



COMMONS REGISTRATION ACT 1965

Reference No. 239/U/85

In the Matter of Hillmorton Village Green,
Hillmorton, Rugby, Warwickshire

DECISION

This reference relates to the question of the ownership of land known as Hillmorton Village Green, Hillmorton, Rugby, being the land comprised in the Land Section of Register Unit No. VG 75 in the Register of Town or Village Greens maintained by the Warwickshire 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 one 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 Stratford on Avon on 19 May 1982.

At the hearing Mr D J Christensen, Solicitor, appeared on behalf of Dr R C Hill. Dr Hill, however, is not claiming to be the owner of any of the land in question, but is interested in the possible construction of an access road over part of the land, and Mr Christensen asked whether it would be possible for this part of the land to be registered in the name of the highway authority or in the Rugby Borough Council as agent for the highway authority. This, in my view, is not possible in law, and all that I can do in the absence of any evidence is to say that I am not satisfied that any person is the owner of the land, and accordingly direct the Warwickshire County Council, as registration authority, to register the Rugby Borough 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

27th

day of

May

1982

Chief Commons Commissioner