyone trying to stop us and we believe the activity should be treated by the law as having a lawful origin.

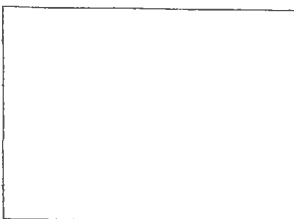
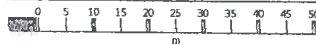
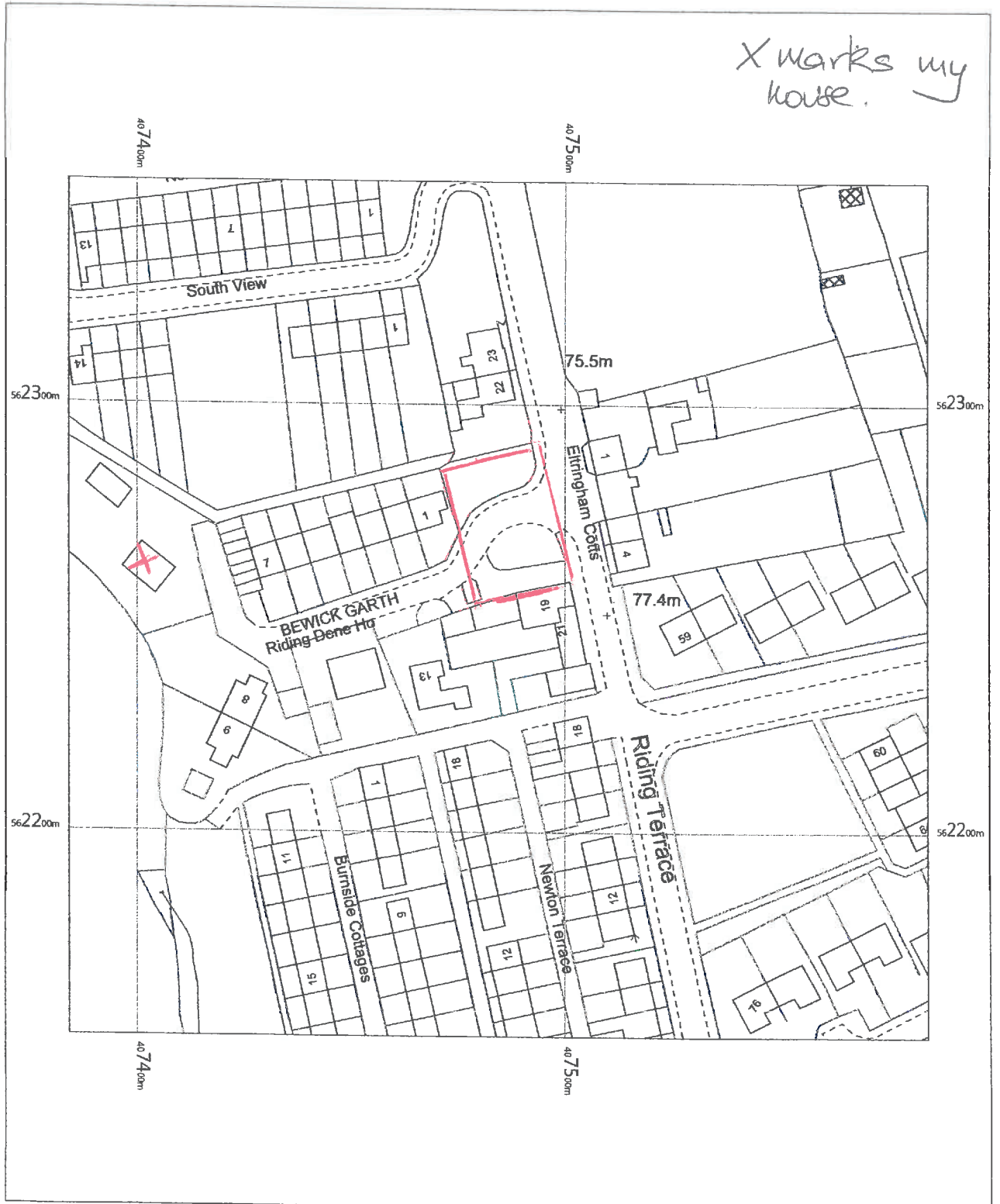
We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support this application to ensure that The Green continues to be used to the benefit of the neighbourhood for years to come.

Yours sincerely

Paul Newton

Bettina Newton

X marks my house.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



F12

Rev. Mark Sharman
4 Eltringham Cottages
Mickley, Stocksfield NE43 7BX
4/3/2018

Evidence in support of claim to register

The Green at Mickley Square

Dear Sir

I have lived at this address, which is opposite The Green at Mickley Square, marked in red on the attached plan, since 1995.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking the dog, playing games, community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I believe that this communal open space is vital for keeping a sense of community in our village.

