



In the Matter of East Keld (or Thwing Mere), West Keld
(or The Keld), and the Stone Pit (or Chalk Pit), Thwing,
Humberside

DECISION

This reference relates to the question of the ownership of land known as East Keld (or Thwing Mere), West Keld (or The Keld), and the Stone Pit (or Chalk Pit), Thwing, being the land comprised in the Land Section of Register Unit No. CL 69 (ER) in the Register of Common Land maintained by the Humberside 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 Thwing 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 Beverley on 2 April 1980.

At the hearing the Parish Council was represented by Mr C M C Burdass, its Chairman.

The land the subject of the reference consists of areas known as East Keld, West Keld and the Stone Pit.

The areas known as East Keld and West Keld were awarded, allotted and assigned by the Thwing Inclosure Award, dated 18 September 1770, to the Churchwardens of the Parish of Thwing as common watering places for the use of the owners and occupiers of lands and grounds within the townships of Thwing Octon and Octon Grainge. The area known as the Stone Pit was awarded, allotted, and assigned for the purpose of digging for and getting stone for the use of the owners and occupiers of lands and grounds within the Parish of Thwing as well as for building as for repairing the several roads in the Parish.

The land awarded to the Churchwardens was transferred to the Parish Council by Sections 6(1)(b) and 67 of the Local Government Act 1894.

On this evidence I am satisfied that the Parish Council is the owner of the land, known as East Keld and West Keld and I shall accordingly direct the Humberside County Council, as registration authority, to register the Parish Council as the owner of that land under section 8(2) of the Act of 1965.

Since the area known as the Stone Pit was not awarded to any person, it remained vested in the person who was the owner at the time of the award. In the absence of any evidence as to the identity of this person and his successor in title, I am not satisfied that any person is the owner of this 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

2nd

day of

May

1980

Chief Commons Commissioner