



COMMONS REGISTRATION ACT 1965

Reference No.45/U/71

In the Matter of Village Green,
Hillam, Osgoldcross R.D.,
Yorkshire West Riding

DECISION

This reference relates to the question of the ownership of land known as Village Green, Hillam, Osgoldcross Rural District being the land comprised in the Land Section of Register Unit No.VG.77 in the Register of Town or Village Greens maintained by the West Riding 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 Wakefield on 5 February 1974. At the hearing Hillam Parish Council was represented by Mr. J. L. Robinson, their chairman.

Mr. Robinson said:- The land is a small piece in the centre of the Village surrounded by roads. It is grass land; there has been a tree on it for years; the old one died and a new one (a flowering horse chestnut) was planted; round the tree there is a seat.

Mr. Robinson, who was for the purpose of the two cases heard after this one relying on the Hillam Inclosure Award dated 9 March 1811, said the land comprised in this Register Unit was not dealt with by a mention in the award.

In the absence of any evidence (none was offered by the Parish Council) I am not satisfied that any person is the owner of the land, and I shall accordingly direct the West Riding County Council, as registration authority, to register Hillam Parish Council as the owner of the land under section 3(3) 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 March 1974.

a. a Baden Fuller

Commons Commissioner