Dated 22nd September **2006**

AMENDING SCHEME

COMMONS ACT 1899

With Respect To

SHARLSTON COMMON AND SHARLSTON GREEN

J A Pepperell
Service Director
Legal and
Democratic Services
Wakefield MDC
County Hall
Wakefield

AMENDING SCHEME

COMMONS ACT 1899

Sharlston Common and Sharlston Green

The Council of the City of Wakefield

The Scheme dated 20th February 1957 made under the Commons Act 1899 by the Rural District Council of Wakefield and approved by the Minister of Agriculture, Fisheries and Food on 19th March 1957 for regulating the pieces of land with the ponds streams paths and roads on such land commonly known as Sharlston Common and Sharlston Green situated in the parish of Sharlston in the county of West Yorkshire is now to be amended by The Council of the City of Wakefield as managing authority of the Scheme in pursuance of the Commons Act 1899 Section 9 as follows:

1. Throughout the Scheme the expression "the Council" now means the Council of the City of Wakefield of Town Hall Wood Street Wakefield WF1 2HQ, the expression "the Minister" shall be substituted by the expression "the Secretary of State" and means the Secretary of State for the Department for Environment Food and Rural Affairs or his successor in office or function and words importing one gender include all other genders

2. Article 3 of the Scheme is hereby deleted and the following substituted therefore:-

   "The Council may execute any necessary works of drainage, raising, levelling or other works for the protection and improvement of the common and may, for the prevention of accidents, fence any quarry, pit, pond, stream or other like place on the common, and shall preserve the turf, shrubs, trees, plants and grass thereon, and for this purpose may, for short periods, enclose by fences such

portions as may require rest to revive the same, and may plant trees and shrubs for shelter or ornament, and may place seats upon and light the common, and otherwise improve the common as a place for exercise and recreation. Save as hereinafter provided the Council shall do nothing that may otherwise vary or alter the natural features or aspects of the common or interfere with free access to any part thereof, and shall not erect upon the common any equipped children's play area and fences gates and lighting columns relating thereto in the approximate position of grid reference 439113, 419251, shelter, pavilion, drinking fountain, convenience or other building without the consent of the person or persons entitled to the soil of the common and of the Secretary of State. The Secretary of State in giving or with-holding his consent, shall have regard to the same considerations and shall, if necessary, hold the same enquiries as are directed by the Commons Act, 1876, to be taken into consideration and held by the Secretary of State before forming an opinion whether an application under the Inclosure Acts, 1845 to 1882, shall be acceded to or not."

Dated this 22nd day of September 2006

THE COMMON SEAL of THE COUNCIL OF THE CITY OF WAKEFIELD was hereunto affixed in the presence of:-

Property Law & Conveyancing Manager

No: 65482