



COMMONS REGISTRATION ACT 1965

Reference No 45/U/244

In the Matter of Wasteland, Holme
Green, Appleton Roobuck, Selby D

DECISION

This reference relates to the question of the ownership of land known as Waste Land, Holme Green, Appleton Roobuck, Selby D being the land comprised in the Land Section of Register Unit No CL. 377 in the Register of Common Land maintained by the former West 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 Mr & Mrs Robinson claimed to be the freehold owners 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 York on 30 June 1976.

Mr Richardson, counsel, instructed by Messrs G R H Kendrew appeared for Mr & Mrs Robinson and produced a conveyance dated 3 April 1963 whereby the land comprised in that conveyance was conveyed by E M Midgley and D Toyre to Mr & Mrs Robinson. The land or part of the land in question is part of No 99 on the plan annexed to the said conveyance, but I am unable to reconcile the plan on the conveyance with the Register plan.

In these circumstances the best I can do is to state that I am satisfied that Mr & Mrs Robinson are the owners of so much of the land in question as was conveyed to them by the said conveyance and I must leave Mr & Mrs Robinson to satisfy the Registration Authority as to the identity of that land. Any part of the land in question not comprised in the said conveyance will remain subject to protection under section 9 of the Act of 1965. A copy of the said conveyance is annexed to this decision. Messrs Kendrew will please inform me as to the identity of the land owned by Mr & Mrs Robinson which should be agreed by the Registration Authority and on being given this information I will give the appropriate direction.

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 19th day of July 1976

C. A. Selby

Commons Commissioner