



In the Matter of Cattle Watering Rest adjoining
Spittal Bridge, Helmsley, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Cattle Watering Rest adjoining Spittal Bridge, Helmsley, being the land comprised in the Land Section of Register Unit No. CL 101 in the Register of Common Land maintained by the former North Riding 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 Malton on 11 October 1977.

At the hearing the Helmsley Parish Council was represented by Mr R Thompson, its Chairman.

Mr Thompson told me that he had no evidence as to the ownership of the land in question and that the Parish Council wished to be registered as the owner. My jurisdiction is, however, to find who is the owner and not to decide who should be the owner.

In the absence of any evidence as to the ownership 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 20th day of October 1977

Chief Commons Commissioner