



In the Matter of Little Carr, Terrington with
Wiganthorpe, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Little Carr, Terrington with Wiganthorpe, being the land comprised in the Land Section of Register Unit No. CL 163 in the Register of Common Land maintained by the former North Riding 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 Castle Howard Estate Ltd 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 Malton on 13 October 1977.

At the hearing Castle Howard Estate was represented by Mr P J Lawrence, solicitor,

Mr Lawrence pointed out that the land the subject of the reference is incorrectly named. It is a part of Terrington Moor and some distance from Little Carr. However, the Register Map leaves its identity in no doubt.

The land comprised in the Register Unit forms part of land granted to the late Mr G W A Howard by an indenture made 29 January 1923 between (1) Lady Mary Henrietta Murray and George Gilbert Aime Murray (2) Lady Mary Henrietta Murray and Lady Anrea Fredeswyde Howard (3) Hon. Geoffrey William Algernon Howard. By an assent made 19 May 1950 between (1) Hon. Oliver Hugh Stanley and Geoffrey William Russell, executors of the will of G W A Howard (2) Eric William Habershon and Castle Howard Estate Ltd the land was vested in Mr Habershon and the Company as trustees. Mr Habershon has now been succeeded as trustee by Mr Michael Hamilton.

On this evidence I am satisfied that Mr Hamilton and Castle Howard Estate Ltd are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owner 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

12

day of November 1977

Chief Commons Commissioner

