



COMMONS REGISTRATION ACT 1965

Reference No.45/U/12

In the Matter of The Batts,  
Azerley, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Batts, Azerley, being the land comprised in the Land Section of Register Unit No.CL 228 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 the Freeholders of the Manor of Mickley claimed to be the freehold owners of the land in question 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 Harrogate on 8th May 1975.

At the hearing Mr D.M.A.Bryant appeared on behalf of himself and the other Freeholders of the Manor.

I am satisfied on the evidence that the land in question is parcel of the Manor of Mickley and that the freeholders in the area described in the Kirkby Malzeard Inclosure Act of 1787 (27 Geo.III, c.xxiv) as the hamlet or district of Mickley are beneficially entitled to the lordship of the manor and to this land.

For the reasons given in my decision in In the Matter of Railer Bank, Mickley, Azerley and Winksley (1975) Ref.No.45/U/10 I am satisfied that the Public Trustee is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register him 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 this 7th day of July 1975

  
Chief Commons Commissioner