



COMMONS REGISTRATION ACT 1965

Reference No. 268/D/344

In the Matter of Dallowgill Moor,
Laverton, Harrogate B

DECISION

This dispute relates to the registrations at Entries Nos. 1, 2, 3, 4, 6, 7, 8, 10, 12, 13, 14, 16 and 18 in the Rights Section of Register Unit No. CL 476 in the Register of Common Land maintained by the North Yorkshire County Council and is occasioned by Objections No. 94 and No. 98 made by Mr G S Bostock and noted in the Register on 24 June 1971.

I held a hearing for the purpose of inquiring into the dispute at Harrogate on 13 March 1981. The hearing was attended by Mr J Blakesley, Solicitor, appearing on behalf of a number of the applicants (or their successors) for registration of Entries in the Rights Section: Mr Cunliffe Lister, Solicitor on behalf of Mr J King the applicant for registration at Entry No. 16: Mr J W Burrill, the applicant for registration at Entry No. 13, in person: Mr J Port, Solicitor of the Leeds City Council, the successor to the applicant for registration at Entry No. 18: and Mr R Wakefield, of Counsel, appearing on behalf of Mr Bostock.

The Entries in question, other than No. 18, were made by each applicant in the capacity of tenant of the dominant tenement and I understand that they are tenants of Leeds City Council. It appears that agreements have been made with the applicants for registration of the Entries, under which the rights registered are to be released. This was confirmed by Mr Blakesley, appearing for the applicants (or their successors) to register Entries Nos. 2, 3, 4, 7, 8, 10 and 12, by Mr Cunliffe Lister for his client (No. 16) and by Mr Burrill (No. 13). In the case of the applicant to register Entry No. 6, Mr J Newbould, a letter from his Solicitors states that he now wishes to withdraw his application. As regards the other applicants who did not appear and were not represented (Entries Nos. 1 and 14), there was no evidence to support their applications and I understood from Mr Port that they were parties to the agreements. As regards Entry No. 18, Mr Port told me that this registration is not now maintained.

In these circumstances I refuse to confirm the registrations to which the dispute relates.

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

13 July

1981

Commons Commissioner



In the Matter of Grassington Moor, Grassington

DECISION

This dispute relates to the registration at Entry Nos. 1-5, 8, 10, 17-19, 23-25, 27-32, 34, 38, 44, 46-51, 53-55, and 57-58 in the Rights Section of Register Unit No. CL 77 in the Register of Common Land maintained by the North Yorkshire County Council and is occasioned by Objection No. 562 made by R A Stockdale and Objections No. 231-234 and 2324-2347 made by O P Jacques.

I held hearings for the purpose of inquiring into the dispute at Skipton on 12 May 1981 and 9 November 1982. The hearing was attended by Mr R Scott of Counsel, instructed by Messrs Walker, Charlesworth and Fox, Solicitors as appeared for several of the applicants. Mrs C Harrison appeared for the Trustees of Fountains Hospital, and Mr R H Harland for the Yorkshire Water Authority. Mr J P Mewies of Messrs J P Mewies and Co, Solicitors of Skipton appeared for Mr Stockdale and Mrs K C Brooks of Messrs K Claire Brooks and Co Solicitors of Skipton appeared for the personal representatives of O P Jacques.

After evidence had been given in support of the various applicants, I was asked to adjourn to give the parties an opportunity of consolidating terms of settlement put forward by the Objectors. As a result the parties reached agreement on the following terms, namely that the following applications be confirmed for the number of sheep gaits set out in each case.

Entry Nos.

1	84
2	35
3	26 $\frac{1}{2}$
4	140
5	39
8	180
10	35
17	89
19	115
21	4
23	104
24	22
25	13
27	54
29	44
30	58
31	113
32	92, delete O.S. 289, 251, 252, 255 and 256 in Column 5
34	108
35	65
36	40
37	10
38	48
40	8
44	33
46	84



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47	38
48	105
49	10
50	74
51	154
52	8
53	4
54	4
55	4
56	4
57	4
58	4

For these reasons I confirm the registrations already mentioned with the mentioned modifications and I refuse to confirm the registrations at Entry Nos. 18 and 28.

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

7th

day of

February

1982

Commons Commissioner