



In the Matter of The Village Green, West  
Scafton, North Yorkshire

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DECISION

This reference relates to the question of the ownership of land known as The Village Green, West Scafton, being the land comprised in the Land Section of Register Unit No. CL 82 in the Register of Common Land maintained by the North 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 no person claimed to be the freehold owner of the land in question, but Mr R S Hall 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 June 1982.

At the hearing the West Scafton Parish Meeting was represented by Mr R S Hall, its Clerk.

During the 1960's two trees were planted in the land in question by a Mr Harry Watson with the permission of the Parish Meeting. It appears from the minutes of the Parish Meeting that on some occasions during the 1930's and 1950's it was resolved that rents should be charged for huts and other erections on the land, but I was not shown any accounts which would prove over what period such payments were received. Finally, Mr S B Harrison, now aged 37, said that there had been a seat on the land for as long as he could remember.

This evidence is very weak, but in the absence of any other claim, I have come to the conclusion that it is just sufficient to support the acquisition of a possessory title by the Parish Trustees of West Scafton, who are a body corporate by virtue of Section 13(3) of the Local Government Act 1972.

On this evidence I am just satisfied that the Parish Trustees of West Scafton are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register that body corporate as the owner of the land under section 8(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

18<sup>th</sup>

day of

November

1982

*[Handwritten signature]*

Chief Commons Commissioner