



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/192

In the Matter of Peat Ground,
Holme, Harden, Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Peat Ground, Holme, being the land comprised in the Land Section of Register Unit No. CL 306 in the Register of Common Land maintained by the former County Council of the West Riding of Yorkshire 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 Constable of the Graveship of Holme claimed to be the freehold owner of the land in question and the Charity Commission 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 Barnsley on 6 March 1979.

At the hearing Mr H Quarmby the present Constable of the Graveship of Holme appeared and Mr R C Marslan, the Clerk to Holme Valley Parish Council also attended.

By an Enclosure Award made in 1834 the land in question was allotted to the Constable of the Constabulary of Holme in trust for the owners, tenants and occupiers of estates situate within the Graveship for the purpose of getting peats or turves. This trust was entered on the Register of Charities in 1974 and it appears that the Charity Commission supports the claim of the Constable to ownership.

On this evidence I am satisfied that the Constable of the Graveship of Holme is the owner of the land, and I shall accordingly direct the South Yorkshire County Council, as registration authority, to register the Constable 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

21st

day of

August

1979

L. J. Morris Smith

Commons Commissioner