



In the Matter of Land near Mission Hall,  
Hutton Lowcross, Guisborough, Cleveland.

DECISION

This reference relates to the question of the ownership of land near the Mission Hall, Hutton Lowcross, Guisborough, being the land comprised in the Land Section of Register Unit No. CL 165 in the Register of Common Land maintained by the former North 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 Whitby on 25 May 1977.

At the hearing Mr J W D Fernie, solicitor, appeared on behalf of the Langborough Borough Council.

The land in question was conveyed to the former Guisborough Urban District Council by a conveyance made 28 June 1971 between (1) The Owners of the Middlesbrough Estate Ltd (2) The Urban District Council of Guisborough. The title of the party of the first part was derived under the conveyance of 10 January 1935 referred to in my decision in In the Matter of The Old Driving Ground, Hutton Lowcross (1977), Ref. No. 261/U/3.

The Borough Council is the successor authority of the former Urban District Council by the operation of the Local Government Act, 1972.

On this evidence I am satisfied that the Langborough Borough Council is the owner of the land, and I shall accordingly direct the Cleveland County Council, as registration authority, to register the Borough Council as the owner 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 23rd day of June 1977

  
CHIEF COMMONS COMMISSIONER