



COMMONS REGISTRATION ACT 1965

Reference No 30/U/10

In the Matter of land adjoining
Old Butchers Shop and adjoining
the Brook, between Ashwell Road Corner
and Church Street, Langham, Oakham R.D., Rutland

DECISION

This reference relates to the question of the ownership of land adjoining Old Butchers Shop and adjoining the Brook, between Ashwell Road Corner and Church Street, Langham, Oakham Rural District, being the land comprised in the Land Section of Register Unit No VG.18 in the Register of Town of Village Greens maintained by the Rutland 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 no person claimed to be the freehold owner of the land in question and no 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 Oakham on 8 May 1973. The hearing was attended by Oakham Rural District Council who were represented by Mr R L Francis their clerk and by Langham Parish Council who were also represented by Mr Francis.

Mr Francis said:- The land (in the Register said to extend to approximately 2,300 square yards) is a long strip running from a point in Church Street near to the Church of St Peter and St Paul alongside a brook to the junction of Burley Road and Ashwell Road. It is scrub and grass: there is a footpath (but no road) along it. The small piece of land which is not comprised in this Register Unit and which on the Register map appears as an indentation of the strip, is a sewage pumping station which the Rural District Council acquired in 1950 by purchase from the personal representatives of Mr Robert Cecil Dalton deceased: the then vendors claimed as the purchaser in 1925 of manorial rights from the Gainsborough Estate and their title was then accepted by the Council. The Vendors (as far as Mr Francis knew) had never taken any interest in the land comprised in this Register Unit: for the last 20 years the Parish Council have kept the land free of weeds and maintained the footpath. Neither Council wished to offer any evidence of ownership.

In the absence of any evidence either as to the nature of the manorial rights purchased by Mr Dalton in 1925 or as to how the subject matter of this purchase has devolved since 1955 or as to any acts of ownership ever done by those claiming under him in relation to the land, I am not satisfied that any person is the owner of it. I shall accordingly direct the Rutland County Council, as registration authority, to register Langham Parish Council as the owner of the land under section 8(3) 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

17th

day of

May

1973

a. a. Baden Fuller

Commons Commissioner