



COMMONS REGISTRATION ACT 1965

Reference No 45/U/358

In the matter of part of Little Moor,
at Wadsworth, Hebden Royd, Calderdale
District, West Yorkshire

DECISION

This reference relates to the question of the ownership of land being part of that known as Little Moor, at Wadsworth, Hebden Royd, Calderdale District being the land comprised in the Land Section of Register Unit No CL. 18 in the Register of Common Land maintained by the West 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 no person claimed to be the freehold owner of the land in question and no 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 Halifax on 6 April 1976. At the hearing (1) the Rt Hon George Halifax Baron Savile was represented by his Agent, Mr R S Preston-Jones, (2) Miss K M Pickles, on whose application a right attached to Middle Nook to graze 120 sheep or 30 cows over this and other land has been entered in the Rights Section of this Register Unit, attended in person and (3) Calderdale Metropolitan Borough Council who are the successors of Hebden Royd Urban District Council (the applicants for the registration in the Land Section), were represented by Mr D W G Harris, assistant solicitor in their Administrative Department.

The land ("the Unit Land") comprised in this Register Unit contains (according to the plan on the below mentioned lease) 1.63 acres and is west of and adjoins Mount Skip Height Road (a minor road between Midgley and Pecket Well), is south of Middle Nook and north of Mount Skip Inn. It is a waste piece of ground, with rocks, stones and rough grass.

Mr Preston-Jones, who has for the past 14 years been Agent to Lord Savile, and had the management of the Savile Estates in his charge, in the course of his evidence produced: (1) A counterpart lease dated 24 June 1973 by which Lord Savile let 17.42 acres of land, mostly on the east side of Mount Skip Height Road but including on the west side the Unit Land and some land to the north, to Hebden Royd Urban District Council for 21 years from 25 March 1973, and which contained a covenant by the Council to use the demised premises as a recreation area for the public; (2) A map dated 1856 showing the encroachments on Wadsworth; and (3) A map of the Estates (they extend about 3 miles to the north and about a mile to the east). Mr Preston-Jones said (in effect):- Sir George Savile in the time of Queen Elizabeth I was Lord of the Manor of Wadsworth, and the ownership of the



manorial wastes have been continuously in the Savile family since those days. The deeds relating to the Estates made before 1965 did not include any plan, but he believed that Lord Savile is entitled to the ownership of the manorial wastes and commons of the Manor of Wadsworth including the Unit Land.

Mrs Pickles said that she had lived in High Royd Farm for the last 27 years and in Wadsworth for the 23 years before that, and that she had always understood that the Unit Land belonged to Lord Savile. In summertime the Unit Land is beautiful.

After the hearing Mr Preston-Jones sent me a certified copy of an abstract of the title of Lord Savile to lands forming part of the Savile York Estate commencing with a vesting deed dated 24 January 1940 and concluding with a deed of discharge also in his favour dated 14 March 1961.

On the evidence summarised above I am satisfied that Lord Savile is the owner of the Unit Land, and I shall accordingly direct Yorkshire County Council, as registration authority, to register the Rt Hon George Halifax Baron Savile 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 14th day of May —

1976

a. a. Baker Fuller

Commons Commissioner