



COMMONS REGISTRATION ACT 1965

Reference No.45/U/202

In the Matter of The Dean (part),
Nesfield with Langbar, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Dean (part), Nesfield with Langbar, being the land comprised in the Land Section of Register Unit No.C.L.615 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 J.J. Harrison (Properties) Ltd, Mrs. M. Nada~~h~~, and Mr. A. Sowden claimed to be the freehold owners of parts 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 27th March 1974.

At the hearing Mrs. Nada~~h~~ was represented by Mr. G.A. Cawthra, solicitor, and Mr. Sowden was represented by Mr. J.H. Weatherill, solicitor. I gave leave for J.J. Harrison (Properties) Ltd to be represented by Mr. W.J. Lister, F.R.I.C.S. Mrs. Holden appeared for the Nesfield with Langbar Parish Council, but made no claim to ownership.

Mr. Cawthra produced a conveyance made 14th June 1957 between (1) John Briers (2) Margaret Nada~~h~~. This conveyance related to enclosure No.68 on the Ordnance Survey map (1909 edition). Mrs. Nada~~h~~ has since been in possession of the land.

Mr. Weatherill informed me that Mr. Sowden's title deeds were lost, his former solicitor having died, but there was produced from the West Yorkshire Deeds Registry a memorial of a conveyance made 30th June 1943 between (1) Lofthouse Crabtree (2) Alan Sowden. This conveyance related to O.S.Nos.83 and 84. Mr. Sowden has since been in possession of the land.

The remainder of the land comprised in the Register Unit, namely O.S.Nos.82, 130, 132 (pt) and 133 (pt) were the subject of the following conveyances. namely a conveyance made 1st September 1955 between (1) James Joseph Harrison (2) Clifford Bateson, Francis Hugh O'Downell, and Jack Bradshaw, and a conveyance made 5th October 1964 between (1) C. Bateson, F.H. O'Downell and J. Bradshaw (2) J.J. Harrison (Properties) Ltd. Mr. Lister also produced earlier deeds proving the title of Mr. J.J. Harrison.

On this evidence I am satisfied that J.J. Harrison (Properties) Ltd, Mrs. Nada~~h~~ and Mr. Sowden are the owners of the parts of the land which they respectively claim and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of the



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respective parts 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 **25th** day of April 1974

Chief Commons Commissioner