



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/200

In the Matter of Land opposite the Old Chapel,Fewston, North Yorkshire.DECISION

This reference relates to the question of the ownership of land opposite the Old Chapel, Fewston, being the land comprised in the Land Section of Register Unit No. CL.376 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 the former Leeds Corporation 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 27th March 1974.

At the hearing the Leeds Corporation was represented by Mr. G.C. Cowling, solicitor, and the Washburn Parish Council was represented by Mr. W.E.H. Windle, its Chairman.

The land comprised in the Register Unit is divided into six parcels by roads and paths, there being four parcels to the north and two to the south of an east-west axis. It will be convenient to number these parcels, which are easily identifiable on the Register Map. I shall therefore refer to the northern four parcels from west to east as Nos. 1, 2, 3 and 4, and the southern two parcels, also from west to east as Nos. 5 and 6.

There was no evidence as to the ownership of parcels Nos. 1 and 5.

A small piece of land at the western end of parcel No. 2 was conveyed to the former Leeds Corporation by a conveyance made 26th January 1903 between (1) Ann Beecroft (2) The Lord Mayor, Aldermen and Citizens of the City of Leeds. The central portion of parcel No. 2 was conveyed to the Corporation by a conveyance made 17th March 1900 between (1) James Wilson Addyman (2) The Lord Mayor etc, and the eastern end of that parcel was conveyed to the Corporation by a conveyance made 5th January 1903 made between (1) William Christopher Emsley (2) The Lord Mayor etc.

Parcel No. 3 was conveyed to the Corporation by a conveyance made 16th August 1900 between (1) Charles Bailey (2) The Lord Mayor etc.

Parcel No. 4 (with the exception of about one-third at its eastern end, as to the ownership of which there is no evidence) was conveyed to the Corporation by a conveyance made 17th August 1899 between (1) Thomas Buck



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(2) The Lord Mayor etc.

Finally, parcel No.6 was conveyed to the Corporation by the conveyance made 5th January 1903.

On this evidence I am satisfied that the Leeds City Council is now the owner of the parts of the land conveyed in 1899, 1900 and 1903, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Leeds City Council as the owner of those parts 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 remainder of the land comprised in the Register Unit, which 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 14th day of June 1974

Chief Commons Commissioner