



COMMONS REGISTRATION ACT
1965

Reference No. 228/U/43

In the Matter of The Village Green,
Telford Road, Newstead Colliery,
Newstead, Nottinghamshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Telford Road, Newstead Colliery, Newstead, being the part of the land comprised in the Land Section of Register Unit No. VG. 28 in the Register of Town or Village Greens 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 the Newstead 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 Nottingham on 22 January 1985. At the hearing the Newstead Parish Council was represented by Mrs C Jones, its Clerk.

It appears from the minutes of the Parish Council that the land, on which the village war memorial stands, was formerly the property of the National Coal Board and that in 1952 heads of terms for a gift of the land to the Parish Council were agreed with the Board. It does not however, appear that the land was ever conveyed to the Council, but the Council went into possession, maintaining and renewing the fencing and planting the borders with flowers and generally maintaining the land as a public amenity.

On this evidence I am satisfied that the Parish Council has acquired a possessory title to the land, and I shall accordingly direct the Nottinghamshire County Council, as registration authority, to register the Parish Council 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 this

21st

day of

February

1965

G. J. Jones

Chief Commons Commissioner