



Reference Nos. 270/D/114  
270/D/115

In the Matter of Shaw Cow  
Hey (part), Kirkstiles  
Metropolitan Borough, West Yorkshire

DECISION

This dispute relates to the registrations at Entry No. 1 in the Land Section and at Entry No. 1 in the Rights Section of Register Unit No. CL 564 in the Register of Common Land maintained by the West Yorkshire County Council (formerly West Riding County Council) and are occasioned by Objection No. 1522 made by the Earl of Dartmouth and noted in the Register on 11 January.

I held a hearing for the purpose of inquiring into the dispute at Huddersfield on 3 December 1981. At the hearing (1) the Earl of Dartmouth was represented by Mr J P F Dixon solicitor of Clarksons, Solicitors of Halifax; and (2) Mr Thomas Roger Lonsdale of High Fall Farm as successor of Mrs Alma Dixon on whose application the Rights Section registration at Entry No. 1 was made, attended in person.

The land in this Register Unit is a triangular area, is situated on the south side of and for a little under 1/2 a mile adjoins the A640 road from Rochdale to Huddersfield, and extends for about 2/3 rds of a mile south of this road. The Rights Section registration (there is only one) is of a right attached to High Fall Farm to graze this land, the land in Register Unit No. CL 384 and part of the land in Register Unit No. CL 39. The Land Section registration was made in consequence of the application for the registration of the said right. The grounds of the Objection in effect put in question both the registrations.

Mr Lonsdale said that he bought High Fall Farm in April 1976 from Mr and Mrs J Ashley who succeeded Mrs Dixon, and that his present wish was to preserve the claims she had made against the CL 384 and the CL 39 lands. So, Mr Lonsdale being agreeable, I refuse to confirm these CL 564 registrations.

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 10th — day of February — 1982

*C. C. Boden-Feller*

Commons Commissioner