



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/106

In the Matter of Blackwood Common (Part)
Cragg Vale, Mytholmroyd, Calderdale D.

DECISION

This reference relates to the question of the ownership of land known as Blackwood Common (Part) Cragg Vale, Mytholmroyd, Calderdale District being the land comprised in the Land Section of Register Unit No. CL.17 in the Register of Common Land maintained by the former West Riding of Yorkshire 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 Mrs Linda Drury and Mr and Mrs T. O'Connell claimed to be the freehold owners of parts of the land in question and no other person claimed to have information as to the ownership of the remainder of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Huddersfield on 16 October 1974.

Mrs Linda Drury of Far Moorside Cragg Vale appeared and produced two conveyances dated respectively 1963 and 1969 and the plan attached to an earlier conveyance referred to in the said conveyance made in 1963 which established her ownership of the part of the registered land comprising 4.3.52 acres (Mrs Drury's land) marked with her name on the plan annexed to this decision. Miss M.E. Cato of Newstead & Walker Solicitors for Mr and Mrs O'Connell appeared and produced a conveyance dated 24 June 1971 to Mr and Mrs T.O'Connell and the relevant plan identifying the land claimed which established that Mr and Mrs O'Connell are the owners of the part of the registered land comprising ~~3~~ acres or thereabouts (O'Connell's land) marked with their name on the said plan.

On the evidence of Mrs Drury and Miss Cato I am satisfied that Mrs Drury is the owner of Drury's land contained within the boundaries marked "CDEFGC" on the map annexed to this decision and Mr and Mrs O'Connell are the owners of O'Connell's land contained within the boundaries marked "ABCD A" on the map annexed to this decision. In the absence of any evidence as to who is the owner of the remainder of the land in question I am not satisfied that any person is the owner of the said land.

I shall accordingly direct the West Yorkshire County Council, as registration authority, to register Mrs Drury as the owner of Drury's land and Mr and Mrs O'Connell as the owners of O'Connell's land under section 8(2) of the Act of 1965 and the remainder of the land in question will remain subject to protection under section 9 of the Act of 1965.



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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 *First* day of *November* 1974

C A Settle

Commons Commissioner

*Corrected pursuant to
Regulation 33*

C A Settle

23.1.75