



In the Matter of The Village Green (part), Dalton,
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green (part), Dalton, being the land comprised in the Land Section of the Register Unit No. VG 150 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 Mr T W Metcalfe 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 Mr N Cunliffe-Lister, solicitor, appeared on behalf of Mrs C J Sowerby.

It appears from evidence given by Mr Metcalfe and the documentary evidence adduced by Mr Cunliffe-Lister that the land in question is waste land of the manor of West Dalton otherwise Dalton Righall and is therefore, in the absence of any evidence to the contrary, to be regarded as in the ownership of the lord of the manor. The lordship of the manor, together with Dalton Hall, was vested in the late Hubert Denison Sowerby on 6 November 1940 by the personal representatives of Richard Thomas Reynolds Sowerby. On 1 September 1966 the executors of H D Sowerby vested Dalton Hall in Mrs Sowerby, but the lordship of the manor was not mentioned in the vesting assent. Mrs Sowerby has since sold Dalton Hall to Mr Metcalfe, and it has been agreed that the lordship of the manor should be conveyed to him. However, at the present time the lordship remains with the trustees of the estate of H D Sowerby.

On this evidence I am satisfied that the trustees of the estate of the late H D Sowerby are the owners of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register them as the owners of the land under section 8(2) 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 August 1977

Chief Commons Commissioner