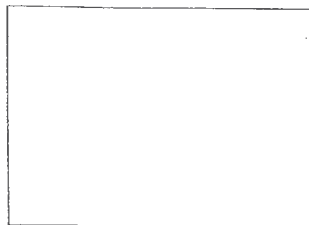
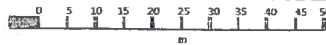
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

REV MARK SHARMAN

I have marked my house with a cross



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey Licence 100051661



20 Riding Terrace, F13
Mickley
NE4 3 7BU

17th March 2018.

EVIDENCE IN SUPPORT OF A CLAIM TO REGISTER
BENWICK GREEN AT MICKLEY SQUARE.

We have lived at the above address for the past twenty-nine years and you will see from the attached plan that we are close to the area in question.

In all that time we have never been stopped or challenged by anyone when crossing the green and there have never been any prohibiting notices or fencing.

Over the years our family have used Benwick Green for play and community activities and as a pathway to the lanes in the lower part of the village. We believe that such activity should be treated by the law as having a lawful origin.

We fully support the application to register Benwick Green as a village green and are content that this letter may be used in evidence for the application.

Yours sincerely,

[Dr. Keith Shaw]

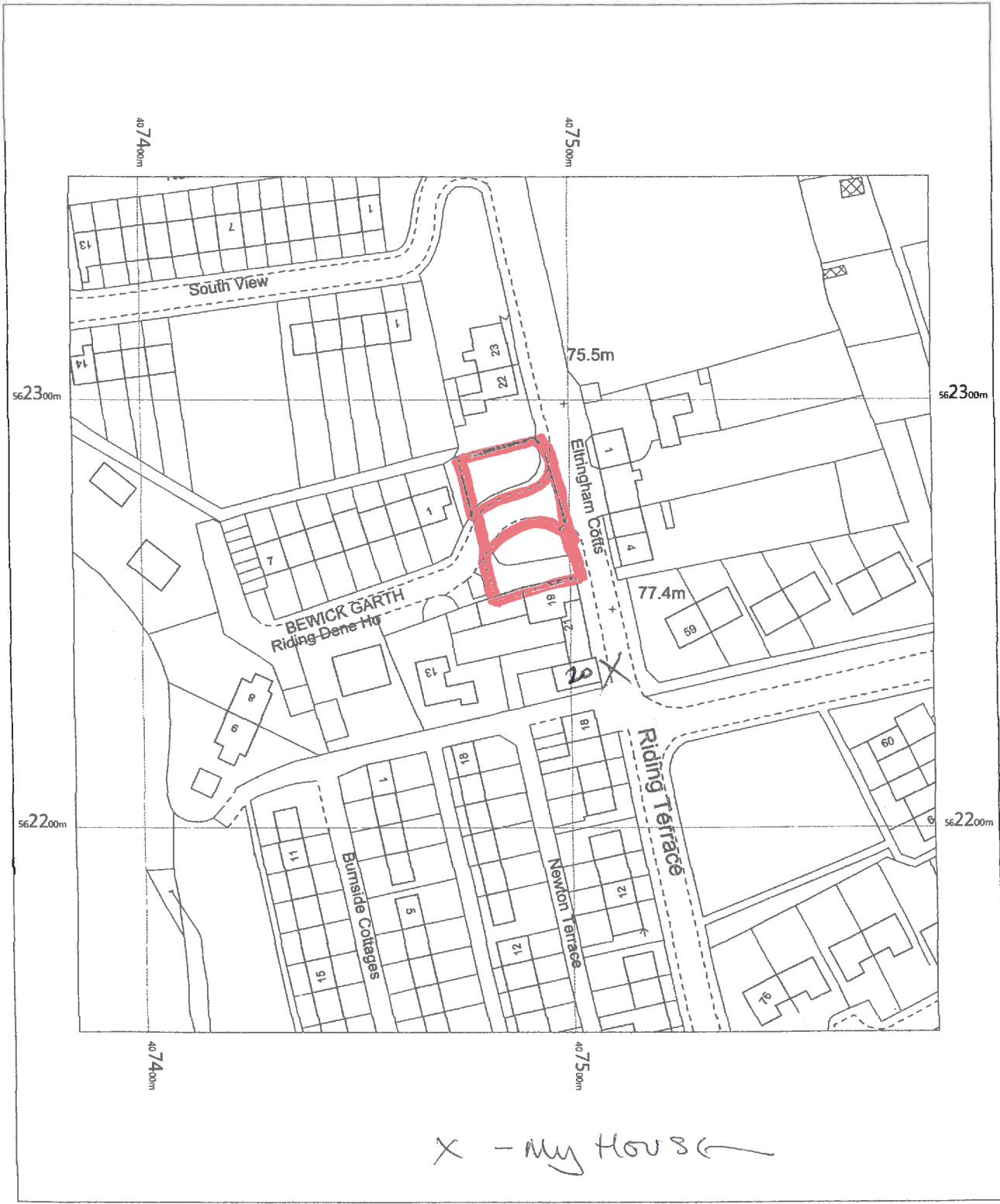
Page 447

[DR. DIANE WESTWOOD]

