



DECISION

In the Matter of Exelby Green, Exelby, Leeming, and Newton,
North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Exelby Green, Exelby, Leeming, and Newton, being the land comprised in the Land Section of Register Unit No. CL 83 in the Register of Common Land maintained by the former North 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 the Exelby, Leeming and Newton Parish Council claimed to be the freehold owner 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 Northallerton on 10 March 1977.

At the hearing the Parish Council was represented by Mr L H Garlick, its Chairman.

The land comprised in the Register Unit is a triangular area at a road junction. Until 1961 it was kept tidy by grazing. Since 1961 the local representatives on the Parish Council have done voluntary work on the land, though some grazing continued until 1968. This evidence is far from sufficient to sustain a claim to a possessory title by the Parish Council.

On this 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

26th

day of

June

1977

Chief Commons Commissioner

