



COMMONS REGISTRATION ACT 1965

In the Matter of The Village Green, Patrick Brompton,
North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Patrick Brompton, being the land comprised in the Land Section of Register Unit No. VG 46 in the Register of Town or Village Greens 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 Mr and Mrs F D Hodgson, Mr G Kelly, Mr O Topel, Mr J B McMillan, Mr R J Hindle, and the Patrick Brompton Parish Meeting claimed to be the freehold owners of various parts 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 Hodgson appeared in person. There was no appearance by or on behalf of Mr Kelly, Mr McMillan, and Mr Hindle.

Mr and Mrs Hodgson are the owners of Laurel House, which they acquired by a conveyance made 6 November 1969 between (1) William Horner, John William Hammond, and Malcolm Elliot Scott (2) Francis David Hodgson and Dorothy Hodgson. Mr and Mrs Hodgson had previously lived at Laurel House as tenants for eleven years.

Laurel House is divided from the road by part of the land the subject of the reference. On this land there is a clump of laurel bushes from which the house gets its name and a gravel drive leading from the house to the road. Mr and Mrs Hodgson have cut the laurel bushes when necessary and have kept the drive and the land in front of their house tidy. The Parish Meeting has kept the land on either side in order, but has done nothing to the land in front of Laurel House. In my view the Parish Meeting has acquiesced in the taking of possession of this land by Mr and Mrs Hodgson, who have now acquired a possessory title.

Mr Bratley had no evidence as to the ownership of the remainder of the land.

On this evidence I am satisfied that Mr and Mrs Hodgson are the owners of the land in front of their house, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owner of this part 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, and I shall therefore direct the North Yorkshire County Council to register the Richmondshire District Council as the owner of the remainder under Section 5(3) 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.

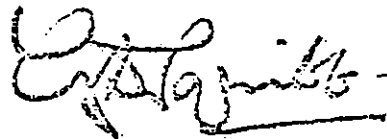
Dated this

10~~th~~th

day of

October

1978



CHIEF COMMONS COMMISSIONER

