



In the Matter of The Pound, Land adjacent  
to Reeth Bridge, and Land adjacent to the  
Weir, Reeth, North Yorkshire

DECISION

This reference relates to the question of the ownership of the land known as The Pound, land adjacent to Reeth Bridge, and land adjacent to the Weir, Reeth, being the land comprised in the Land Section of Register Unit No. CL 237 in the Register of Common Land maintained by the North 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 Reeth Parish Council 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 ~~Reeth on 10 June 1982~~.

At the hearing the Reeth Parish Council was represented by Mr H J Stabler, its Vice-Chairman.

Mr Stabler produced a letter dated 5 March 1976, signed by Mr P H Metcalfe, the Secretary of the Reeth Moor Committee, which stated that it had been resolved on 2 May 1975: "That all rights of ownership [of the land in question] be conceded to Reeth Parish Council from the 1st April 1976".

Such a document could not, of course, convey the legal estate in the land to the Parish Council, even if the Moor Committee had the legal estate to convey. Its acceptance by the Parish Council does, however, estop the Council from denying that it was not the owner of the land in 1976. The possession of the land by the Council since 1976 has not continued long enough for it to have acquired a possessory title.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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.

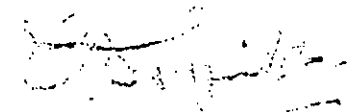
Dated this

17th

day of

June

1982

  
Chief Commons Commissioner

