



COMMONS REGISTRATION ACT 1965

Reference No. 226/U/94

In the Matter of Land part of Elm  
 Dykes, Welton, Northamptonshire

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DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. VG 94 in the Register of Town or Village Greens maintained by the Northamptonshire 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 Welton 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 Northampton on 11 December 1979.

The Parish Council was represented at the hearing by its chairman, Mr R D Stringer. The Parish Council has no proper title, but Mr Stringer gave evidence to the effect that the land has been under the jurisdiction of the Council for many years. Since before 1961 the Council has maintained it and has planted a tree on it - without objection or interference by anyone.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Northamptonshire County Council, as registration authority, to register Welton Parish Council as the owner of the land under section 3(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

1980

*L. J. Morris Smith*

Commons Commissioner