



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/331

In the Matter of land on west side of Village Street, Scagglethorpe, known as the Village Green

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG. 46 in the Register of Town or Village Greens 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 Scagglethorpe Parish Council 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 York on 23 June 1987. At the hearing, the Parish Council was represented by its Clerk, Mr E H A Andrews, and its Chairman, Mr R W Gooder; Mr A Hoppe, legal Executive, of Ryedale District Council, also attended.

I was referred to the Minute Book of what was then Scagglethorpe Parish Meeting, from which it appeared (inter alia) that in 1925 a seesaw for children was erected by the Parish Meeting and has since been kept in repair and that in the 1950's a tree was planted to commemorate the coronation; and the Green has for many years been considered to belong to the Parish.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Parish Council as the owner 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 15th day of September 1987

L. J. Williams

COMMONS COMMISSIONER

