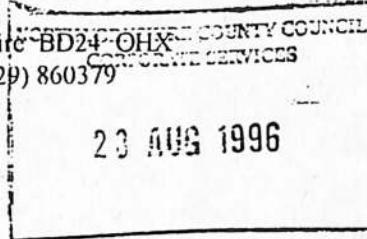


HORTON-IN-RIBBLESDALE PARISH COUNCIL

Clerk HELEN C. SERGEANT B.Sc., M.Sc.

Borrins, Selside, Settle, North Yorkshire
Telephone Horton-in-Ribblesdale (01729) 860379



Your Ref. 1876 IPR/JD

August 16th 1996

Dear Mr Daly,

Thank you for your letter of 10th June 1996, enclosing a photocopy of a letter you have received from Mr J H Morphet.

My Parish Council have no particular comments to make about Mr Morphet's letter which have not been made already. The basis of his comments about residents' usage of the Green seems to be, as he says in his last paragraph, that "ownership of the land in question is claimed by my wife and myself". As has been pointed out previously, Mr Morphet's claim to ownership of the Green only came to light when he attempted to sell it as the garden for Penyghent Cottage. The Parish Council wrote to Mr Morphet's solicitor, asking him to confirm or otherwise Mr Morphet's title to the Green. Despite writing three times, no response was ever received. The Parish Council then invited Mr Morphet himself to demonstrate his title to the Green. He failed to do so, so the Parish Council concluded from this, and from other information available, that Mr Morphet had no title to the Green. His only claim to ownership, therefore, could be if he had used the Green exclusively, which is clearly not the case.

From the time that the Parish Council applied to register Selside Village Green, contact has been maintained with the legal adviser of the Yorkshire Local Councils Association, Mr Jukes. My Council feel that it would be helpful if you were to have a copy of the most recent letter from Mr Jukes, and I therefore enclose a photocopy.

Yours sincerely,

Helen C. Sergeant

Parish Clerk


Richard T Daly
Head of Legal Services
North Yorkshire County Council
County Hall
Northallerton

Commons Commissioner's decisions may well support this artificial differentiation we are not aware of any decisions reached in court which would do so. Children and teenagers are clearly inhabitants of the locality and therefore use by them of land for the purpose of village green should be acceptable within the intent of the legislation. Although I am not familiar with the specific instances which Mr Ryan is presumably referring to it will be necessary to look at these more closely and to ask whether applications were rejected on the grounds that the use was by children and teenagers or whether it was the nature of the use of the land which was actually the grounds for rejecting those applications.

As far as the case of R v. Suffolk County Council is concerned these Associations continue to hold the view that the correct interpretation of the law is that where land was not registered before 1970 then any evidence of use which was in itself sufficient to justify registration on that date is no longer eligible to support any future claim for registration. However use prior to 1970 which was not by itself sufficient to support registration or use since 1970 should be treated as a separate matter. There is certainly a significant possibility that the appeal in this case will produce a different interpretation and it would therefore be rash of North Yorkshire County Council to make a decision based on that case before the appeal is heard and a judgment given.

In summary these Associations consider that the County Council would be unwise to rely on the present opinion given by Mr Ryan as he appears to have not been provided with comprehensive information on which to base his views and that a principal which has an important effect on this case is subject to appeal and therefore any decision to reject the application on those grounds would be premature. A site visit by the committee would certainly be a positive step and would at least demonstrate on the part of North Yorkshire County Council to ensure that the committee do clearly understand the nature of the land and the circumstances in which the application is being made. Without such a step these Associations would consider that the matters which are likely to be put to the committee are flawed and would therefore call into question any refusal of the application at this time.

Yours sincerely



JOHN JUCKES
Assistant Secretary

HORTON-IN-RIBBLESDALE PARISH COUNCIL

Clerk HELEN C. SERGEANT B.Sc., M.Sc.

Your Ref

Borrins Selside Settle North Yorkshire BD24 OHX
Telephone Horton-in-Ribblesdale (01729) 860379

1876 IPR/SER



May 24th 1996

Dear Mr Daly,

Thank you for your letter dated May 9th 1996, enclosing a copy of the Opinion of G Ryan QC in relation to the Parish Council's application to register the Green at Selside as village green under the Commons Registration Act 1965.

