



COMMONS REGISTRATION ACT 1965

Reference No: 45/C/327

In the Matter of Barcroft Drying  
Ground, Keighley, Bradford City  
Council

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DECISION

This reference relates to the question of the ownership of land known as Barcroft Drying Ground, Keighley, Bradford City Council being the land comprised in the Land Section of Register Unit No CL. 555 in the Register of Common Land 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 Official Custodian for Charities 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 Bradford on 25 January 1978.

Mr Pepper appeared for the West Yorkshire County Council and produced an Order of the Board of Charity Commissioners whereby the land in question (Charity No 3 in the Schedule to the said Order) was vested in the Official Trustee of Charity Lands, now the Official Custodian for Charities.

In my view the Entry in the Rights Section of "right to dry clothes" is a nullity since a right to dry clothes is not a right of common, nor in my view was the Entry in the Land Section properly made but since this is final I have no jurisdiction to deal with that Entry. The land is not subject to any common rights nor can it be waste since the trustees held it upon trust to let the grass and herbage.

I mention this in case it will be of some relevance when any further legislation relating to commons comes into force.

On this evidence I am satisfied that the Official Custodian for Charities is the owner of the land, and I shall accordingly direct the West Yorkshire County Council, as registration authority, to register the Official Custodian for Charities 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 2<sup>nd</sup> day of March

1978

Commons Commissioner