



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/13

In the Matter of Broad Piece, Biggin Lane.
Church Fenton, Tadcaster R.D., Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as Broad Piece, Biggin Lane, Church Fenton, Tadcaster Rural District, being the land comprised in the Land Section of Register Unit No.C.L.50 in the Register of Common Land maintained by the 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 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 Wakefield on 18th May 1972.

On behalf of the Church Fenton Parish Council ("the Council") evidence was given by Mr. C. Boddy, their present chairman, who could remember the land for more than 50 years. Ever since he can remember it, it has been an open green place. The County Council have cut the grass edges from time to time. The Parish Council have interested themselves in preserving it; at some time during the last 10 years, some gypsies have tried to camp there and with the help of the police they were moved on and did not come again. At present it is full of bluebells.

I cannot, I think, on the above evidence (there was none other) properly find that the Parish Council is the owner. No person other than the Parish Council attended the hearing.

For these reasons I am not satisfied that any person is the owner of the land it will therefore fall into protection under section 9 of the Act.

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 12th day of June 1972

a. a. Baden Fuller

Commons Commissioner