



In the Matter of Field No. 62, Bottesford,  
Humberside

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 107 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 claims to ownership of different parts of the land in question ("the Unit land") were made by the persons mentioned below.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Brigg on 25 October 1979.

At the hearing Glanford Borough Council ("the Council"), which claimed ownership of the section of the Unit land lying to the east and constituting about 3/5ths of the whole, was represented by Mrs D E Rogers of its legal Department. By a Conveyance dated 30 January 1975 made between Bottesford Farming Co. Ltd (1) and the Council (2) there was sold and conveyed to the Council land of some 9 acres in area which included the whole of the Unit land.

In 1977 the Council sold and conveyed to each of four adjoining owners, sections of the Unit land together constituting about 2/5ths of the whole at its western end. The originals of the four conveyances all dated 15 November 1977 were produced. These adjoining owners, for all of whom Mr M Connell, Solicitor, appeared at the hearing, were as follows:-

- |   |                                  |                       |
|---|----------------------------------|-----------------------|
| (1) John William Middleton and Elsie                | <sup>Middleton</sup> & Winifred/ | - Land hatched green  |
| (2) Cyril Lawrence Lack and Betty Lack              |                                  | - Land hatched red    |
| (3) John Ross Middleton and Patricia Anne Middleton |                                  | - Land hatched yellow |
| (4) George Henry Walker and Margaret Anne Walker    |                                  | - Land coloured blue  |

The sections purchased by them respectively are shown, coloured as mentioned above, on a plan provided by their solicitors.

In the evidence I am satisfied as to the ownership of the several sections of the Unit land, and I shall accordingly direct the Humberside County Council, as registration authority, to register under section 8(2) of the Act of 1965, (1) the adjoining owners referred to above as owners respectively of the sections comprised in their Conveyances of 1975 and coloured as indicated on the above mentioned plan (2) the Council as owner of the remainder of the Unit land.

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 December

1979

L. J. Morris Smith