



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/186

In the Matter of Faceby Bank Moor and
 Carlton Moor, Faceby

DECISION

This reference relates to the question of the ownership of land known as Faceby Bank Moor and Carlton Moor, Faceby being the land comprised in the Land Section of Register Unit No. CL 58 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 Lord Ingleby and Mr D Saddington each 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 19 January 1982.

Mr P F G Fawcett, Land Agent, appeared for Lord Ingleby and Mr David Saddington appeared in person. At a previous hearing on 8 March 1977 at which Lord Ingleby was not represented, the Chief Commons Commissioner decided that the whole of the land was owned by Mr David Saddington Senior. It was subsequently discovered that Lord Ingleby had not been given notice of that hearing and the reference was directed to be reheard.

Mr Fawcett produced a Deed of Exchange dated the 2nd June 1959 whereby Mr Saddington conveyed part of the register unit to Mr Saddington in exchange for land not within the boundaries of the register unit. Mr Saddington Jr. accepted that the land so conveyed was now owned by Lord Ingleby.

On this evidence I am satisfied that Lord Ingleby is the owner of that part of the register unit which is shown coloured pink on the plan attached to a letter written to the Commons Commission on 20 January 1978 by Messrs A W Watts and Company, which is signed by me and will be attached to my direction and that Mr Saddington owns the remainder.

I shall accordingly direct the North Yorkshire County Council as registration authority, to register Lord Ingleby and Mr Saddington as the owners of those parts 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 27th day of January 1982

George Herkoti

Commons Commissioner

