



In the Matter of Hebden Edge Side Quarry,
Highway Allotment Hebden-----

DECISION

This dispute relates to the registration at Entry No. 5 in the Rights section of Register Unit No. CL.81 in the Register of Common Land maintained by the North Yorkshire County Council and is occasioned by Objection No. 85 made by G E Metcalfe and noted in the Register on 4 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Skipton on 2 July 1985. The hearing was not attended by any person entitled to be heard.

The right provisionally registered is to take surface stone from CL.81 which is described as a quarry and a highway allotment. The objection is on the grounds that the rights do not extend to property outside the Hebden Township. This seems inherently likely. It is clear from the supplemental map that the applicant's land lies outside, though on the border of Hebden Civil Parish. This fact combined with the fact that the applicant though served with notice of this hearing has not appeared to support her registration leads me to the conclusion that her claim was not justified. I accordingly refuse to confirm the registration.

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

11th

day of

July

1985

Peter Lumsden-Davies
 Commons Commissioner