



In the Matter of The Village Green situated in front
of the School on the Southam-Kinton Road, Gaydon,
Warwickshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green situated in front of the School on the Southam-Kinton Road, Gaydon being the land comprised in the Land Section of Register Unit No. VG.35 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 the Gaydon Parish Council claimed to be the freehold owner of the land in question and Mr B Lean claimed to be the owner of part of it, 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 Stratford-on-Avon on 2 February 1982. At the hearing, the Gaydon Parish Council was represented by Mr B G Brightman, its Clerk. There was no appearance by or on behalf of Mr Lean.

There was evidence that the Parish Council had been in possession of the land in question during recent years, but not for a sufficiently long time to have acquired a possessory title.

On this evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register the Gaydon 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 11th day of February 1982


Chief Commons Commissioner