



COMMONS REGISTRATION ACT 1965

Reference No. 211/U/12

In the Matter of The Village Green,
Ovington, Teesdale D., Durham

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Ovington, Teesdale District being the land comprised in the Land Section of Register Unit No. VG.10134 (formerly VG.134) in the Register of Town or Village Greens maintained by the Durham 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 Ovington Parish Council claimed to be the freehold owner of the land in question and no other person claimed to be the owner or 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 Bishop Auckland on 30 April 1975. At the hearing Ovington Parish Council were represented by Mr. T.A. Horsley.

Mr. Horsley, who has lived in Ovington for about $3\frac{1}{2}$ years, been a member of the Parish Council for $2\frac{1}{2}$ years and is chairman this year, in the course of his evidence, produced a conveyance dated 26 November 1926, by which the land comprised in this Register Unit (therein described as then "forming the village green") was conveyed to Mr. R.C. Easby (then chairman of the Parish Meeting) and Mr. J. Herbert (the then local representative of the Rural District Council) acting as the Representative Body of the Parish of Ovington constituted by section 47 (3) of the Local Government Act 1933 "upon trust to manage and control the said land as a village green and to permit the same to be used by the inhabitants of the said Parish of Ovington (?for) recreation according to past custom and for no other purpose whatsoever".

By the said section, the representative body was a body corporate. Their land vested when the Parish Council was formed, in the Parish Council.

On the evidence outlined above, I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Durham County Council as registration authority, to register Ovington Parish Council as the owner of the land 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 notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 7th —

day of May —

1975

A. A. Baden Fuller

Commons Commissioner