



In the Matter of Netherwood Hey, Colne
Valley

DECISION

This reference relates to the question of land described above being the part of the land comprised in the Land Section of Register Unit No. CL.454 in the Register of Common Land maintained by the West Yorkshire Metropolitan County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Acts.

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 8 May 1985.

At the hearing Mrs M Laycock and Mrs K Ingledew appeared in person and claimed joint ownership. No other claimant appeared.

The land comprised in CL.404 is a comparatively large area of some 97 acres, a small piece of which is registered freehold under the Land Registration Acts, and this inquiry is not concerned with that piece. CL.454 adjoins another part of Netherwood Hey CL.580, the ownership of which was also claimed by Mrs Laycock and Mrs Ingledew at this hearing. The evidence given in that case is set out in the Decision (Ref: 270/U/19) and Mrs Laycock contented herself in saying that that evidence is the same in regard to CL.454. I found that evidence insufficient to establish ownership of CL.580, and equally it is in my view insufficient to establish ownership of CL.454.

In the result I am not satisfied that any person is the owner of the land in question, 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

20 August

1985

L. J. Morris Smith
Commons Commissioner