



COMMONS REGISTRATION ACT 1965

Reference Nos 226/D/25
to 28 inclusive

In the Matter of four pieces of land
(1) about 1A. 1R. part of Millfield
(OS No. 216), (2) about 1A. 2R. part of
the Grove (OS No. 128), (3) about 1A. part
of Millfield (OS No. 193), and (4) known as
Cottage Ground about 2R. part of Millfield
(OS No. 288), all in Titchmarsh,
East Northamptonshire District,
Northamptonshire

DECISION

These disputes relate to the registrations at Entry No. 1 in the Rights Section of Register Unit (1) No. 49, (2) No. 50, (3) No. 51 and (4) No. 52 in the Register of Common Land maintained by the Northamptonshire County Council, and are occasioned by Objection (1) No. 5, (2) No. 6, (3) No. 7, and (4) No. 8 made by The Master Wardens and Commonalty of Merchant Venturers of the City of Bristol as trustees of the Charity of H H Wills and noted in the Register on 28 September 1979.

I held a hearing for the purpose of inquiring into the disputes at Northampton on 8 February 1979. At the hearing (1) Titchmarsh Parish Council (the registrations were made on their application) were represented by Mr M B Woollard their chairman (present also was Mr M Alderman their vice chairman); and (2) The Master Wardens and Commonalty of Merchant Venturers ("the Society") were represented by Mr D D Brereton chartered surveyor of Carter Jones, Chartered Surveyors of Huntingdon.

The registration in the Rights Section is (the same in respect of all four pieces) of a right of the proprietors of the lands and estates in the parish of Titchmarsh and their tenants to dig and take stone for their use in the said parish out of the land comprised in this Register Unit, such right having been granted by the Inclosure Award of 1779. The grounds of Objection (the same in respect of each of the four pieces) are (stating their effect shortly), uncertainty of class entitled, applicants lack of capacity, undue and unreasonable burden, non exercise for many years and abandonment, exhaustion of materials, and the right ought not to be preserved.

Mr Woollard and Mr Brereton asked me to refuse to confirm the registrations, explaining that their intention was that these land should cease to be registered in any way under the 1965 Act.

The register kept under the 1965 Act is in three parts: (1) the Land Section, in this case the relative Entry No. 1 is a description of the land and records that the registration was made by the registration authority without application; (2) the Rights Section, the relative Entry No. 1 being the right above summarised; and (3) the Ownership Section, in this case there is no Entry.