



In the Matter of The Green,
Mountsorrel, Leicestershire.

DECISION

This reference relates to the question of the ownership of land known as The Green, Mountsorrel, being the land comprised in the Land Section of Register Unit No.V.G.37 in the Register of Town or Village Greens maintained by the Leicestershire 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 one claimed to have information as to its ownership.

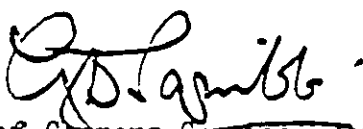
I held a hearing for the purpose of inquiring into the question of the ownership of the land at Leicester on 9th October 1973.

At the hearing Mr. G. Scholes, the Chairman of the Mountsorrel Parish Council, informed me that the land in question belonged to the Earl of Lanesborough. Mr. Scholes produced a receipt dated 7th September 1973 from Lord Lanesborough's agents for 3p in respect of what were described as "One Year's Memorial (sic) Rights due 25th March 1973". The Clerk of the Commons Commissioners wrote to the agents who issued the receipt to ask whether Lord Lanesborough wished to prove his title to the land and offering to re-list the matter in order to give him an opportunity of so doing. This elicited a reply dated 31st December 1973 that Lord Lanesborough had been asked to check the plan with his documents and that the land was not coloured on the documents which the agents received from the previous agents. Reminders dated 29th January and 27th February 1974 have failed to produce any further reply.

As the matter now stands, I cannot say that I am satisfied that Lord Lanesborough is the owner of the land within the meaning of section 22 (2) of the Commons Registration Act 1965. This does not, of course, necessarily mean that he is not entitled to continue to receive 3p a year "Memorial Rent", which could be some kind of rent charge. That matter is not within my jurisdiction. All that I can say is that I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Leicestershire County Council, as registration authority, to register the Mountsorrel 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 20th day of March 1974


Chief Commons Commissioner