



COMMONS REGISTRATION ACT 1965

Reference No 209/U/3

In the Matter of the Village
Green, Ashwater, Torrridge
District, Devon

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Ashwater, Torrridge District being the land comprised in the Land Section of Register Unit No VG. 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 and no 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 Exeter on 16 November 1977. At the hearing Ashwater Parish Council were represented by Mr A E Moon their chairman.

Mr Moon said (in effect):- The Parish Council had put bollards around the Green, to save it being driven over by lorries and cars and they keep it mown. The War Memorial is in the middle of it. The Parish Council could offer no evidence of ownership and he was agreeable that I should proceed under subsection (3) of section 3 of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register Ashwater Parish Council as the owner of the land under section 3(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 9th day of December — 1977

A. A. Baden Fuller

Commons Commissioner