



COMMONS REGISTRATION ACT 1965

Reference No.9/U/10

In the Matter of Manaton Village Green,  
Manaton, Devon.

DECISION

This reference relates to the question of the ownership of land known as Manaton Village Green, Manaton, being the land comprised in the Land Section of Register Unit No.V.G.3 in the Register of Town or Village Greens maintained by the Devon 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 but the Charity Commissioners 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 Exeter on 18th July 1972.

At the hearing Mr. L.S. Himely, a Churchwarden of Manaton and Honorary Secretary of the Manaton Green and Church Field Management Committee, appeared on behalf of the Committee. I also read an affidavit by Mr. R. Dawson, sworn on behalf of the Charity Commissioners.

By a conveyance made 19th February 1930 between (1) Ernest William Smith Bartlett and (2) Philip Henry Champernowne and Edward Lewis Cuming, the Churchwardens of the Parish of Manaton, the land in question in this reference was conveyed to Mr. Champernowne and Mr. Cuming upon trust as public ground for the purposes of the Recreation Grounds Act 1859.

Mr. Himely said that no trustees had ever been appointed in succession to Mr. Champernowne and Mr. Cuming and that the land has been managed by the successive Churchwardens of Manaton. Since churchwardens are not a body corporate, it would appear that the legal estate in the land is still vested in Mr. Champernowne and Mr. Cuming or the survivor of them or the personal representatives of the last survivor. Since I do not know the names of the present trustees, I shall direct the Devon County Council, as registration authority, to register the Trustees of the Charity known as Manaton Green as the owner of the land.

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 25<sup>th</sup> day of July 1972

  
Chief Commons Commissioner