

In the Matter of Cross Green, Warter, HumbersideDECISION

This reference relates to the question of the ownership of land known as Cross Green, Warter, being the land comprised in the Land Section of Register Unit No. VG.57 in the Register of Town or Village Greens, maintained by the Humberside 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 the Gatherum Property Company Ltd 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 Beverley on 15 January 1979.

At the hearing the Gatherum Property Company Ltd was represented by Mr H J Goodhart, its agent.

The land comprised in the Register Unit consists of two parts, a triangular area surrounded by roads and a small oblong area to the north of it.

The triangular area was conveyed to the Gatherum Property Company Ltd by a conveyance made 25 March 1969 between (1) Florence Mary Stevens and Edward Brown (2) Samuel, 3rd Baron Vestey, F M Stevens, E Brown and George Andrew Drabble (3) Gatherum Property Company Ltd. The vendors had a good foot of title in a conveyance made 4 July 1929 between (1) Florence Jane Helen, Dowager Baroness Nunburnholme (2) Hon Guy Greville Wilson, Edwyn Francis Sandamore Stanhope, Earl of Chesterfield, and Cecil George Wellesley (3) The Alliance Assurance Company Ltd (4) Hon George Ellis Vestey.

On this evidence I am satisfied that Gatherum Property Company Ltd is the owner of the triangular area of land, and I shall accordingly direct the Humberside County Council, as registration authority, to register that company as the owner of that land under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land comprised in the Register Unit, and I shall accordingly direct the County Council to register the Warter Parish Council as the owner of that 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 22nd day of February 1979


Chief Commons Commissioner