



COMMONS REGISTRATION ACT 1965

Reference No.13/U/42

In the Matter of Part of the River Windrush,  
Bourton-on-the-Water, Gloucestershire.

DECISION

This reference relates to the question of the ownership of part of the River Windrush, Bourton-on-the-Water, being the land comprised in the Land Section of Register Unit No.CL.1 in the Register of Common Land maintained by the former Gloucestershire 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 Bourton-on-the-Water 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 Gloucester on 10th and 11th July 1974.

At the hearing the Parish Council was represented by Mr.W.G.Davies, solicitor, who is also the Clerk to the Council.

During the whole period of living memory the banks of the part of the River Windrush in question have been repaired and maintained by the Parish Council, and in recent years several hundred yards of the bank have been completely renewed with stone walling. The Council has also cleared the weeds in the River each year. The Council puts stakes in the River for an annual football match played in the River and occasionally fences off the River so that it can be used for boat racing.

These facts appear to me to be consistent with ownership by the Parish Council and inconsistent with ownership by anyone else. I am therefore satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register the 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 25<sup>th</sup> day of July 1974

  
Chief Commons Commissioner