



COMMONS REGISTRATION ACT 1965

Reference No.268/D/87

In the Matter of High Leir Lane and
Clavery Ley Lane and other adjoining lanes,
Old Byland, North Yorkshire (No.2)

DECISION

This dispute relates to the registrations at Entry Nos.1 to 5 in the Rights Section of Register Unit No.CL 128 in the Register of Common Land maintained by the former North Riding County Council and is occasioned by Objection No.0334 made by Mr Donald Swift and noted in the Register on 3rd November 1970.

I held a hearing for the purpose of inquiring into the disputes at Malton on 12th February 1975. The hearing was attended by Mr F.E.Ellis, Mr A.Bell, and Mr J.B.Robinson, applicants for the registrations at Entry Nos.2 to 5.

Evidence was given by Mr E.R.Bentley, the applicant for the registration in the Land Section of the Register Unit, now aged 65, who had known the land in question all his life. Mr Bentley's evidence satisfied me that there is a prima facie case for each of the registrations the subject of this dispute. Mr Swift did not appear, nor was he represented.

In the absence of any evidence in support of the Objection I confirm the registrations.

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 March 1975

Chief Commons Commissioner