



In the Matter of The Village Green, Aysgarth,  
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Aysgarth, being the part of the land comprised in the Land Section of Register Unit No. CL 117 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 Aysgarth and District Parish Council 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 Richmond on 20 July 1977.

At the hearing the Parish Council was represented by Mr J C Scott, solicitor.

It appears from the minute book of the Parish Council and its predecessor the Aysgarth Parish Meeting covering the period 1898 to 1976 that the land the subject of the reference has throughout that period been treated as parish property. In particular, seats have been placed on it, notice boards erected, and wayleaves granted for various encroachments. This, in my view, is sufficient evidence of adverse possession to found a possessory title.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Parish Council as the owner of the land under section 3(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 4th day of Nov 1977.

Chief Commons Commissioner