



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/4

In the Matter of The Village Green,
Brayton, Selby R.D., Yorkshire

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Brayton, Selby Rural District, being the land comprised in the Land Section of Register Unit No.V.G.18 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 17th May 1972.

The Brayton Parish Council were represented by their chairman Mr. F. Gall. He told me that although there had been an award under the Inclosure Acts which dealt with pieces of land adjoining the land the subject of this reference, the award did not (as appeared when he produced it to me) deal with the land.

On behalf of the Council, Mr. G. Dickson, who was 63 years of age and had lived in the parish all his life, gave evidence. The land had always been a public place. It has been used by farmers in the Village for grazing. The Parish Council had maintained it for all the time he could remember. The children at the school played there. He mentioned various other uses which had been made of it with the authority of the Parish Council. After hearing his evidence, I was in doubt whether the Parish Council had done these things as owner.

No other person appeared and no other evidence was given.

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 Brayton Parish Council as the owner of the land under section 3(3) 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 12th day of June 1972

C. A. B. J. J. J.

Commons Commissioner