D 245

X13

Bewick House



18/3/18.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



E14

58 Riding Dene,
Mickley Square,
Stocksfield.
Northumberland.
NE43 7DQ

05/03/2018

Evidence in support of claim to register

"The Green" at Mickley Square

I have lived at this address, which is in the neighbourhood of "The Green" at Mickley Square, marked in red on the attached plan, since September 2013.

During the time I have lived in Mickley Square, no one has stopped or challenged me when walking on "The Green". I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

In this time, I have used "The Green" for recreation including walking the dog and community celebrations. There has been an annual village barbeque on "The Green" for the past 7 years and I have attended this enjoyable event.

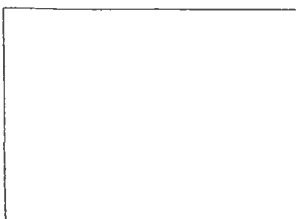
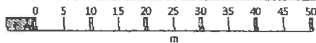
I have carried out the activities referred to in this letter in the time we have lived here without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter may be used as evidence to support the application to register "The Green" as a village green. I fully support the application, to ensure that "The Green" continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

Hilary Skoyles

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
 www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



2 Sandysykes
Halfway
Prudhoe
Northumberland
NE42 6LW

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, since returning to the area in 2008. Between 1975 and 1986 I lived in Bewick Garth, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time I lived here, I was never stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including, walking on, making snow men, playing snowballs and generally playing games as a child.

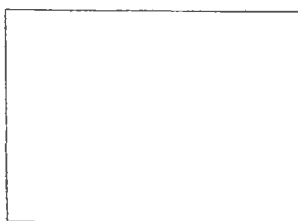
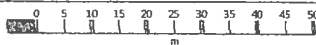
I carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Stephen Smith

x marks former House



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

© Crown Copyright Ordnance Survey. Licence no. 100051661



2 Eltringham Cottages
Mickley Square
NE43 7BX

25/3/18

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the opposite The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise, playing games and community celebrations. My 3 young children regularly play football on the green as we can keep an eye on them from our house. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

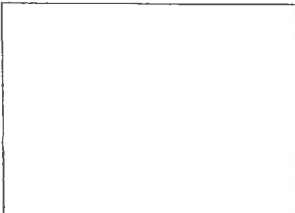
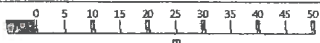
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Graham Storey

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



EX 7

Mr RD Warr
5 Riding Terrace
Mickley Square
Stocksfield
NE43 7BU

Monday 19th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2005.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

