



In the Matter of Land North and South of the Road leading from Blue Bell to School, Kirby Hill, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land north and south of the road leading from Blue Bell to School, Kirby Hill, being the land comprised in the Land Section of Register Unit No. VG 36 in the Register of Town or Village Greens maintained by the former North Riding of 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 J L Fawell 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 Harrogate on 12 May 1977.

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 I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Kirby Hill Parish Council as the owner of the land under section 8(3) 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 30th day of May 1977

Chief Commons Commissioner

