



In the Matter of The Vicarage Green,
Downholme, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Vicarage Green, Downholme, being the part of the land comprised in the Land Section of Register Unit No. VG 27 in the Register of Town or Village Greens maintained by the former North 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 Downholme Parish Meeting 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 Richmond on 19 July 1977.

At the hearing the Downholme Parish Meeting was represented by Mr J J W Calvert, its Chairman.

Mr Calvert informed me that the land in question has always been regarded as parish property. Trees have been planted on it to celebrate previous Jubilees and it has been mown and kept tidy by local people. The Parish Meeting, however, has not spent any money on the land and there is nothing to show that anyone has been in possession of it, so that no title has been acquired by adverse possession.

In these circumstances 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 Richmondshire District 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 9th day of August 1977


Chief Commons Commissioner