



COMMONS REGISTRATION ACT 1965

Reference No.45/U/260

In the Matter of Township Quarry,
Cracoe, Craven D., North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Township Quarry, Cracoe, Craven District (formerly Skipton Rural District, Yorkshire West Riding) being the land comprised in the Land Section of Register Unit No. CL.521 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 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 Skipton on 2 April 1974. The hearing was attended by Mr. G. H. Jackson chairman of the Cracoe Parish Meeting.

Mr. Jackson who has lived in the Village since 1941 (he was then 8 years old), attended the Parish Meetings off and on for the last 10 years and is this year chairman, gave evidence.

The land comprised in this Register Unit, ^{which} contains (according to the Register) 0.162 hectares (about 0.4 acres), is an enclosed piece of land about 200 yards east of Threapland and on the south side of the road from Cracoe to Thorpe and Burnsall. It is a waste ground with some trees (probably self sown) and little or no grass, apparently long ago used as a quarry and now quite useless except for gathering a few sticks.

Mr. Jackson produced the minute book entitled "Cracoe Township" of the Parish Meetings from 1937 to the present day. It recorded that every year the waste lands of the Parish had been let at the meeting. Among those so let was Threapland Waste, which Mr. Jackson identified with the land in question. In 1937 the land was let at the yearly rent of "3s/-d"; afterwards the yearly rent was 1s. Od., or 5np. The book showed that the land was so let every year and records that during one year it was let for beekeeping. The current lettings of the Cracoe Wastes (four in number) are for annual rents of £8, £1, 50 np and 5 np. (total £9.55: the 5 np being for Threapland Waste). The lettings were not the only business of the meetings, but they appear to have been usually the last business.

Mr. Jackson said (in effect):- At the Parish Meetings which he had attended, the main business was conducted at the Memorial Hall; before considering the lettings of the waste lands, the meeting adjourned to the Devonshire Arms (a public house in the middle of the Village) and the waste lands were there and then let for the year



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to the highest bidder. He understood that this had been the custom for many years. The rents received were applied for Parish purposes. He had inspected the Parish Tithe Award (kept at the Vicarage); on the map the land is numbered 70 and the Award Schedule shows it: "Stone Quarry - Waste - 1 rood 4 perches - (Land Owner) Town - (Rent charge: none) - Let at land letting to the highest bidder after township meeting" Nobody in the Village knew the origin of the custom of letting this land in this way.

In my view the evidence outlined above shows that the Parish Meeting has been in possession of the land at least since 1937 and that the Parish now has a good possessory title to it. Land of a parish under the control of the parish meeting before 1 April 1974 was vested in the body corporate established by section 19 of the Local Government Act 1894 and by section 47 of the Local Government Act 1933 named "the representative body" of the parish. Under section 13 of the Local Government Act 1972, this body corporate continues by the name of "the Parish Trustees" of the parish.

For these reasons I am satisfied that the Parish Trustees are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Parish Trustees of Cracoe as the owners 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 25th day of April 1974.

a. a. Baden Fuller

Commons Commissioner