



COMMONS REGISTRATION ACT 1965

Reference No.268/U/10

In the Matter of Land near Ravenscar Brick Works,
Stainton Dale, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land near Ravenscar Brick Works, Stainton Dale, being the land comprised in the Land Section of Register Unit No.CL 245 in the Register of Common Land maintained by the former 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 no person claimed to be the freehold owner of the land in question and no one 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 Scarborough on 6th November 1974.

The only appearance at the hearing was by Mr R.V.Preston. Mr Preston is the successor in title to Mr E.Pennock in the ownership of a piece of land lying to the east of the land in question. Mr Pennock was the applicant for the registration in the Land Section of the Register Unit, but he made no application in respect of either the Rights Section or the Ownership Section. When he sold the land to the east to Mr Preston he included such rights as he might have over the land comprised in the Register Unit. It seems that Mr Pennock kept pigs on the land in question, but that he did not claim to be doing so as owner. Mr Preston very frankly said that he did not know who owned the land.

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 29th day of November 1974

Chief Commons Commissioner