



COMMONS REGISTRATION ACT 1965

Reference 45/U/289

In the Matter of Howson Lane, Langcliffe,
Craven District, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Howson Lane, Langcliffe, Craven District being the land comprised in the Land Section of Register Unit No CL 616 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.

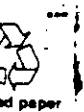
I held a hearing for the purpose of inquiring into the question of the ownership of the land at Skipton on 23 March 1976. At the hearing Mr W A O J Bell (executor of Mr Michael Dawson who died on 6 October 1975) was represented by Mr R H Bowring chartered surveyor of Davis & Bowring Chartered Surveyors and Land Agents of Gisburn, Via Clitheroe, Lancs, and Mr Harrison Graham Ackroyd attended in person.

The land ("the Unit Land") comprised in this Register Unit contains (according to the Register) 0.035 hectares (0.086 acres). It is a narrow strip about 80 yards long in the Village.

Mr Bowring said that Mr Bell is concerned to preserve his right of way over the Unit Land to his adjoining farm, but does not claim ownership.

Mr Ackroyd said (in effect):- He lives at the cottage No 2 Howson Lane. He would like to find out who is the owner to compel repairs. Inquiries he had made showed that neither the Parish Council nor the County Council claimed ownership or accepted responsibility for repairs. He claimed ownership because he owned a cottage which adjoined, and because he understood that if his claim was successful the Parish Council would accept the land from him and maintain it.

I have under the 1965 Act no jurisdiction to award ownership to Mr Ackroyd or to the Parish Council merely because it may be expedient; my jurisdiction on this reference is to say whether or not I am satisfied as to ownership, see section 8.





In the absence of evidence of ownership (neither Mr Bowring nor Mr Ackroyd offered any), I am not satisfied that any person is the owner of the 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 26th day of May —

1976

a. a. Baden Fuller

Commons Commissioner