



COMMONS REGISTRATION ACT 1965

Reference No.45/U/225

In the Matter of South Stainley Village Green,
Stainley with Cayton, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as South Stainley Village Green, Stainley with Cayton, being the land comprised in the Land Section of Register Unit No.V.G.24 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 Mr. H.A. Hudleston claimed to be the freehold owner of 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 Harrogate on 25th March 1974.

At the hearing Mr. Hudleston was represented by Mr. J.A. Grimshaw, solicitor.

The land the subject of this reference consists of four pieces, two of them being to the east and two to the west of a watercourse known as Stainley Beck.

The larger of the two pieces to the west of the Beck (Ordnance No.239) was conveyed with other land to Mr. Hudleston by Mr. Henry William Reynard on 11th October 1946. The smaller of the two pieces to the west of the Beck (Ordnance No.271(pt)) was conveyed with other land to Mr. Hudleston by Mr. Reynard on 30th September 1947. Mr. Hudleston has since been in possession of both these pieces of land.

For these reasons I am satisfied that Mr. Hudleston is the owner of the two pieces of land to the west of the Beck, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register him as the owner of those two pieces of land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land and I shall accordingly direct the County Council to register the Harrogate District Council as the owner of the two pieces of land to the east of the Beck under section 8(3) 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 25th day of April 1974

Chief Commons Commissioner