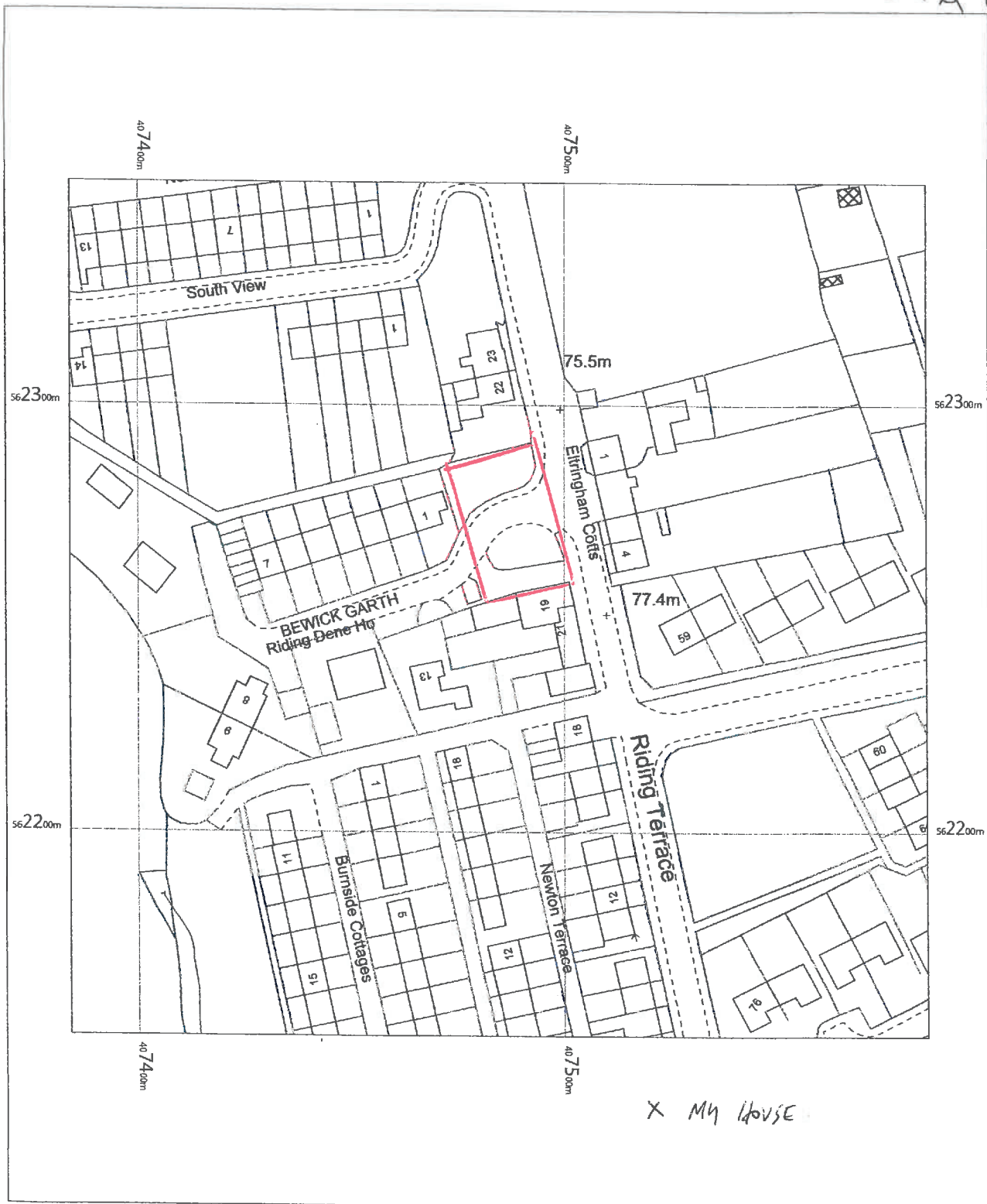
Over the years, I have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

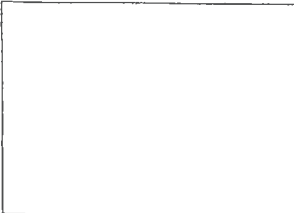
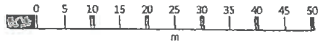
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

Rob Warr

£117



X My house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



← 18

Paul and Jane Tailford
13 Riding Terrace
Mickley Square
NE43 7BU

25th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We live at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, we have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended with our family. We walk across the green most days on the way to our allotment.

