



In the Matter of The Green, Common Lane,
Culcheth, Golborne U.D., Lancashire

DECISION

This reference relates to the question of the ownership of land known as the Green, Common Lane, Culcheth, Golborne Urban District, being the land comprised in the Land Section of Register Unit No.V.G.2 in the Register of Town or Village Greens maintained by the Lancashire 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 Preston on 8th June 1972.

This case was listed for hearing on the 7th June and on that day Mr. H. Holden, the Clerk of the Golborne Urban District Council ("the Council") attended. Unfortunately, the case was not reached until the following day and he then had other duties. However he left me some copy letters (being the only information the Council had as to ownership) from which it appeared likely that the Green may have been given to the Village many years ago by Squire Withington who lived at Culcheth Hall (now pulled down). I am from this information unable to reach any conclusion as to the ownership of the Green. No other person attended the hearing either on the 7th or the 8th June, so (apart from the letters above mentioned) I had no evidence.

For these reasons I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Lancashire County Council as registrars authority, to register Golborne Urban District Council as the owner of the land under subsection (3) and (5) of section 3 of the Act.

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.

a. a. Baden Fuller.

Dated this 15th day of June 1972

Commons Commissioner