



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/286

In the Matter of School Hill, High Bentham,
Craven D., North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as School Hill, High Bentham, Craven D., being the land comprised in the Land Section of Register Unit No.VG.107 in the Register of Town or Village Greens 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 Bentham Parish Council 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 24 July 1975.

Mr. M.Gillibrand of Messrs. Oglethorpe Sturton and Gillibrand, Solicitors for Bentham Parish Council appeared and produced a statement by Mr. L.J. Blundell, who is a legal executive with his firm and has been so employed since 1946, and a statement by Mr. S.E.Mason, who has been a member of the Bentham Parish Council since 1951. In 1952 land which was part of School Hill was sold to Settle Rural District Council for the erection of public toilets and in 1967/69 further land which was part of School Hill was sold to the North Western Electricity Board for the erection of an electricity sub-station. In each case Bentham Parish Council was the Vendor. Bentham Parish Council has for the last fifty years maintained the land in question. Recently the Parish Council has constructed a rose garden on the land in question.

On this evidence I am satisfied that Bentham Parish Council is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Bentham Parish Council 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

3rd

day of

Juby
CA Le H

1975

Commons Commissioner