



COMMONS REGISTRATION ACT 1965

Reference No. 24/U/7

In the Matter of The Green, Kirton
Lindsey, Lincolnshire (Parts of
Lindsey)

DECISION

This reference relates to the question of the ownership of land known as The Green, Kirton Lindsey, being the land comprised in the Land Section of Register Unit No. V.G.11 in the Register of Town or Village Greens maintained by the Lindsey 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 Barclays Bank Trust Co. Ltd, as trustee of the will of Alfred Singlehurst Cross, deceased, 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 Lincoln on 3rd May 1972.

I was informed that the land the subject of this reference was awarded under the Kirton in Lindsey Inclosure Act of 1793 (33 Geo. III, c.47 (private)) to the Prince of Wales for holding fairs. I did not, however, consider it necessary to ask for formal proof of this. It is sufficient for the purposes of this case to begin with a conveyance dated 9th June 1913 of an estate in Kirton Lindsey, which included the Green, from the Duchy of Cornwall to Hector Mackay Morrison and Alfred Singlehurst Cross. By a deed of partition dated 8th March 1919 Mr. Cross became the sole owner of part of the estate, including the Green. Mr. Cross died on 23rd February 1957 and Barclay's Bank Trust Co.Ltd. is the present trustee of his will. The Green has for many years been let to the Kirton in Lindsey Markets Committee, which has paid the rent to a firm of auctioneers acting as the owner's agents.

I am satisfied that Barclays Bank Trust Co.Ltd. is the owner of the land, and I shall accordingly direct the Lindsey County Council, as registration authority, to register that company 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 30th day of May 1972.


Chief Commons Commissioner