



In the Matter of Heathfield and Gouthwaite Moors,
Stonebeck Down, Upper Midderdale, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Heathfield and Gouthwaite Moors, Stonebeck Down, Upper Midderdale, being the land comprised in the Land Section of Register Unit No. CL 357 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 no person claimed to be the freehold owner of the land in question and no one 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 8 May 1975.

Mr E Simpson, the applicant for the registration at Entry No. 1 in the Rights Section of the Register Unit, appeared at the hearing and informed me that he believed that the Executors of E C Demetriadi, deceased, were the owners of the land in question, having purchased it from the late Lord Illingworth. I therefore adjourned the hearing in order to give the Demetriadi executors an opportunity of proving their title.

I resumed the hearing at Harrogate on 10 May 1977, when Mr E H Stirc^{solicitor} appeared on behalf of Mr A J Morley and Mr M E Demetriadi, to whom probate of the will of Emanuel Constantine Demetriadi on 28 February 1961.

By a conveyance made 21 August 1946 between (1) The Public Trustee, Henry Cyril Barker Illingworth, and Robert Francis William Wilberforce (2) Emanuel Constantine Demetriadi the land in question was conveyed to Mr E C Demetriadi.

On this evidence I am satisfied that Mr Morley and Mr M E Demetriadi are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of the land under section 8(2) 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

30th

day of

May

1977


Chief Commons Commissioner