



In the Matter of Nettlestone Green, Seaview,
Ryde, Isle of Wight

DECISION

This reference relates to the question of the ownership of land known as Nettlestone Green, Seaview, Ryde being the land comprised in the Land Section of Register Unit No. CL 5 in the Register of Common Land maintained by the former Isle of Wight 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 Ryde on 15 November 1977.

At the hearing Mr J Matthews, solicitor, appeared for the Medina Borough Council.

I was satisfied on the evidence that the former Ryde Corporation, the predecessor authority of the Medina Borough Council, had been in possession of the land in question since as far back as 1947, having maintained it, placed and replaced seats on it, and permitted statutory undertakers to execute works on it. This, in my view, is sufficient to support a possessory title.

On this evidence I am satisfied that the Medina Borough Council is the owner of the land, and I shall accordingly direct the Isle of Wight County Council, as registration authority, to register the Borough 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 5th day of December 1977

Chief Commons Commissioner