



COMMONS REGISTRATION ACT 1965

Reference No 268/U/208

In the Matter of the Village  
Green, Silton, Hambleton District,  
North Yorkshire

---

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Silton, Hambleton District, North Yorkshire being the land comprised in the Land Section of Register Unit No VG. 29 in the Register of Town or Village Greens 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 Mr D J E Guthe said (letter dated 30 April 1974 written on behalf of Mr J E Guthe proprietor of the Kepwick Estate) that the Estate does not claim freehold ownership of the Green, neither is there anything known concerning such ownership but that the Estate does own almost all the land and properties immediately surrounding the Green and has for some years regularly mown the grass surrounding the Green for the benefit of the Village. No other person claimed to be the freehold owner of the land in question or 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 21 February 1978. At the hearing (1) Silton and Kepwick Parish Council were represented by Mr C J R Procter solicitor with Hunt & Wrigley, Solicitors of Northallerton and (2) West Hartlepool Steam Navigation Company Limited ("the Company") was represented by Mr R K Hendry chartered surveyor and chartered land agent, the resident land agent of their Kepwick Estate.

Of the land ("the Unit Land") comprised in this Register Unit, Mr Hendry on behalf of the Company claimed ownership of the east part. In the course of the hearing he agreed that this part could conveniently be defined by reference to a straight line ("the Dividing Line") which could be drawn on the Register map (based on the OS map 1/2500) which at its north end passed through the letter "T", being part of the abbreviation "W.T." printed on such map immediately above "Gold Cup Inn" and which at its south end passed through the letter "t", being part of the word "Site", printed on such map as "Inscribed Stone on Site of Old Manor House". According to the Register map, the Unit Land contains 0.949 of an acre, and the part of it west of the Dividing Line is about 1/10th of the whole or less.

Mr Hendry in the course of his evidence produced: (i) a conveyance dated 24 August 1977 by which Mrs A M Guthe, Mr D J E Guthe and Mr H J Sergeant as personal representatives of Mr J E Guthe (he died on 10 January 1975) conveyed to the Company (among other lands) the part of the Unit Land east of the Dividing Line, (ii) a copy of the probate of the will of Mr J E Guthe, and (iii) a copy of a conveyance dated 27 March 1916 by which Mr E H Warner conveyed to Mr J E Guthe (with other lands) the part of the Unit Land. In the 1977 and 1916 conveyances this



part and an adjoining and much smaller area on the east and southeast is described as "land situate on the south side of Town Street...together with the joiners Workshop erected thereon..." and Saw Pit and Joiner's Shop...17" meaning 17 perches.

As regards the part of the Unit Land east of the Dividing Line, the 1977 conveyance is inconsistent with the 1974 letter of Mr D J E Guthe; I conclude that when writing the letter he had in mind the part of the Unit Land west of the Dividing Line and overlooked the land opposite the "joiners Workshop"; on the evidence outlined above I am satisfied that the Company is the owner of the part of the Unit Land east of the Dividing Line and I shall accordingly direct the North Yorkshire County Council as registration authority to register the West Hartlepool Steam Navigation Company Limited of 4 Church Square, Hartlepool, Cleveland as the owner of such part under section 8(2) of the Act of 1965.

Mr Procter on behalf of the Parish Council offered no evidence of the ownership of the part west of the Dividing Line and was agreeable that I should proceed under subsection (3) of the section. In the absence of evidence therefore I am not satisfied that any person is the owner of this part of the Unit Land and I shall accordingly direct the North Yorkshire County Council as registration authority to register Silton and Kewick Parish Council as the owner of this part 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 1st day of March -

1978

*a. a. Bacon Fuller*

Commons Commissioner



COMMONS REGISTRATION ACT 1965

Reference No 268/U/209

In the Matter of a village green in  
Langthorne, Hambleton District,  
North Yorkshire

---

DECISION

This reference relates to the question of the ownership of land being a village green in Langthorne, Hambleton District being the land comprised in the Land Section of Register Unit No VG. 217 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no 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 21 February 1978. There was no appearance at the hearing.

In the absence of any evidence 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 Langthorne Parish 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 28<sup>th</sup> day of February — 1978

a. a. Baker J. C.

Commons Commissioner

