



COMMONS REGISTRATION ACT 1965

Reference Nos 226/D/35
to 226/D/39
inclusive

In the Matter of the Great and
Little Greens (five parts) adjacent
to the Square, Earls Barton,
Wellingborough Borough, Northamptonshire

DECISION

These disputes relate to the registrations at Entry No. 1 in the Rights Section of Register Unit No. VG128, No. VG129, No. VG130, No. VG131 and No. VG132 in the Register of Town or Village Greens maintained by the Northamptonshire County Council and are occasioned by Objections No. 86, No. 87, No. 88, No. 89 and No. 90 made by the said Council and noted in the Register on 8 August 1972.

All the persons entitled to be heard at the hearing of this dispute having agreed upon the terms of the decision to be given by me, sent to the Clerk of the Commons Commissioners particulars of such terms signed on behalf of all such persons, which said terms are dated 25 January 1979 and request the Commons Commissioner (i) to confirm the registration as town or village green of that part of the above-mentioned register unit 128, which is shown coloured green on the attached plan, (ii) to refuse to confirm the registration as town or village green of that part of the said register unit 128, which is shown coloured red on the said plan comprising a strip of land one metre in width, (iii) to refuse to confirm the registration as town or village green of the above register units VG129, VG130, VG131 and VG132, as shown coloured red on the attached plan and to give his decision in accordance with such request without a hearing.

I held a hearing for the purpose of inquiring into the disputes at Northampton on 6 February 1979. At the hearing Northamptonshire County Council were represented by Mr P D Coleman assistant solicitor to the Council.

Mr Coleman said that the said terms had been sent with a letter dated 2 February 1979. Part of the Greens in the Register Unit VG No. 148 is the greater part, being that to the south of All Saints' Church and within the U shaped area formed at the junction of High Street and West Street; the remaining parts in the 4 other Register Units are much smaller triangular areas to the east and north and being part of or adjoining to Broad Street and High Street. The part of the Register Unit No. VG148 coloured green on the plan attached to the said terms is the whole except a strip of 1 metre width on the southeast and southwest sides.

The said terms not having been sent in time to prevent a hearing, I having heard the hearing am willing to give a decision in accordance with such terms, and I therefore confirm the said VG128 registration with the modification that there be removed from the Register the part of the land in the said Register Unit which is shown coloured red on the said plan attached to the said agreed terms comprising a strip of land one metre in width, and I refuse to confirm the said VG129, VG130, VG131, and VG132 registrations.



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 23rd — day of April — 1979

A. A. Baden Fuller

Commons Commissioner