



COMMONS REGISTRATION ACT 1965

Reference No. 264/U/56

In the Matter of The Mere and Village Pond,
Burton Fleming, Humberside

DECISION

This reference relates to the question of the ownership of land known as The Mere and Village Pond, Burton Fleming, being the land comprised in the Land Section of Register Unit No. CL 67 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 2 April 1980.

At the hearing the Burton Fleming Parish Council was represented by Mr D V Southwell, its Chairman.

The former Rural District Council cleaned out the Mere and the Pond in 1956, when the Parish Council provided the transport. Since then the Parish Council has cut the grass. Three or four years ago the Parish Council took possession of the banks of the Mere and the Pond by planting trees and placing seats. This possession has not lasted long enough for the Parish Council to have acquired a possessory title to the land.

On this evidence I am not satisfied 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 Regulation 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