



COMMONS REGISTRATION ACT 1965

Reference No 45/0/250

In the Matter of Chapel Green,
Appleton Roebuck, Selby D

DECISION

This reference relates to the question of the ownership of land known as Chapel Green, Appleton Roebuck, Selby D being the land comprised in the Land Section of Register Unit No VG. 155 in the Register of Town or Village Greens maintained by the former West 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 Mr & Mrs Fila claimed to be the freehold owners of part of the land in question 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 land at York on 30 June 1976.

Mr Royle appeared for Mr & Mrs Fila and Mr G W Taylor clerk to the Appleton Roebuck Parish Council appeared for the Council. Mr Royle produced a conveyance dated 5 June 1961 whereby part of the land in question was conveyed to Mr & Mrs Fila but neither the parcels in the conveyance nor the plan attached thereto accurately defined the land thereby conveyed. Mr Taylor agreed that part of the land in question was conveyed to and in the ownership of Mr & Mrs Fila and they and Mr Taylor have agreed to provide me with an accurate plan, identifying the land in the ownership of Mr & Mrs Fila. I will direct the Registration authority to register Mr & Mrs Fila as the owners of the land identified on the said plan which I will attach to my direction. I shall direct the Registration Authority to register Appleton Roebuck Parish Council as the owner of the remainder of the land in question 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 22nd day of July 1976

C. A. Sefton

Commons Commissioner