



COMMONS REGISTRATION ACT 1965

Reference No. 45/11/300

In the Matter of the River Greta, Bentham,  
Craven District, North Yorkshire

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DECISION

This reference relates to the question of the ownership of land being part (about  $\frac{1}{2}$  a mile long) of the River Greta or of the south bank of the River (above Burton in Lonsdale), Bentham, Craven District being the land comprised in the Land Section of Register Unit No. CL. 406 in the Register of Common Land maintained by the North Yorkshire County Council (formerly West Riding 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 solicitors for Bentham Town Council wrote saying that in their view the Council could not lay any positive claim to the ownership of this register unit, which would appear to belong to the owner of the land fronting this portion of the river who they believed to be Mr William Waggett. No person 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 Skipton on 24 March 1976. There was no attendance at the hearing.

The Register shows that the area of the land is about 0.310 hectares (2 acres), that two rights of piscary held in gross have been registered in the Rights Section on the application of Mr E E H Birt and Mr W Ovesly, and that the registration in the Land Section was made in consequence of one of these applications. In the absence of any evidence 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 31st day of March —

1976

a. a. Baden Fuller

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Commons Commissioner

