



In the Matter of Hoodstorth Common, Thruscross,  
North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Hoodstorth Common, Thruscross, being the land comprised in the Land Section of Register Unit No. CL 372 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 10 May 1977.

At the hearing the Thruscross Parish Meeting was represented by Mr G B Deacon, one of its members.

Mr Deacon said that the land in question, which had never been fenced, had always been regarded as the common land of the parish. He said that no one had ever made a claim to the land and that "there is no real owner".

The fact that no one else has claimed the land does not mean that the ownership is vested in the parish trustees. There is no evidence to indicate that they are the owners and in the absence of such 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 23rd day of June 1977

CHIEF COMMONS COMMISSIONER