



COMMONS REGISTRATION ACT 1965

Reference No 30/U/11

In the Matter of the Village Green at
Whissendine, Oakham R.D., Rutland

DECISION

This reference relates to the question of the ownership of land known as the Village Green at Whissendine (adjoining the school in Main Street), Oakham Rural District being the land comprised in the Land Section of Register Unit No VG.19 in the Register of Town or Village Greens maintained by the Rutland 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 Oakham on 8 May 1973. The hearing was attended by Oakham Rural District Council who were represented by Mr R L Francis their clerk and by Whissendine Parish Council who were also represented by Mr Francis.

Mr Francis said:- The land in the Register said to extend to about 360 square yards is triangular bounded by three roads and situated in the centre of the village. It is in front of the entrance to Whissendine Cottage. A former owner of the Cottage who left more than 20 years ago arranged for his gardener to mow the grass. The present occupier of the Cottage with the agreement of the Parish Council has planted it with roses and for the last 7 years and upwards has maintained the land. The Parish Council has no knowledge of its ownership.

In the absence of any evidence as to ownership, I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Rutland County Council, as registration authority, to register Whissendine 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 17th day of May 1973

a. a. Baden Fuller

Commons Commissioner