

COMMONS REGISTRATION ACT 1965

Reference No. 45/U/333

In the Matter of Deep Arse Quarry,
Oxenhope Bradford City Council

DECISION

This reference relates to the question of the ownership of land known as Deep Arse Quarry Oxenhope Bradford City Council being the land comprised in the Land Section of Register Unit No. CL.598 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 and F R Scholefield claimed to be the freehold owner 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 26 January 1978.

Mr R J Simpson appeared for the Yorkshire Water Authority, the successor to the Water undertaking of the Bradford Corporation and produced the plan annexed to this decision and two conveyances and a Deed Poll.

By the same Deed Poll dated 20 June 1874 Joseph Denby conveyed the land coloured yellow on the said plan to the Bradford Corporation by a conveyance dated 8 February 1875. Messrs. Stapleton conveyed the land coloured blue in the said plan to the Bradford Corporation and by a conveyance dated 2 December 1902 Riley and Robinson conveyed the land coloured pink on the said plan to the Bradford Corporation. On this evidence I am satisfied that the Yorkshire Water Authority is now the owner of the land coloured yellow blue and pink on the said plan.

As regards the remainder of the land in question the title thereto is indistinguishable from that to the land unit No. CL.578 the subject of my decision on Reference No. 45/U/32 and Mr Scholefield is the owner of that land.

On this evidence I am satisfied that Yorkshire Authority is the owner of the land coloured yellow pink and blue in the said plan and that Mr F R Scholefield is the owner of the remainder of the land, and I shall accordingly direct the West Yorkshire County Council, as registration authority, to register Yorkshire Water Authority and F R Scholefield as the owners of the said respective parts of the land under section 8 (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

23rd

day of March

1978



Commons Commissioner