The Council has seen a copy of the letter sent to you by the Selside Residents Association dated May 16th 1996, and wishes you to know that the Parish Council fully endorses the contents of that letter.

In addition the Council would like to emphasise several points. From reading his Opinion, it is apparent that G Ryan QC does not have a clear picture in his mind's eye as to what the Green and the hamlet of Selside looks like. We would like you to recommend to the Economic Development and Environmental Issues Sub-Committee that they should hold a site meeting before reaching any decisions on this application. The Council feels that this is very important as only then could the Committee appreciate the nature of the use of the Green by the residents of Selside, and how this use is determined by the size and location of the Green.

G Ryan QC refers to an aerial photograph of Selside submitted by Mr J H Morphet. This photograph was taken by the company concerned to show the house Penyghent Cottage (then a barn), not to show Selside village green. Had the photograph been taken from the other side it would have clearly have shown the open space, this would not have been obscured by intervening buildings. The "fertiliser store" has never been more than a pile of till in plastic bags resting on railway sleepers. Sometimes it was there; sometimes it wasn't, all depending on the Morphets' farming activities. It was never a building. The Parish Council has already pointed out in its letter to you, addressed to Mr Pennell, in March this year, that the nissen huts were open-ended and available for children to play hide and seek. G Ryan QC seems to have missed this point. Was the Parish Council's letter of March 1996 shown to Mr Ryan? I see that the Parish Council has not received an acknowledgment of the receipt of this letter by the County Council; could you please confirm that it has been received.

G Ryan QC is mistaken when he says on page 3 that "a low stone wall----- has for years enclosed the greater part of the green". The Green has NEVER been enclosed either by Mr Morphet or anyone else. There are part walls on two sides of the Green only. This illustrates the problem of trying to come to a decision about something without seeing it, and we would like to ask again that the Sub-Committee holds a site meeting.

When G Ryan QC says that "the land was for many years occupied by Mr Morphet" it is misleading, because Mr Morphet did not occupy the land exclusively; it was used by the rest of the inhabitants of Selside at the same time as well.

The implication by Mr Ryan that the evidence of children and teenagers is invalid is disturbing. The Parish Council would agree with the Selside Residents Association that this part of the Opinion should either be ignored or tested in a court of law.

Similarly, the Parish Council does not feel that the County Council should include in its deliberations the judgement in the case of R. v Suffolk C.C., as this is subject to an appeal. The Parish Council has consulted with the legal advisor to the Yorkshire Local Councils Associations on this issue, who has written, "As far as we are aware other cases of land becoming registered as village green subsequent to 1970 have not had to face the test set out by the Honourable Mr Justice Carnwath. The normal interpretation and the one these Associations have always held is that under Section 1(2)(a) of the Commons Registrations Act 1965 land not registered by 2 January 1970 is deemed not to be a town or village green."

Please will you ensure that the members of the Sub-Committee see the contents of this letter in full rather than a summary, and would you kindly do likewise with previous letters on this matter written to you by the Parish Council. The Council feels that this is important, in view of the changes in the structure of the County Council, and the fact that this is a "new" sub-committee.

Yours sincerely,

Helmer C. Sergeant

Parish Clerk

Richard T Daly MA (Oxon)
Head of Legal Services
North Yorkshire Legal Services
County Hall
Northallerton

17 MAY 1996

SELSDIE RESIDENTS ASSOCIATION

C/O THE OLD SCHOOL, SELSDIE NR. SETTLE • NORTH YORKSHIRE BD24 0HZ
TEL.: (01729) 860 465 • FAX: (01729) 860 350

Mr Richard T. Daly MA (Oxon)
Head of Legal Services
North Yorkshire Legal Services
County Hall
Northallerton
North Yorkshire
DL7 8AD

Copy to
Horton in Ribblesdale
Parish Council

16th May 1996

Dear Sir,

WITHOUT PREJUDICE Registration of Land as Village Green at Selside

In your letter of 9th May 1996, your reference 1876 IPR/SER, to the Clerk to Horton in Ribblesdale Parish Council you asked for representations regarding the above matter. Selside residents were shown a copy of this letter and decided to reply directly to you as time is short. I therefore should like to submit the following observations which were prepared after close consultation with Selside residents. A copy of this letter has been given to the Clerk to Horton P.C.

