



COMMONS REGISTRATION ACT 1965

Reference No. 222/U/5

In the Matter of Parish Land, belonging to the
Parish of Haltham, Wildmore, Lincolnshire

DECISION

This reference relates to the question of the ownership of land known as Parish Land belonging to the parish of Haltham, Wildmore, being the land comprised in the Land Section of Register Unit No. CL.34 (L) 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 Wildmore Parish Council and the Haltham Parish Meeting each 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 Lincoln on 22 November 1983. At the hearing, the East Lindsey District Council was represented by Mr P Haigs, Solicitor, the Wildmore Parish Council by Mrs J Harrison, its Clerk, and the Haltham Parish Meeting by Mr J Garner, its Chairman.

The Wildmore Parish Council has been the tenant of the land in question since 1899. Since that time the land has been used as allotments by residents in the Parish of Wildmore, ^{under} the administration of the Parish Council. The Parish Council paid rent to the former Horncastle Rural District Council, which transmitted the rent to the Haltham Parish Meeting. After the Rural District Council ceased to exist on 1 April 1974 the Parish Council sent the rent to the new East Lindsey District Council, but the District Council, having no record of the matter, sent the rent back to the Parish Council, and the Parish Council has not sent any rent since October 1975.

The misunderstanding has now been cleared up. There is no direct evidence as to the ownership of the land, but whatever ^{it} may have been before 1899, the receipt of the rent by the Rural District Council as agent for the Parish Meeting after that date continued long enough for the Parish Meeting to have acquired ~~an~~ ^a possessory title to the land.

On this evidence I am satisfied that the Parish Trustees of Haltham are the owners of the land, and I shall accordingly direct the Lincolnshire County Council, as registration authority, to register them as the owners of the land under section 6 (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

29~~th~~

day of

November

1983

D. G. G. G.
 Chief Commons Commissioner