



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/243

In the Matter of Highside  
Moor, Airtton

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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 421 in the Register of Common Land maintained by the former 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 Mr Norman Thwaite claimed to be the freehold owner 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 7 October 1980.

At the hearing Mr R Dinsdale of the firm of Savage Crangle and Company, Solicitors, appeared on behalf of Mr R Wellock, in consequence of whose application to register a right of common the registration as common land was made. No claim to ownership of the Unit land was made by him.

Mr R Bowker, Solicitor, appeared on behalf of Mr Thwaite. He produced an examined abstract of title from which it appeared that by a Conveyance dated 11 May 1955, Mrs Clarice Wilson conveyed to Richard Thwaite property which included the Unit land. Following the death of Richard Thwaite the Unit land was vested by his Executors in John Thwaite, Norman Thwaite and Mabel Capstick, the Assent (the original of which was produced) being dated 17 December 1957. John Thwaite died in 1961.

On this evidence I am satisfied that Norman Thwaite and Mabel Capstick are the owners of the Unit 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 5<sup>x</sup> November 1980

*L. J. Morris Smith*  
Commons Commissioner