



COMMONS REGISTRATION ACT 1965

Reference No.12/U/11

In the Matter of The Village Green,
West Bergholt, Essex.

DECISION

This reference relates to the question of the ownership of land known as the Village Green, West Bergholt, being the land comprised in the Land Section of Register Unit No.V.G.22 in the Register of Town or Village Greens maintained by the Essex 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 West Bergholt 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 Colchester on 19th December 1973.

The Parish Council did not appear at the hearing. Mr. C. Meadows, the Divisional Commissioner of the Colchester Divisional Scout Council, informed me that about 1936 the Parish Council gave permission for a Scout hut to be placed on a small part of the land in question. The site of the hut is not fenced off and no payment is made in respect of it.

While this is consistent with the ownership of the land by the Parish Council, I cannot on such meagre evidence say that I am satisfied that any person is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register the 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 21st day of January 1974


Chief Commons Commissioner