



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/22

In the Matter of the Village Green,
Askham Richard, Tadcaster R.D.
Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Askham Richard, Tadcaster Rural District, being the land comprised in the Land Section of Register Unit No. V.G.22 in the Register of Town or Village Greens maintained by the 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 no person claimed to be the freehold owner 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 Wakefield on 18th May 1972.

Mr. R.F. Thatcher, who is the chairman of the Parish Meeting, attended the hearing. It was on his application that the land had been registered under the Act as a village green. In a letter dated the 27th March 1972 (on the file) he (as such chairman) claimed ownership of the land, but this claim was not pressed before me. He had however arranged for the two witnesses mentioned below to attend the hearing in case their evidence could assist.

Mr. J. Bartram who is 74 years of age and has lived in the Village all his life and Mr. A. Atkinson who is 69 years of age and has lived in the Village for the past 42 years, gave evidence. They both described to me the various uses which had been made of the land by the inhabitants as a village green and otherwise during the time they had known it, and the interest the Parish Meeting and other inhabitants had taken in it with a view to keeping it tidy. But their evidence did not, I think, establish that the land was owned by the representative body of the Parish or by anyone else as trustee for the inhabitants for any particular purpose or generally.

It was agreed that the parish did not have a Parish Council in whom I could properly vest the land under paragraph (c) of subsection (5) of section 8 of the Act.

For these reasons I am not satisfied that any person is the owner of the land, and I shall accordingly direct the West Riding County Council, as registration authority, to register the Tadcaster Rural District Council as the owner of the land under subsection (3) of section 8 of the Act.

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 12/6 day of June 1972

A. A. Baden Fuller.

Commons Commissioner