



Reference No. 268/U/312

COMMONS REGISTRATION ACT 1965

In the matter of land covered by
water part of River Esk, in Egton,
Scarborough Borough, North Yorkshire

DECISION

This reference relates to the question of the ownership of land covered by water part of River Esk in Egton, Scarborough Borough being the land comprised in the Land Section of Register Unit No. CL310 in the Register of Common Land maintained by the North Yorkshire (formerly North 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 Egton Parish Council said (their Clerk's letter received 1 February 1985) that they have no knowledge of the ownership of this particular river, that in living memory this stretch of the river was always available for fishing to be used by the public, that it was common land and that the Parish Council wish it to remain so. No person claimed to be the freehold owner of the land in question and no other person claimed to have informations as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Scarborough on 20 February 1985. There was no appearance at the hearing.

In the absence of any 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

10/5

_____ day of

December _____

1985

A. C. Baden Fuller

Commons Commissioner