



DECISION

Reference No. 222/W/7

In the Matter of Parish Land, Moorby,
Lincolnshire

DECISION

This reference relates to the question of the ownership of land known as Parish Land, Moorby, Lincolnshire being the land comprised in the Land Section of Register Unit No. CL 36 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 no person claimed to be the freehold owner of the land in question. Mr G Benton a member of Moorby Parish Meeting 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 29 November 1978.

At the hearing Mr Benton was represented by Mr Moran, solicitor, and no one else appeared.

The Parish Meeting minutes showed that since at least March 1916 the land had been let and rent paid and received by the Parish Meeting. The existing tenant pays the rent to East Lindsey District Council which credits the Parish Meeting precept. Because of difficulty in convening the Parish Meeting there was no formal claim by it to ownership, but Mr Benton and other members knew of and were concerned in regard to the land.

On this evidence I am satisfied that the Parish Meeting owns the land. I understood that there is no separate parish council and I shall accordingly direct the Lincolnshire County Council, as registration authority, to register the Parish Trustees Moorby 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 this

62nd

day of

February

1979

L. J. Mann Smith

Commons Commissioner