



COMMONS REGISTRATION ACT 1965

Reference No.21/U/41

In the Matter of The Green,
Thrussington, Leicestershire.

DECISION

This reference relates to the question of the ownership of land known as The Green, Thrussington, being the land comprised in the Land Section of Register Unit No.C.L.18 in the Register of Common Land 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 the Thrussington Parish Council appeared by its Clerk, Mr. C. Kilburn. Mr. Kilburn produced the Council's minute book, from which it appears that at a meeting held on 19th December 1907 the Chairman stated that The Green was owned by the lords of the manor, who were stated to be four in number and that "for all practical purposes" the lords of the manor would waive all claim to the ownership. The minute goes on to record that District Councillor Reid said that, as one of the lords of the manor, he would give up his freehold in The Green for the benefit of the parish.

Although what took place at the meeting in 1907 was ineffective to vest the ownership of The Green in the Parish Council, it helps to explain the subsequent history. Evidence was given by Mr. A.M. Needham, who has lived in Thrussington for 76 years, that about 1908 the Parish Council erected railings round The Green. These railings were taken down during World War I. The land has been used as a playground and maintained by the Parish Council, which erected a new fence six or seven years ago.

On this evidence I am satisfied that the Parish Council has acquired a possessory title to the land, and I shall accordingly direct the Leicestershire County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(2) 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 29th day of October 1973


Chief Commons Commissioner