



In the Matter of Faceby Bank Moor and Carlton Moor,
Faceby, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Faceby Moor and Carlton Moor, Faceby, being the ~~part of the land~~ comprised in the Land Section of Register Unit No. CL 58 in the Register of Common Land maintained by the former 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 Viscount Ingleby and Mr D Saddington claimed to be the freehold owners 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 8 March 1977.

At the hearing Mr Saddington was represented by his son, Mr D Saddington junior. Viscount Ingleby did not appear and was not represented.

Part of the land comprised in the Register Unit was conveyed to Mr D Saddington, senior by a conveyance made 24 July 1950 between (1) Dora Novelle Forsyth, Mabel Thompson, Lottie Hill, and Mary Perks (2) Midland Bank Ltd (3) David Saddington. The remainder was conveyed to Mr Saddington's wife by a conveyance of the same date between the same parties of the first and second parts and Catherine Jane Saddington of the third part. Mrs Saddington died on 23 November 1972 and her will was proved by Mr D Saddington, senior. By a vesting assent made 14 February 1977 Mr Saddington assented to the vesting in himself of the part of the land which he held as personal representative of Mrs Saddington.

On this evidence I am satisfied that Mr D Saddington, senior, is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register him 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 17th day of May 1977.


Chief Commons Commissioner

