



COMMONS REGISTRATION ACT 1965

Reference No. 270/D/147-153

In the Matter of Land known as Blackstone
Edge Common in the Boroughs of Rochdale &
Calderdale

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section and Entry Nos 1-12 (incl) in the Rights Section of Register Unit No. CL. 674 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection Nos. 154, 179 and 254 duly noted in the Register and the registration at Entry No 1 in the Ownership section of the same Register Unit occasioned by Objection No. 159.

I held a hearing for the purpose of inquiring into the dispute at Rochdale on 12 October 1982. The hearing was attended by Mr Wells for West Yorkshire Metropolitan County Council, the Registration Authority, Mr A Wright in person as a supporting applicant, Mr Hartley for the North West Water Authority, successor to the West Pennine Water Board, Mr Dixon of Molesworths, Solicitors of Rochdale appeared for the applicants at Entry Nos 1 and 7, Mr J. Worsencroft appeared for Mr F R Worsencroft (Objection No. 179) and Mr A Wright of Hartley Thomas and Wright Solicitors of Rochdale appeared for Mr J P Dearden the applicant in the Ownership Section. Mr W F Lloyd Secretary of the East Lancashire Commons Association, the original applicant in the Land Section was also present as were many of the Rights applicants.

Mr Hartley said that the applicants in the Land and Rights Sections and Mr Wright on behalf of his client agreed that (a) the land shown coloured blue on the plan produced by him and the adjoining Embankments were not common land (b) the land coloured yellow was common land and (c) that the land coloured blue, the embankments and the land coloured Yellow were owned by the North West Water Authority.

Mr Lloyd said that the Rights Applicants accepted that the land edged red on the plans attached to Objection Nos. 154 and 179, and the land known as Stoner Hill Bar was not common land.

For these reasons I confirm the said registration with the following modification, namely, the exclusion of the land edged red on the plan annexed to Objection No. 154 and the land edged blue as aforesaid and the embankments and the land known as Stoner Hill Bar and I confirm the registration at Entry No 1 in the Ownership Section as to the modified Register Unit and excluding the said land coloured Yellow as aforesaid. I am unable to deal with the Water Authority's claim to ownership as there is no Entry in the Ownership Register relating to such claims.

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

14

day of

November

1982

George Herbert

Commons Commissioner