



In the Matter of The Pinfold and The Batts,
Patrick Brompton, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Pinfold and The Batts, Patrick Brompton, being the land comprised in the Land Section of Register Unit No CL 66 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 the Patrick Brompton Parish Meeting, Mr J B McMillan, and Mr D W Horner claimed to be the freehold owners 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 Richmond on 10 May 1978.

At the hearing the Parish Meeting was represented by Mr R Bratley, its Chairman, and Mr Horner by Mr J S Huntington, solicitor. There was no appearance by or on behalf of Mr McMillan.

Mr Bratley informed me that the Parish Meeting did not claim the ownership of The Pinfold, and he had no evidence as to the ownership of The Batts.

The land which is described in the Register as The Pinfold is in fact a cow-shed occupied with a house known as Willow Garth. Mr Horner acquired this house with its outbuildings by a conveyance made 29 November 1977 between (1) Rodney Neville Mawer and Patricia Mawer (2) Dennis William Horner. Mr and Mrs Mawer had a good root of title in a conveyance made 28 October 1939 between (1) William Brown (2) William Mason.

On this evidence I am satisfied that Mr Horner is the owner of the land known as The Pinfold and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register him as the owner of the 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 comprised in the Register Unit, 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

10th

day of

October

1978

CHIEF COMMONS COMMISSIONER

