



In the Matter of West Moor, Heslington,  
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as West Moor, Heslington, North Yorkshire, being the land comprised in the Land Section of Register Unit No. CL 83 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 the Trustees of the 2nd Earl of Halifax 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 Selby on 10 December 1981. At the hearing, the Trustees of the 2nd Earl of Halifax were represented by Mr N Roberts, Solicitor and Dr. C S Kightly, volunteered to give evidence under regulation 23(5) of the Commons Commissioners Regulations 1971. I also heard Mr J J Pearlman, Solicitor, as amicus curiae.

Although now known as "West Moor", the land comprised in the Register Unit is part of a larger area formerly known as Tilmire Common. So far as is material for the purposes of these proceedings, the evidence relating to this land is identical with that relating to another and larger part of Tilmire Common, now known as "Heslington Common", which is comprised in Register Unit No. CL 54.

On this evidence for the reasons given in my decision in In the Matter of Heslington Common, Heslington (1982) Ref. No. 268/U/249, I am satisfied that Mr E C Bousfield, Mr J D Spofforth and Mr L N Roberts are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them 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

15<sup>th</sup>

day of

January

1982

  
Chief Commons Commissioner