



COMMONS REGISTRATION ACT 1965

Reference No.20/U/17

In the Matter of Weeton Green, Weeton-with-Preese,
Fylde R.D., Lancashire

DECISION

This reference relates to the question of the ownership of land known as Weeton Green, Weeton-with-Preese, Fylde Rural District, being the land comprised in the Land Section of Register Unit No.V.G.28 in the Register of Town or Village Greens maintained by the Lancashire 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 Preston on 7th and 8th June 1972.

The hearing was attended by the Weeton-with-Preese Parish Council ("the Council") who were represented by one of their members, F.Robinson. In his evidence he produced a conveyance dated the 16th November 1959 and held by the Council; after reciting that the Church Commissioners for England "are Lords of the Manor of Weeton and it is apprehended that as such Lords as aforesaid they are entitled to the soil and freehold of the piece of land known as the Village Green Weeton in the county of Lancaster" it was by the conveyance witnessed that the Commissioners conveyed to the Council all "the estate and interest (if any) of the Commissioners vested in them as Lords of the Manor of Weeton" in a piece of land known as "the Village Green Weeton". I was able to identify the land conveyed with that the subject of this reference. He also produced a copy of bye laws for the regulation of the land made by the Council on the 10th October 1960 under section 8(1)(d) of the Local Government Act 1894. Mr. Robinson said (referring to a memorandum made by the Clerk, Mr. G. Kirby) that the purchase of the land by the Council was first considered in 1958 with a view to the Council preventing the parking of cars on the Green, that it was thought that the late Earl of Derby had been the owner because by a Charter of 1670 he had a right to hold a fair at Weeton, that the Trustees of his Estate had suggested that the Council write to the Church Commissioners and that in the result the land had been conveyed to the Parish as above mentioned.

For these reasons I am satisfied that Weeton-with-Preese Parish Council is the owner of the land, and I shall accordingly direct the Lancashire County Council as registration authority, to register Weeton-with-Preese Parish Council as the owner of the land.

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 June 1972

a. a. Baden Fuller.

Commons Commissioner