



COMMONS REGISTRATION ACT 1965

Reference No. 263/U/146

In the Matter of (1) Part of O.S.Nos.132
and 135, (2) O.S. No.182A and part of
O.S. No.199, Yearsley, Hambleton District.

DECISION

This reference relates to the question of the ownership of land known as (1) part of O.S. Nos. 132 and 135; (2) O.S.No.182A and part of O.S. No.199 Yearsley, Hambleton District being the land comprised in the Land Section of Register Unit No.CL.130 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 Captain V. M. Wombwell claimed to be the freehold owner of part 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 Northallerton on 7th October 1975.

Mr P. R. Fitzgerald of Messrs Walters Vandercom & Hart appeared for Captain Wombwell and produced a vesting deed dated 31st March 1926 made between Mabel Caroline Hokler, Cecil Broderick and Victor Malcolm Wombwell vesting the land part of O.S. Nos. 132 and 135 in Captain V. M. Wombwell.

On this evidence I am satisfied that Captain Wombwell is the owner of the land, part of O.S. Nos. 132 and 135 I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Captain V. M. Wombwell as the owner of that land under section 8(2) of the Act of 1965. In the absence of any evidence as to the ownership of the land O.S.No.182A and part of O.S.No.199 I am not satisfied that any person is the owner of that 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 8th day of December 1975

C A SeHG.

Commons Commissioner