



Crichton Manufacturing MD Andrew Crichton, right, with Phillip Loss – StairAid's first customer

Mobility product will open new markets for firm

A Callington manufacturing company has launched a new mobility aid product for the home.

Crichton Manufacturing specialises in aluminum die casting, a process used in making scaffold poles as well as producing large volumes of parts for medical, computer or railway use.

While the die-casting machines are fully automated, the company employs ten full time staff at the site and last year reported a turnover of £500,000.

Crichton Manufacturing's new product, StairAid, is a handgrip that slides along a mahogany handrail to help

people go up and down stairs. The handles lock in place as they slide along the handrail to provide strong support.

Director Andrew Crichton said: "With the introduction of StairAid we're looking for our turnover to significantly increase, especially after the feedback we have received."

The family-owned engineering company was founded in South Africa in 1975 before relocating to Cornwall in 1997. Mr Crichton said: "We loved it here, the location and scenery just provide a better way of life than anywhere else."

While the company does sell some of their products globally, including some to Amer-

ica, the bulk of their sales come from the UK market.

The new product provides an alternative to stair lifts or a piece of rehabilitation equipment for those who have injured legs or backs.

The idea was brought to the company by inventor Tom Trudgian who showed Crichton Manufacturing a design and asked if it could be made. After Crichton's re-designing and adapting the initial design into one that could be readily manufactured and installed in peoples homes, the inventor retired and gave the idea to the firm.

Mr Crichton said: "The most important part of the han-

dover was that we owned the design of the product so we are delighted that Mr Trudgian was happy to give it to us. Initially we were working together to produce what is now StairAid."

The company has received a lot of interest from national distributors as well as a company that is looking to take the product into Finland, Sweden and Norway.

Mr Crichton said: "We are excited at the feedback we've received, we've only had one negative review and that was from a stair lift installation company that said it was so good it would reduce their business!"

Village greens can be a source of legal conflict

LEGAL EDGE

Richard Bagwell, partner and property litigation specialist at South West law firm Foot Anstey, advises local communities to take prompt action when there is a dispute over town and village greens



The ability of neighbourhoods or localities to register land used for sports or other lawful pastimes as a town and village green (a TVG) was first introduced by the Commons Registration Act 1965. The law was substantially updated by the Countryside and Rights of Way Act 2000.

Registration of land as a TVG, or as a common, has been used as a controversial barrier to the development of land by objectors to proposed development schemes around the country. Once land is registered as a town or village green it is practically impossible to develop it. It makes no difference that the land is owned by a private individual or public authority. Any attempt to fence it or prevent access to it once it is registered as a TVG can amount to a criminal offence.

As a result there have been a number of cases brought by land owners seeking to apply to deregister land that was previously registered as a village green under the Commons Registration Act 1965. A recent judgment by the Court of Appeal (Leeds Group Plc v Leeds City Council [2011]) has looked at the test for registration of land as a town and village green.

In summary, before section 98 of the Countryside and Rights of Way Act 2000 came into force the test for registration of land as a TVG was that it was "land...on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than 20 years".

A locality could be quite a large area, meaning that an application might require a significant number of people to establish that they had used the land.

Section 98 of the CROW Act 2000 amended the definition of a TVG to "land on which for not less than 20 years a significant number of the inhabitants of any locality, or a neighbourhood within a locality, have indulged in lawful sports and pastimes as of right, and either – (a) continue to do so, or (b) have ceased to do so for not more than such period as may have been prescribed, or determined in accordance with prescribed provisions."

The amendment made by section 98 meant that it was much easier to register land as a TVG because a neighbourhood is a much smaller area than a locality, meaning that an application would need only to establish that a few people close by had used the land. (There have been a number of cases dealing with what is meant by a neighbourhood as this is often a key argument in these applications).

In the case of Leeds Group

Plc v Leeds City Council, the landowner applied to amend the register of Commons and Village Greens following registration by the local authority of the landowners land as a TVG under the CRA 1965.

The landowner accepted that a number of inhabitants had used the land for 20 years before the application for registration, and continued to do so at the date of the application. Initially, the central issue in the case was whether the inhabitants were inhabitants of "a neighbourhood within a locality" within the meaning of section 22(1A) of the CRA 1965. A High Court found that the area constituted a neighbourhood for this purpose and dismissed the landowner's application.

On appeal the landowner argued that because, up to the introduction of section 98, he had no reason to prevent the use by a neighbourhood, as opposed to a locality. He also argued that the potential retrospective effect of section 98 based on the historic use of the land was a breach of his human rights.

The Court of Appeal had no hesitation in dismissing the appeal. The court found that if Parliament intended the interpretation asserted by the landowner they would have made it quite clear that the 20 year period started after the introduction of section 98. The court found that 20 years previous use of land by a neighbourhood or inhabitants of that neighbourhood was sufficient to satisfy the test under the 1965 act.

The court commented that it was relatively easy for landowners to prevent access to land by putting up signs or mending fences or turning people away from using land "for lawful sports and pastimes", and provided they did so before an application was made, section 98 would not be satisfied, as the use had to continue up to the date of the application.

This has considerable implications for landowners looking to develop land and also for community groups looking to register land as a TVG. Historic use of the land is now going count although the key element is that the use has to continue up to the point of application. This may mean the party that takes action first will be at an advantage (ie land owners to prevent access to land, and community groups to make an application to register land as a TVG).

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FootAnstey

Freight track opens supply lead for local timber growers

BY CATHERINE BARNES

A four mile stretch of disused railway track has been reinstated in a move that could significantly increase the market for Westcountry timber growers.

The freight line, between Newton Abbot and Heathfield, will transport wood grown in the region to chipboard manufacturer Kronospan's manufacturing base in Chirk, North Wales.

Kronospan's timber procurement director Gavin Adkins said that the move would open up new markets for growers in Devon. The company sources its supplies in the Westcountry through independent timber harvesting and marketing company, Euroforest.

Kronospan, which has invested around £300,000 in

rolling stock, has partnered with Colas Rail Freight to reinstate the line, which was last used around a decade ago.

The freight train has 14 wagons capable of carrying around 600 tonnes of timber; a capacity which would require 23 return lorry journeys to shift.

The two companies worked with Network Rail and Devon County Council's highways department to bring it back on track; leasing it along with a newly-cleared siding at Teigngrace. The branch line connects with the main line at Newton Abbot.

The weekly freight services began last week, opening up new possibilities for Kronospan in the Westcountry – which was previously hampered by transport logistics with hauliers facing running back empty from North

Wales to Devon.

Because of this, it was transporting only 5,000 tonnes of timber annually out of Devon – with loads dwindling to just 1,500 in the past two years.

Mr Adkins said: "Now, 30,000 tonnes is the minimum we are looking at. We're com-

'We're committed to moving timber by train'

Gavin Adkins

mitted to moving timber by train and have been doing it [in other areas of the UK] for 15 years."

Last year, the company invested £4 million in building a railway siding in Carlisle.

The company will still use

local hauliers to transport timber to the railway siding.

Colas head of freight, Simon Ball, said that once the decision had been made to reinstate the line, it had been brought back on track within weeks. He said: "With this project we have demonstrated yet again that we are flexible and able to move quickly to create fully functional, fit for purpose freight terminals in a very short time."

Patrick Hallgate, route managing director for Network Rail Western said: "Britain relies on rail and the value of rail freight is considerable. Rail freight can offer a cheaper, quicker and more practical alternative to moving goods by road. Almost £700 million of social and environment benefits each year can be attributed to freight traffic on Britain's railways."