



In the Matter of O S Nos 105 and 106 Newton-on-Trent, Lincolnshire

DECISION

This reference relates to the question of the ownership of land known as O S Nos. 105 and 106, Newton-on-Trent, being the land comprised in the Land Section of Register Unit No.CL.120 (L) 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 the Newton - on - Trent 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 Lincoln on 11 November 1981.

There was no appearance at the hearing, so I gave a decision accordingly.

I decided to set aside my decision and reopen the hearing on an application made by the Newton-on-Trent Parish Council under regulation 21 of the Commons Commissioners Regulations 1971.

I reopened the hearing at Lincoln on 22 November 1983, On this occasion the Parish Council was represented by Mr M J Grimes, its Chairman.

The land in question was formerly an old dock by the River Trent, but has since been grassed over and is known as The Basin. The Parish Council has looked after the land and two or three years ago did some landscaping.

This evidence is insufficient to give the Parish Council a possessory title, and in the absence of any further evidence I am not satisfied that any person is the owner of the land. 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

29th

day of

November

1983

M J Grimes
Chief Commons Commissioner