



COMMONS REGISTRATION ACT 1965

Reference No. 45/U/204

In the Matter of Recreation Area, Mexborough YorkshireDECISION

This reference relates to the question of the ownership of land known as Recreation Area Mexborough being the land comprised in the Land Section of Register Unit No. VG.118 in the Register of Town or Village Greens maintained by the former County Council of the West Riding of Yorkshire 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 Doncaster Borough 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 Barnsley on 8 March 1979.

At the hearing Doncaster Borough Council was represented by Mr D Littlewood, Solicitor, and no one else appeared. The Borough Council had no documentary evidence of title; it appeared that the land in question had been maintained by Mexborough U D C before 1972 and since then by the Borough Council, and that the land is used as a recreation ground. There is no Parish Council and the Borough Council is now the local authority.

On this evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the South Yorkshire County Council, as registration authority, to register Doncaster Borough 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 30th day of October 1979

H. J. Warner Smith
Commons Commissioner