OMMONS REGISTRATION ACT 1965 Reference No. 43/U/41

In the Matter of Top Pond, Langtoft Humberside
(NO. 2)

DECISION

his reference relates to the question of the ownership of land known as Top Pond, angtoft, being the land comprised in the Land Section of Register Unit No.CL.35 n the Register of Common Land maintained by the Humberside County Council of which o person is registered under section 4 of the Commons Registration Act 1965 as he owner.

ollowing upon the public notice of this reference no person claimed to be the reehold owner of the land in question and no one claimed to have information as o its ownership.

held a hearing for the purpose of inquiring into the question of the ownership f the land at Hull on 22 March 1977.

here was no appearance at the hearing.

n the absence of any evidence I was not satisfied that any person is the owner of he land, and it has therefore remained subject to protection under section 9 of the ct of 1965. After my decision was given I decided on the application of the lerk of the Langtoft Parish Council to set aside my decision and re-open the hearing.

re-opened the hearing at Beverley on 15 January 1979. At the re-opened hearing he Parish Council was represented by Mr D A R Watson, its Clerk,

n 1938 the Parish Council took possession of the land in question by placing a eat on it and has since remained in possession without any adverse claim, replacing he seat when necessary. The Parish Council has therefore acquired a title by dverse possession.

n this evidence I am satisfied that the Parish Council is the owner of the land, nd I shall accordingly direct the Humberside County Council, as registration uthority, to register the Parish Council as the owner of the Land under Section (2) of the Act of 1965.

am required by regulation 30 (1) of the Commons Commissioners Regulations 1971 o explain that a person aggrieved by this decision as being erroneous in point of law ay, within 6 weeks from the date on which notice of the decision is sent to him, equire me to state a case for the decision of the High Court.

ated this 22nd day of March 1979

Chief Commons Commissioner