



In the Matter of Land at Thruscross, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land at Thruscross, being the land comprised in the Land Section of Register Unit No. CL 462 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 no person claimed to be the freehold owner of the land in question and no one 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 Harrogate on 11 May 1977.

At the hearing Mr G B Deacon appeared on behalf of the Thruscross Parish Meeting.

Mr Deacon said that the land in question had always been looked on as parish land. It had been freely grazed and no one had claimed to own it. The Parish Meeting had looked after it and mown it when necessary.

This evidence is insufficient to support a claim to a possessory title by the Parish Trustees.

In the absence of any other evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 30th day of May 1977

Chief Commons Commissioner