



In the Matter of The Beck, Nettleham, Lincolnshire.

DECISION

The reference relates to the question of the ownership of land known as The Beck, Nettleham, being the land comprised in the Land Section of Register Unit No. CL 62(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 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 Lincoln on 7 July 1981.

At the hearing the Nettleham Parish Council was represented by Mr D Dubut, its Clerk.

The Parish Council has no documentary title to the land in question. It appears that the Parish Council has taken possession of the land by planting shrubs and bulbs in it. This, however, has only been done during the last seven or eight years, so the Council has not yet acquired a possessory title to the land.

In the absence of any further 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 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

July

1981

Chief Commons Commissioner