



COMMONS REGISTRATION ACT 1965

Reference No: 228/U/119

In the matter of parish land
(part OS No. 197a) on east side
of Church Street, South Leverton,
Bassetlaw District, Nottinghamshire.

DECISION

This reference relates to the question of the ownership of land known as "parish land" (part of OS No. 197a) on the east side of Church Street, South Leverton, being the land comprised in the Land Section of Register Unit No. CL12 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 South Leverton Parish Council were represented by Mrs Ada Jean Cawthorne, their Clerk.

According to the Register map the land ("the Unit Land") in this Register Unit is nearly square, and its west side about 40 feet long, is open to Church Street. The registration was made on the application of Mr Charles Crispin Harrison as chairman of the Parish Council.

Mrs Cawthorne who is now and has for the last 17 years been Clerk of the Parish Council in the course of her oral evidence said (in effect):- The Unit Land is at a focal point in the Village (a short distance south of All Saints Church and north of High Street). On its north side is Beckside House, yard and garden with an orchard by part of the east side; there is another house with garden on the east side, and on the south side is the post office. To walk across and to take vehicles over the Unit Land the owners of these properties pay 5p a year to the Parish Council. She as Clerk received these rents as she had done ever since she had been Clerk and believed her predecessor had for a number of years; she would imagine for at least 50 or 60 years. There are some concrete posts on the Unit Land (regulating the access) which were put there so she understood by her grandfather Mr William Bradley who was the Village Blacksmith, about 50 or 60 years ago at the request of the Parish Council. The Unit Land was generally regarded as "parish land".

On this evidence I am satisfied that the Parish Council are the owners of the land, and I shall accordingly direct the Nottinghamshire County Council, as registration authority, to register South Leverton Parish Council as the owners of the land under section 8(2) of the Act of 1965.



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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 28th

day of November

1985

A. A. Baden Fuller

Commons Commissioner