



COMMONS REGISTRATION ACT 1965

Reference No. 220/U/6

In the Matter of Village Green,
Horton, Ribble Valley Borough,
Lancashire

DECISION

This reference relates to the question of the ownership of land known as Village Green, Horton, Ribble Valley Borough being the land comprised in the Land Section of Register Unit No. VG 156 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 25 November 1981. The hearing was attended by Mr G S Heaton chairman of Horton Parish Meeting, and by Lancashire County Council as registration authority ~~was~~ represented by Mrs S M Cunliffe.

Mr Heaton said he could not offer any evidence of ownership. There followed a discussion as to whether for the purpose of subsection (5) of Section 8 of the 1965 Act the land "is in a rural parish which has a parish council". In the Register it is said that the registration was made pursuant to an application made 19 June 1969 by Horton Parish Meeting, which suggests but does not necessarily show, that at that time there was no Parish Council in Horton. Mr Heaton seemed uncertain as to the legal position, and Mrs Cunliffe said that the information then available to her suggested that there was no parish council for Horton. I said that unless I heard to the contrary either from Mr Heaton or the County Council, I should assume that there is no parish council for Horton.

Not having heard to the contrary my decision is:- In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Lancashire County Council, as registration authority, to register Ribble Valley Borough Council as the owners 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 15th — day of March — 1982.

a a. Baden Fuller

Commons Commissioner