



COMMONS REGISTRATION ACT 1965

Reference No 45/C/328

In the Matter of Land in Hill House ..
Edge Lane, Oxenhope, Bradford City
Council

DECISION

This reference relates to the question of the ownership of land known as Land in Hill House Edge Lane, Oxenhope, Bradford City Council being the land comprised in the Land Section of Register Unit No CL. 578 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 Mr F R Scholefield 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 26 January 1978.

Mr F R Scholefield appeared in person and Mr Field conveyancing clerk to the Bradford Metropolitan Council appeared for that Council.

Mr Scholefield produced a copy conveyance dated 30 March 1977 made between D P Crowther and J E Lumb of the one part and Mr Scholefield of the other part whereby the Manor or reputed Manor of Oxenhope was conveyed to Mr Scholefield, and a letter from his solicitors Messrs Clarksons certifying that the original conveyance was lodged at HM Land Registry and that the copy conveyance was a true copy.

Mr Field produced the Oxenhope Enclosure Award of 1777 with the map annexed thereto and identified the land in question as having been the subject of an allotment in the following terms:-

"for the getting of sand gravel stone and turves to and for the Publick use and benefit of the said Lady Lords and Proprietors and their several and respective heirs and assigns of the said Commons and Waste Ground in Oxenhope aforesaid for all uses and purposes to be hereafter made use of in the said Lordship sale thereof excepted."

In my view the said allotment left the title to the land in the Lord of the Manor, and the public right is the subject of a final registration in the Rights Section of the Register.

A letter from a Mr J G Balme was produced suggesting that he might have a claim to the land. Mr Field told me that a member of the Balme family was at one time the Lord of the Manor but it is clear from the above mentioned conveyance that the Lordship of the Manor of Oxenhope had passed out of the ownership of the Balme family some time before 12 August 1969 when it was sold by J E Gillings & Co Ltd to W B G Cran, D P Crowther and J E Lumb.



On this evidence I am satisfied that Mr F R Scholefield is the owner of the Land, and I shall accordingly direct the West Yorkshire County Council, as registration authority, to register Mr F R Scholefield as the owner of the land under section 2(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 16th day of February 1978

Y. G. Little

Commons Commissioner