

COMMONS REGISTRATION ACT 1965

Reference No.268/D/143

In the Matter of Part of the River Swale and  
Land adjacent thereto, Brompton on Swale,  
North Yorkshire (No.4)

DECISION

This dispute relates to the registration at Entry No. 2 in the Ownership Section of Register Unit No.CL,195 in the Register of Common Land maintained by the former North Riding of Yorkshire County Council and is occasioned by the conflicting registration at Entry No 1 in the same section of the Register Unit.

I held a hearing for the purpose of inquiring into the disput at Richmond on 10 May 1978. The hearing was attended by Mr R H Kellett, Solicitor, on behalf of A Braithwaite & Co Ltd., the applicant for the registration, and by D H Ibbotson, Chairman of the Brompton on Swale Parish Council, the applicant for the conflicting registration.

The land comprised in the Register Unit consists of three lengths of half the River Swale and the banks on the north side. The western-most two of these lengths are near to the village of Brompton on Swale and the other is some distance away to the east of Catterick Bridge.

The land to the east has been excluded from the Register Unit by my decision in In the Matter of Part of the River Swale and Land adjacent thereto, Brompton on Swale (No. 1). (1978) Ref. 268/D/139, and Mr Kellet informed me that his clients were not interested in the land to the west.

In these circumstances I refuse to confirm the registration.

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.

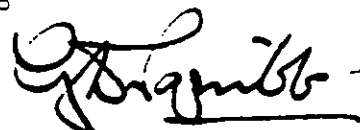
Dated this

21<sup>st</sup>

day of

June

1978



CHIEF COMMONS COMMISSIONERS