



In the Matter of Recreation Field,
Owston Ferry, 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 126 in the Register of Common Land maintained by the Humberside County Council of which no person is registered under section 4 of the Commons Registrations Act 1965 as the owner.

Following upon the public notice of this reference Owston Ferry Parish Council claimed to be the freehold owner of the land in question and no other person 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 Brigg on 24 October 1979.

At the hearing Mr C L Stevenson, Solicitor, appeared on behalf of the Parish Council. He produced a Conveyance dated 21 September 1911, between G Wright and F F Linley (1) and the Parish Council (2), whereby the land in question was conveyed to the Parish Council. Mr James E Major, a Parish Councillor for 32 years, gave evidence to the effect that in his lifetime the land has been used as a recreation ground - schools have played football and cricket and there are swings and other equipment for children. The Parish Council has maintained and improved the ground and has planted trees.

On this evidence I am satisfied that Owston Ferry 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 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 31 October 1979

L. J. Morris Smith

Commons Commissioner