



COMMONS REGISTRATION ACT 1965

Reference No.42/U/12

In the Matter of Church Green,
Redditch, Worcestershire.

DECISION

This reference relates to the question of the ownership of land known as Church Green, Redditch, being the land comprised in the Land Section of Register Unit No.V.G.19 in the Register of Town or Village Greens maintained by the Worcestershire 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 Vicar of Redditch claimed to be the freehold owner of part of the land in question and the Clerk of the Redditch Urban District Council 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 Worcester on 6th June 1973.

At the hearing Mr. J.A. Dale, the Diocesan Registrar, appeared on behalf of the Vicar of Redditch; Mr. D.G. Jones, solicitor, appeared on behalf of the Urban District Council; and Mr. J.W.A. Anthony, solicitor, appeared on behalf of Mr. H.R. Bird.

The greater part of the land the subject of this reference consists of an island site surrounding St. Stephen's Church and the remainder consists of two triangular pieces of unenclosed land to the north and the south-east.

Most of the island site was conveyed on 24th October 1827 by the Trustees of Redditch Chapel to the Minister and Chapel Wardens and has since been used as the churchyard. This piece of land was bounded on the south and south-east by a narrow strip of land, from which it was divided by a wall. This wall is said to have been taken down in 1880, and the narrow strip has since been used as an unconsecrated addition to the churchyard, having a war memorial erected on part of it.

Mr. Bird is the lord of the manor of Tardebigge, which he holds under a conveyance dated 1st December 1947. By a lease dated 4th May 1957 Mr. Bird let the waste and other unenclosed lands of the manor to the Urban District Council. The lease contains no more precise description of the parcels, but the Urban District Council has since treated the two triangular pieces of land as being part of the demised premises and has maintained both of them without any adverse claim from any other person.

For these reasons I am satisfied that the Vicar of Redditch is the owner of the land surrounding the church and that Mr. Bird is the owner of the two triangular pieces of land, and I shall accordingly direct the Worcestershire County Council, as registration authority, to register the Vicar and Mr. Bird as the owners of these respective parts 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 25th day of June 1973

A handwritten signature in black ink, appearing to read 'G. D. L. Quibb', written in a cursive style.

Chief Commons Commissioner