We have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

Yours sincerely,

Paul and Jane Tailford

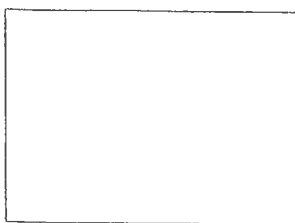
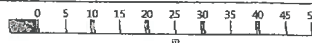
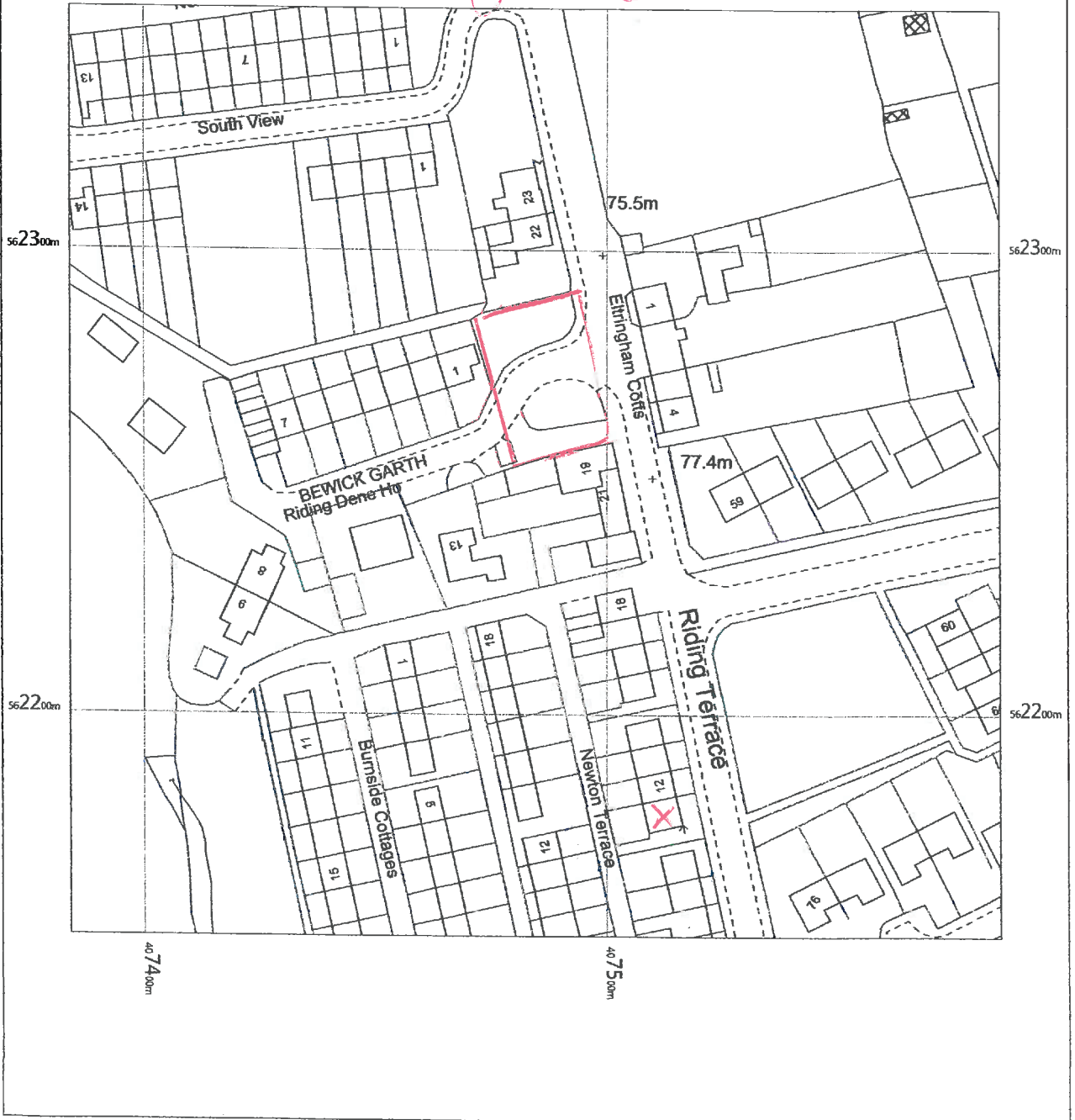
Sig PT

Sig JT

40 74.00m

X MARKS my house

40 75.00m



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



S, North View
mickley
Stacksfield.
Northumberland.
NE43 7DA

E 19

23.3.18

I have lived, at this address, which is in the neighbourhood of The Green at mickley Square, marked in red on the attached plan, since 1994.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking, community celebrations etc. There has been an annual village barbeque on The Green for the past 7 years (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin. I have

