



COMMONS REGISTRATION ACT 1965

Reference No. 13/U/43

In the Matter of The Green, High Street
Stonehouse, Stroud District, Gloucestershire

DECISION

This reference relates to the question of the ownership of land known as The Green containing about 0.58 of an acre, High Street, Stonehouse, Stroud District being the land comprised in the Land Section of Register Unit No. VG.49 in the Register of Town or Village Greens maintained by the 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 Mr. J.H.A. Anderson as clerk of the Parish Council wrote a letter dated 12 January 1973 in the course of which he mentioned (among other things), a case at the Gloucestershire Summer Assizes in which damages £ 1879 were unsuccessfully claimed by the owner of the Globe Inn against the Parish Council and others in respect of a triangular piece of green opposite the Inn, the money paid and received by the Council in respect of the Green, two agreements made on 21 August 1951 and 24 March 1960 relating to the War Memorial Green, the well known willow tree, and a history written by Mr. C.L. Smith (he mentions two fairs every year with cattle pens, boxing booths, show tents and swings covering the greens, and gingerbread and sweet stalls lining the roadway, all in full swing up to about 1870). No person 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 14 May 1975. At the hearing Stonehouse (Glos.) Parish Council were represented by Mr. Anderson their clerk.

Mr. Anderson after referring to his 1973 letter, said that the Parish Council would not offer any evidence, because they were content (to save trouble and expense) to rely on subsection (3) of section 8 of the 1965 Act.

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 Gloucestershire County Council as registration authority to register Stonehouse (Glos.) 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 20th — day of May — 1975

A. A. Baden Fuller

Commons Commissioner