



COMMONS REGISTRARION ACT 1965

Reference No.45/U/93

In the Matter of Cross Lane,
Rylstone, Yorkshire (West Riding)

DECISION

This reference relates to the question of the ownership of land known as Cross Lane, Rylstone, being the land comprised in the Land Section of Register Unit No.C.L.178 in the Register of Common Land maintained by the West Riding of 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 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 Skipton on 20th June 1973.

At the hearing the Rylstone Parish Meeting was represented by Mr. D.A.R. Macaulay. Mr. Macaulay said that the land had always been regarded as belonging to the parish, but that there was no reference to it in the parish records and there had never been any renting of the eatage. In the Rights Section of the Register Unit there is an entry of a right belonging to the Rylstone Town Meeting (which I take to be the same body as the Rylstone Parish Meeting) to graze one cow or two sheep over the whole of the land comprised in the Register Unit. This registration being undisputed, has become final and is therefore by virtue of section 10 of the Act of 1965 conclusive evidence that the Parish Meeting is entitled to the right registered. Since a right of common is by definition a right exercisable over the land of another, it must follow that the Parish Meeting is not the owner of this land.

In the absence of any further evidence 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 11th day of July 1973


Chief Commons Commissioner