



COMMONS REGISTRATION ACT 1965

Reference No 43/U/23

In the Matter of Skipwith Common (part)  
Selby D

DECISION

This reference relates to the question of the ownership of land known as Skipwith Common (part) Selby D being the land comprised in the Land Section of Register Unit No CL 24 in the Register of Common Land maintained by the former East 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 and when the trustees of the Skipwith Trust and Mr N C Forbes Adam claimed to be the freehold owner of a part 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 York on 29 June 1976 and in London on 26 April 1978.

The hearing on 29 June 1976 was adjourned, the hearing in London was attended by Mr B L R Dodsworth of Messrs Grays on behalf of the trustees of the Skipwith Trust and Mr N C Forbes Adam and by Mr N C Forbes Adam.

There was produced a vesting deed dated 30 September 1938 whereby the land therein mentioned including parcels 05 36 and 05 136 and were vested in the Honourable Irene Constance Forbes Adam and a Deed of Conveyance and Discharge dated 8 February 1951 whereby the land described in the First Schedule thereto was conveyed to the Trustees of the Skipwith Trust therein mentioned. 05 36 was not shown on the plan annexed to the said Deed as being included in the said conveyance, but Mr N C Forbes Adam produced the latest tenancy agreement for Manor Farm which included 05 36 and told me that to his knowledge 05 36 had been let as part of Manor Farm for at least 30 years. The Skipwith Trustees having been in receipt of the rents and profits of 05 36 for upwards of 30 years have on any view a possessory title and I resolve the discrepancy between the said First Schedule and the said plan in favour of the First Schedule and on this evidence I am satisfied that the Skipwith Trustees, the present Trustees being Æg Forbes Adam, S T B Forbes Adam V E Forbes Adam and N C Forbes Adam, are the owners of the land OS 36.

As regards OS 136 there was produced a conveyance dated 3 September 1956 made between the Honourable Irene Constance Forbes Adam of the first part, the Settled Land Act Trustees in the second part and S T B Forbes Adam whereby 05 136 a was conveyed to S T B Forbes Adam and a declaration and Trust dated 1 January 1962 made between S T B Forbes Adam and N C Forbes Adam and a conveyance dated 8 May 1962 whereby S T B Forbes Adam conveyed to N C Forbes Adam the properties the subject of the said Declaration of Trust including 05 136 a to N C Forbes Adam. There was also

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