



The Planning Inspectorate

**APPLICATION TO DEREGISTER, OR TO DEREGISTER AND
EXCHANGE, COMMON LAND OR TOWN OR VILLAGE GREENS**

Commons Act 2006: Section 16

Return completed application to:

The Commons Team
The Planning Inspectorate
3F Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0303 444 5408

E-mail: commonlandcasework@pins.gsi.gov.uk

PLEASE READ THE FOLLOWING CAREFULLY BEFORE COMPLETING THIS FORM:-

- Section 16(9) of the Commons Act 2006 requires that an application to deregister and exchange common land or town or village greens may only be made with the consent of any relevant leaseholder of, and the proprietor of any relevant charge over, the release land and any replacement land. When completing this form you will be asked to confirm that such consent has been obtained and that you have consulted any relevant leaseholder of, and the proprietor of any relevant charge over, the release land/any replacement land about the application.
 - Answer all the questions on this form in full and only use a separate sheet where there is insufficient space for your answer.
 - Refer to "*Notes on completing an application to deregister, or to deregister and exchange, common land or town or village greens*" (the "Notes") when completing this form.
 - References throughout this form to 'common land' apply equally to 'town or village green'.
 - A non-refundable fee of £4,900 is payable for all applications under section 16 to deregister/exchange common land. A cheque for this amount, payable to "The Planning Inspectorate", must accompany every application. Alternatively, if you wish to pay by BACS the Planning Inspectorate's bank details are available on request.
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SECTION A – The common land to be deregistered (i.e. the release land) (see Notes 1 to 4)

Section A1 – The Common

1. Name and full address of common

The Braid
Amble
Northumberland

CL no or VG no

75

Commons Registration
Authority

Northumberland County Council

Section A2 – The owner of the release land

2. Forename	<input type="text"/>
Surname	<input type="text"/>
Organisation (if appropriate)	<input type="text" value="Northumberland County Council"/>
Title (Mr/Mrs/Miss/Dr)	<input type="text"/>
Full Postal Address	<input type="text" value="County Hall
Morpeth
Northumberland"/>
Postcode	<input type="text" value="NE61 2EF"/>
Telephone No/Mobile	<input type="text" value="01670 624099"/>
E-mail address	<input type="text" value="Richard.McKenzie@northumberland.gov.uk"/>

3. Do you prefer to be contacted by ☐ Post ☒ E-mail
4. Please note that unless you tick the box below we will send all correspondence to the person named above and not to the owner of the replacement land shown in Section B1.
- ☐ Please send all correspondence to the owner of the replacement land named in section B1

Section A3 – Area of common and common rights

5. What is the total area of common land as registered?

What common rights, if any, are registered? (e.g. number and type) If the land is a town or village green, what kind of recreation is it used for?

No common rights are registered.

The land is currently used for general recreation (walking) by residents and visitors and is occasionally used for events, such as fun fairs.

The village green is crossed by National Cycle Route 1. It is divided by a public footpath, though the path itself is not part of the village green.

6. If there are common rights registered are they exercised? ☐ Yes ☐ No
If yes, please give details e.g. which commoners are active, which rights are exercised and how often.

Section A4 – Description of the release land

7. Area of release land in m²

Description (including location) of the release land

The release land is a strip of open grassland in the centre of the Braid, located adjacent to the access road to the Marina and the public footpath to the town centre.

SECTION B – The land to be given in exchange (i.e. the replacement land) (see Notes 5 and 6)

8. Are you proposing to provide replacement land in exchange for the release land? You must propose replacement land if the area of the release land is more than 200m². ☒ Yes ☐ No

If **Yes**, go to Question 9. If **No**, please explain below why you are not providing replacement land and then go to Question 14.

n/a

Section B1 – The owner of the replacement land

9. Forename	<input type="text"/>
Surname	<input type="text"/>
Organisation (if appropriate)	<input type="text" value="Northumberland County Council"/>
Title (Mr/Mrs/Miss/Dr)	<input type="text"/>
Full Postal Address	<input type="text" value="County Hall
Morpeth
Northumberland"/>
Postcode	<input type="text" value="NE61 2EF"/>
Telephone No/Mobile	<input type="text" value="01670 624099"/>
E-mail address	<input type="text" value="Richard.Mckenzie@northumberland.gov.uk"/>

Only complete Question 10 if Question 4 has been ticked.

10. Do you prefer to be contacted by ☐ Post ☒ E-mail

Section B2 – Description of the replacement land

11. Name of replacement land (if any)
- Area of proposed replacement land (in m²)

Description (including location) of the replacement land.

The replacement land is open grassland at the south side of the Braid, immediately adjacent to the area currently designated as village green.

12. Please confirm that the proposed replacement land is not already registered as common land or town or village green. ☒ I confirm

Section B3 – Rights over the replacement land

13. Give details of any relevant leaseholders, other occupiers, rights of access and easements, those holding any relevant charges over the replacement land, or any other rights or easements. Explain why such rights will not materially interfere with the public's right to use the land (should the application be successful). (see Note 8).

