



COMMONS REGISTRATION ACT 1965

Reference No.45/U/199

In the Matter of Field No.65 off Wydra Lane,
Fewston, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Field No.65 off Wydra Lane, Fewston, being the land comprised in the Land Section of Register Unit No.CL.345 in the Register of Common Land maintained by the former 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 the former Leeds Corporation 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 Harrogate on 27th March 1974.

At the hearing the Leeds Corporation was represented by Mr. G.C. Cowling, solicitor, and the Washburn Parish Council was represented by Mr. W.E.H. Windle, its Chairman. Mrs. E. Cox, a local resident, appeared in person.

The north-western part of the land in question was conveyed to the Corporation by an indenture made 7th July 1899 between (1) Henry Bramley and Israel Jewitt (2) Henry Robinson Bramley (3) The Lord Mayor, Alderman and Citizens of the City of Leeds. This part of the land has since been let by the Corporation to a tenant farmer.

On this evidence I am satisfied that the Leeds City Council is now the owner of the part of the land conveyed in 1899, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Leeds City Council as the owner of this part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land comprised in the Register Unit, which 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 5th day of June 1974


Chief Commons Commissioner