



COMMONS REGISTRATION ACT 1965

Reference No 27/3/77

In the Matter of Rothbury Village  
Greens, Rothbury, Alnwick District,  
Northumberland

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DECISION

This reference relates to the question of the ownership of land (in at least six pieces) known as Rothbury Village Greens, Rothbury, Alnwick District being the land comprised in the Land Section of Register Unit No VG. 28 in the Register of Town or Village Greens maintained by the Northumberland 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 Alnwick on 21 June 1977. At the hearing Rothbury Parish Council, were represented by two of their members Miss G M Hewish and Mrs M G Thompson (both former chairmen).

In the Register the land is described as "nine pieces". Mrs Thompson said there are only six pieces (as shown on the Register map, although I suppose some of these pieces being divided by paths or tracks could be regarded as more than one).

Mrs Thompson said (in effect):- The Parish Council pay a peppercorn rent (meaning a nominal rent, she could not say the amount or how it was paid) to the Duke of Northumberland for this and other lands. The pieces comprised in this Register Unit are all open to the road; they have been planted with trees (chestnuts, sycamores and others); there are some rose beds; some of the trees were presented to the Village by the Rector at the end of the 19th century; two or three trees were cut down recently and were replaced by the Parish Council in conjunction with a forestry expert and the Duke's Agent.

In the particular circumstances of this case, it may not matter whether I am satisfied as to the ownership of the Parish Council because, although under subsection (2) of section 3 of the 1965 Act, I have, if I am satisfied as to the ownership of any person, to direct the registration of that person as owner, under subsection (3) of the said section, if I am not satisfied that anyone is the owner (I have no information from which I could conclude that anyone other than the Parish Council is the owner), I have to direct the registration of the Parish Council as owner. After some discussion, Mrs Thompson said she would offer no evidence of ownership, although she thought the Parish Council would happily own the land.



After the hearing I inspected the land. The pieces together with the intersecting roadways and tracks form a strip about 350 yards long and between about 20 and 40 yards wide; they are in the middle of Rothbury with dwelling houses and shops fronting on them, being grassland with flower beds and some public seats; at one end there is the War Memorial. Their appearance is very attractive; they must be a valuable amenity for all who reside in or near Rothbury.

In the absence of any evidence of ownership I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Northumberland County Council, as registration authority, to register Rothbury Parish Council as the owner of the land under section 8(3) 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 14<sup>th</sup> — day of July —

1977

a. a. Baden Fuller

Commons Commissioner