

MONS REGISTRATION ACT 1965



Reference No. 264/U/68

In the Matter of Far Bank, New Road, Hedon,
Holderness B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG 35 in the Register of Town or Village Greens 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 Hedon Town 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 Hull on 9 February 1982.

The hearing was attended by Mr G Lambert, Solicitor, appearing on behalf of the Town Council, and by Mr E I Price, Solicitor, of the Registration Authority.

Evidence in support of the claim was given by Mr Leonard Sharpe. Since 1957 he has been a member first of Hedon Borough Council and then of its successor Authority the Town Council. His father was a member of the Borough Council for some 20 years until about 1950. At different times between the two wars the land was let for grazing and the fees received by the Borough Council. In the years 1979, 1980 and 1981 the Council allowed showmen to hold a fair at the southern end and was paid rents of £100, £200 and £200. The land has always been regarded as owned by the Borough, and Mr Sharpe had never heard of any other person or body laying claim to its ownership.

On this evidence I am satisfied that Hedon Town Council is the owner of the land, and I shall accordingly direct the Humberside County Council, as registration authority, to register the Town Council as the owner of the land under section 8(2) 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

17 February

1982

L. J. Morris Smith

Commons Commissioner