



COMMONS REGISTRATION ACT 1965

Reference No. 264/U/44

In the Matter of The Mere, Walkington, Humberside

DECISION

This reference relates to the question of the ownership of land known as The Mere, Walkington, being the land comprised in the Land Section of Register Unit No. CL.53 in the Register of Common Land maintained by the 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 Walkington Parish Council claimed to be the freehold owner of the land in question and no other person claims 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 1 April 1980. At the hearing, the Parish Council was represented by Mr T Wright, Solicitor.

It appears from the minutes of the Parish Council that the Council has been acting as if it owned the land in question since 1921. For the purposes of the present case, it is sufficient to observe that in 1961 the Council built retaining walls at the east and west ends of the mere and built two artificial islands, on which it planted trees.

In the absence of any evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Humberside 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

2nd

day of

May

1980

Chief Commons Commissioner