



COMMONS REGISTRATION ACT 1965

Reference No.26/U/11

In the Matter of The Village Green,
Weldon, Kettering R.D., Northamptonshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Weldon, Kettering Rural District being the land comprised in the Land Section of Register Unit No.VG.17 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 Weldon Parish Council in a letter dated 5 December 1972 and sent to the Clerk of the Commons Commissioners 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 26 June 1973. The hearing was attended by Weldon Parish Council who were represented by Mr. P. L. Greene solicitor with Toller Hales & Colcutt Solicitors of Corby.

Mr. Greene produced from the custody of the Parish Council (i) a conveyance dated 1 December 1966, (ii) an abstract dated 1964 (examined 30/12/66) of the title of the Rt. Hon. C. D. S. Earl of Winchilsea and Nottingham to property in Northamptonshire and (iii) a completed draft of a conveyance dated 11 July 1967. By the 1966 conveyance the Earl of Winchilsea and Nottingham (as a gift) conveyed to the Parish Council land containing .031 acres or thereabouts part of O.S. (1900 edition) No.138 and "known as Weldon Village Green". By the 1964 abstract the title of the Earl was regularly deduced from a vesting deed dated 20 January 1926, which included the Manors of Great Weldon and Little Weldon; in a vesting assent dated 6 January 1960 the freehold properties thereby vested and known as the Kirby Hall Estate were described by reference to the First Schedule which included under the heading "Great Weldon Parish", the item "Pt. 118. - Village Green, Waste of the Manor. - .831". The 1967 conveyance was of land containing 1030 square yards to the Minister of Transport.

Mr. D. G. Nightingale assistant in the Surveyors Department of the County Council, who was attending the hearing as representing the County Council as registration authority, said he well knew the land comprised in this Register Unit: it was well known as the Village Green; it did not include the 1030 square yards in 1967 conveyed to the Minister for road widening.

On the evidence outlined 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 Weldon Parish Council as the owner of the land under section 3(2) of the Act of 1965.



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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 5th day of July 1973.

a. a. Baden Fuller.

Commons Commissioner