



COMMONS REGISTRATION ACT 1965

Reference Nos. 44/D/2
44/D/3

In the Matter of The Village Green,
Two Acre Quarry and Little Carr,
Terrington, Yorkshire (North Riding)

(No.1)

DECISION

These disputes relate to the registration at Entry No.1 in the Land Section of Register Unit No.163 in the Register of Common Land maintained by the North Riding of Yorkshire County Council and are occasioned by Objection No. 044 made by the Castle Howard Estates Ltd and noted in the Register on 17th December 1969 and the conflicting registration at Entry No.1 in the Land Section of Register Unit No.146 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Malton on 10th April 1973. The hearing was attended by Mr. E.J.E.Cameron, Chairman of the Terrington with Wyantnorpe Parish Council, which applied for both the registration and the conflicting registration, and by Mr. P.J. Lawrence, solicitor, for the Objectors.

The registration relates to three areas of land, which appear to have nothing in common, except that they are in the same parish. The objection relates solely to the land known as Little Carr, and the conflicting registration relates solely to a number of pieces of land known collectively as the Village Green. There is no objection in relation to the land known as Two Acre Quarry.

The land known as Little Carr was awarded to the Earl of Carlisle by an Inclosure Award made in 1772 under the Act 12 Geo.III, c.cii, subject to the rights of certain persons and their successors in title to get peats from it. Mr. Lawrence informed me that, while the Objectors cannot identify the persons who are at present entitled to these rights, they do not now contend that the rights do not still exist. Therefore Little Carr falls within the definition of "common land" in section 22(1) of the Commons Registration Act 1965.

So far as the Village Green is concerned, Mr. Cameron said that the Parish Council does not now contend that these pieces of land fall within the definition of "common land".

For these reasons I confirm the registration with the following modification:- namely the exclusion of the land known as the Village Green.

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 **18th** day of April 1973

Chief Commons Commissioner