



In the Matter of Land on Pateley Moor, High and Low Bishopside, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land on Pateley Moor, High and Low Bishopside, being the land comprised in the Land Section of Register Unit No. CL 438 in the Register of Common Land maintained by the former West 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 W H Dixon and Mr R A Shepherd claimed to be the freehold owners of parts of the land in question and Mr G S Bostock 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 11 May 1977.

At the hearing Mr Dixon was represented by Miss M E Cato, solicitor, and Mr Shepherd by Mr P Kendall, solicitor.

The western half of the land the subject of the reference was the subject of a conveyance made 2 September 1966 between (1) Henry Vyner (2) Walter Dixon, Florence Eleanor Dixon and William Henry Dixon. The property was conveyed to the purchasers as joint tenants in law and in equity. Mr Walter Dixon died on 6 February 1977. Mr Vyner acquired his title under a conveyance made 12 October 1958 between (1) Royal Bank of Scotland (2) Henry Vyner and William Rae Cullimore (3) Henry Vyner.

The eastern half of the land was the subject of a conveyance made 3 May 1960 between (1) Henry Vyner (2) Robert Alan Shepherd.

On this evidence I am satisfied that Mrs Dixon and Mr Dixon are the owners of the western part of the land and that Mr Shepherd is the owner of the eastern part, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of the respective parts of the land under section 8(2) 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

30<sup>th</sup>

day of

May 1977

Chief Commons Commissioner