



COMMONS REGISTRATION ACT 1965

Reference No. 264/U/20

In the Matter of Sand Holes, West Butterwick
Humberside

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL.20 in the Register of Common Land 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 West Butterwick 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 Brigg on 23 October 1979. At the hearing, Mr C.L. Stevenson, Solicitor, appeared on behalf of the Parish Council, and evidence was given by Mr John H Coskin and Mr Albert Threadgold, both members of the Parish Council. This land was in past years a quarry from which the parishiners obtained sand, but it has been derelict and unused for some 40 years, nor have there been any activities by the Parish Council on the land.

In 1911 and again in 1925 there were sales by the owner of large areas of the West Butterwick Estates, and on each occasion the plan accompanying the sale particulars showed this land (which was not included in the sale) with the designation 'Parish Offices'.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

31 October

1979

L. J. Morris Smith
Commons Commissioner