



In the Matter of Carr Road End, Gringley-
on-the-Hill

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL.77 in the Register of Common Land maintained by the Nottinghamshire 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 Gringley-on-the-Hill Parish Council 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 Nottingham on 19 November 1985.

The ownership of the land had been the subject of a decision of the Chief Commissioner dated 30 April 1985 given after a hearing at Nottingham on 21 March 1985. No one attended the hearing. The representatives of the Council had been unable to attend the hearing owing to unforeseen circumstances and this hearing was by way of re-opening the previous hearing. As the Chief Commissioner had retired in the meantime I was appointed to hold this hearing.

Mr W H Hunter (Clerk) and Mr H Parker (Chairman) appeared for the Parish Council and Mr Maher for the Registration Authority. Mr Hunter produced a copy of the Gringley-on-the-Hill Inclosure Award 1801 and the plan annexed in which the area is described as part of a Carriage Bridle and Drift Road called Carr Road. The width of the road is 40 feet for nearly the whole of its length but at a point inside the area of the register unit the breadth widens gradually to be 390 feet at the bank of the river Idle.

Mr Hunter said that in 1894 the roads in the parish became the responsibility of East Retford Rural District Council. After inspection the road was taken over as far as Carr Farm but from that point to the river bank, a distance of about 2/3rds of a mile the road was not metalled and remained a parish road.

In 1929 when the County Council took over responsibility for roads the position with regard to the 2/3rds did not change.

During the 1939-45 war the War Agriculture Committee improved all the roads in the Carrs to give better access to farms.



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The triangular plot of land at Carr Road End remained parish property and the parish owned and maintained a brick bridge over the Mother Drain giving public access to the River bank.

The Parish Council receives ~~feats~~ fees for huts sited on the land and from the Water Authority for storage of equipment. A wayleave ~~feat~~ fee is also payable for two poles erected on the land.

On this evidence I am satisfied that Gringley-on-the-Hill Parish Council is the owner of the land, and I shall accordingly direct the Nottinghamshire County Council, as registration authority, to register the Parish Council 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 21st day of November 1985

COMMONS COMMISSIONER