



COMMONS REGISTRATION ACT 1965

Reference No 27/D/45

In the Matter of The Park Village Pleasure
Ground, near Park Wood, Featherstone,
Tynedale District, Northumberland

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No VG. 52 in the Register of Town or Village Greens maintained by the Northumberland County Council and is occasioned by Objection No 75 made by Mr Edward Donaldson Jackson and noted in the Register on 12 May 1971.

I held a hearing for the purpose of inquiring into the dispute at Hexham on 3 May 1976. At the hearing Featherstone Parish Council on whose application the registration was made, were represented by Mr T E Bell their chairman (present also were Mr J Clark and Mr J P Elliott two of their members).

The grounds stated in the Objection begin: "The right does not exist at all..." and continue with an allegation (among others) that the field has been in Mr Jackson's family for approximately 100 years and his personally for over 12 years, and has for similar periods been let and used as agricultural land.

In letters dated 10 November 1974 and 24 March 1976 Barclays Bank Trust Company Limited said that they were one of the executors of Mr E D Jackson who died on 1 October 1975 and that the Executors had transferred the Bellister Castle Estate to the National Trust for Places of Historic Interest or Natural Beauty in accordance with the will by an assent dated 12 March 1976. In a letter dated 28 April 1976, the National Trust (by their solicitors) said (among other things) that there is nothing in the deeds to indicate that the land is a village green or has been used for sports and pastimes.

Mr Bell, who has lived in the Parish all his life (55 years), has been a member of the Parish Council since 1954 (when a combined Council for Bellister and Featherstone was formed) and who has been chairman for about 15 years, in the course of his evidence said that the land has always been known as the Park Village Play Ground and been used as such. He mentioned some things which had been discovered in the course of an investigation into its history, and was prepared to go into the matter in more detail.

In my opinion, there being no person present at the hearing to support the Objection, I ought to act on the general evidence (summarised above) given by Mr Bell, and from it conclude that the land is within the definition in section 22 of the 1965 Act of an town or village green. But for the Objection, the registration would have become final under section 7 of the Act. I am not at this hearing concerned to determine whether or not the National Trust are (as alleged in their letter) owners; the land could under the Act be both within the definition and in their ownership.



Having regard to the considerations above set out, I confirm the registration without any modification.

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 11/5 day of May ————— 1976

a. a Baden Fuller

Commons Commissioner