



COMMONS REGISTRATION ACT 1965

Reference Nos. 220/U/44
220/U/20

In the Matter of (1) Easington Fell containing about 616.66 acres, and (2) a small part of Easington Fell containing about 2.061 acres, Newton in Bowland, Ribbles Valley Borough, Lancashire

DECISION

These references relate to the question of the ownership of (1) the greater part ("the CL66 Referred Part") hereinafter defined of the land known as Easington Fell containing about 616 acres, and (2) the land ("the CL257 land") containing about 2 acres, being the whole of that known as part of Easington Fell, Newton in Bowland, being the lands contained in the Land Section of Register Unit (1) No. CL66 and (2) No. CL257 in the Register of Common Land maintained by Lancashire (formerly West Riding) County Council. The CL66 Referred Part means all the CL66 land except the part which adjoins and is within about $\frac{1}{2}$ a mile of its south-west boundary and has a width of about 120 yards or less and of which the Rt Hon Lord Clitheroe was on 5 January 1970 in the Ownership Section registered as the owner. Of the CL66 Referred Part and of the CL257 land no person is registered under the section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of these references, Mr Frank Smith, Solicitor of Cross Hills near Keighley said (letter of 14 November 1986) that the CL66 land appears to be in the ownership of the Crane family. No person claimed to be the owner of either the CL66 Referred Part or the CL257 land, or to have any other information about their ownership.

For the purpose of inquiring into the ownership of the CL257 land I held at hearing at Burnley on 8 April 1986. At the hearing Mr Walter James Harrison and his son Mr Geoffrey Harrison attended in person. On 9 April 1986 I, accompanied by Mr G Harrison, inspected the CL257 land and saw some of the CL66 land which adjoins. For the reasons set out in my CL257 decision dated 9 September 1986, I said I was not then satisfied that Mr W J Harrison or anyone else was the owner of the CL257 land, and I adjourned the hearing.

On 15 March 1968 at Nelson, I held a hearing for the purpose of inquiring into the ownership of the CL66 Referred Part and of continuing my April 1986 CL257 adjourned hearing. At such hearing (1) Mr Walter James Harrison who applied for the CL66 Rights Section registration at Entry No. 1 and his son Mr Geoffrey Harrison attended in person as before; (2) Mrs Gladys Crane was represented by her son Mr John Roderick Crane; (3) Mr Ernest Harrison who with his wife Jennie Harrison (she died 6 April 1987) applied for the CL66 Rights Section registration at Entry No. 3, attended in person; (4) Mr William Pinder who as tenant with Colonel William Ralph Peel and Colonel William Hugh Clifford (Trustees of the Peel Settled Estates) as owners applied for the Rights Section registration at Entry No. 7, attended in person; and (5) Lancashire County Council as Registration Authority were represented by Mrs S M Cuncliffe.



Mr J R Crane on behalf of his mother Mrs Gladys Crane claimed she was the owner of both the CL66 Referred Part and of the CL257 land, and in support of such claim gave oral evidence in the course of which he produced the documents specified in the Schedule hereto, and said (in effect):- Walter Crane was his father. He (the witness) and his mother are now in partnership over a number of farms including Robinson and Easington Fell; they had some stock on Easington Fell.

The plans with the 1927 Particulars (JRC/3) and on the 1927 conveyance (JRC/2) include the CL66 Referred Part and the CL257 land; OS No. 129 adjoins and is within the north boundary of the CL66 land; the east boundary of OS No. 1 corresponds closely with the west boundary of Harrop Hall Farm as delineated on the plan annexed to the 1965 conveyance (GH/1) produced at my April 1986 CL257 hearing; the south boundary of OS No. 1 as shown on the 1927 plans includes some land south of the CL66 and perhaps also includes some of the land of which Lord Clitheroe is registered as the owner. Messrs W G and G Harrison, Mr E Harrison and Mr W Pinder, after looking at the plans on the documents produced by Mr Crane said that they did not dispute the ownership claim he was making on behalf of his mother.

On this evidence I am satisfied that she is the owner of the CL66 Referred Part and the CL257 land and I shall accordingly pursuant to Section 8(2) of the Commons Registration Act 1965 direct Lancashire County Council as registration authority to register Mrs Gladys Crane of Armadale Lodge, 17 Bark Lane, Addingham, nr Ilkley, West Yorkshire as the owner of the CL66 Referred Part and of the CL257 land. I am *not* concerned with any conflict there may be between the boundary of OS No. 1 as shown on the 1927 plans, and the boundary of this register unit and the boundary of the part of it of which Lord Clitheroe has been registered as the owner as shown on the Register map.

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.

TURN OVER



SCHEDULE
(Documents produced)

JRC/1	2 March 1953	Conveyance by George Frederick Hanson, John Leslie Hanson and Francis Henry Hanson as personal representatives of Jones Hanson (he died 30 April 1951) to Walter Crane of 1934.694 acres of land delineated on the plan annexed to a conveyance dated 24 November 1927 (JRC/2 below) and described in the Schedule; such description comprised by reference to OS Nos and acreages 12 farms and "Easington Fell" the latter being:						
		<table border="0"> <thead> <tr> <th style="text-align: left;">OS Nos</th> <th style="text-align: right;">Acres</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: right;">612.964</td> </tr> <tr> <td style="text-align: center;">129</td> <td style="text-align: right;">4.733</td> </tr> </tbody> </table>	OS Nos	Acres	1	612.964	129	4.733
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1	612.964							
129	4.733							
JRC/2	24 November 1927	Conveyance by William King Wilkinson to Ambrose Shepperd of a "portion of the Slaidburn Estates..." with plan and description relevantly as in JRC/1.						
JRC/3	9 August 1927	Auction Particulars of Slaidburn Estates: Lot 51 coloured grey on Plan No 6: 617a. 2r. 3lp. as:						
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JRC/4	5 October 1981	Assent by Gladys Crane and John Percival Mewies as executors of Walter Crane (reciting his death on 18 July 1971 and probate of his will on 25 April 1972) in favour of Gladys Crane in fee simple as in Schedule: First Part, Robinson Farm; Second Part, Easington Fell (described as above) with "Right to graze 75 sheep thereon".						

Dated this 21st — day of April — 1988.

a. a. Boden Fuller