



In the Matter of Land in the Parish of Grinton, North  
Yorkshire

DECISION

This reference relates to the question of the ownership of land in the Parish of Grinton being the land comprised in the Land Section of Register Unit No. CL.307 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 Mrs Lillian J McNair 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 9 June 1982. At the hearing Mrs McNair appeared in person, and the Grinton Parish Council was represented by Mr E R D Johnson, Solicitor,

Mr Johnson informed me that he had no evidence as to the ownership of the land in question.

The land in question consists of two strips on the east and west sides of a beck.

Mrs McNair is the owner of a property known as the Old Vicarage on the west side of the beck. This property was conveyed to her by a conveyance made 4 February 1953 between (1) George, Bishop of Ripon (2) The Church Commissioners for England (3) Lillian Joyce Burdon. With the conveyance Mrs Burdon (now Mrs McNair) received a counterpart agreement dated 7 January 1937 whereby the Revd Gerald Farrington granted to the former Reeth Rural District Council a wayleave to lay a sewer through the part of the land in question on the west side of the beck. This part of the land forms part of the garden of the Old Vicarage. It contains a path leading to the road, and has been occupied by Mrs McNair since she bought the house.

On this evidence I am satisfied that Mrs McNair is the owner of the part of the land on the west side of the beck, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register her as the owner of the land under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the land on the east side of the beck, 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

2nd

day of

July

1982

Chief Commons Commissioner