



- In the Matter of Parish Land near the Old Gravel Pit,
Hagworthingham, East Lindsey D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 30 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 Hagworthingham Parish Council claimed to be the freehold owner of the land in question ("the Unit land") 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 24 October 1984. At the hearing the Parish Council was represented by its Chairman, Mr M J Curtis.

The Unit land consists of 2 strips of land on either side of the roadway. Mr Curtis produced correspondence of the 1930s with tenants of the Unit land, and also with the County Council with reference to a gift by the Parish Council of part of the Unit land for the purpose of road improvement, ~~parcels~~. Mr Curtis told me that the Parish Council's rent book shows receipt of rent for the Unit land since at least 1939, and that to his knowledge its occupiers have been paying rent to the Parish Council since 1977, when he became a member of the Council.

On this evidence I am satisfied that Hagworthingham Parish Council is the owner of the Unit land, and I shall accordingly direct the Lincolnshire County Council, as registration authority, to register it as the owner 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

10 January

1984

H. J. Morris Smith

Commons Commissioner