



COMMONS REGISTRATION ACT 1965

Reference No. 45/8/309

In the Matter of Giggleswick Common, Giggleswick,
Craven District, North Yorkshire

DECISION

This reference relates to the question of the ownership of land in the Register said to be known as Giggleswick Common and containing (according to the Register) about 7.776 hectares (19.2 acres), Giggleswick, Craven District being the land comprised in the Land Section of Register Unit No. CL. 278 in the Register of Common Land maintained by the North Yorkshire County Council (formerly West Riding 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 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 25 March 1976. The hearing was attended in person (1) by Mr W Bilsborough on whose application Entry Nos. 5, 12 and 14 in the Rights Section were made, and (2) by Mr N Sutcliffe on whose application (jointly with Mrs M Sutcliffe) Entry No. 2 in the Rights Section was made.

The only other subsisting Entries in the Rights Section are numbered 9 and 10 and were made on the application of Mr W S Walker. Mr Bilsborough said (in effect):- The part of the land ("the Unit Land") comprised in this Register Unit north of Sandford Beck is known as Giggleswick Moss. The part south of the Beck together with a much larger area of land to the west is known as Giggleswick Common; the remainder of this area has also been registered as common land (CL 114). The rights registered over the Unit Land (they have all become final) are to graze (sheep gaits during part of the year as set out in the Register) and to cut rushes; the rights over the Common are not identical with those over the Moss (as the Register shows).

Neither Mr Bilsborough nor Mr Sutcliffe could offer any evidence of ownership. In the absence of any evidence I am not satisfied that any person is the owner of the Unit Land and it will therefore be 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 31st day of March ————— 1976

a. a. Baden Fuller

Commons Commissioner