



In the Matter of Figham, Beverley, Humberside (No. 5)

DECISION

This dispute relates to the registration at Entry No. 1 in the Ownership section of Register Unit No. CL 30 in the Register of Common Land maintained by the Humberside County Council and is occasioned by the conflicting registration at Entry No. 1 in the same section of the Register Unit.

I held a hearing for the purpose of inquiring into the dispute at Hull on 23 and 24 March 1977 and at Watergate House, WC2 on 17 May 1977. The hearing was attended by Mr Patrick Ground, of counsel, on behalf of The Pasture Masters, The Freemen and Widows of Freemen of the Borough of Beverley, the applicants for the registration, and by Mr Charles Cross, of counsel, on behalf of the Beverley Borough Council, the successor authority of the former Mayor, Aldermen and Burgesses of the Borough of Beverley, the applicants for the conflicting registration.

The facts of this case are indistinguishable from those of In the Matter of Swinemoor, Beverley (No. 4) (1977), Ref. No. 264/D/3. For the reasons given in my decision in that case I refuse to confirm this registration.

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 25th day of July 1977

Chief Commons Commissioner