



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/277

In the Matter of Giggleswick  
Common, Craven D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 114 in the Register of Common Land maintained by the North 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 Trustees of the Chatsworth Settlement claimed to be the freehold owners of the land in question ("the Unit land") 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 ~~Skipton on 20 October 1982~~.

At the hearing Mr J A Sheard, Chartered Surveyor and Agent of the Chatsworth Estate, represented the claimants.

The claim is founded on the Duke of Devonshire's lordship of the manor of Giggleswick. On a map of 1868, which Mr Sheard told me was based on the 1845 Tithe Map, Giggleswick Common is shown as an area corresponding to the Unit land and it is stated that the Lord of the Manor of Giggleswick is the Duke of Devonshire. In a conveyance of manorial land dated 28 March 1907 by the then Duke to the Parish Council there is a recital of the Duke's seisin of the manor of Giggleswick. In the Estate's Terrier of, Mr Sheard told me, the 1920s there is an Entry concerning Giggleswick Moor and a statement that "the company is Lord of the Manor of Giggleswick and as such is entitled to the soil of the Moor". It seems that this reference to "the Company" is to be explained by the fact that by an Agreement dated 3 November 1926 the then Duke agreed to sell to Chatsworth Estates Company ("the Company") inter alia, his lordships manors and land in the County of York. It is probable therefore that the Unit land was manorial land in the ownership of the Duke as Lord of the Manor. The Agreement was not completed by conveyance: there were subsequent transactions by virtue of which the Company's interests were sold to trustees, of whom the claimants are successors and who no doubt have interests in the Unit land. It appears to me however, that the legal estate in the Unit land (and it is this with which I am concerned) remained in the ninth Duke and has now become vested in the eleventh Duke by virtue of a grant of letters of administration to the estate of the ninth Duke dated 30 December 1950.

Being satisfied on the evidence that the eleventh Duke is the owner of the Unit land, I shall direct the North Yorkshire County Council, as registration authority, to register him as the owner under section 8(2) of the Act of 1965.





- 2 -

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 19 November 1982

*L. J. Morris Smith*  
Commons Commissioner