



In the Matter of The Pinfold, Hargill,  
Township Quarry, and Hassocks Moss,  
Redmire, North Yorkshire (No 1).

DECISION

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This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No CL 161 in the Register of Common Land maintained by the former North Riding of Yorkshire County Council and is occasioned by Objection No 0220 made by Mr J U Machell and Sir Henry Lawson-Tancred, and noted in the Register on 25 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Richmond on 10 May 1978. The hearing was attended by Mr E R D Johnson, solicitor, on behalf of the Redmire Parish Council, the applicant for the registration, and by Mr J H N Towers, solicitor, on behalf of the Objectors.

There are thirty-nine entries in the Rights section of the Register Unit relating to the parts of the land comprised in the Register Unit known as Hassocks Moss and Township Quarry. All these entries are the subject of objections by the Objectors, but Mr Towers accepted that certain of these rights existed, which is sufficient to bring those parts of the land within the definition of "common land" in section 22(1) of the Commons Registration Act 1965.

There are no rights of common registered in respect of the remaining parts of the land comprised in the Register Unit, known as The Pinfold and Hargill, so those parts of the land can only fall within the definition of "common land" in section 22(1) of the Act of 1965 if they are waste land of a manor. There was no argument at the hearing about these areas. However, the Parish Council applied for a registration of The Pinfold in the Ownership section of the Register Unit, and the Objectors who are the lords of the manor of Redmire, did not object to that registration. It is therefore admitted that the ownership of The Pinfold has been severed from the lordship of the manor, with the result that, if it ever was waste land of the manor, it has ceased to be such: see Box Parish Council v Lacey, The Times 26 May 1978.

For these reasons I confirm the registration with the following modification:- namely, the exclusion of the land known as The Pinfold.

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 21st day of

June

1978.

CHIEF COMMONS COMMISSIONER