



In the Matter of The Village Greens and Pond,
Grewelthorpe, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Village Greens and Pond, Grewelthorpe, being the land comprised in the Land Section of Register Unit No VG 108 in the Register of Town or Village Greens maintained by the former West 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 no person claimed to be the freehold owner of the land in question and no one 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 Harrogate on 11 May 1977.

At the hearing Mr N J Cunliffe-Lister, solicitor, appeared on behalf of Mr J A Hone and Mr R H Nicholson, the trustees of the estate of the late Dowager Countess of Swinton.

The land comprised in the Register Unit consists of a number of small areas adjoining the roads in the village of Grewelthorpe. Nine of these areas were conveyed to the Grewelthorpe Parish Council by a conveyance made 10 October 1963 between (1) Mary Constance Cunliffe-Lister, The Countess of Swinton (2) John Alfred Hone and John Maxwell Hannay (3) The Parish Council and have since been in the undisputed possession of the Parish Council. It was declared that the conveyance was without prejudice to and should not in any way diminish the rights of Lady Swinton as lord of the manor or lordship of Grewelthorpe over any part of the manor other than the parts so conveyed.

The remaining areas of land comprised in the Register Unit are open, uncultivated and unoccupied, and are, in my view, waste land of the manor of Grewelthorpe. The lordship of the manor was vested in Lady Swinton by a vesting deed made 22 October 1926 between (1) Geoffrey Moseley, Thomas Frazer, and George Gilbert Thompson (2) Dame Mary Constance Cunliffe-Lister. Lady Cunliffe-Lister subsequently became Countess of Swinton. When Lady Swinton died the lordship of the manor became vested in Mr Hone and Mr Nicholson as trustees.

On this evidence I am satisfied that the Parish Council and Mr Hone and Mr Nicholson are the owners of their respective parts of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of those respective parts 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 14th day of February 1978


CHIEF COMMONS COMMISSIONER