1. Introductory Remarks

- 1.1 In all the discussions and representations about Selside Village Green we must not lose sight of the reason why Horton in Ribblesdale Parish Council felt it necessary to apply for registration. The present residents of Selside have used the Green for many years without hindrance. However, some years ago Mr Morphet (the only objector to the registration) moved away from Selside and later decided to put a house near Selside Green on the market. He instructed his estate agent to include the village green in the offer although he has no legal title to this piece of land.
- 1.2 Selside residents were alarmed by a possible sale of their village green and asked the local Parish Council to act on their behalf. Knowing the extent of use Selside residents make of this part of their hamlet Horton Parish Council agreed to apply for registration of this land as Village Green.
- 1.3 A decision for registration would ensure that all local residents retain the rights they have enjoyed for more than twenty years. Everybody could continue to enjoy their pastimes on the green.

A decision against registration would be followed by attempts by one party to exclude all others from the green. This would be the first time that this has ever happened. Selside residents would vigorously contest such attempts. We are informed that our rights to use the green will not necessarily be affected by not registering the land as Village Green. However, the legal uncertainty which would be created in such a case would make the life in the hamlet very unpleasant.

2. "Lawful sport and pastimes"

- 2.1 Counsel's opinion as to whether our activities on the green amounted to "lawful sport and pastimes" is focused on his apparent conviction that such rights can only be exercised by adults (item 3 of Opinion). Our advice is that he may well not be right in that opinion. Should this particular point be of any importance in the deliberation of the Council's Committee we request that this opinion be tested, in court if necessary.
- 2.2 In any case, we do not feel that we have failed to demonstrate adult exercise of the user rights in the relevant period. This point should be strongly made to the Committee who can see clearly from

our previous submissions that - taking into account the time used for pastimes on the green - it is mainly adults who have used the green in the period in question. The conclusion that the village green is used "principally by children and teenagers" (item 3 of Opinion) cannot be sustained either on the basis of the documentary evidence provided by Horton Parish Council nor by looking at the actual situation in Selside.

- 2.3 Our "meaningful adult activities on the land" (item 4 of Opinion) included everything which could be carried out on the green as normal part of village life. In this context, the following point is of considerable importance:

The green is the centre of our hamlet. We cross it every day. We use it every day. It is right in the heart of Selside. As most of the local property has no garden or play area adults and children alike use it as if it were their front garden. It is too small for organised sports, etc. but of crucial importance for the social cohesion of our hamlet. Here we can and do meet. Taking it out of common use would be like taking the heart out of Selside.

This, together with the actual activities carried out on the green, should make it clear that our claim is certainly not deficient in that respect.

3. Use as "of Right"

- 3.1 Item 5 of Counsel's Opinion is, unfortunately, based on an incomplete or wrong understanding of the facts of the matter. The walls which partly surround the green are part of the green and not part of anybody's border; they leave wide spaces everywhere so as not to interfere with the use of the green. The so-called "Nissen Hut" type buildings were only there in the very beginning of the period in question and were removed more than twenty years ago. But even when they were there nobody in Selside objected as we always felt that every one (including Mr Morphet) has the right to use the green as long as it does not interfere with the rights of others. In any case, the structures were only open shelters but could be used (and were used) as shelter against rain, for example, by local residents like Mr Wilcock when using the green.

- 3.2 The "fertilizer store" is simply a platform of stacked railway sleepers (ideal for sitting on by adults or climbing over by children).

There always remained, in the period in question, plenty of scope and space for using the green in the way described.

- 3.3 Counsel misunderstood Mr Wilcock's remark about local children being asked to leave (item 5 of Opinion). This happened, according to Mr Wilcock, as children strayed from the village green on to the road adjacent to Mr Morphet's property.
- 3.4 Although only some of the deponents mentioned expressly that no permission was ever sought or given for the use of the green we should like to point out that this applies also to all of the other deponents. They would be happy to write to the Committee stating that they have always used the green without ever seeking permission from anybody, without ever being granted such permission and without ever having been hindered in exercising their rights over the period in question.

