



COMMONS REGISTRATION ACT 1965

Reference No. 226/U/57

In the Matter of Playing Field,
Kings Sutton, Northamptonshire

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 146 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 Kings Sutton Recreation Club ("The Club") claimed to be the freehold owner of the land in question ("the Unit land") 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 Unit land at Northampton on 3 July 1979.

At the hearing Mr A C Gardner, the Secretary of the Club, appeared on its behalf. By a Conveyance dated 8 April 1964 between Francis G Belcher and Amy L Belcher (1) Lloyds Bank Ltd (2) and Shewell R Banks and Others ("The Trustees") (3), the Unit land was conveyed to the Trustees upon trust for a recreation ground for the benefit of the inhabitants of the Parish of Kings Sutton: and there was a provision that the Trustees should apply to the Charity Commissioners for an order vesting the property in the Official Custodian. Mr Gardner informed me that there had been other trustees appointed, but no vesting order had been obtained. Since the hearing, however, an Order dated 26 November 1979 has been made by the Charity Commissioners vesting the Unit land in the Official Custodian and I shall accordingly direct the Northamptonshire County Council, as registration authority, to register the Official Custodian for Charities as the owner of the land under section 8(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

30 January

1980

H. J. Morris Smith

Commons Commissioner