



COMMONS REGISTRATION ACT 1965

Reference No 43/U/40

In the Matter of Monument Site, Langtoft
Humberside (No 2)

DECISION

This reference relates to the question of the ownership of land known as Monument Site, Langtoft, being the land comprised in the Land Section of Register Unit No CL 36 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 no person claimed to be the freehold owner of the land in question and no one 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 22 March 1977.

There was no appearance at the hearing.

In the absence of any evidence I was not satisfied that any person is the owner of the land, and it has therefore remained subject to protection under section 9 of the Act of 1965. After my decision was given I decided on the application of the Clerk of the Langtoft Parish Council to set aside my decision and re-open the hearing.

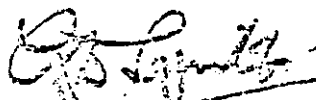
I re-opened the hearing at Beverley on 15 January 1979. At the re-opened hearing the Parish Council was represented by Mr D A R Watson, its Clerk.

In 1938 the Parish Council took possession of the land in question by placing a seat on it and has since remained in possession without any adverse claim, replacing the seat when necessary. The Parish Council has therefore acquired a title by adverse possession.

In this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Humberside County Council, as registration authority, to register the Parish 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 on a 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 21st day of March 1979


 Chief Commons Commissioner