



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/231

In the Matter of Rough Hey, Denshaw,
Oldham Metropolitan Borough, Greater Manchester

DECISION

This reference relates to the question of the ownership of land containing about 0.48 of an acre and known as Rough Hey, Denshaw, Oldham Metropolitan Borough (formerly Saddleworth Urban District) being the land comprised in the Land Section of Register Unit No. CL.593 in the Register of Common Land maintained by the Greater Manchester (formerly West Riding) 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 North West Water Authority (formerly North West Pennine Water Board) made and then (having made considerable researches among their deeds) withdrew a claim to ownership. 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 Salford on 10 December 1975. The hearing was attended by Mr Harold Burke on whose application the registration was made.

Mr Burke said:- The land is on the east side of the Oldham-Halifax Road (A672). It is open land, above road level, on which there is a spring. His house (Spring Bank House) adjoins on the northeast. He could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 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 18th day of December 1975

a. a. Baden Fuller

Commons Commissioner