



COMMONS REGISTRATION ACT 1965

Reference No.45/U/198

In the Matter of The Waste Piece,
Pool, West Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as The Waste Piece, Pool, being the land comprised in the Land Section of Register Unit No.C.L.277 in the Register of Common Land maintained by the former West Riding of 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 one 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 Harrogate on 27th March 1974.

At the hearing the Pool Parish Council was represented by Mr. G.Middlemiss, its Vice-Chairman.

In the Tithe Rentcharge Apportionment for the parish of Pool, dated 5th June 1845, the land in question is described as "Old Quarry" and unoccupied, the owners being stated as "Freeholders of Pool". Most of the land now lies open to the public under the general control of the Parish Council, though they do no work to it, but since 1947 the Parish Council has been receiving rent for parts of it at present used as sites for temporary bungalows and garages.

Although the evidence is somewhat meagre, I have come to the conclusion that the Parish Council has been in possession of the whole of the land since 1947 at the latest and that it has ousted the former owner or owners.

For these reasons I am satisfied that the Pool Parish Council is the owner of the land, and I shall accordingly direct the West Yorkshire County Council, as registration authority, to register the Parish Council 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 25th day of April 1974


Chief Commons Commissioner