None.

SECTION C - Access arrangements and current features of the lands (see Notes 7, 8 and 9)

Section C1 – Access to the lands:

14. To what extent is there **existing** public access over the land(s)?

(a) The release land

There is currently unrestricted access to all of the release land.

(b) The replacement land (including any existing informal public access)

There is currently unrestricted access to all of the proposed replacement land. The replacement land is immediately adjacent to the existing village green.

15. What are the intended access arrangements for the replacement land?

Access arrangements will continue as they do currently, i.e. unrestricted access.

Section C2 - Current condition of the lands

16. Describe the current condition and use of the lands, including any biodiversity, landscape, archaeological, agricultural and recreational interests:

(a) The release land

The land is currently mown grassland with little biodiversity. The Braid was formerly a refuse site, so there are no archaeological interests. The land is not in agricultural use.

The Braid is adjacent to the Northumberland Coast Area of Outstanding Natural Beauty and contributes to the landscape of the area, although there are car parking areas to the north.

(b) The replacement land

The land is currently mown grassland with little biodiversity. The Braid was formerly a refuse site, so there are no archaeological interests. The land is not in agricultural use.

The Braid is adjacent to the Northumberland Coast Area of Outstanding Natural Beauty and contributes to the landscape of the area, although there are car parking areas to the north.

17. What structures (e.g. buildings, roads, bridleways, footpaths, walls, fences) are currently on the land?

(a) The release land

A public footpath runs through the site but is not part of the village green.

(b) The replacement land

A public footpath runs through the site but is not proposed to be part of the village green.

18. What boundary features e.g. fences, hedges, walls (and access points such as stiles and gates) are currently on the perimeter of (or on land immediately adjoining) the land?

(a) The release land

There is a boundary fence adjacent to part of the release land (at the boundary with Amble Marina). The remainder of the release land has no boundary features.

(b) The replacement land

There is a stream along the southern boundary of the proposed release land. Elsewhere there are no boundary features.

19. What, if any, boundary or other features are proposed to be removed from or erected on the replacement land as part of the exchange?

None.

20. What, if any, works are to be carried out on the replacement land as part of the exchange?

None.

SECTION D – Details of the exchange or deregistration (see Notes 10, 11, and 12)

21. What are the reasons for the exchange or deregistration?

Amble is a growing town and is particularly popular with tourists and visitors. Following the decline of industry in the town, the importance of tourism to the local economy has increased significantly and a number of new attractions have opened in recent years. However, car parking provision in the town is currently poor. This lack of parking is hindering the towns development and reputation and representation has been made by local people to the County Council on several occasions. There is, therefore, a need to increase car parking provision, both for visitors and for those who work in the town.

The purpose of the deregistration is to allow temporary car parking on part of the Braid at times of high demand (e.g. summer holidays, festivals and events). The area of land chosen for deregistration is adjacent to the existing access road to allow convenient vehicle access, and adjacent to the existing public footpath which will provide suitable access to the town centre from the parking area. The area has been successfully used for temporary parking for the annual Puffin Festival for several years and this proposed exchange of land would facilitate further temporary use during peak periods.

A parking area exists to the north of the Braid which has recently been extended. However, this facility is considered to be remote from the town centre, is mainly appropriate for tourists and unlikely to be used by staff or shoppers. Many other sites in the town have been investigated and whilst one was secured for parking this was only on a 3 year lease which will expire at the end of 2017. A further area of land to the south of the Braid was considered for car parking but is in private ownership and is currently unavailable.

Other areas of the Braid that are outside the existing village green designation have been considered but the area proposed for deregistration is considered to be the most appropriate location for car parking, as described above.

SECTION E – Designations (see Notes 13, 14 and 22)

22 Are any of the lands subject of this application in or near a Site of Special Scientific Interest (SSSI), National Nature Reserve, a Special Area of Conservation (SAC), a Special Protection Area (SPA), or Wetland listed in accordance with the Ramsar Convention?

(a) the release land

☒ Yes ☐ No

If **Yes**, please give details and identify the location on the map

The Braid is located near to the River Coquet which is a SSSI.

(b) the replacement land

☒ Yes ☐ No

If **Yes**, please give details and identify the location on the map.

23 Do any of the lands contain a Scheduled Ancient Monument?

(a) the release land

☐ Yes ☒ No

If **Yes**, give details and identify the location on the map.

(b) the replacement land

☐ Yes ☒ No

If **Yes**, give details and identify the location on the map

24 Are any of the lands in a National Park or Area of Outstanding Natural Beauty?

(a) the release land

☐ Yes ☒ No

If **Yes**, please give details.

(b) the replacement land

☐ Yes ☒ No

If **Yes**, please give details.

- 25 Are any of the lands subject of this application covered by any local designations, e.g. local nature reserve, area of special landscape value, heritage coast, conservation area or public open space?

(a) the release land

☐ Yes ☒ No

If **Yes**, please give details.

(b) the replacement land

☐ Yes ☒ No

If **Yes**, please give details.

