



COMMONS REGISTRATION ACT 1965

Reference No. 220/U/4

In the Matter of Hapton Moor (part),
Hapton, Burnley Borough, Lancashire

DECISION

This reference relates to the question of the ownership of land being part of that known as Hapton Moor, Hapton, Burnley Borough and being the land comprised in the Land Section of Register Unit No. CL159 in the Register of Common land maintained by the 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 land in question and no 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 Preston on 25 November 1981. There was no appearance at the hearing.

The land in this Register Unit is U-shaped and lies between the Burnley-Accrington Road (A679) on the north and Great Hameldon (1,343 feet) on the south. The southern and the widest part of the U is a little more than $3/4$ of a mile long and about $1/4$ of a mile wide. The northwest part of the U adjoins the road and this part is between 150 and 250 yards from east to west. The northeast part of the U is about 200 yards south of the Road and this part is about $1/4$ of a mile wide from east to west. Disputes relating to the Land Section registration and to the Rights Section registrations were the subject of a hearing held by me at Preston on 10 May 1978 and about which I gave a decision dated 16 May 1978 under Reference Nos. 220/D/46-49.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain 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 — 1981

a. a. Baden Fuller

Commons Commissioners