



COMMONS REGISTRATION ACT 1965

Reference Nos 202/U/37  
202/U/38

In the Matter of (1) The Green  
and The Cut and (2) The Recreation  
Ground, Datchet, Windsor and  
Maidenhead District, Berkshire

DECISION

These references relate to the question of the ownership of lands known as (1) The Green and The Cut containing about 0.97 of an acre and (2) The Recreation Ground containing about 0.77 of an acre, both in Datchet, Windsor and Maidenhead District being the lands comprised in the Land Section of Register Unit (1) No. VG 86 and (2) No. VG 87 in the Register of Town or Village Greens maintained by the Berkshire 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 Datchet Parish Council claimed (letter of 24 May 1975) ownership. No other person claimed to be the freehold owner of the lands in question or to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Windsor on 19 July 1978. At the hearing Datchet Parish Council were represented by Mr C. W. Criss one of their members.

Before the hearing the Charity Commission sent an affidavit sworn on 13 July 1978 by Mr P. G. J. Mackey a Higher Executive Officer in their office, to which was exhibited: (1) a copy of a conveyance dated 13 November 1895 by which Rt Hon H. J. Baron Montagu (of Beaulieu) and his eldest son Hon J. W. E Douglas Scott Montagu conveyed to Datchet Parish Council (stating the effect of the conveyance shortly) the land delineated on the plan thereto annexed to be kept as open spaces for the purpose of a village green and recreation grounds, and (2) a letter dated 7 July 1978 from Mr K. Hale Clerk to the Parish Council confirming that the lands in these Register Units are the same as the land remaining in the possession of the Council under the 1895 conveyance after the sale of land to the former Eton Rural District Council for access to a car park in 1969. Mr Mackey said that 422 square yards of the 1895 conveyance land had been sold under the authority of an order made on 28 October 1969.

Mr Criss who has lived in Datchet for 20 years and been a member of the Parish Council for 10 years said that these lands were conveyed to the Parish Council under the 1895 conveyance the original which was in a strong box, so he thought, in the office of Beaconsfield District Council. The lands have been kept in good repair and are a valuable amenity.

The plan on the 1895 conveyance corresponds closely with the part of the Register map showing the lands in these Register Units. On the above evidence, I am satisfied that the Parish Council are the owners of the lands and I shall accordingly



- 2 -

direct the Berkshire County Council, as registration authority, to register Datchet Parish Council as the owners of the lands under section 8(2) 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 the notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 13th day of October 1978

*a. a. Baden Fuller*

Commons Commissioner