SECTION F – Adjacent common land (see Note 15)

26. Does any area of common land with a different registration number adjoin the common land subject of this application? ☐ Yes ☒ No

If **Yes**, give details and identify them on the map

SECTION G – Public Access (see Notes 16, 17 and 18)

27. Do the public have a right of access to the release land for air and exercise under section 193 of the Law of Property Act 1925? ☐ Yes ☒ No

28. Is the release land subject of an Order of Limitations or Conditions made under section 193(1)(b) of the Law of Property Act 1925? ☐ Yes ☒ No

If **Yes**, give its date and other details, and send us a copy.

Date of the Order

☐ Copy enclosed.

SECTION H – Advertisement and Consultation (see Notes 19, 20 and 21)

30. You **must** advertise your proposal in one main local newspaper and at the main points of entry to the common (or, if there are none, at a conspicuous place on the boundary of the common) **within 7 days** of making your application. Use the draft notice at **Annex B** of the **Notes**.

☒ A notice has been prepared following the format at Annex B.

31. You **must** also send a copy of the notice, (using the letter at Annex D of the Notes) to the following:

<input type="checkbox"/>	the commons council or commoners' association (if there is one)
<input type="checkbox"/>	all active commoners
<input type="checkbox"/>	others with a legal interest e.g. tenants, those with easements, or other rights over the land and any other person occupying the land
<input checked="" type="checkbox"/>	the Commons Registration Authority (usually the county council or unitary authority)
<input checked="" type="checkbox"/>	the relevant parish council, where known
<input checked="" type="checkbox"/>	Natural England
<input checked="" type="checkbox"/>	Historic England
<input type="checkbox"/>	National Park Authority (if the proposal is in a National Park)
<input type="checkbox"/>	AONB Conservation Board or Joint Advisory Committee (if the proposal is in an AONB)
<input checked="" type="checkbox"/>	Open Spaces Society
<input type="checkbox"/>	The local authority or other body in which the management of the common is vested under a scheme of management made under the Metropolitan Commons Act 1866 of the Commons Act 1899 or any other regulatory scheme or Act for the common (if there is any such scheme or Act)

Even if you have consulted any of these bodies before making this application you still need to send them a copy of the notice.

32. Which newspaper will the advertisement appear in?
On what date?

Northumberland Gazette

12/10/2017

SECTION I – Maps

33. Please enclose two copies of the map that meet the requirements set out in **Note 22**.

☒ Two copies of the map are enclosed.

Section J – Checklist (tick to confirm)

34. I have read the **Notes** in full. ☒
35. I have answered all the questions (where appropriate) on this form in full. ☒
I have enclosed two copies of the map that meets the requirements of Note 22. ☒
I have enclosed a copy of the commons register or register of town and village greens. This should include details of the land, rights, ownership and the register map. ☒

I have obtained the consent to this application of any relevant leaseholder of, and the proprietor of any relevant charge over, the release land and any replacement land. ☒
I have enclosed a copy of any document mentioned in answering the questions on this form. ☒
I understand that any of the application papers may be copied to interested parties on request and have informed people as necessary. ☒
I have enclosed my application fee of £4,900. ☒
36. I will as soon as possible:
- advertise the proposal in one main local newspaper (see note 19) ☒
 - post a copy of the notice at the main entry points to the lands ☒
 - send a copy of the notice to all those listed at Section H ☒
 - place a copy of the notice, map and application at the inspection point ☒
 - write to the Planning Inspectorate using the letter at Annex E of the Notes to confirm that the advertising requirements have been met. ☒

SECTION K – Declaration

I/We hereby declare that:

All the owner(s) of the land(s) to be deregistered or deregistered and exchanged subject of this application have completed this Section.

*No person is a relevant leaseholder, or holds a relevant charge, over any of the land(s) to be deregistered/exchanged.

*I/We have obtained the written consent to this application of every person who is a relevant leaseholder, or holds a relevant charge, over any of the lands to be deregistered/exchanged.

*delete as appropriate

The contents of this application are true and complete to the best of my/our knowledge and belief.

Release Land:

Signature of owner

M Robbins

Name

MICHAEL ROBBINS

Date

3 OCTOBER 2017

Position and name of organisation (where appropriate).

STRATEGIC ESTATES MANAGER
NORTHUMBERLAND COUNTY COUNCIL

Signature of co-owner (where applicable)

N/A

Name

Date

Position and name of organisation (where appropriate).

Replacement Land:

Signature of owner

M Robbins

Name

MICHAEL ROBBINS

Date

3 OCTOBER 2017

Position and name of organisation (where appropriate).

STRATEGIC ESTATES MANAGER

NORTHUMBERLAND COUNTY COUNCIL.

Signature of co-owner (where applicable)

Name

Date

Position and name of organisation (where appropriate).

You should keep a copy of the completed form

Data Protection Act

Your application will be in the public domain. Therefore all documents (both paper and electronic) associated with it may be disclosed during the application process to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.

A copy of this form and any accompanying documents may be disclosed following a request for information under the Environmental Information Regulations 2004.