



COMMONS REGISTRATION ACT 1965

Reference No.268/U/19

In the Matter of Wethercote Lane,
Old Byland, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Wethercote Lane, Old Byland, being the land comprised in the Land Section of Register Unit No.CL 189 in the Register of Common Land maintained by the former North 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 Capt.V.M.Wombwell, in his capacity as Lord of the Manor, claimed to be the freehold owner 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 Malton on 12th February 1975.

Capt.Wombwell did not appear and was not represented at the hearing. The only appearance was by Mr Austine Bell, who applied for the registration of a right of grazing which has become final. Mr Bell had no information as to the ownership of the land in question.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 30th day of March 1975


Chief Commons Commissioner

