



In the Matter of Long Preston Moor, Craven D

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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 242 in the Register of Common Land maintained by the 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 the Trustees of the Chatsworth Settlement claimed to be the freehold owners of the land in question ("the Unit land") 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 Skipton on 20 October 1982.

At the hearing Mr J Sheard, Chartered Surveyor and Agent of the Chatsworth Estate, represented the Claimants, and Mr P Kempley, Chairman of Long Preston Parish Council, also attended but made no claim to ownership.

In an Estate document of 1860 headed 'Bolton Abbey Estate, Particulars of the Commons' it is noted that the Duke of Devonshire is Lord of the Manor of Long Preston. The Unit land is a narrow strip of land which it seems probable was land of the manor and owned by the Lord. By an Agreement dated 3 November 1926 the ninth Duke agreed to sell to Chatsworth Estates Company ("the Company") inter alia his lordships manors and land in the County of York. This Agreement was not completed by conveyance, though in an Estate Terrier of (Mr Sheard told me) some date in the 1920's it is noted that the Company is Lord of the Manor of Long Preston and the Unit land appears on the accompanying Plan. There were subsequent transactions by virtue of which the Company's interests under the 1926 Agreement were sold to trustees, of whom the present Claimants are the successors, but no conveyances effectual to pass the legal estate in land were executed: and on this inquiry I am concerned to ascertain the ownership of the legal estate. It appears to me that, whatever the derivative interests of the Claimants, the title to the Unit land continued in the ninth Duke and has now by virtue of a grant of letters of Administration to his estate dated 30 December 1950 become vested in the eleventh Duke.

I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Duke of Devonshire 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

19 November

1982

*L. J. Morris Smith*

Commons Commissioner