



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/191

In the Matter of land on the east side of Brierley Road
and immediately north of Grimethorpe Institute, Brierley

DECISION

This reference relates to the question of the ownership of land above described being the land comprised in the Land Section of Register Unit No. VG 51 in the Register of Town or Village Greens, maintained by the former 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 the National Coal Board claimed to be the freehold owner of the land in question and no other 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 Doncaster on 15 June 1982.

At a previous hearing in Barnsley in March 1979 ownership of the land had been claimed by Mr G M T Foljambe. This claim was withdrawn subsequent to the hearing and the reference was reopened.

At the reopened hearing Mrs J Milton, Solicitor appeared for the Barnsley Metropolitan Borough Council and Mr J Adams, Solicitor with the National Coal Board appeared for the Board.

Mr Adams produced a Conveyance made the 26 January 1920 by which the register unit together with other land had been conveyed by the Foljambe Estate to Carlton Main Colliery Company Limited. Title devolved on the Board by virtue of the Coal Industry Nationalisation Act, 1946.

On this evidence I am satisfied that the National Coal Board is the owner of the land, and I shall accordingly direct the South Yorkshire County Council, as registration authority, to register the National Coal Board as the owner of the land under section 8(2) 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

13th

day of

July

1982

George Harnett