



COMMONS REGISTRATION ACT 1965.

Reference No 45/C/127

In the Matter of Gildersome Green,  
Morley, Leeds City Council

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DECISION

This reference relates to the question of the ownership of land known as Gildersome Green, Morley, Leeds City Council being the land comprised in the Land Section of Register Unit No CL. 68 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 Mr & Mrs Harrison and Mr & Mrs Austin each claimed to be the freehold owners of parts 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 24 January 1978.

Mr J Field of Messrs Emsley Collins & Co appeared for Mr & Mrs Harrison and Mr R W Padgett of Messrs Lupton Fawcett Bell Cumming & Co appeared for Mr & Mrs Austin. Mr Cowling appeared for Leeds City Council.

Mr Padgett produced a conveyance dated 21 January 1867 whereby the land identified on the plan thereon was conveyed by P R and E Bilborough to J Gilpin. The land remained in the ownership of the Gilpin family until 20 January 1972 when Joseph Gilpin conveyed the land to Mr & Mrs Austin.

On 21 January 1972 Mr & Mrs Austin conveyed part of the land they purchased from Joseph Gilpin to Mr & Mrs Harrison and on 14 July 1976 Mrs Harrison released her beneficial interest in the land acquired by her and her husband in favour of her husband.

Only part of the land conveyed in 1867 is within the Unit Land and that part is owned as to part by Mr & Mrs Austin and part by Mr Harrison. The remainder of the Unit Land will remain subject to protection under Section 9 of the Act of 1965.

I shall accordingly direct the West Yorkshire County Council as the Registration Authority to register Mr Harrison as the owner of that part of the land in question which is comprised in the conveyance dated 21 January 1972 and to register Mr & Mrs Austin as the owners of that part of the land in question (other than that owned by Mr Harrison) which is comprised in the conveyance dated 21 January 1867. The parties have agreed to provide me with a scale plan which I will annex to my direction.

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 21<sup>st</sup> day of March

1978

Commons Commissioner