



In the Matter of Land situate on the West Side of the Road
leading from Newton to Laugherton, Newton-on-Trent,
Lincolnshire

DECISION

This reference relates to the question of the ownership of land situate on the west side of the road leading from Newton to Laugherton, Newton-on-Trent, being the part of the land comprised in the Land Section of Register Unit No. CL 121 in the Register of Common Land maintained by the Lincolnshire 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 Mr J T Payne and the Newton-on-Trent Parish Council each 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 Lincoln on 11 November 1981.

At the hearing Mr Payne appeared in person.

Mr Payne has a registered title to an area of approximately $1\frac{1}{2}$ ac. forming the western part of the land comprised in the Register Unit. This land, however, being registered under the Land Registration Acts, is not the subject of these proceedings. Mr Payne said that he believed the eastern part of the land comprised in the Register Unit, having an area of approximately $3\frac{1}{2}$ ac., to be the property of the Newton-on-Trent Parish Council, but that Council, having had notice of the hearing, did not adduce any evidence.

In the absence of any 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

30th

day of

November

1981

Chief Commons Commissioner