



In the Matter of Havercroft Green,
Havercroft-with-Cold Hiendley and
Rhyhill

DECISION.

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG.17 in the Register of Town or Village Greens maintained by the West Yorkshire Metropolitan 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 Havercroft and Cold Hiendley Parish Council claimed to be the freehold owner of the land in question ("the Unit Land").

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Wakefield on 7 May 1985.

At the hearing Mr M P Heley, Solicitor, appeared on behalf of the Parish Council: there was no other claimant.

The Unit Land adjoins the part of Havercroft Green registered as Common Land, CL.148. Ownership of that part was also claimed by the Parish Council: the evidence in support of that claim is summarised in my Decision (Ref: 270/U/5). The same evidence is equally applicable to the present claim, and for the reasons appearing in that Decision, I am satisfied that the Parish Council is the owner of the Unit Land, I shall accordingly direct the West Yorkshire Metropolitan County Council, as registration authority, to register the Parish Council 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

19th

day of

June

1985

L. J. Morris Smith

Commons Commissioner