



Reference No. 228/U/13 115

COMMONS REGISTRATION ACT 1965

In the matter of Sparrow Lane north of
High Marnham, Marnham, Bassetlaw,
District, Nottinghamshire

DECISION

This reference relates to the question of the ownership of land known as Sparrow Lane north of High Marnham, (parish) Marnham, (district) Bassetlaw being the land comprised in the Land Section of Register Unit No. CL54 in the Register of Common Land 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 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 Nottingham on 14 May 1985. At the hearing, W H Strawson Farms Limited whose registered office is at The Grange, Broughton, Brigg, Lincolnshire were represented by Mr M G Jackson the farm manager of their farm Trent View Farm, High Marnham.

The land ("the Unit Land") in this Register Unit according to the Register map is a strip about $\frac{1}{2}$ a mile long and nowhere more than 20 feet wide. Of it Mr Jackson said:- It is a lane with hedges on its two sides. At its north end on land formerly known as Banks Farm and owned by Mr Strawson, now stands a Central Electricity Generating Board Power Station built shortly after the 1939-45 war; the Farm no longer exists. Basically the Unit Land is a grass lane topped with ash from the Power Station. The Unit Land (at its south end) adjoins one of the fields (OS No. 30, containing 9.741 acres) of Trent View Farm (its farm buildings are a short distance to the east). The reason why he attended the hearing was because the Unit Land is a convenient access to this field; there is a caravan site adjacent to, and on the east side of the south end of the Unit Land, and this access is now being obstructed by the building of a garden wall (? for one of the caravans). He wondered what was the width of the Unit Land; he took it to be the line of the hedge which formed the lane.

As regards the width of the Unit Land, the extract from the Register map I have is perhaps more consistent with the boundary being the edge of the made up, and assumedly made up, carriage way than being the assumed hedge of the adjoining OS Nos. (in places some distance from such edge). However this may be, I have no jurisdiction in these proceedings to determine either the boundary of the Unit Land or the legality or otherwise of any wall erected on it; I am concerned only with its ownership. It being clear that Mr Jackson was not prepared with any evidence of ownership, I indicated to him that I could not hear him further about the wall.

TURN OVER



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In the absence of any evidence I am not satisfied that any person is the owner of the Unit 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 6th —

day of January

1986

A. A. Baden Fuller

Commons Commissioner