



In the Matter of Carlesmoor (part) Harrogate,
Harrogate B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 511 in the Register of Common Land 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 Leeds City Council claimed to be the freehold owner of the land in question ("the Unit land") and no other person 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 Unit land at Harrogate on 12 March 1981.

At the hearing Mr J Port, Solicitor, of Leeds City Council appeared on its behalf. A Conveyance dated 17 October 1907 was produced whereby L P Burrill and P L Burrill conveyed a property known as Carlesmoor Farm to the Corporation of Leeds. This property included the Unit land. Mr R J Holder A.R.I.C.S., who is employed in the Department of Estates and Development of the City Council, said that the Unit land forms an integral part of the Farm, which is let by the Council at a rent. I understand that Leeds City Council is successor authority to the Corporation.

On this evidence I am satisfied that Leeds City Council is the owner of the Unit Land and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the City Council as the owner under section 6(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

15 April

1981

L. J. Thomas
Commons Commissioner