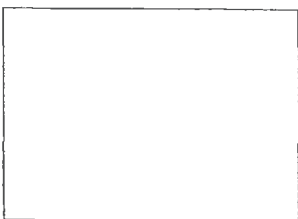
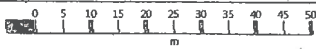
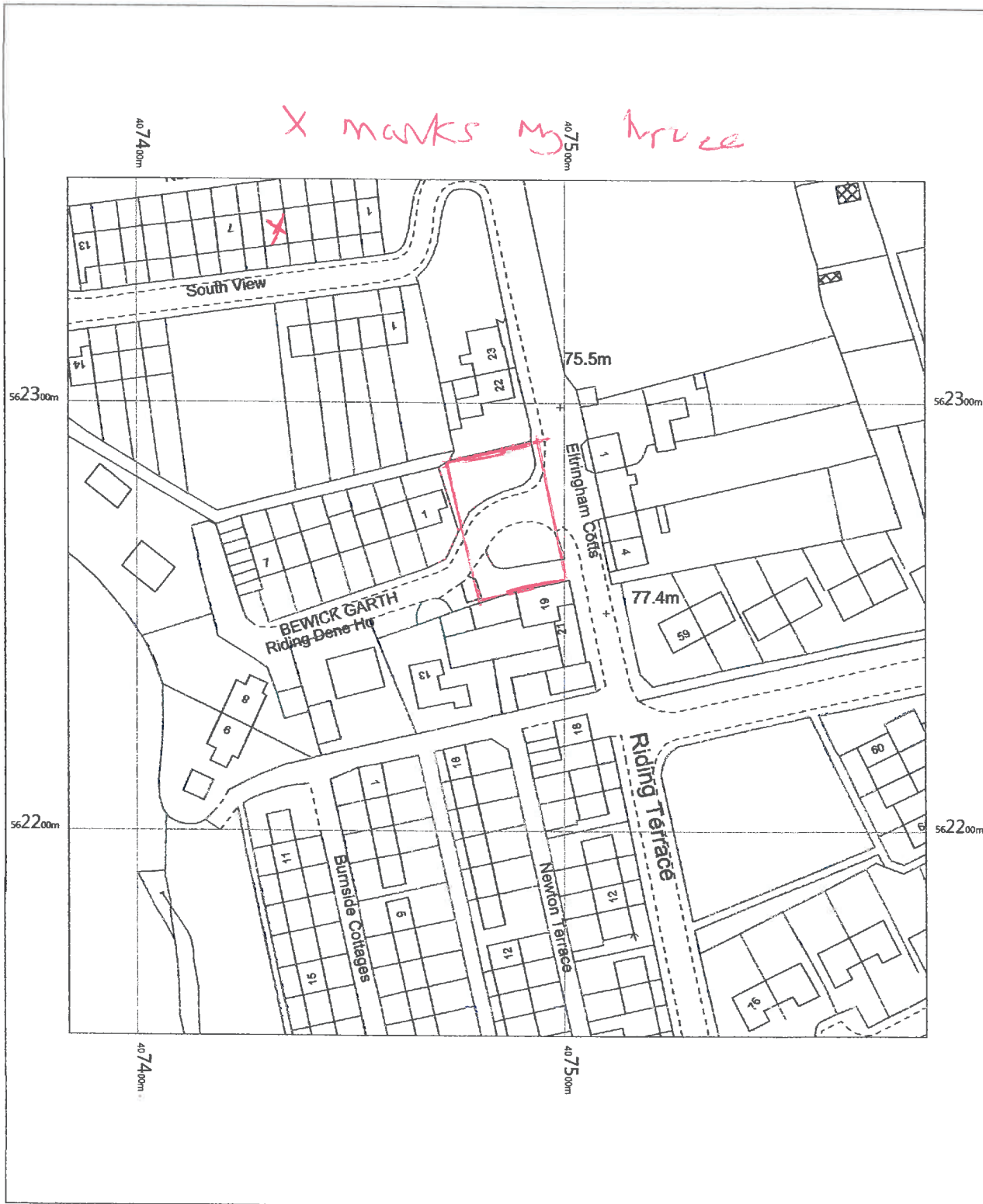
P.T.O

written knowing that this letter will be used in evidence to support the application to register the The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

ANDREA CHARLTON.

X marks my house



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



Kathy Robson

From: David Brookes <david.brookes@northumberland.gov.uk>
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services

Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134

EMail: david.brookes@northumberland.gov.uk

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition “on the land”, John Riddall in ‘Getting Greens Registered’ (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the ‘public’ status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitmey) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.

(1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).

(2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.

- i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
- ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-

1. A list of witnesses whom they intend to call to give oral evidence.
2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-

1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.

- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
- (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
- (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 14:18
To: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi David,

I now enclose a link to a pre-inquiry meeting which Counsel has suggested takes place at 11:00am on 8 December 2020.

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcYTGpTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Please let me know if the time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: David Brookes <David.Brookes@northumberland.gov.uk>
Sent: 13 November 2020 08:35
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen

I should be available on any Wed/Thurs/Fri on those dates - I do not normally work Mon-Tues but can be flexible if required.

Cheers

David

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: Tuesday, November 10, 2020 7:00 PM

To: David Brookes <David.Brookes@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 25 November 2020 14:01
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

The Inspector has asked for dates when I am not available for the Inquiry between 18th Jan and 31st March.

I am sorry I am not available on 18th Jan , 19th Jan, 8 March, 16 March and from 25th - 31st March.

One of the people I wish to call as a witness is only available on a Wednesday and Friday due to commitments as a key worker so would request the Inquiry is held on one of those days if at all possible.

And finally I confirm that I will be attending the pre INquiry meeting on 8th December and that my email is as above.

Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:19, George Hepburn <[REDACTED]> wrote:

Thank you, thats great and confirm the time is good for me.

Could you let me know in due course, who else will be attending please.

Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:07, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Further to my e-mail below I have now received details of the time, date and joining instructions for the pre hearing meeting with Counsel:

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcyTGNoTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Of course, please let me know if this time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster
Sent: 16 November 2020 10:56
To: 'George Hepburn' <[REDACTED]>
Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec

4th Dec

8th Dec after 3pm

9th Dec

16th Dec before 12 noon

17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

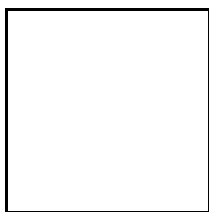
01670 623323

Helen.lancaster@northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government
NHS
Northumberland County Council

Kathy Robson

From: Helen Lancaster
Sent: 30 November 2020 16:49
To: Lynne Jackson
Cc: Neil Masson
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 25 November 2020 17:46
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, I am now able to advise that David will not be attending the pre-Inquiry meeting on 8 December, but as previously advised I am available for that.

