



## COMMONS REGISTRATION ACT 1965

Reference No. 268/U/65

In the Matter of Hurst Moor, Marrick, Richmondshire D.,  
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Hurst Moor, Marrick, Richmondshire District being the land comprised in the Land Section of Register Unit No. CL.292 in the Register of Common Land maintained by the North 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 Mr T.E.B. Sopwith claimed to be the freehold owner of the land in question 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 Richmond on 31 October 1974. At the hearing, Mr Sopwith was represented by Mr W.I. Watson solicitor of Watsons, Solicitors of Barnard Castle.

A note on the Register shows that an objection made by Mr Sopwith on 22 September 1970 was upheld by agreement and the majority of land withdrawn. As I scale the Register map, the land now comprised in this Register Unit is about 950 yards long and about 600 yards wide (say about 110 acres), only a small part (at the Arkengarthdale end) of the much larger area on the Register map called "Hurst Moor".

Mr Watson in the course of his evidence produced: (i) a conveyance dated 9 November 1943 by which lands in Arkengarthdale containing about 14,447 acres and Hurst Moor at Hurst containing 1,878 acres were conveyed to Sir Thomas Sopwith (then and therein called T.O.M. Sopwith); and (ii) a conveyance dated 3 April 1964 by which the same lands (described by reference to the 1943 conveyance) were conveyed by Sir Thomas to his son Mr T.E.B. Sopwith. Mr Watson said that the land now comprised in this Register Unit is a heather grouse moor (sheep graze there). From the plan annexed to the 1943 conveyance and the information given to me by Mr Watson, I identified the said Unit Land with part of the land by the 1943 conveyance conveyed under the description "Hurst Moor".

On this evidence I am satisfied that Mr Sopwith is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Mr Thomas Edward Brodie Sopwith of 67 Claydon Mews, London as the owner 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 19th day of November 1974

a. a. Baden Fuller