



COMMONS REGISTRATION ACT 1965

Reference No.45/U/287

In the Matter of The Village Green or
Jubilee Cross, Bentham, Craven D.,
North Yorkshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green or Jubilee Cross, Bentham Craven D., being the land comprised in the Land Section of Register Unit No.VG.92 in the Register of Town or Village Greens maintained by the former West 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 Bentham Parish Council 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 Skipton on 24th July 1975.

Mr. M.Gillibrand of Messrs. Oglethorpe Sturton and Gillibrand, Solicitors for Bentham Parish Council appeared and produced a statement by Mr.L.J. Blundell, who is a legal executive with his firm and has been so employed since 1946 and a statement by Mr.S.E.Mason, who has been a member of Bentham Parish Council since 1951.

Mr. Blundell who has lived in the locality ever since he was a child in the 1920's states that the land in question has at all times been used by the children for cricket, football and other pastimes. Mr. Mason states that about six years ago there was flooding attributable to faulty piping and the Parish Council was obliged to pay £300 for the repair of faulty piping under the land in question.

On this evidence I am satisfied that Bentham Parish Council is the owner of the land, and I shall accordingly direct the North Yorkshire County Council, as registration authority, to register Bentham Parish Council as the owner 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

31st

day of

July

1975

C.A. Little

Commons Commissioner