At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Lynne Jackson
Sent: 24 November 2020 13:49
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: neil.masson@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 23 November 2020 14:25
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 08 December 2020 11:45
To: Helen Lancaster
Subject: Application documents

Dear Mrs Lancaster,

At some point before you submit the application document, can I check what is included. For example there was a revised plan and stat dec in app April 19 and then also my letter of 28th October 2019 commenting on the highways objection and Im hoping that you will be circulating these documents as part of the application papers.

Best wishes, George

tel: [REDACTED]

Kathy Robson

From: Helen Lancaster
Sent: 14 January 2021 16:48
To: Lynne Jackson
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

I sent reminder to the Inspector yesterday and will follow this up early next week if I have not heard from him by then.

Many thanks,

Helen Lancaster

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 14 January 2021 13:04
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Further to our virtual pre-hearing meeting on 8 December 2021, have you received any formal written further directions from the Inspector?

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 30 November 2020 16:49
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Sent: 25 November 2020 17:46

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, I am now able to advise that David will not be attending the pre-Inquiry meeting on 8 December, but as previously advised I am available for that.

At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk

Mob. - 07966325146

From: Lynne Jackson
Sent: 24 November 2020 13:49
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: neil.masson@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 23 November 2020 14:25
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Steven Briggs

From: Lynne Jackson
Sent: 14 January 2021 21:15
To: Helen Lancaster
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Helen,

Thanks for your e mail.

Having now spoken to David further I am authorised to put forward the following proposal.

The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?

Kind regards

Lynne

Get [Outlook for Android](#)

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Thursday, January 14, 2021 4:47:43 PM
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

I sent reminder to the Inspector yesterday and will follow this up early next week if I have not heard from him by then.

Many thanks,

Helen Lancaster

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 14 January 2021 13:04
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Further to our virtual pre-hearing meeting on 8 December 2021, have you received any formal written further directions from the Inspector?

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk

Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: 30 November 2020 16:49

To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Sent: 25 November 2020 17:46

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, I am now able to advise that David will not be attending the pre-Inquiry meeting on 8 December, but as previously advised I am available for that.

At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk

Mob. - 07966325146

From: Lynne Jackson

Sent: 24 November 2020 13:49

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: neil.masson@northumberland.gov.uk

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,
Lynne
Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF
E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: 23 November 2020 14:25

To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Kathy Robson

From: Helen Lancaster
Sent: 19 January 2021 07:41
To: George Hepburn
Subject: Mickley Square - application for village green

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
To: Helen Lancaster
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster

Senior Manager

Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: Helen Lancaster
Sent: 25 January 2021 11:22
To: George Hepburn
Subject: RE: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Dear Mr Hepburn,

Thank you for your e-mail which I will forward to Counsel for any comments he may have.

In the interim I have attached a copy of the further Directions of Mr Marwick a copy of which will also be sent to the Highways Authority.

I will of course get back to you once I have heard further from Counsel.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster

Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

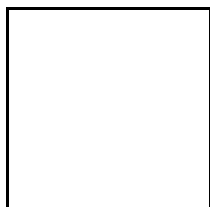
E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

FINAL DIRECTIONS

1. The below directions follow the Pre-Inquiry Review on 8th December 2020 and take account that the Inquiry in this matter will take place remotely on 3rd March 2021 (by Zoom) with likely limited further evidence from the parties.
 - (1) The Non-Statutory Public Inquiry will proceed remotely on 3rd March 2021 at 9.30am (with a time estimate of no longer than one day).
 - (2) The Parties shall provide the Registration Authority with an email address of any representative or witness who will attend the Inquiry Hearing on their behalf by no later than 24th February 2021. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device.
 - (3) Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry. By 17th February 2021, the parties shall provide to the Inquiry:-
 - a) A bundle of documents (in pdf form, if possible), including any witness evidence, which they intend to rely on in addition to any witness evidence or documents already provided to the Registration Authority (*I bear in mind that the Applicant indicated he would be unlikely to be relying on any further evidence beyond that already filed and that the Objector would likely be relying on no more than one witness statement*).
 - b) If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

- (4) The Registration Authority will thereafter circulate a core inquiry bundle (including copies of relevant application and objection documentation, witness evidence already filed and correspondence between the parties, together with a plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)).
- (5) The Registration Authority at the same time shall circulate any bundles of further documents filed by the parties in accordance with paragraph (3) above (again in default of any request to the contrary, in pdf form) and, if it is convenient, the same may be incorporated into the core bundle for ease of reference at the Inquiry.
- (6) The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, by no later than 17th February 2021. The advertisement(s) will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely.
- (7) Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours (and subject to the practicalities of the same during any prevailing lockdown), to inspect the core inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- (8) The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm.
- (9) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application. The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.

