



In the Matter of The Village Green, Sherriff Hutton  
with Cornborough, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Sherriff Hutton with Cornborough, being the land comprised in the Land Section of Register Unit No. VG 49 in the Register of Town or Village Greens maintained by the former North 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 the Sherriff Hutton with Cornborough Parish Council and Mr J K Howarth each claimed to be the freehold owner of the land in question and Saml Smith Old Brewery (Tadcaster) Ltd and Mr G A Crabb claimed to be the owners of parts of the land. 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 Malton on 13 October 1977.

At the hearing the Parish Council was represented by Mr P J Lawrence, solicitor, and Mr Crabb appeared in person.

It was agreed at the hearing that Mr Crabb was the owner of a small strip of the land in question situated in front of Mr Crabb's house known as Sherriff Hutton Court between the front wall and the unmade road circling the Green. This strip was to be defined on an agreed plan submitted to me after the hearing. Unfortunately, it has not proved possible to agree such a plan. Since I have no further basis for my decision regarding the ownership of the strip of land than the agreement between the parties, it would not be right for me to endeavour to translate that agreement into a plan when the parties themselves are unable to perform this cartographic feat. I shall therefore embody in my direction under section 8(2) of the Act of 1965 the words in which the agreement was expressed to me.

So far as the major part of the land is concerned, it is stated in the Parish Council minute book of 1912 that it was presented to the Council at the Coronation of George IV. This cannot be correct, since there were no parish councils in the time of George IV. While this may be a garbled version of some actual transaction with some parish officers of the time, in the absence of any direct evidence I am not satisfied that any person is the owner of the major part 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 8(3) of the Act of 1965. So far as the strip is concerned I shall direct the County Council to register Mr Crabb as the owner under Section 8(2) 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

19<sup>th</sup>

day of

January

1978

Chief Commons Commissioner

