



In the Matter of Aldborough Beck (portion),  
Aldborough, North Yorkshire.

---

DECISION

This reference relates to the question of the ownership of a portion of Aldborough Beck, Aldborough, being the land comprised in the Land Section of Register Unit No. CL 55 in the Register of Common Land maintained by the former North Riding of Yorkshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Richmond on 19 July 1977.

Mr R J Gill, a resident in Aldborough and a former member and clerk of the Aldborough Parish Council, appeared at the hearing. Mr Gill stated that until 1921 the lord of the manor of Aldborough was the Duke of Northumberland. The Duke's estate was sold by auction, lot 1 including the lordship of the manor. At that time the Parish Council held the land in question on a yearly tenancy, which had commenced on 18 June 1897. The Parish Council ceased to pay the rent after the sale. The land is wholly covered in water and has in recent years been maintained by the Wear and Tees River Authority. There was no evidence upon which I could find that the Parish Council has been in adverse possession so as to acquire a possessory title.

In the absence of any such evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 9th day of August 1977

Chief Commons Commissioner