



COMMONS REGISTRATION ACT 1965

Reference Nos. 20/U/88
20/U/101

In the Matter of Withington Common (two pieces),
Tyldesley, Wigan Borough, Greater Manchester

DECISION

These references relate to the question of the ownership of lands, two adjoining pieces known as Withington Common containing about 0.647 hectares (1.598 acres) and about 0.356 hectares (.879 acres) in Tyldesley, Wigan Borough (formerly Tyldesley Urban District) being the lands comprised in the Land Section of Register Unit No. CL.133 and No. CL.260 in the Register of Common Land maintained by the Greater Manchester (formerly Lancashire) 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 no person claimed to be the freehold owner of the lands in question and no person claimed to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Salford on 11 December 1975. At the hearing Wigan Borough Council were represented by Mr A. Kitchen solicitor (the principal assistant solicitor with the Council).

Mr Kitchen said that the Council could not help as to the ownership of these lands.

In the absence of any evidence I am not satisfied that any person is the owner of the lands and they 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 19th day of December 1975.

a. a. Baden Fuller

Commons Commissioner