



In the Matter of Barton Village Green, Barton,
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Barton Village Green, Barton, being the part of the land comprised in the Land Section of Register Unit No. VG.121 in the Register of Town or Village Greens maintained by the North 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 Mr and Mrs E Lawson, Mr J P Lawson, Lawson Farms, and the Barton Parish Council claimed to be the freehold owners of parts of the land in question and the Parish Council claimed to have information as to the ownership of other parts of the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Richmond on 9 and 10 June 1982. At the hearing Mr and Mrs E Lawson and Mr J P Lawson were represented by Mr J Fryer Spedding, of Counsel, the Barton Parish Council was represented by Mr A Flowers, its Chairman, and Mr J Brown appeared in person.

By an indenture made 4 July 1899 between (1) Arthur Lucas and Edward Hutchinson, the trustees of the Will of Robert Henry Allan (2) The Barton Parish Council there was let to the Parish Council the whole of the land comprised in the Register Unit for a term of 21 years. Mr Flowers stated that this lease was renewed until 2 July 1956, when by a conveyance made between (1) Sir Richard Arthur Pease, bt and Douglas Elliott Braithwaite (2) The Parish Council of Barton there was conveyed to the Parish Council the major part of the land comprised in the Register Unit. On 22 October 1968 the Parish Council applied to be registered as the owner of the land the subject of the conveyance. The registration became final on 26 August 1977, leaving the remainder of the land the subject of the 1899 lease to be the subject of this reference.

The land the subject of the reference consists of a number of strips of open uncultivated and unoccupied land by the sides of roads in the village of West Barton. It appears from maps of 1584 and 1828 among the Havelock-Allan monuments deposited in the North Yorkshire County Record Office that the whole of this land is situate within the manor of Barton Grange. This manor, with other property, was conveyed to the Equity and Law Life Assurance Society by a conveyance and assignment made 25 May 1928 between (1) Allan Havelock Allan (2) Henry Ralph Moreton Havelock Allan (3) The Equity and Law Life Assurance. The manor was conveyed to Mr M J M Hall by a conveyance made 14 February 1958 between (1) Equity and Law Life Assurance Society Ltd (2) Martin John Michell Hall.

By a Conveyance made 29 December 1981 between (1) M. J.M. Hall (2) Edgar Lawson and Florence Honor Lawson, his wife, there was conveyed to Mr and Mrs Lawson as part of the waste of the manor of Barton Grange a parcel of land on the north-west side of Silver Street, Barton, identified on a plan attached to the conveyance, being bounded on its north-west side by land part of The Ashes Farm owned by Mr and Mrs Lawson.





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By a conveyance made 24 February 1982 between (1) M J M Hall (2) John Paul Lawson there was conveyed to Mr J P Lawson as part of the waste of the Manor a parcel of land situate on the north-east side of Marygate, Barton at its junction with Wells Lane, identified on a plan attached to the conveyance, adjoining property belonging to Mr J P Lawson known as Barton Lodge.

By another conveyance made 24 February 1982 between (1) M J M Hall (2) Edgar Lawson and Florence Honer Lawson and John Paul Lawson there was conveyed to Mr and Mrs E Lawson and Mr J P Lawson as part of the waste of the Manor a parcel of land on the south side of Marygate, Barton, identified on a plan attached to the conveyance, being bounden on its south side in part by property belonging to Mr and Mrs E Lawson and Mr J P Lawson.

A small part of the land the subject of the reference on the north side of Kettle End, Barton forms part of O.S. No. 185 h, which was conveyed to Mr Brown's wife by an assignment made 27 November 1969 between (1) Robert Bentley (2) Hilda May Brown. Mr and Mrs Brown have since been in occupation of this land.

On this evidence I am satisfied that Mr and Mrs E Lawson, Mr J P Lawson and Mrs Brown are the owners of the parts of land above-mentioned, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of their respective parts of the land under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, and I shall accordingly direct the County Council to register the Barton Parish Council as the owner of the remainder under Section 8 (3) 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

22^d

day of

July

1982

Chief Commons Commissioner

