



COMMONS REGISTRATION ACT 1965

Reference No.268/D/69

In the Matter of The Green, Little Barugh,  
Barugh (Great and Little), North Yorkshire (No.1)

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG 194 in the Register of Town or Village Greens maintained by the former North Riding County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.CL 28 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Malton on 12th February 1975. The hearing was attended by Mr W.L.Edgar, the Clerk of the Barugh (Great and Little) Parish Meeting.

The registration in the Register of Common Land was made on the application of the Barughs Ambo Parish Meeting. The registration in the Register of Town or Village Greens was made by the Registration Authority without application, though it appears from correspondence with the Clerk of the former North Riding County Council that this registration was made with the concurrence of the Parish Meeting.

Mr Edgar informed me that he had no evidence that the land in question fell within the definition of "town or village green" in section 22(1) of the Commons Registration Act 1965. On the other hand, there is evidence that the land is subject to rights of common which have been registered.

For these reasons 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 3rd day of March 1975

Chief Commons Commissioner