



COMMONS REGISTRATION ACT 1965

Reference No.42/U/10

In the Matter of Merstow Green,
Evesham, Worcestershire.

DECISION

This reference relates to the question of the ownership of land known as Merstow Green, Evesham, being the land comprised in the Land Section of Register Unit No.V.G.16 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 Evesham Borough 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 Worcester on 6th June 1973.

There was no appearance at the hearing, but the Town Clerk drew my attention by letter to the Evesham Improvement Act 1824 (5 Geo.IV, c.Lxvii) whereby the land in question was for ever thereafter to remain, continue, and be vested in the Mayor, Aldermen and Burgesses of the Borough of Evesham for the purpose of holding fairs and markets thereon and for other the public purposes of the Borough.

For these reasons I am satisfied that the Mayor, Aldermen and Burgesses of the Borough of Evesham are the owners of the land, and I shall accordingly direct the Worcestershire County Council, as registration authority, to register the Mayor, Aldermen and Burgesses as the owners 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 26th day of June 1973


Chief Commons Commissioner