

COMMONS REGISTRATION ACT 1965

Reference No. 268/U/237

In the Matter of Cock Moor (part), Brompton-by-Sawdon, North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Cock Moor (part), Brompton-by-Sawdon, being the land comprised in the Land Section of Register Unit No.CL.261 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 Duchy of Lancaster 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 23 May 1979. At the hearing the Duchy of Lancaster was represented by Mr A Rylands, Solicitor.

The land the subject of the reference was formerly Manorial Waste. let to the former North Riding Agricultural Executive Committee and was cropped in 1948 and 1949. The Duchy as Lord of the manor paid betterment to the Agricultural Executive Committee when the land was given up. Tince then the land has been let on agricultural tenancies and the Duchy has received the rent.

On this evidence I am satisfied that the Duchy of Lancaster is the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Duchy 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 of which notice of the decision is sent to him, require me to state a case for the decision of the High Court. day of June

Dated this