

COMMONS REGISTRATION ACT 1965



Reference No. 45/U/339

In the Matter of part of Brow Moor, Haworth

DECISION

This reference relates to the question of the ownership of land known as part of Brow Moor, Haworth being the land comprised in the Land Section of Register Unit No. CL 637 in the Register of Common Land maintained by the former 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 Yorkshire Water Authority claimed to be the freehold owner of part 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 Bradford on 10 February 1981.

Mr R J Simpson appeared for the Water Authority and Mr Braithwaite appeared in person but made no claim to ownership. Mr Simpson produced a series of documents beginning with an account of a penambulation of the Boundaries of the Manor of Haworth in September 1788, that the former Craven Water Authority, to which authority the Yorkshire Water Authority was the present successor was the owner of the western half of the land.

On this evidence I am satisfied that Yorkshire Water Authority is the owner of the western half of the land. I shall accordingly direct the West Yorkshire County Council, as registration authority, to register the said Water Authority as the owner of such half under section 8(2) of the Act of 1965; the remainder it will 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

13th

day of

July

1981

Commons Commissioner