



COMMONS REGISTRATION ACT 1965

Reference No. 20/U/37

In the Matter of Highfield Moss, Golborne,
Wigan Borough, Greater Manchester

DECISION

This reference relates to the question of the ownership of land known as Highfield Moss, Golborne, Wigan Borough being the land comprised in the Land Section of Register Unit No. CL.1 in the Register of Common Land maintained by the Greater Manchester County Council (formerly the Lancashire 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 Salford on 11 December 1975. At the hearing, Wigan Borough Council were represented by Mr A Kitchen their principal assistant solicitor and Mr Herbert Worsley attended in person on his own behalf and as representing his brother Mr Lesley Worsley and his son Mr Peter Worsley (they carry on business as farmers under the name, "Worsley Brothers").

The land ("the Unit Land") comprised in this Register Unit contains (according to the Register) about 17.911 hectares (44.24 acres). The Rights Section has two Entries (1) made on the application of Mr Herbert Worsley and Mr Leslie Worsley of a right attached to Highfield and Lowton House Farm to graze 11 cattle and of common of turbary over the whole of the Unit Land; and (2) made on the application of Mr B J Ashcroft of a right attached to Byrons Farm of common of turbary over part of the Unit Land.

Mr Kitchen said that his Council made no claim to and had no information about ownership. Mr Worsley described the Unit Land which he knew well having lived nearby since 1913, and gave me some information as to how it is currently being used; but he gave no evidence about its ownership.

In the absence of any evidence 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 the High Court.

Dated this 19th day of *January* 1976

a. a. Bardin Fuller

Commons Commissioner