



In the Matter of Marsh Haigh (part near Little Moss) Saddleworth

DECISION

This reference relates to the question of the ownership of the above land, being the land comprised in the Land Section of Register Unit No.CL.486 in the Register of Common Land maintained by the former 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 no person claimed to be the freehold owner of the land in question or 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 Wakefield on 9 May 1985.

There was no appearance at the hearing by any claimant. Subsequently a claim to ownership was notified by North West water Authority, and the hearing was re-opened and held at Halifax on ~~9 May~~ ^{3 June} 1986. Again there was no appearance by any claimant.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

24 June

1986

L. J. Morris Smith
Commons Commissioner