19th January 2021

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 25 January 2021 18:57
To: Helen Lancaster
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for forwarding the further instructions from Mr Marwick.

Can you tell me whether you will be submitting my application and witness statements as part of your 'bundle' or whether I need to do that separately?

Thank you.

Best wishes, George

tel: [REDACTED]

On Mon, 25 Jan 2021 at 11:22, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Thank you for your e-mail which I will forward to Counsel for any comments he may have.

In the interim I have attached a copy of the further Directions of Mr Marwick a copy of which will also be sent to the Highways Authority.

I will of course get back to you once I have heard further from Counsel.

Many thanks,

Helen Lancaster

Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster

Senior Manager
Legal Services
Northumberland County Council

County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

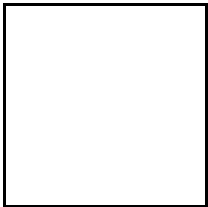
E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 01 February 2021 19:43
To: Helen Lancaster
Subject: Re: FW: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for the clarification. I understand the Inquiry must still establish whether the statutory test is met and confirm that I would be willing to exclude the road from the application to register as a green in order to simplify things on the understanding that I will not be required to make a fresh application or submit more plans.

I was tempted to pursue the point as I remember an early conversation, I think with yourself at County Hall, in which I was lead to believe that a road was not an impediment to registration, and it seems a pity to me if your colleagues in the Highways Authority raise this objection as a matter of course.

Thank you for your further help and look forward to receiving my bundle. I note I need to let you names and contacts of my witnesses in due course.

Best wishes, George

tel: [REDACTED]

On Fri, 29 Jan 2021 at 11:21, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Thank you for your e-mail.

I confirm that I will be including your application and witness statements as part of the bundle.

With regard to your query in connection with the road being excluded and whether this means that the Council will register the land without further delay I confirm that if the highways authority objection is withdrawn, this would not automatically lead to registration of the land as the Registration Authority must consider whether the statutory test at section 15(2) is made out in relation to the land beyond the highway in any event. It would however narrow the issues to simply whether user of the land beyond the highway has been sufficient for registration and in that regard the Inquiry would be streamlined and focussed only on the matters mentioned above.

Withdrawal of part of your application would mean that the 'remaining' part of your application would continue and would not therefore mean that you would have to have to make a fresh application.

I hope that this assists and look forward to hearing from you further.

Many thanks,

Helen Lancaster

Senior Manager

Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
Sent: 25 January 2021 18:57
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for forwarding the further instructions from Mr Marwick.

Can you tell me whether you will be submitting my application and witness statements as part of your 'bundle' or whether I need to do that separately?

Thank you.

Best wishes, George

tel: [REDACTED]

On Mon, 25 Jan 2021 at 11:22, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Thank you for your e-mail which I will forward to Counsel for any comments he may have.

In the interim I have attached a copy of the further Directions of Mr Marwick a copy of which will also be sent to the Highways Authority.

I will of course get back to you once I have heard further from Counsel.

Many thanks,

Helen Lancaster

Senior Manager

Legal Services
Northumberland County Council

County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>

Sent: 23 January 2021 12:11

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

"The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?"

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster

Senior Manager

Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

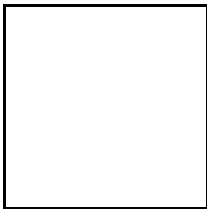
E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

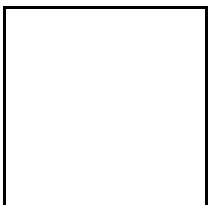
This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or

taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

**STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Steven Briggs

From: Helen Lancaster
Sent: 04 February 2021 16:55
To: David Brookes
Cc: Lynne Jackson
Subject: FW: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Hi David,

Just to confirm that the applicant as agreed to exclude the highways land from his application.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster
Sent: 25 January 2021 11:36
To: David Brookes <David.Brookes@northumberland.gov.uk>
Cc: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Mickley Square - application for village green

David,

I enclose some Directions issued by the Inspector James Marwick and confirm that I have, on behalf of the Registration Authority put forward your proposal to the applicant.

I will get back to you further once I have a substantive response.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services

Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: [Alex Bell](#)
To: [Helen Lancaster](#)
Subject: Bewick Green
Date: 17 February 2021 11:37:09

Helen

I can confirm that in relation to the above site (and its immediate vicinity), there are no public rights of way recorded on the Definitive Map, nor are there any applications pending to record any additional public rights of way on the Definitive Map.

Regards

Alex

Alex Bell
Definitive Map Officer
Technical Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Tel: 01670 624133
Email: Alex.Bell@northumberland.gov.uk

Website: www.northumberland.gov.uk

This page is intentionally left blank