



In the Matter of New Park Spring, Brierley,
Yorkshire

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No. CL 145 in the Register of Common Land maintained by the former County Council of the West Riding of Yorkshire and are occasioned by objections No. 105, 170 and 246 made respectively by Mr J Collins, Mr J M Bellis, Area Estates Manager of the National Coal Board, and Mr A J Metcalfe and respectively noted in the Register on 15 September 1970, 19 November 1970 and 26 November 1970.

I held a hearing for the purpose of inquiring into the disputes at Barnsley on 7 March 1979. The hearing was attended by Mr A Crouch, Solicitor of the firm of Tyas & Son, on behalf of Mr J Collins's successor in title, Mr J Adams, Solicitor, of the National Coal Board, Mr A J Metcalfe. Mr M Dudfield, Solicitor, appeared on behalf of Barnsley Borough Council, the successor to the local authority which applied for registration.

The parties had agreed that the objections should succeed except as to the area of the land in question which is hatched red on the plan which was produced and which I have marked "A". I shall accordingly confirm the registration as respects that area and refuse to confirm the registration of the remainder of the land in question.

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

29th

day of

March

1979

L. J. Morris Smith

Commons Commissioner