



In the Matter of Vicarage Mere,  
West Butterwick, Humberside

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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 17 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 West Butterwick 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 23 October 1979.

At the hearing, Mr C L Stevenson, Solicitor, appeared on behalf of the Parish Council. Evidence was given by Mr John H Cockin, a member of the Parish Council since 1970 and Mr Albert Threadgold a member of the Council at different periods starting well before 1970.

In the 1851 Tithe Schedule the land, then described simply as 'Mere', was shown as belonging to Butterwick Town. The Parish books show that the Parish Council received rent for the land continuously from 1896 to 1927. In 1896 it was described as Town End Mere, but after the Vicarage was built nearby it became known as Vicarage Mere. It has not been let since 1927 but is used for access to adjoining farm lands, and in 1963 the Parish Council gave written consent to part of the land being stoned, in order to improve the access.

On this evidence I am satisfied that West Butterwick 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. Mans Smith*

Commons Commissioner