



COMMONS REGISTRATION ACT 1965

Reference No. 268/D/325-329

In the Matter of Long Preston Moor and  
Western Green, Long Preston, Craven D

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DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and at Entries No. 1 to 6 in the Rights Section of Register Unit No. CL 242 in the Register of Common Land maintained by the North Yorkshire County Council.

I held a hearing for the purpose of inquiring into the dispute at Skipton on 9 October 1980. The Objections are as follows: (1) No. 494 made by W W Bailie noted in the register on 6 January 1971. This Objection is to the Entry in the Land Section and correspondingly to all the Entries in the Rights Section. (2) No. 242 made by A Bradley and No. 72 made by R Norcross both noted in the Register on 25 August 1970. These are objections to Entry No. 3 in the Rights Section. (3) No. 200 made by Long Preston Parish Council and noted in the Register on 24 November 1970. This is an objection to the Entries in the Rights Section. Of the original Rights Entries which are numbered 1 to 6, No. 6 has been cancelled and No. 5 is now No. 9.

The registration as common land was made in consequence of an application to register a right of common and applications for such registration were also made by the Parish Council, and by the Ramblers Association which did not appear at the hearing.

At the hearing there were the following appearances (1) Mr O Walton, the Chairman of and representing the Parish Council, (2) Mr R Bowker, solicitor, appearing on behalf of Mr Bradley and Mr Norcross and Mrs A K Stoney, all of whom are applicants to register rights (Entries No. 1, 2 and 3), Mr Bradley and Mr Norcross also being Objectors to Mrs Stoney's Entry (No. 3), (3) Mr Turton of the firm of Cluttons, Surveyors, appearing on behalf of Mr T Kinder, applicant to register Entry No. 4 (Rights), (4) Mr Skelton, Solicitor, appearing on behalf of the Executors of Miss A M Preston, applicant to register Entry No. 5 (now No. 9).

Mr Bailie (Objection No. 495) did not appear - I was told by Mr R P Watkins of the firm of Charlesworth Wood, appearing in another case, that his firm formerly acted for Mr Bailie but had now no instructions and believed that he parted with this land in which he was interested. His objection was that a roadside verge of part of the land registered was not common land. In the absence of evidence in support of the objection, I confirm the registration of the Entry in the Land Section, subject to the exclusion mentioned below.

As regards the rights of common which are registered and are all grazing rights, agreement has been reached between the parties. The objections are withdrawn



with the modifications that the rights be limited to the period 1 January to 31 May in each year (they are already so limited in the case of Entries Nos. 2, 3 and 4) and that the area marked Western Green on the register map be excluded from the registration in the Land Section. Accordingly I confirm the registrations at the Entries in the Rights Section subject to these modifications.

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

5 November

1980

*L. J. Morris Smith*

Commons Commissioner