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In the Matter of Figham, Beverley, Humberside (No. 2)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No. VG 52 in the Register of Town or Village Greens maintained by the Humberside County Council and are occasioned by Objection No. 30 made by the Yorkshire River Authority and noted in the Register on 25 August 1972 and the conflicting registration at Entry No. 1 in the Land section of Register Unit No. CL 30 in the Register of Common Land maintained by the Council.

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, 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, and Mr R J Simpson, solicitor, on behalf of the Yorkshire Water Authority, the successor authority of the Objector.

At the hearing on 17 May 1977 Mr Ground informed me that his clients were content for the conflicting registration to be confirmed.

In these circumstances 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 28th day of July 1977

Chief Commons Commissioner