

COMMONS REGISTRATION ACT 1965



Reference NO. 270/U/17

In the Matter of Shaw Cow Hey (part),
Colne Valley

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.608 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 no person claimed to be the freehold owner of the land in question 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 Wakefield on 7th & 8th May 1985.

There was no appearance at the hearing on 7 May. On 8 May Mrs M. Laycock and Mrs K Ingledew appeared in person and I agreed to re-open the hearing.

The land comprised in this Register Unit, CL.608, is a small area of less than 2 acres. It adjoins Register Unit CL.580, ownership of which was also claimed at the hearing on 8 May by Mrs Laycock and Mrs Ingledew. The evidence given in support of that claim is set out in the Decision (Ref: 270/U/19) and, in regard to CL.608, Mrs Laycock said that the same evidence applied, and no further evidence was adduced. In the case concerning CL.580 I found the evidence insufficient to establish ownership, and I am of the same opinion as regards this claim to ownership of CL.608.

In the result I am not satisfied that any person is the owner of the land, 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 High Court.

Dated

20 August

1985

Commons Commissioner