



In the Matter of Peat Allotments, Caygill Moss,
Bewerley, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Peat Allotments, Caygill Moss, Bewerley, being the land comprised in the Land Section of Register Unit No. CL 358 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 Executors of the 16th Viscount Mountgarret claimed to be the freehold owners 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 10 May 1977.

At the hearing Mr J Barrett, solicitor, appeared on behalf of the Hon. Mrs S E A Raynar and Mr G K Raynar, the present trustees of the estate of the 16th Viscount Mountgarret.

Mr A F Ridpath, the trustees' land agent, gave evidence that the trustees and the late Viscount Mountgarret had been in uninterrupted possession and in receipt of the rents and profits of the land in question for the last twelve years. It also appeared from an estate map and a field book that the land had formed part of the Eaglehall Estate since before 1939.

On this evidence I am satisfied that the trustees are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them 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

30th

day of

May

1977

Chief Commons Commissioner