



In the Matter of The Green, Thruscross,
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Green, Thruscross, being the land comprised in the Land Section of Register Unit No YB 173 in the Register of Town or Village Greens 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 former Leeds Corporation claimed to be the freehold owner 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 11 May 1977.

At the hearing Mr G B Deacon appeared on behalf of the Thruscross Parish Meeting.

Mr Deacon told me that the Parish Meeting had looked after the land in question, but merely looking after land in the interests of amenity does not constitute taking possession of it, so that it cannot be said that the Parish Trustees have acquired a possessory title to this land.

In the absence of any other evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register the Harrogate Borough Council as the owner of the land under section 8(3) 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 30th day of May 1977

Chief Commons Commissioner