



COMMONS REGISTRATION ACT 1965

Reference No. 228/U/120

In the matter of The Village Green,
Nether Langwith, Bassetlaw District,
Nottinghamshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Nether Langwith, Bassetlaw District being the land comprised in the Land Section of Register Unit No. VG7 in the Register of Town or Village Greens 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 Nether Langwith Parish Council said (letter dated 20 December 1984 from their Clerk) that in the absence of the Lord of the Manor, Langwith Village Green is under the jurisdiction of the Nether Langwith Parish Council. 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 Nottingham on 14 May 1985. At the hearing Nether Langwith Parish Council were represented by Mr Henry David Sturley Saywood their chairman; present also was Mrs M Waterhouse a former chairman and a member (since 1949) of the Council.

The land ("the Unit Land") is for the most part open grass land about 90 yards long, narrow at its east end and broadening out to about 20 yards at its west end. Along its north and south boundaries flows the River Poulter (higher up the River divides into two streams which join together again just below the Unit Land). On the Unit Land near its east end is the Village War Memorial. At its southwest corner there is a sheepwash.

Mr H D S Saywood in the course of his evidence said (in effect):- The Parish Council would like the land to be vested in them; there is no disputing owner; they have corresponded with Welbeck Estate Company who say (letter of 20 March) that they do not regard the Green as in their ownership. The sheepwash was constructed in 1884 approximately. The War Memorial was erected in 1920; for the maintenance of it and its surroundings (plants), the Parish Council organise voluntary labour. The grass in the Unit Land was for 2 or 3 years in the 1970's cut by the County Council; in the last 5 years it has been cut by contractors for the Parish Council. There was a colliery in the Village for about 100 years, opened about 1873 and closed about 1973; the Village now has a population of about 500 (including children), and the electoral roll is about 380. The Village use of the Unit Land is for on sunny days kicking a ball about etc; a recognised safe area for small children; a pleasant open space to view, etc. The Parish Council are currently providing and maintaining the River bank (the walls, a community project).



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Mrs M Waterhouse said (in effect):- The sheepwash is part of local history; it was constructed in or before 1884 by the direction of the then Duke of Portland (he took a personal interest in the Village and the farms who might benefit from it). Her husband who was born in the village, remembered seeing the sheepwash being used up to the 1930's; the sheep were not dipped in chemicals but in plain water (of the River); after the 1930's dipping (chemically) became compulsory, and the sheepwash was no longer used.

By subsection (2) of section 8 of the Commons Registration Act 1965, I am required to say whether I am "satisfied that any person is the owner of the land", and if I am to direct the registration of that person as owner. In the particular circumstances of this land, it may be of no practical consequence whether I am or am not satisfied that the Parish Council are the owners, because if I am not satisfied that they are the owners by subsection (3) I am required to direct the registration of the Parish Council as owners. The evidence above summarised although consistent with the Unit Land being locally reputed to be parish property, falls a little short of showing satisfactorily any Parish Council ownership. Accordingly I am not satisfied that any person is the owner of the land, and I shall therefore direct the Nottinghamshire County Council, as registration authority, to register Nether Langwith 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 16th ——— day of December ——— 1985

A. A. Baker-Fidler

Commons Commissioner