



COMMONS REGISTRATION ACT 1965

Reference No. 24/U/6

In the Matter of Utterby Village
Green, Utterby, Lincolnshire (Parts
of Lindsey)

DECISION

This reference relates to the question of the ownership of land known as Utterby Village Green, being the land comprised in the Land Section of Register Unit No. V.G.10 in the Register of Town or Village Greens maintained by the Lindsey 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 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 3rd May 1972.

Mr.B. Spence, the Clerk of the Parish Council attended the hearing and produced documentary evidence that the land in question was the property of one Biddie Newman, who died on 24th May 1937 and whose will was proved on 20th May 1937 by Thomas Ernest Enderby, the sole executor. Mr.Enderby died on 23rd June 1957 and his will was proved on 23rd August 1957 by Leslie Philip Stephenson and Annie Mary Allwood, his executors, who conveyed the land to the Utterby Parish Council on 1st May 1972.

I am therefore satisfied that the Utterby Parish Council is the owner of the land, and I shall accordingly direct the Lindsey County Council, as registration authority, to register the Utterby Parish Council as the owner of the land.

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 23rd day of May 1972


Chief Commons Commissioner