



COMMONS REGISTRATION ACT 1965

Reference No.1/U/7

In the Matter of the Green,
Milton Ernest, Bedford R.D.,
Bedfordshire

DECISION

This reference relates to the question of the ownership of land known as the Green, Milton Ernest, Bedford Rural District being the land comprised in the Land Section of Register Unit No.V.G.22 in the Register of Town or Village Greens maintained by the Bedfordshire 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 Milton Ernest Parish Council 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 Bedford on 19 October 1972.

The hearing was attended by the Bedfordshire County Council who were represented by Mr. J. Kieran who is one of their staff and by the Milton Ernest Parish Council who were represented by Mr. S. T. Morris who is the Assistant Secretary of the Bedfordshire Association of Parish Councils.

Mr. M. T. Thomas who is the clerk of the Parish Council in the course of his evidence produced a conveyance dated 11 July 1963, by which after reciting among other things that Miss F. C. and Captain S. H. Stacey ("the Grantors") were then the owners in fee simple of the property thereby conveyed subject to the lease thereafter mentioned, it was witnessed that the Grantors voluntarily and without valuable consideration did convey unto the Parish Council the land described in the Schedule subject to a lease dated 18 December 1962 and made by the Grantors to the County Council and to the term of 21 years from 1 January 1963 thereby created. He also produced the counterpart of this lease; by it the County Council covenanted to use the land as a playing field for the children attending the Village School and for no other purpose. The land is now being used for this purpose and the Parish Council is now receiving the rent payable under the lease. The conveyance and the counterpart of the lease are now held by the Parish Council. As appeared from the description in the Schedule to the conveyance and the plan annexed thereto, the land thereby conveyed included the land comprised in this Register Unit; the land thereby conveyed and not so included is now for the most part used as a school swimming pool.

On the evidence summarised above I am satisfied that Milton Ernest Parish Council are the owners of the land, and I shall accordingly direct the Bedfordshire County Council as registration authority, to register Milton Ernest Parish Council as the owners of the land under section 8(2) of the Act.

I am required by regulation 30(1) of the Commons Commissioners Regulation 1971 to explain that a person aggrieved by this decision as being erroneous in point



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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 2nd day of November 1972.

a. a. Baden Fuller

Commons Commissioner