



COMMONS REGISTRATION ACT 1965

Reference No.15/U/25

In the Matter of Kilpeck Village Green,
Kilpeck, South Herefordshire D., Hereford and Worcester County

DECISION

This reference relates to the question of the ownership of land known as Kilpeck Village Green (extending to about 1/3rd of an acre), Kilpeck, South Herefordshire District (formerly Dore and Bredwardine Rural District) being the land comprised in the Land Section of Register Unit No. VG.3 in the Register of Town or Village Greens maintained by the Hereford and Worcester 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 no person claimed to be the freehold owner of the land in question and no 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 Hereford on 11 December 1974. At the hearing, Kilpeck and District Group Parish Council were represented by Mr. L.J. West, their chairman.

Mr. West, who has lived in the Village since he was 8 years old (he is now 82 years of age), was chairman for 30 to 40 years up to 1973 of the Kilpeck Parish Meeting (there was then no parish council), and was churchwarden of the Parish for 40 years until about 1970, in the course of his evidence ~~stated~~ (in effect):- When he was young and up to the beginning of the 1914-18 war, the Green was used annually by all the Village on Harvest Festival Day; there were swing boats, cocconut shies, stalls, horses (in a roundabout), and so forth. The Parish Meeting had always been concerned to maintain the Green: in 1953, out of funds under their control they spent £20 levelling it up and filling up the old pool (then really nothing more than a cess pool); in 1971, they repaired the notice board and arranged for the grass to be mown; in 1973 they planted 2 oak trees and (to restore part where a new sewer had been laid across the Green) they resceded the grass and planted bulbs (daffodils). The Parish Council had been similarly concerned, in that in 1974 they erected a seat on the Green.

In support of his evidence, Mr. West produced:- (i) The Parish Meeting Account Book from 1 April 1945 to 31 May 1957 which showed that the interest on some 2⁵/₅ Consolidated Stock (probably representing moneys received from the Board of Guardians) ~~was~~ provided for the above mentioned £20; (ii) the Minute Book of the Parish Meetings from 21 May 1970 to 4 June 1973; and (iii) the Minute Book from 21 June 1973 to date of the Parish Council. Mr. West hopes that in the near future the Village will enter the Tidiest Village Competition.

On the evidence outlined above, I conclude that the Green has always been parish property and that the Parish Council are in possession. For these reasons, I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register Kilpeck and District Group 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

18th

day of December

1974

a. a. Baden Fuller

Commons Commissioner