



In the Matter of Holme Lane, Seamer, North Yorkshire.

DECISION

This reference relates to the question of the ownership of the land known as Holme Lane, Seamer, being the land comprised in the Land Section of Register Unit No. CL 198 in the Register of Common Land maintained by the former North 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 Northallerton on 10 March 1977.

At the hearing the Seamer Parish Council was represented by its Chairman, Mr J R Campbell.

The land comprised in the Register Unit consists of two long strips of land on either side of Holme Lane. These strips are in effect roadside verges. The grass in the immediate vicinity of the road has been cut by the County Council roadmen and the rest was grazed until about four or five years ago. The Parish Council has planted a few trees, but has done little else. This is far from sufficient to sustain a claim to a possessory title by the Parish Council.

On this evidence I am not satisfied that any person is the owner of the land, and it 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 26th day of April 1977.

Chief Commons Commissioner