



COMMONS REGISTRATION ACT 1965

Reference No. 9/U/18

In the Matter of the Village Green,
Kilminster, Devon

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Kilminster, being the land comprised in the Land Section of Register Unit No. V.G.31 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 the Kilminster 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 Axminster on 11th April 1972.

The Parish Council appeared at the hearing. However, such evidence as was adduced was directed rather to proving that the land in question fell within the definition of "town or village green" in the Act of 1965 than to the question of ownership. There was no evidence upon which I could be satisfied that any person is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Kilminster 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 24th day of April 1972

Chief Commons Commissioner