



In the Matter of Public Dipping Well,
Elloughton, Humberside

DECISION

This reference relates to the question of the ownership of land known as Public Dipping Well, Elloughton, being the land comprised in the Land Section of Register Unit No. CL 70(ER) 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 Beverley on 1 April 1980.

At the hearing the Elloughton Parish Council was represented by Mrs L Turner, one of its members.

The land in question is no longer a dipping well. It has been covered over and the Parish Council cut the grass and keep it tidy. In my view, this does not amount to a taking of possession of the land by the Parish Council.

I am therefore not satisfied on this evidence that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 this

2nd

day of

May

1980

Chief Commons Commissioner