

COMMONS REGISTRATION ACT 1965



Reference No. 270/U/22

In the Matter of Wessenden Valley, Colne
Valley, Kirklees

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL. 126 in the Register of Common Land maintained by the 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 Mr H W Sykes claimed to be the freehold owner of the land in question and no other 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 Wakefield on 8 May 1985. At the hearing Mr Sykes appeared in person and no other claimant appeared.

By a written Assent dated 23 November 1962 the personal representative of Esther Ann Sykes assented to the vesting in Mr Sykes of an area of land of some 3 acres, delineated on the plan there referred to, with the premises known as Wessenden Lodge (formerly Wessenden Cottage) erected thereon.

A copy of the plan is annexed to this Decision. The area shown includes part of the land in question, and on the evidence I am satisfied that Mr H W Sykes is the owner of that part, I shall accordingly direct the West Yorkshire Metropolitan County Council, as registration authority to register him as the such owner under section 8 (2) of the Act of 1965. As to the remainder of the land in question, I am not satisfied that any person is the owner, 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 this

26th

day of

July

1985

H. J. Morris Smith

Commons Commissioner