



COMMONS REGISTRATION ACT 1965

Reference No 26/U/42

In the Matter of The Village Green,
Laxton, East Northamptonshire District,
Northamptonshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Laxton, East Northamptonshire District being the land comprised in the Land Section of Register Unit No VG. 50 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 Holyoaks solicitors of Leicester on behalf of the Trustees of the Laxton Park House Settlement provided some information about a conveyance made on 12 November 1924 to the Countess of Bandon; and Mrs Ann Thompson of Peterborough said she was brought up in Laxton (at 69 years she still regarded it as her home), and provided some information about the owners of land in the Village, mentioning particularly, Mrs Hornsby, Col Wyndham, Lord and Lady Bandon and Miss Gausson. No person claimed to be the freehold owner of the land in question 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 5 July 1977. At the hearing Mr G J Mapplebeck and Mr W O Farrer were represented by Mr J F Harrison solicitor of Holyoak & Co Solicitors of Leicester as agents for Farrer & Co Solicitors of London.

Mr J G Holyoak senior partner of Holyoak & Co, whose firm has acted for the trustees of a settlement dated 25 March 1966 since it was made (being a settlement made by Miss M F L Gausson of the Laxton Park House Estate) in the course of his evidence produced (1) a conveyance dated 12 November 1924 by which Albert Ball (Nottingham) Limited and Mr E Marshall conveyed to Rt Hon G D H Dowager Countess of Bandon, the Old School House and land at Laxton containing about 141 acres, two cottages being Nos 2 and 3 Laxton and "ALL THAT peice or parcel of land known as the Village Green in the said Parish of Laxton"; (2) probate dated 30 November 1942 of the will of the Countess of Bandon (she died 29 June 1942) granted to Miss Gausson; (3) an assent dated 1 February 1947 made by Miss Gausson in favour of herself; (4) the said 1966 Settlement by which lands were conveyed to Mr G H Walford and Mr G H Boyle upon trust for sale; and (5) probate dated 9 September 1969 of the will of Miss Gausson (she died 10 May 1969) granted to Mr Mapplebeck and Mr Farrer.



Mr Holyoak said (in effect):- The land is a triangular piece of greensward surrounded on all sides by roads; near the east end of the land is the gate into Laxton Park. We understood from Mr Boyle (one of the trustees of the 1966 Settlement) that Miss Gausсен had always accepted responsibility for the Village Green. Although the 1966 Settlement Trustees would probably do likewise, the Village Green was (perhaps mistakenly) not included in the 1966 Settlement made by Miss Gausсен.

Two days after the hearing I inspected the land. Its appearance is very attractive, and it must be a valuable amenity for those living in the houses which front on it and nearby.

Notwithstanding that there may be no obvious reason why Miss Gausсен did not include the land in the 1966 Settlement, it is clear that it is not so included, and I accept Mr Harrison's contention that the evidence outlined above shows it to be now vested in her personal representatives. I am therefore satisfied that they are the owners of the land, and I shall accordingly direct Northamptonshire County Council to register Mr Godfrey John Mapplebeck care of Holyoak & Co Solicitors of Priory Chambers, 6 Peacock Lane, St Martins, Leicester LE1 5F and Mr William Oliver Farrer of 66 Lincolns Inn Fields, London WC2 as the owners 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 26th day of July —

1977

a. a. Robin Fuller

Commons Commissioner