

In the Matter of Three Pieces of Land situate in
Stratford Road, Loxley, Warwickshire.

DECISION

This reference relates to the question of the ownership of three pieces of land situate in Stratford Road, Loxley, being the land comprised in the Land Section of Register Unit No. VG 144 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 Mr and Mrs R P K Horton claimed to be the freehold owner of the land in question 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 Stratford-on-Avon on 3 February 1982.

At the hearing Mr and Mrs Horton were represented by Mr P G King, solicitor.

One of the pieces of land in question, namely, that on the north side of the road, was conveyed to Mr and Mrs Horton by a conveyance dated 9 January 1969 made between (1) Arthur Robert Whitehead (2) Roderick Phillip Kenneth Horton and Anne Jane Hollands Horton. The vendor had a good root of title in a conveyance made 11 October 1949 between (1) Joseph Leonard Buckle (2) A R Whitehead.

On this evidence I am satisfied that Mr and Mrs Horton are the owners of the piece of land on the north side of Stratford Road, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register them as the owners of that piece of land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the two pieces of land on the south side of Stratford Road, and I shall accordingly direct the County Council to register the Loxley Parish Council as the owner of those pieces 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

16th

day of

February

1982



Chief Commons Commissioner