



In the Matter of The Ponds, Fridaythorpe,  
Humberside.

DECISION

This reference relates to the question of the ownership of land known as The Ponds, Fridaythorpe, being the land comprised in the Land Section of Register Unit No. CL 22 in the Register of Common Land maintained by the former East Riding 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 Hull on 22 March 1977.

At the hearing the Fridaythorpe Parish Council was represented by Mr G L Knights its Clerk.

In the minutes of the Parish Meeting held on 7 September 1933 it is stated that it was 20 years since the ponds were cleared and that they were silted with mud. The Parish Meeting gave permission to the Parish Council to clean the ponds. A foreman was appointed and the mud was disposed of by filling hollow places in roads. The grass round the ponds was cut by the County Council roadmen until the Chairman of the Parish Council was notified on 23 June 1969 that the County Council would no longer do this work since the ponds had been registered as common land. In 1976 the Parish Council filled in the top pond.

In my view, this evidence is insufficient to support a claim by the Parish Council to a possessory title, and in the absence of any other 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 this

30<sup>th</sup>

day of

March

1977

Chief Commons Commissioner