



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/293

In the Matter of Cleatop Moor, Settle,
Craven District, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Cleatop Moor, Settle, Craven, Yorkshire being the land comprised in the Land Section of Register Unit No. CL. 541 in the Register of Common Land maintained by the North Yorkshire County Council (formerly 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 no person claimed to be the freehold owner of the land in question and no 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 Skipton on 24 March 1976. At the hearing Mr Herbert Wilson ("the Claimant") was represented by Mr H Jordon, solicitor of Jordon Charlesworth & Co, Solicitors of Settle.

Mr A D Wilson who is the son of the Claimant, in the course of his evidence produced (1) a conveyance dated 8 November 1955 by which Mr T Lord conveyed to the Claimant and his wife Mrs M E Wilson a barn and 7 closes of land forming part of Cleatop Farm and containing about 100.962 acres, and (2) an examined abstract dated 1955 (commencing with a conveyance dated 7 January 1927) of the title of Mr T Lord to the larger part of Cleatop Farm. Of the land ("the Unit Land" comprised in this Register Unit, which (according to the Register) contains about 24.138 hectares (59.6 acres), Mr A D Wilson said (in effect):- The land purchased under the 1955 conveyance by the Claimant and his wife (she died about 14 years ago) was part of Cleatop Farm (in 1922 purchased by Mr R P Dugdale and in 1955 sold to and divided by Mr T Lord). The Unit Land is known as Cleatop Park and was part of the land so purchased. Since 1955, he and his father had exclusively farmed the land. He is now tenant of his father.

On the evidence summarised above, I am satisfied that the Claimant is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Mr Herbert Wilson of 7 Ings Avenue, Settle as the owner of the land under section 8(2) 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 28th day of April — 1976

A. A. Baden Fuller

Commons Commissioner