



In the Matter of Kirkby Malzeard Moor  
(part) Harrogate B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.667 in the Register of Common Land maintained by 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 Mr E G S Bostock claimed to be the freehold owner of the land in question ("the unit land"); 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 unit land at Harrogate on 12 March 1981. At the hearing Mr R Wakefield, of Counsel, appeared on behalf of Mr Bostock.

Mr Wakefield produced a conveyance dated 14 January 1966 between (1) Henry Wyner (2) Broadland Properties Ltd (3) G S Bostock whereby there was conveyed to Mr Bostock large tracts of property which included the unit land. The unit land is a small part of the moor which Mr Wakefield told me is used by Mr Bostock for grouse shooting and breeding.

On this evidence I am satisfied that Mr G S Bostock is the owner of the unit land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register him as the owner of the unit land under section 3(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

15 April

1981

*L. J. Morris Smith*

Commons Commissioner