4. Reference Period for Registration

- 4.1 Counsel in his Opinion gives some weight to the case of R v Suffolk CC ex parte Steed (70 P & CR487). Whilst this case is not a predominant factor it could nevertheless be seen as being of some importance.
- 4.2 Our legal advice makes it quite clear that this particular case does not apply in the case of Selside. We hope that the documentary evidence provided shows clearly that new common user rights have been created within the period in question and within the twenty-seven years since the enactment of The Commons Registration (New Land) Regulations 1969. Indeed, the creation of such new rights seems to be the underlying principle behind the "late" registration procedure.

The earlier evidence submitted by the Clerk to Horton in Ribblesdale Parish Council was only provided as background material to the Parish Council's application. The use of the land has changed and intensified since the 70s and it is on the basis of the new way of using the green that the Parish Council made its application.

4.3 Should the Committee, despite of the facts as mentioned under 4.2, attach any importance to the case of R v Suffolk CC we feel that the Committee cannot come to a final decision on this point as the appeal on this point is still to be heard. The decision of the appeal court could then affect the outcome of this application. Although our legal advice leads us to believe that this case has no bearing on Horton P.C.'s application we must point out to the Committee that **reasonable grounds exist for a deferment of any adverse final decision until such time as the appeal on this point is finally heard.**

5. Conclusions

5.1 We recommend that the County Council Committee accept the application for registration as Village Green.

5.2 Bearing in mind the size and geographical situation of the green as well as the composition of local residents it is clear that Selside residents use the green constantly and fully. Advice given to us leads us to the conclusion that these certainly constitute "lawful sports and pastimes" within the meaning of the Act.

5.3 All Selside residents except the objector claim a use of the green "as of right". They strongly object to the idea that they have used the green by tacit or expressed approval. The use of the green has in no way been "permissive".

5.4 a) The case of R v Suffolk CC should be ignored in the case of Selside. The application is sought on the basis of new rights over the period in question. Although some residents have used the land before it is felt that this would not have been sufficient for registration. The use made of the green by new residents, however, provides a solid base for such a claim.

b) Should the County Council Committee, nevertheless, attach any importance to that case we submit that reasonable grounds exist for a deferment of any adverse final decision until such time as the appeal on this point is heard.

5.5 We also request that the Committee - should it be in any doubt about the merits of a registration - agrees to a site visit to Selside. We conclude that it was Counsel's lack of knowledge of the physical condition of the land and the nature of the pastimes claimed that led Counsel to the opinion that our claim is deficient.

We strongly urge the Committee to accept the application.

Yours faithfully,
On behalf of Selside Residents Association



Colin Webster
Secretary

G Ryan QC is mistaken when he says on page 3 that "the stone wall----- has for years enclosed the greater part of the green". The Green has NEVER been enclosed either by Mr Morphet or anyone else. There are part walls on two sides of the Green only. This illustrates the problem of trying to come to a decision about something without seeing it, and we would like to ask again that the Sub-Committee holds a site meeting.

When G Ryan QC says that "the land was for many years occupied by Mr Morphet" it is misleading, because Mr Morphet did not occupy the land exclusively; it was used by the rest of the inhabitants of Selside at the same time as well.

The implication by Mr Ryan that the evidence of children and teenagers is invalid is disturbing. The Parish Council would agree with the Selside Residents Association that this part of the Opinion should either be ignored or tested in a court of law.

Similarly, the Parish Council does not feel that the County Council should include in its deliberations the judgement in the case of R. v Suffolk C.C., as this is subject to an appeal. The Parish Council has consulted with the legal advisor to the Yorkshire Local Councils Associations on this issue, who has written, "As far as we are aware other cases of land becoming registered as village green subsequent to 1970 have not had to face the test set out by the Honourable Mr Justice Carnwath. The normal interpretation and the one these Associations have always held is that under Section 1(2)(a) of the Commons Registrations Act 1965 land not registered by 2 January 1970 is deemed not to be a town or village green."

Please will you ensure that the members of the Sub-Committee see the contents of this letter in full rather than a summary, and would you kindly do likewise with previous letters on this matter written to you by the Parish Council. The Council feels that this is important, in view of the changes in the structure of the County Council, and the fact that this is a "new" sub-committee.

