



COMMONS REGISTRATION ACT 1965

Reference No.26/U/2

In the Matter of the Green,  
Clipston, Brixworth R.D.,  
Northamptonshire

DECISION

This reference relates to the question of the ownership of land known as the Green, Clipston, Brixworth Rural District being the land comprised in the Land Section of Register Unit No.VG.3 in the Register of Town or Village Greens maintained by the Northamptonshire 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 Northampton on 28 June 1973. The hearing was attended by Clipston Parish Council who were represented by Mr. W. D. Wilford.

Mr. Wilford who was clerk of the Council for 28 years before 1971 and a member of the Council for 6 years before that, gave evidence. He produced (i) an indenture dated 31 December 1897, (ii) an abstract dated 1894 of the title of the Misses Harris and their mortgagee to Manorial rights at Clipstone, and (iii) Bye-laws for the regulation of the land adopted at a meeting of the Parish Council held on 29 December 1898. By the indenture Miss C. Harris, Miss J. F. Harris and Miss E. C. G. Harris in consideration of five shillings, conveyed to the Parish Council "All those pieces of land part of the Manor ... of Clipston Cum Newbold ... known as the Village Green ..."; it was recited that the land conveyed was "to be held by the said Council for the benefit of the inhabitants of the Village of Clipston". The abstract commenced with the will dated 23 July 1872 of Thomas Caldecott. Mr. Wilford said:- The land comprised in the Register Unit was two pieces of grass land: on the western (triangular piece) there is the Village War Memorial, and three lime trees planted to commemorate the Diamond Jubilee of H.M. Queen Victoria; also two seats. The Parish Council look after the land. They had done so for sometime as appeared from a copy letter he produced dated 13 July 1910 in which the Clerk had written to complain of building material deposited on the Green and a solicitor bill from which it appeared that following a threat of legal proceedings the offence before the 29 July 1910 removed "the timber etc."

On the evidence summarised above, I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Northamptonshire County Council, as registration authority, to register Clipston 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 poi