



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/162

In the Matter of The Village Green,
Carlton Husthwaite, Hambleton District

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Carlton Husthwaite, Hambleton District being the land comprised in the Land Section of Register Unit No.VG.58 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. W. J. Dickinson claimed to be the freehold owner of part 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 Northallerton on 8th October 1975.

Mr W. J. Dickinson appeared and produced a conveyance to him of Carlton Hall by Lt. Col. Palmer dated 10th June 1975 whereby Carlton Hall including its walled garden was conveyed to him and a statutory declaration by Lt. Col. Palmer dated 8th June 1975 to the effect that he was responsible as chairman of the Parish Meeting for effecting the registration of Unit No.VG.58 and included the said walled garden in error. The Parish Meeting have by a letter dated 26th March 1974 addressed by their solicitors to the Commons Commissioners admitted that the Walled Garden edged red on the plan annexed to this decision was included in the registration in error.

On this evidence I am satisfied that Mr Dickenson is the owner of the said land edged red and in the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land in question.

I shall accordingly direct the North Yorkshire County Council as the registration authority to register Mr W. J. Dickenson as the owner of the walled garden edged red and to register Hambleton District Council as the owner of the remainder of the land in question 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 8th day of December 1975

C A Lett

Commons Commissioner