Yours sincerely,

Helena C. Sergeant

Parish Clerk

Richard T Daly MA (Oxon)
Head of Legal Services
North Yorkshire Legal Services
County Hall
Northallerton

Replies from former and present Selside residents
to letter from Mr J. H Morphet
in which he objects to registration

1. **Mr R. Cameron, Selside Cottages, Selside:**

The Village Green has, indeed, "never been fenced" completely. There is a vaguely U-shaped wall with large openings allowing villagers to cross freely when visiting other residents. Mr Cameron also contends that he puts his bike anywhere around the area and was never stopped doing so.

2. **Mrs C. Davies, The Old Reading Room, Selside:**

Mrs Davies certainly used the Village Green in the company of Mr Morphet's tenants but also on many other occasions. The Green which is immediately opposite her house is a most useful meeting place for everyone in her family and has always been used as such. She also regularly walks over the Green when exercising their dog.

When her two sons were teenagers they used the Green for recreation, having little other space.

3. **Mr J. Davies, The Old Reading Room, Selside:**

The obstructions on the Village Green were the subject to official complaints to Horton Parish Council and the Highways Department. Mr Morphet was asked to remove them but never complied. The local Council considered issuing an enforcement order but the matter was never seen through.

4. **Mr F. D. Fenten, The Shaws, Selside:**

He and two other local students waited regularly for the school bus in this area. Sometime they stood in front of the "Shant", but on many other occasions they simply sat on the Village Green as this was safer and more comfortable. The Village Green was also used by them for snowball fights, games and general exercise.

5. **Mrs H. M. L. Fenten, The Shaws, Selside:**

Mrs Fenten has regularly walked on the Green, collected dry kindling twigs under the trees and met with neighbours (not just with Mr Morphet's tenants) - every time without hindrance by anyone. Permission for such activities was never sought and never given.

6. **Mr W. Fenten, The Shaws, Selside:**

When visiting Selside Farm, the Old School House and other neighbours Mr Fenten always walks across the Village Green. He is grateful to local residents for keeping the path across the Village Green open. In the past, obstacles such as old trailers were placed in the direct line of walking across the Village Green.

Fortunately, they were soon removed or placed in such a way that one could continue to walk unhindered.

He is completely puzzled about Mr Morphet's claim that the "area allocated for parking" has been "reduced by 50%". To this day The Shaws has the same amount of space around it for parking as it always had. The area around the Village Green is only ever used for parking when there is a village function in The Shaws (when, for example, the Horton History Group - between 20 and 30 people from the whole of the Parish - comes to The Shaws for its Christmas meeting). On such occasions visitors have used the Village Green for parking but always with the full consent of the people living around the Green. Mr Fenten has never sought any permission from Mr Morphet (who no longer lives in Selside) for any activity carried out on the Green. Nor has he ever been hindered by him or anybody else.

7. **Mr R. and Mrs J. Harrison, Ecclefechan:**

Mr and Mrs Harrison stand by their statement that their children played on the Village Green on many occasion. They, too, never sought anybody's permission nor are they aware that any such permission was ever given by anybody. They wish it to be known that they indeed meant the Village Green (as outlined on the map submitted), not the school yard as Mr Morphet has stated.

8. **Ms Audrey Lambert, Queen Victoria Hospital, Morecambe:**

Ms Lambert is quite clear that the area she refers to is the Village Green, not any lane or land adjacent to it.

9. **Mr J. Lambert and Mrs S. Lambert, Selside Farm, Selside:**

The whole area in question has always been considered by Mr and Mrs Lambert as the Village Green. In fact, three generations of the Lambert family of Selside farm played on the Green.

During the period in question (from the beginning of the seventies, during the eighties, until the present time) their children have continued to play on the Green. They, too, have never been hindered in any of their activities on the Green. They have also never sought anybody's permission for it nor was any permission ever given.

10. **Mrs C. Thompson, 36 West Street, Gargrave:**

Mrs Thompson confirms her statement that she has used the Green itself "as a communal meeting place and played various sports and games on it". Of course, she also used the area around as she could not possibly get to the Green without using the roads leading to it.

11. **Mrs A. Webster, The Old School House, Selside:**

Apart from meeting with Mr Morphet's tenants Mrs Webster clearly refers to meetings with others as well. All the other activities she mentions (playing badminton, sunbathing, etc.) were carried before and after Mr Morphet's tenants left. Their tenancy had and has no bearing on her use of the Green.

