



COMMONS REGISTRATION ACT 1965

Reference No. 45/W/360

In the Matter of Norland Moor, Calderdale  
Borough, West Yorkshire

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DECISION

This reference relates to the question of the ownership of land known as Norland Moor and containing (according to the Register) about 232.2 acres, Calderdale Borough being the land comprised in the Land Section of Register Unit No. CL. 220 in the Register of Common Land maintained by the West 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 Sowerby Bridge Urban District Council and their successors Calderdale Metropolitan Borough Council claimed ownership of the land in question and Mr Clement Hill wrote that Norland Moor was purchased by Norland Parish Council with money raised by public subscription in the early 1930's. No other person claimed to be the freehold owner of the land or 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 Halifax on 6 April 1976. At the hearing Calderdale Borough Council were represented by Mr D W G Harris, assistant solicitor in their Administrative Department, and Norland Community and Sports Club were represented by Mr G W Barnard. Mrs Ivy Musgrove attended part of the hearing but left, because (so I was informed) she was satisfied that the land in which she was interested formed no part of that comprised in this Register Unit.

Mr Harris produced: (1) a conveyance dated 9 November 1932 by which the land therein described was conveyed to Norland Parish Council upon trust for the perpetual use thereof by the public for the purposes of exercise and recreation, and (2) a copy of a scheme dated 8 October 1937 and made by the Charity Commissioners providing that the charity consisting of land comprised in the said conveyance and the endowments thereof should thenceforth be administered by the Sowerby Bridge Urban District Council.

Mr J Broadbent who is now and has for the last two years been Assistant Chief Officer in the Amenities and Recreation Department of the Council in the course of his evidence said that the land is an amenity area on a pleasant hillside, and is used extensively for recreation. He produced a copy of the Byelaws made by the Parish Council for its regulation.

By comparing the Register map with the plan annexed to the 1932 conveyance, I conclude that the land comprised in this Register Unit is the same as that thereby conveyed. Mr Harris drew my attention to section 46 of the Local Government Act 1929, and the Review Order 1937 made under it by which the property of Norland Parish Council (thereby dissolved) vested in Sowerby Bridge Urban District Council, and also to section 210 of the Local Government Act 1972, explaining that for this area no parish council has been constituted.



On the evidence and considerations summarised above, I am satisfied that the Borough Council are the owners of the land, and I shall accordingly direct the West Yorkshire County Council, as registration authority, to register Calderdale Metropolitan Borough Council as the owners of the land under section 3(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 13<sup>th</sup> day of April — 1976

a. a. Brien J. Llew

Commons Commissioner