



COMMONS REGISTRATION ACT 1965

Reference No.45/U/221

In the Matter of The Horse Pond,
Follifoot, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Horse Pond, Follifoot, being the land comprised in the Land Section of Register Unit No.C.L.279 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 no person claimed to be the freehold owner of the land in question and no one 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 the Follifoot Parish Council was represented by Mr. A.J. Green, its Chairman.

The land in question is no longer a horse pond. In 1968 it was filled in and converted into a rest garden and a bus shelter was erected on part of it. Since then the Parish Council have kept the land in order, but Mr. Green did not know to whom it belonged.

It would appear that the Parish Council is well on the way towards acquiring a possessory title to this land, but on the evidence I cannot say that I am satisfied that the Council is yet the owner. I can only say that I am not satisfied that any person is the owner of the land and it will therefore be 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 25th day of April 1974

Chief Commons Commissioner