



COMMONS REGISTRATION ACT 1965.

Reference No. 45/U/270

In the Matter of Land to West
of Eastby/Barden Scale Road at
Foot of Eastby Brow, Embsay-
with - Eastby, Craven D., North
Yorkshire

DECISION

This reference relates to the question of the ownership of land known as land to West of Eastby/Barden Scale Road at Foot of Eastby Brow, Embsay - with - Eastby Craven D., being the land comprised in the Land Section of Register Unit No. CL.308 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 Mary Dowager Duchess of Devonshire and Thomas Edward Sidney Egerton as Trustees of the Chatsworth Settlement 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 Skipton on 23rd July 1975.

Mr. John M. Sheard full time land agent appeared for the Trustees of the Chatsworth Settlement and Miss M. Ellis and Mr. S. Waterfall appeared for Embsay - with - Eastby Parish Council. Mr. Sheard produced an agreement for sale dated 3rd November 1926 and an agreement dated 26th November 1950 and the abstract of title commencing on 30th August 1897, which established the title of the present trustees of the Chatsworth Settlement to the Lordship of the Manor of Embsay - with - Eastby, and in addition he stated that the Trustees had since 1950 been in receipt of a rent of 10/- per annum from Skipton Rural District Council for a chipping staithe situate on the land in question and that the Trustees had been asked for and given their consent for a coronation seat to be placed on the land in question in 1953 and that the Trustees' consent had been asked and given for various other activities on the land in question.

In the face of this evidence Miss Ellis and Mr. Waterfall were unable to put forward a claim to ownership on behalf of the Parish Council.

On this evidence I am satisfied that The Dowager Duchess. of Devonshire and Mr. T.E.S. Egerton are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to



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register the Dowager Duchess of Devonshire and T.E.S.Egerton as the owners 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

1st

day of August

1975

Commons Commissioner