



COMMONS REGISTRATION ACT 1965

Reference No. 268/D/191-194

In the Matter of Part of Beverley Woods, Great Smeaton.

DECISION

This dispute relates to the registrations at Entry No 1 in the Land and Ownership Sections of Register Unit No. CL.275 in the Register of Common Land maintained by the North Yorkshire County Council and is occasioned by Objections made by J T & E Ayre & T S Raw Esq., and noted in the Register.

I held a hearing for the purpose of inquiring into the dispute at Northallerton on 10 May 1983. The hearing was attended by Mr W Towler of Messrs. Askew & Askew, Solicitors of Guisborough who appeared for the objectors and Mr R Crisp & Son of the original applicant who had recently died. This matter was first heard by the Chief Commons Commissioner in March 1977. Mr S Crisp failed to return to the Court Room before the case had been disposed of and a decision given in favour of the Objector.

Mr S. Crisp asked for the hearing to be reopened and this request was granted and I was prepared to rehear the dispute at Northallerton on 19 January 1981 but Mr S Crisp was then in hospital and his son Mr J Crisp applied for and was granted an adjournment.

The matter came on again before me for re-hearing at Northallerton on 10 May 1983. Mr R Crisp withdrew both applications.

For these reasons I refuse to confirm either registration.

Mr Towler made an application for costs. Mr S Crisp the original applicant has died and I can only deal with such an application if notice has been given to his personal representative. I must therefore adjourn this application giving the Objectors leave to apply when they know who are the personal representatives of Mr Crisp and have given to them such notice of the application as I shall direct.

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

5<sup>th</sup>

day of

July

1983

Commons Commissioner