



COMMONS REGISTRATION ACT 1965

Reference No 268/U/214

In the Matter of the village green at
Osmotherley, Hambleton District, North
Yorkshire

DECISION

This reference relates to the question of the ownership of land (in several pieces) being parts of the village green at Osmotherley, Hambleton District and being the land comprised in the Land Section of Register Unit No VG. 108 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 Mrs K Fawcett of 8 South End in a letter dated 17 April 1974 claimed ownership of the part in front of her house and Osmotherley Parish Council in a letter dated 24 May 1974 said that they had purchased the grass verges in Osmotherley in 1957. 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 22 February 1978. At the hearing (1) Osmotherley Parish Council and (2) Mrs K Fawcett were represented by Mr J R Procter solicitor with Hunt & Wigley, Solicitors of Northallerton.

Mr Procter said that the land which Mrs Fawcett in her 1974 letter claimed is not in fact registered, so there is no conflict between her and the Parish Council. He also said that he would offer no evidence of the ownership of the Parish Council because they are content to have a decision under subsection (3) of section 8 of the 1965 Act. So 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 Osmotherley 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 28th day of February — 1978

a. a. Becker Fuller