HORTON-IN-RIBBLESDALE PARISH COUNCIL

CLERK HELEN C. SERGEANT B.Sc., M.Sc.

Borrins Selside Settle North Yorkshire BD24 0HX
Telephone Horton-in-Ribblesdale (01729) 860379

Your Ref
RGP/MWB VG.HORTON

March 8th 1996

Dear Mr Pennell,

Thank you for your letter of 28th November 1995, in which you included a copy of an objection made by J H Morphet of Acrelands Farm, Grindleton, Lancashire, to the Parish Council's application to register the Green at Selside as a Village Green. The purpose of this letter is to answer the points made by Mr Morphet. All the residents and past residents of Selside whose evidence was contradicted by Mr Morphet have seen his remarks, and their individual responses are summarised on a separate enclosure.

Horton-in-Ribblesdale Parish Council and Selside residents have never questioned the use of the Selside Village Green by Mr J H Morphet. However, Mr Morphet has never had exclusive use of the Green. It is our contention that the Green has been used regularly by all local residents, and that this use by all should continue indefinitely.

Mr Morphet is not correct when he states that the area in question has never been a Village Green. There is good documentary evidence that it has always been considered to be a Village Green. As far back as the 1870s notes regarding Selside School clearly refer to "the Village Green" (copy enclosed). Hiring fairs were a regular event. Bill Mitchell in his book "High Dale Country" says on p122, "It was a surprise to learn from Mrs Alice Sunter that such a small place as Selside had a Midsummer Fair when stalls were set up on the green". Also in the 1930s Mrs Sedgwick, who lived in the Old Reading Room, kept a pig on the Green which she won in the "Greasy Pig" competition.

There is no question that "the plan submitted to the Parish Council has been tampered with". The sketch map which accompanied the original application by the Parish Council shows the Village Green as it was at the time of the application and for most of the period before. It would have been misleading if the Council had submitted an earlier map.

Over the years residents have guarded jealously their right to continue using the Green. Mr Morphet used the Village Green at times for storing some farming equipment. This was always tolerated by residents as long as it did not hinder their use of the Green. Anything which could have impeded their way across the Green or stopped them from using the Green in the way they wanted to was always pushed aside or removed from the Green. Had residents suspected that any party would derive any exclusive rights from their activities on the Green, they would have taken appropriate action much earlier.

Selside Green is the centre of the whole hamlet, not the hub of any one farm. Property owned by the Lambert family (Selside Farm on the North side of the Green and The Shant on the South side of the Green) is as much a feature of the Village Green landscape as any property owned or previously owned by Mr Morphet.

The nissen huts were removed from the Green many years ago. It could be argued that when they were present they obstructed that part of the Green, but even so they were open-ended and available, for instance, for children to play hide and seek.

The Green has never been enclosed. Of the partial walls in situ at present, those near the east and south edges are much older than the others. The other pieces of wall were erected in 1981 and derived from the base of the nissen huts. There are large ungated spaces between the pieces of wall, so access to the Green has never been blocked off.

It is not correct that the Village Green "became the garden and play-area for the inhabitants of Penyghent Cottage, but no-one else" after 1979. As the enclosed statements by Selside residents illustrate, the Village Green has been continuously used by them without hindrance by anyone. Contrary to Mr Morphet's claim, residents in Selside have never accepted the Village Green "as the curtilage of the cottage". Indeed a track separates the Green from Penyghent Cottage.

The Parish Council would like to emphasise again the points made in their letter to you of September 7th 1995 about the nature of the use of the Green. The Green is tiny and the activities carried out upon it are restricted by this and by the small number of households in the hamlet of Selside. Nevertheless, the Council feels that these activities fulfil the criterion of "lawful sports and pastimes", and would like to refer you to the most recent guide called "Getting Greens Registered", published by the Open Spaces Society supported by the Countryside Commission (1995) paragraphs 33 to 41 and appendix 2.

The Parish Council would be grateful if you could bring the full text of this letter to the attention of the Property and General Purposes sub-committee.

Yours sincerely,

Helena C. Sergeant

Parish Clerk

12. **Mr P. C. Webster, The Old School House, Selside:**

Everyone in Selside remembers Mr Webster, sometimes in the company of his wife, exercising his ferret (in a special harness made for the purpose) on the Green. Sadly the ferret died in 1994. However, Mr and Mrs Webster now own a dog and they use the Green when they exercise the dog. Mr Webster also continues all the other activities he mentioned in his statement, without let or hindrance.

