



COMMONS REGISTRATION ACT 1965

Reference No. 41/U/40

In the Matter of Castle Street Green,
Ludgershall, Wiltshire.

DECISION

This reference relates to the question of the ownership of land known as Castle Street Green, Ludgershall, being the land comprised in the Land Section of Register Unit No. VG 24 in the Register of Town or Village Greens maintained by the former Wiltshire 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 Trowbridge on 25th June 1976.

The hearing was attended by Mr J A J Challis, the Chairman of the Ludgershall Parish Council. Mr Challis informed me that during the last 50 years the Parish Council had cut the grass and lopped the trees on the land in question. In my view merely ameliorative work does not constitute adverse possession, but it is unnecessary to investigate the matter closely in this case, since the land will have to be vested in the Parish Council in any event. All that I need say is that on the evidence before me I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Wiltshire County Council, as registration authority, to register the Ludgershall 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 6th day of July 1976.


Chief Commons Commissioner