



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/280

In the Matter of Lady Well, Bridge End,
Threshfield, Craven District, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Lady Well, Bridge End, Threshfield, Craven District being the land comprised in the Land Section of Register Unit No. CL. 618 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 Mr R G and Mrs S A Denyer claimed to be the freehold owners 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 Skipton on 23 March 1976. At the hearing, Mr and Mrs Denyer were represented by Mr C Reeder solicitor of Charlesworth Wood & Brown, Solicitors of Skipton. I was told that before the hearing, which started in the afternoon, Threshfield Parish Council were represented by Mr C J Harrison and Mr F Kitching, two of their members, and that they after some discussion with Mr Reeder, left before the hearing began.

The land ("the Unit Land") comprised in this Register Unit, which contains (according to the Register) about 0.004 hectares (.01 of an acre), is a narrow strip the west end of which adjoins the minor road leading off the B6160 road up Wharfedale towards the bridge over the River at Threshfield and Grassington. The east end of the Unit Land is the bank of the River Wharfe, or perhaps a little short of it where there is a stone basin about 10 yards from the bank.

In the course of her evidence Mrs Denyer produced:- (1) a conveyance dated 17 November 1969 by which Miss E and Mrs M A Atkinson conveyed to her (Mrs Denyer) and her husband two plots of land and the buildings known as Bridge End Farmhouse as delineated on the plan drawn on the 1924 conveyance below mentioned; (2) a conveyance dated 11 February 1924 by which Mr G J Harker conveyed to Mr J Atkinson the said premises as delineated on the plan drawn thereon; (3) an abstract dated 1923 of the title of G J Harker; and (4) a more recent abstract tracing the title to the premises from Mr J Atkinson to Miss E and Mrs M A Atkinson (a conveyance dated 8 December 1934).

Mrs Denyer said (in effect):- The stone basin, known as Lady Well, is fed by a spring, and there are steps leading down to it. The Unit Land is essentially a path from the road leading to the basin; at the road end there is a stile. The basin is about 10 yards from the bank of the River (Wharfe); she thought that the bank had moved eastwards during the last 30 years. The north boundary of the



Unit Land is a dry stone wall, which is also the north boundary of the land she and her husband acquired under the 1969 conveyance; this land (containing about $\frac{1}{2}$ of an acre) comprises Bridge End Farmhouse (a house and garden). The south boundary of the Unit Land is open to their garden.

On the evidence of Mrs Denyer summarised above, and on a comparison of the plan attached to the 1924 conveyance with the Register map, I conclude that the Unit Land is near to the north boundary of and is included in the land conveyed by the 1924 conveyance and the 1969 conveyance. For this reason I am satisfied that Mr & Mrs Denyer are the owners of the Unit Land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Mr Richard Graham Denyer and Mrs Susan Anne Denyer both of Bridge End Farmhouse, Threshfield as the owners of the land under section 8(2) of the 1965 Act.

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 31st day of March —

1976

a. a. Baden Fuller

Commons Commissioner