



In the Matter of Cocking Moor and Lane Parish  
Pound, Grimstone Green, Town Green, Wellow Dam and  
Wast Wellow

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DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL.29 in the Register of Common Land maintained by the Nottinghamshire 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 Mr James Clifford Hilton claimed to be the freehold owner of the land in question.

I held hearings for the purpose of inquiring into the question of the ownership of the land at Nottinghamshire on 1 November 1984, 26 February, 4 June and 19 November 1985.

Owing to Mr Clifton's unavoidable absence the first two hearings of this matter were adjourned. At the hearing on 4 June 1985 Mr Clifton was represented by Mr D C Aird of Blackhurst, Parker and Yates, Solicitors of Blackpool and on 19 November 1985 Mr Clifton appeared in person. Mr Paddison appeared on 1 November 1984 for Newark District Council. Mr G W Ragsdale (chairman) and Mrs B. Ilett (clerk) appeared on 1 November 1984 and 19 November 1985 for Wellow Parish Council. Mr A Riley (chairman) appeared for Wellow Toft holders Association and Mr. M Maher represented the Registration Authority.

Mr Clifton who was the only claimant to ownership based his claim on a Conveyance by Lord Savile and others to Henry Talbot de Vere Clifton dated 20 August 1940 which comprised with other property certain manors in Nottinghamshire part of the Rafford Abbey Estate.

At the hearing on 4 June 1985 I was shown a copy of the Conveyance of 20 August 1940 the material part of which was Part I B of the First Schedule, which is headed 'Particulars of Manors'.

Paragraph (2) is in these terms.

"(2) ALL THAT the Lordship or reputed Lordship of the Manor of Wellow in the County of Nottingham together with the vendor's interest in Wellow Green, Cocking Moor and Cocking Moor Lane particulars whereof are as follows:-

No. on Ordnance Survey Map latest Edition Wellow	Tenant	Description	Area Acres	Total Area a. v. p
2	"	Cocking Moor	18.867	
7	"	Cocking Moor Lane	33.286	
43	"	Wellow Down	1.410	
46	"	Wellow Green (pt)	10.942	



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95	"	Cocking Moor Lane	1.569	
96	"	Cocking Moor Lane	658	
			<hr/>	
			36.732	<hr/>

## Boughton

P1	222	"	Former Road	.450	
P1	225	"	Wellow Farm (pt)	3.239	40.1.27
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Cocking Moor, Cocking Lane and the portion of Wellow Farm in Wellow Parish are subject to Commoners' Rights of Pasturage thereon but the North-west portion of Wellow Green in Boughton Parish is freehold. The commons are sold subject to such rights of access thereover as may now be enjoyed by other owners"

All the land referred to at Entry No. 1 in the Land Section of the register unit is stated to be in the Parish of Wellow.

Cocking Moor, Cocking Moor Lane, Wellow Green and Wellow Dam are identifiable on the plan supplied to me and I adjourned the hearing to give the claimant an opportunity of producing evidence to identify the remainder. No other person claimed ownership of any part of the Register Unit.

On 19 November I heard evidence given on oath by Mr George William Ragsdale.

Mr Ragsdale said that he was the present chairman of the Wellow Parish Council from 1938 - 1974 he had been clerk to the council and since 1974 a Member. His father had also been clerk to the Parish Council.

The Wast was the road side grazing on (i) either side of Eakring Road from the junction with Neward Road to the junction with Potter Lane and (ii) either side of Newcastle Road.

The Parish Pound was the small square of land at the junction of Newark Road and a private road leading to Jordan Castle Farm near to the area marked 'Pinfeld'.

Grimstone Green was the area of land abutting Cocking Moor Lane and North-west of Grimston Hill.

The only area not identified by <sup>This is</sup> description on the map or by Mr Ragsdale's evidence is the area at the Northern end of Eakring Road containing the words 'Meth Church and May Pole'. The only area not accounted for in the description on the Register. Although Mr Ragsdale said that he had never heard this piece referred to as Town Farm, it had always been owned by Lord Savile and Mr Clifton as Lords of the Manor. The area was grazed by the Commoners and I conclude that the words 'Town Green' were



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intended to apply to this area.

On this evidence I am satisfied that Mr J C Clifton is the owner of the land, and I shall accordingly direct the Nottinghamshire County Council, as registration authority, to register him as the owner 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 *5<sup>th</sup>* day of *December* 1985

*James Hearn*

COMMONS COMMISSIONER