



## COMMONS REGISTRATION ACT 1965

Reference No.45/U/186

In the Matter of Simpson's Moss  
and White Moss, Easington, Ribble  
Valley D., Lancashire

DECISION

This reference relates to the question of the ownership of land known as Simpson's Moss and White Moss, Easington, Ribble Valley District (formerly Bowland Rural District, Yorkshire West Riding) being the land comprised in the Land Section of Register Unit No.CL.430 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 Mr. and Mrs. T. Parsons claimed ownership of Simpson's Moss. 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 Skipton on 3 April 1974. At the hearing Mr. T. and Mrs. M. Parsons were represented by Mr. R. P. Hirst articled clerk with Steele & Son, Solicitors of Clitheroe.

The land comprised in this Register Unit, which contains (according to the Register) 9.639 hectares (about 23.8 acres), is made up of two pieces of about the same size on either side of and a little distance from the Slaidburn-Tossie road (B.6478). It was registered in consequence of an application to register a right attached to Hammerton Hall Farm No.1, Hammerton Hall Farm No.2, and Raingill, to get and remove peat and rushes.

Mr. Hirst in the course of his evidence produced the following documents of title all of which were held by his firm on behalf of Mr. and Mrs. Parsons - (1) An examined abstract dated 1966 of the title of Mr. K. T. Whipp to land in the township of Easington; (2) a conveyance dated 11 May 1966 by which Mr. Whipp conveyed to Mr. J. M. B. Chadwick 69.116 acres of land, being part of Stephen Moor Lodge Farm; (3) a conveyance dated 16 June 1969 by which Mr. Chadwick conveyed to Mr. R. J. Gross first two fields forming part of Quarry House Farm and secondly the said 69.116 acres; (4) an examined copy of a legal charge dated 16 June 1969 by which Mr. Gross charged to the Agricultural Mortgage Corporation Limited (with other land) the said 69.116 acres; (5) a conveyance dated 19 June 1972 by which the said Corporation conveyed to Mr. and Mrs. Parsons the said 69.116 acres.

Mr. F. Pickersgill solicitor, who attended the hearing to represent the Lancashire County Council as registration authority, showed me a copy of the application for registration of rights in which the northern and southern of the two pieces which make up the land in this Register Unit, were respectively described as White Moss and Simpson's Moss.



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From the documents of title produced by Mr. Hirst (particularly the plans attached to the 1966 and 1969 conveyances and to an abstracted statutory declaration made in 1948), I identify the southern of the two pieces with part of the said 69.116 acres, the title to which of Mr. and Mrs. Parsons is I think regularly deduced by the said documents. And because the piece is called Simpson's Moss, it is I think worth recording, that the abstract shows that it originally belonged to Mr. W. Simpson who died on 4 April 1877 having devised it (with much other land) to his brother and three sisters.

For these reasons I am satisfied that Mr. and Mrs. Parsons are the owners of the southern of the said two pieces, and I shall accordingly under section 8(2) of the Act of 1965 direct the Lancashire County Council, as registration authority, to register Mr. Theodore Parsons and Mrs. Margaret Parsons of High Edge Farm, Slaidburn as the owners of the southern of the two pieces (being that on the southeast side of the road B6478) which make up the land comprised in this Register Unit. In the absence of any evidence I am not satisfied that any person is the owner of the northern of the said two pieces, 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 22<sup>nd</sup> day of

April

1974.

a. a. Baden Fuller

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Commons Commissioner