



COMMONS REGISTRATION ACT 1965

Reference No. 226/U/59

In the Matter of Recreation Ground, Higham
 Ferrers, Northamptonshire

DECISION

This reference relates to the question of the ownership of land known as Recreation Ground, Higham Ferrers being the land comprised in the Land Section of Register Unit No. VG 155 in the Register of Town or Village Greens maintained by the Northamptonshire 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 Higham Ferrers Town Council claimed to be the freehold owner of the land in question ("the Unit Land") 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 Northampton on 4 July 1979.

At the hearing Mrs N M Gibson of the Town Clerk's Department appeared on behalf of the Town Council.

In 1839 under an Inclosure Award there was an allotment of land including the Unit Land to trustees and by a Conveyance dated 13 June 1910 the then trustees conveyed it to the Higham Ferrers Borough Council for the purposes of the Open Spaces Act 1906. Following local government re-organisation in 1974, the Unit Land passed to East Northampton District Council and by S.I. 1975 No. 1636 was vested in the Town Council.

On this evidence I am satisfied that the Town Council is the owner of the land, and I shall accordingly direct the Northamptonshire County Council, as registration authority, to register the Town Council as the owner of the land under section 3(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 22 August 1979

L J Morris Smith

Commons Commissioner