

COMMONS REGISTRATION ACT
1965



Reference No. 228/U/65

In the Matter of The Green, East Leake,
Nottinghamshire

DECISION

This reference relates to the question of the ownership of the land known as The Green, East Leake, being the land comprised in the Land Section of Register Unit No. VG.58 in the Register of Town or Village Greens 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 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 Nottingham on 24 January 1985. At the hearing the East Leake Parish Council was represented by Mr K O'Toole, its Chairman.

Mr O'Toole showed me a letter from the Parish Council's Solicitors stating that many years ago the land in question was the site of six cottages with a communal pump and outside toilets. These buildings are indicated on the Ordnance Survey Map on which the Register Map is based. According to the Solicitors, by 1953 the majority of the owners had given their land to the Parish Council. The owners handed over their title deeds, but in order to save expense no Conveyances were executed. Thereafter the Parish Council cleared up the site and grassed it over.

I cannot regard the Solicitor's letter as evidence which would support a claim to a possessory title, and I can only say that I am not satisfied that any person is the owner of the land. I shall accordingly direct the Nottinghamshire County Council as registration authority, to register the East Leake Parish Council as the owner of the land under section 8 (3) 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

February

1985

G. S. Quibben

Chief Commons Commissioner