



In the Matter of Worsley Green
Worsley Urban District, Lancashire

DECISION

This reference relates to the question of the ownership of land known as Worsley Green, Worsley Urban District, being the land comprised in the Land Section of Register Unit No.V.G.31 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 21st June 1972.

The hearing was attended by the Worsley Urban District Council ("the Council") who were represented by Mr. R.E.Huband. He is and has been for the last 16 years Clerk of the Council. In his evidence he produced a conveyance dated the 7th January 1969 and made by the Bridgewater Estates Limited ("the Company") and an abstract of the prior title of the Company; both these were held by the Council. By the conveyance (stating its effect so far as now relevant) in consideration of £1000 paid by the Council, the Company conveyed to the Council in fee simple a piece of land containing 5.9 acres and known as "the Green"; from the plan annexed and Mr.Huband's knowledge of the locality, I was able to identify the piece of land so conveyed with the land the subject of the reference. The abstract of title commenced with an indenture dated the 24th March 1923 and appeared to me to be regular: Mr.Huband said that the Company owned much land in the locality, that he was familiar with their title, that it was generally accepted and that he on behalf of the Council had accepted it when the Council purchased in 1969. The Company had in about the year 1960 erected a fence which was on one side of the land and which the Council after their purchase pulled down.

On the evidence outlined above, I am satisfied that Worsley Urban District Council is the owner of the land, and I shall accordingly direct the Lancashire County Council, as registration authority, to register Worsley Urban District Council as the owner of the land.

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 4th day of July 1972

A. A. Baden Fuller

Commons Commissioner