



COMMONS REGISTRATION ACT 1965

Reference No 15/U/17

In the Matter of the Village Green,  
adjoining Lady Southampton's Chapel  
Kenchester, Hereford R.D., Herefordshire

DECISION

This reference relates to the question of the ownership of land known as the Village Green adjoining Lady Southampton's Chapel, Kenchester, Hereford Rural District being the land comprised in the Land Section of Register Unit No VG 26 in the Register of Town or Village Greens maintained by the Herefordshire 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 22 February 1973. The hearing was attended by Mrs E Evans in person (on her application the land had been registered as a town or village green) and by the Hereford Rural District Council who were represented by Rev. D E Evans (he is a member of the Council).

Mrs Evans said: Before they first came to the Village 13 years ago, the land had been used as a School garden. The School was closed 3 or 4 years ago. It was grass land until recently when it was dug up by men doing sewage works; when these are completed the grass will grow again. She had never heard of anybody owning the land. She registered in the hope that it could be looked after and prevented from becoming a village dump.

In the absence of any evidence as to ownership, I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Herefordshire County Council, as registration authority, to register Hereford Rural District Council as the owner of the land under section 8(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 5/5 day of March 1973

*a. a. Baden Fuller*

Commons Commissioner