

In the Matter of Market Hill Green, BlythDECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. VG.30 in the Register of Town or Village Greens maintained by the Nottinghamshire 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 Blyth 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 Nottingham on 28 February 1985.

Mr J. Healey (Clerk) and Mr B L Waplinton (a member) appeared for the Parish Council.

Mr Healey referred me to a provision in the Blyth Inclosure Award 1814 prohibiting any enclosure of Market Hill, but I was not referred to any provision or recited in the Award which supported a claim for ownership.

On this evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Nottinghamshire County Council, as registration authority, to register Blyth Parish Council as the owner of the land under section 8 (3) 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, 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

4th

day of

March

1985

George Harketh

Commons Commissioner.