



COMMONS REGISTRATION ACT 1965

Reference No 268/U/94

In the Matter of The Green, Skeeby,
Richmondshire District, North Yorkshire

DECISION

This reference relates to the question of the ownership of part of the land known as The Green, Skeeby, Richmondshire District being the part of the land comprised in the Land Section of Register Unit No VG. 15 in the Register of Town or Village Greens maintained by the North 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 no person claimed to be the freehold owner of the part of the land in question and no 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 Richmond on 8 February 1977. At the hearing Skeeby Parish Council was represented by Mr M Collin and Mr F L York two of their members.

At the hearing reference was made to my decision dated 4 May 1973 (Reference Nos 44/D/23-31) in which I dealt with a number of disputes about various parts of the land, including a part therein called the Church Cottage Strip. The part ("the Referred Part") with which I am concerned on this reference is so much of the Church Cottage Strip as is not included in the land described in the Third Appendix to my said decision and all other if any of the land comprised in this Register Unit of which no person is now under the said section 4 registered as owner.

No evidence at this 1977 hearing was offered as to the ownership of the Referred Part, although as recorded in my said decision at the hearing in 1973, on the evidence then given, I concluded that the Parish Council were the owners of it. Under section 8 of the 1965 Act I have to determine whether I am satisfied as to the ownership; in the particular circumstances of this case it may not matter how I determine this question, because, under subsection (3) of the said section 8, if I am not satisfied as to the ownership of the Parish Council (it was not suggested that anyone else could be the owner) I am required to direct their registration as owners.

In my opinion I ought in the absence of any contrary contention at this 1977 hearing, to treat the evidence given me at the 1973 hearing as given to me again; accordingly I am satisfied that the Council are the owners of the Referred Part, and I shall accordingly direct North Yorkshire County Council as registration authority to register Skeeby Parish Council as the owners of the Referred Part 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 16th day of February — 1977

a. a Baden Fuller

Commons Commissioner