



COMMONS REGISTRATION ACT 1965

Reference No.45/U/55

In the Matter of Westhouse Green, Low Westhouse,  
Thornton in Lonsdale, Yorkshire (West Riding).

DECISION

This reference relates to the question of the ownership of land known as Westhouse Green, Low Westhouse, Thornton in Lonsdale, being the land comprised in the Land Section of Register Unit No.V.G.82 in the Register of Town or Village Greens maintained by the 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 Skipton on 22nd June 1973.

At the hearing the Thornton in Lonsdale Parish Council was represented by Mr. E. Lockwood, its Chairman.

The land the subject of this reference consists of two portions. The larger portion lies to the east of the road passing through Lower Westhouse: the smaller portion consists of a small triangle surrounded on all sides by roadway.

Mr. Lockwood produced the inclosure award, dated 18th October 1819, made under the Thornton Township Inclosure Act of 1814 (54 Geo.III, c.clii), by which the larger portion was allotted to the Overseers of Thornton. By virtue of sections 6(1)(c)(iii) and 67 of the Local Government Act 1894 this land became vested in the Parish Council.

The inclosure award contains no reference to the triangular piece of land and Mr. Lockwood was not able to adduce any evidence as to its ownership.

For these reasons I am satisfied that the Thornton in Lonsdale Parish Council is the owner of the portion of the land referred to in the inclosure award, and I shall accordingly direct the West Riding of Yorkshire County Council, as registration authority, to register the Parish Council as the owner of that portion of the land under section 3(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the triangular portion of the land and I shall accordingly direct the County Council to register the Parish Council as the owner of that portion under section 3(3) 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 12<sup>th</sup> day of July 1973

Chief Commons Commissioner