



COMMONS REGISTRATION ACT 1965

Reference No. 268/U/159

In the Matter of Uppleby Village Green,
Easingwold, Hambleton D.

DECISION

This reference relates to the question of the ownership of land known as Uppleby Village Green, Easingwold, Hambleton D. being the land comprised in the Land Section of Register Unit No. VG 173 in the Register of Town or Village Greens maintained by the former North 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 Mr & Mrs R H Bennett, Mr J H Clough-Smith, and J M Knowlson claimed to be the freehold owners of parts 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 Northallerton on 6th October 1975.

Mr P Bains of Messrs Harland & Co appeared for Mr & Mrs Bennett and Mr Clough-Smith and Mr Knowlson appeared in person. Mr Bains produced Mr & Mrs Bennett's deeds which established that the North boundary of his land Uppleby Cottage is the highway now known as the High Street and since the hearing Mr Clough-Smith and Mr Knowlson have provided me with their Deeds which establish likewise that their respective properties are bounded on the North by the High Street. The respective properties of Mr & Mrs Bennett, Mr Clough-Smith and Mr Knowlson are identified on the plan annexed to this decision. The Highway Authority was not represented at the hearing.

On this evidence I am satisfied that Mr & Mrs Bennett, Mr Clough-Smith and Mr Knowlson are respectively the owners of the respective parts of the land in question as are shown on the Register Map to lie between their respective properties and the highway (High Street). I shall accordingly direct the North Yorkshire County Council to register them respectively as the owners of these respective parts of the land in question under section 8(2) of the Act of 1965. As regards the remainder of the land in question I am not satisfied that any person is the owner thereof and I shall accordingly direct the North Yorkshire County Council to register Easingwold Parish Council as the owners of that 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 11th day of December 1975

C A Settle

Commons Commissioner

