

COMMONS REGISTRATION ACT 1965



Reference No. 268/D/314

In the Matter of Thornton Mire and Thornton Rust Green,
Thornton Rust, North Yorkshire

DECISION

This dispute relates to the registration at Entry No 3 in the Land Section of Register Unit No.CL.206 in the Register of Common Land maintained by the North Yorkshire County Council and is occasioned by the conflicting registration at Entry No 1 in the Land section of Register Unit No.VG.156 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 Richmond on 9 June 1982. The hearing was attended by Mrs G Ramsbottom, the Clerk of the Thornton Rust Parish Council, and by Mr W Mayne, the applicant for the conflicting registration. There was no appearance by or on behalf of Mr F.Thwaites, whose application was noted under Section 4 (4) of the Commons Registration Act 1965, or any other person entitled to be heard.

The land comprised in the Register Unit is entered in the Land Section of the Register Unit as three entries. Entry No.1 relates to a piece of land known as Thornton Mire; Entry No. 2 relates to a piece of land known as Thornton Quarry; and Entry No. 3 relates to a piece of land known as Thornton Rust Green. Had reg. 10 of the Commons Registration (General) Regulations 1966 (S.I. 1966 No. 1471) been complied with strictly, Entry No. 3 would have been comprised in a separate Register Unit. However, all three entries were made in Register Unit No.CL.206, and it was stated that the registrations at Entries Nos 1 and 2, being undisputed, became final on 1 October 1970. That left outstanding Entry No. 3, which is in conflict with the conflicting registration.

In the absence of any evidence to support the registration at Entry No. 3, which is the only subject of the reference, I refuse to confirm it.

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

2nd

day of

July

1982


Chief Commons Commissioner