



COMMONS REGISTRATION ACT 1965

Reference No 45/U/239

In the Matter of Pump Hill, Aberford,
Leeds District, West Yorkshire

DECISION

This reference relates to the question of the ownership of land known as Pump Hill, Aberford, Leeds District being the land comprised in the Land Section of Register Unit No CL. 451 in the Register of Common Land maintained by the West Yorkshire 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 Middletons, solicitors of London who had been told that Mrs Y S Trench-Gascoigne had notified the registration authority that she owned the land, in a letter dated 4 May 1973 said she had recently died, and Savills, surveyors of London and elsewhere, in a letter dated 30 April 1975 on behalf of Abbey Life Assurance Company as managers of the Lotherton Estate which their clients had purchased from Mrs Y S Trench-Gascoigne in 1973, claimed ownership. No other 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 6 April 1976. At the hearing (1) Aberford Parish Council were represented by Mr L Cockrem their clerk (Mr F Watson their chairman was present), and (2) Abbey Life Assurance Company Limited and their nominee Midland Bank Trust Company Limited (who hold the legal estate in respect of their land in this area for which they employ Savills as their Agents) were represented by Mr I Leeming of counsel instructed by Clifford Turner, solicitors of London.

Mr Leeming said that his clients did not claim this land (they were represented by counsel because they were concerned with the two cases next to be heard).

According to the Register, the land contains 0.077 hectares (0.19 of an acre), and is a triangular piece in the middle of the Village at the junction of Main Street with Field Lane. Mr Cockrem said (in effect):- It is a grassy plot, which could be made into a small recreation ground for children. It has not been maintained by the Gascoigne's, but as far as he could remember the County Council had cut the grass and kept the land in a tidy condition. He had lived for more than 60 years in the Village, and as far as the people in the Village knew, it belonged to the Gascoigne Estate, they being Lords of the Manor. At one time there was a pump there, which was used by the Village people to draw water.



In the absence of any evidence of ownership, I am not satisfied that any person is the owner of the land and it will therefore be 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 5th day of July 1976

a a. Baden Fuller

Commons Commissioner