13. **Mrs E. Wilcock, North Cote Farm, Selside**

Mrs Wilcock does not understand why Mr Morphet queries her reference to what is commonly called the Village Green. When shown Mr Morphet's letter of objection she repeated that she indeed meant the Village Green as pointed out on the map.

14. **Mr J. A. Wilcock, North Cote Farm, Selside**

Mr Wilcock wishes to re-state that he and many others have used the Village Green for various recreational purposes.

15. **Mr S. R. Wilcock, North Cote Farm, Selside**

Mr Wilcock would like to point out that there may have been occasions when Mr Morphet asked local children to leave when he thought they were causing a nuisance. This, however, did not happen when he played on the Green. According to his recollection he has never asked permission for using the Green or thought it necessary that any such permission should be given.

16. **Mrs D. Jackson, Lincrest, Eldroth**

Mrs Fenten asked Mrs Jackson to put on paper her recollection of the Village Green. Although Mrs Jackson's use of the Green pre-dates the period relevant for the application, Mrs Fenten thought that Mrs Jackson's letter provided a useful background on how local people regard Selside Village Green.

Note on Paragraph 7.

1. The regular type of an Elementary Day School is a separate department (room) for
Boys under a Master;
Girls " " Mistress;
Infants " " Mistress

For every 5 boys in such a School there will commonly be 4 girls and 6 infants. In other words, two-fifths of the whole number of children will be under 7 years of age, and will require a different method of instruction from the rest.

2. No department for boys or girls should contain more than 150 children, nor for infants more than 200. If the infants exceed 40 they should be treated as a separate department, and not as a mere class.
3. Although the size and means of a School admit of only one Principal Teacher, it will require for its accommodation two rooms of unequal size. The object of the smaller room is to separate the infants from the other children.
4. If the one Principal Teacher be a Master, a woman will be wanted for the girls' sewing, and she should be a person able to teach the infants also.
5. If the one Principal Teacher be a Mistress, she should have an intelligent girl, not less than 15 years old, to assist her.
6. If this application be entertained, the Promoters will receive detailed instructions to guide them respecting the number, dimensions, and furniture of the rooms needed.

*Note. We have not sent a plan of the proposed
School, as he intended to build a
room similar to the proposed new rooms
at Horton, except that portion marked in
the plans as a "cloak room" will be a little
larger & furnished with a fire place to be
used as a class room for infants if
required, & in that case the inner porch
might serve as a cloak room.
The site is ample, although only about 130
square yards for the school & large open
space in front, beside the village green
which is also very near it & more
than equivalent to 1/4 of an acre of land
abundance of space for recreation.*

HORTON-IN-RIBBLESDALE PARISH COUNCIL

Clerk HELEN C. SERGEANT B.Sc., M.Sc.

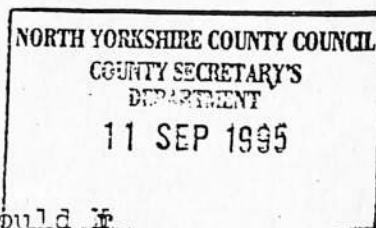
Your Ref
RGP/JD VG/HORTON

Borrins Selside Settle North Yorkshire BD24 OHX
Telephone Horton-in-Ribblesdale (01729) 860379

Sept. 7th.1995

Dear Mr Bramhall,

Selside Village Green



I would be grateful if you would ~~it~~
bring the contents of this letter to the attention of
the Property and General Purposes Sub-Committee when
it meets on September 19th.

There has been a village green at
Selside since time immemorial; it has been referred to
in the literature in times past. The failure to
register it as a village green under the Commons
Registration legislation of 1965 was a regrettable
omission. There is now an opportunity to correct that
omission.

Selside is not the main village in
this parish. It is a small hamlet of half a dozen to a
dozen households with a tiny village green. The "lawful
sports and pastimes" carried out onit in the 20 years *preceding*
the date of application reflect the nature of the hamlet
and are appropriate to the size of the green.

Yours sincerely,

Helen C. Sergeant

Parish Clerk