



COMMONS REGISTRATION ACT 1965

Reference No. 262/C/147

In the Matter of The Brick Yard
Helperby, Hambleton District

DECISION

This reference relates to the question of the ownership of land known as The Brick Yard, Helperby, Hambleton District being the land comprised in the Land Section of Register Unit No. CL.108 in the Register of Common Land maintained by the former North 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 Helperby 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 Northallerton on 7th October 1975.

Mr. J. Spillman chairman of Helperby Parish Council appeared and stated that the land in question had for some undefined period been used as a rubbish tip by the Parish Council. This evidence did not satisfy me that the Council had acquired a prescriptive title and in the absence of any other evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

17th

day of October

1975

.....
Commons Commissioner