



In the Matter of Land adjacent to the Blue Bell Inn,
Egglescliffe, Cleveland.

DECISION

This reference relates to the question of the ownership of land adjacent to the Blue Bell Inn, Egglescliffe, being the land comprised in the Land Section of Register Unit No. CL 46 in the Register of Common Land maintained by the Cleveland 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 the Egglescliffe Parish Council 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 Whitby on 25 May 1977.

At the hearing the Parish Council was represented by Mr Peter Scott, solicitor.

The land in question is situate between the Blue Bell Inn and the road leading to Yarm Bridge. It is thought that at one time it formed part of a path leading down to a ford across the River Tees near to the bridge. The only certainty about its ownership is that it was not conveyed to the present owners of the Blue Bell Inn. The fact that there was at one time and may still be a public right of way over it does not show that it is the property of the Parish Council. There is no evidence that the Parish Council has ever been in possession of the land so as to acquire a possessory title.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain 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 24th day of June 1977


CHIEF COMMONS COMMISSIONER