

In the Matter of Land formerly a Sand Pit
called Sand Acre, Shepeam Stow, Whaplode,
Lincolnshire

DECISION

This reference relates to the question of the ownership of land formerly a sand pit called Sand Acre, Shepeam Stow, Whaplode, being the land comprised in the Land Section of Register Unit No. CL 32 in the Register of Common Land maintained by the Lincolnshire 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 Mr and Mrs G N Venters and Mr and Mrs W D Rouse each claimed to be the freehold owners of parts 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 Lincoln on 11 November 1981.

At the hearing Mr and Mrs Venters and Mr and Mrs Rouse were represented by Mr J C Mossop, solicitor.

By an assent dated 12 December 1955, George Herbert Bean and Lilian Elizabeth Bean, as personal representatives of Mary Ann Bean, deceased, vested the land the subject of the reference in Mr G H Bean.

The land was conveyed to Mr and Mrs Venters by a conveyance made 1 June 1956 between (1) G H Bean (2) George William Venters and Phyllis Hilda Venters his wife.

The northern two-thirds of the land was conveyed to Mr and Mrs Rouse by a conveyance made 31 October 1978 between (1) Doris Mary Hall (2) William Dennis Rouse and Jean Rouse his wife, the intervening conveyance being made 9 September 1977 between (1) G W Venters and P H Venters (2) D M Hall.

On this evidence I am satisfied that Mr and Mrs Venters and Mr and Mrs Rouse are the owners of their respective parts of the land, and I shall accordingly direct the Lincolnshire County Council, as registration authority, to register them as the owners of those parts 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 this

25th

day of

November

1981

Chief Commons Commissioner