



COMMONS REGISTRATION ACT 1965

Reference No. 226/U/71

In the Matter of the Seventh Allotment,
Woodnewton, Northamptonshire

DECISION

This reference relates to the question of the ownership of land known as the Seventh Allotment, Woodnewton, being the land comprised in the Land Section of Register Unit No. CL 42 in the Register of Common Land 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 British Steel Corporation ("BSC") claimed to be the freehold owner of the land in question ("the Unit Land") and no other 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 4 July 1979.

At the hearing Mr P J Wilson, Solicitor, appeared on behalf of BSC and there were no other appearances.

The Unit Land was included in property comprised in a Conveyance on sale dated 14 October 1940 by H J Pyke to Stewarts and Lloyds Ltd, and in property comprised in a Conveyance on sale dated 30 December 1950 by that company (and its Mortgagees) to Stewarts and Lloyds Minerals Ltd ("SLM"). BSC is the successor in title to SLM by virtue of a scheme of Reconstruction and Vesting Order made in 1970. By a Conveyance dated 11 November 1971 between BSC and Northamptonshire County Council a small portion of the Unit Land ("the highway portion") was conveyed to the County Council pursuant to an Agreement for dedication as part of the public highway. Certified copies of the Conveyances were produced at the hearing.

On this evidence I am satisfied that BSC is the owner of the Unit land, other than the highway portion, and I shall accordingly direct the Northamptonshire County Council, as registration authority, to register BSC as the owner under section 8(2) of the Act of 1965. As regards the highway portion, there is no claim before me by the County Council, but subject to any representations the County Council may wish to communicate, I shall direct that it be registered as owner of the highway portion.

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 22 August 1979

L. J. Morris Smith

Commons Commissioner