



COMMONS REGISTRATION ACT 1965

Reference No.2/U/1

In the Matter of Sutton Courtenay
Village Green, Sutton Courtenay,
Berkshire.

DECISION

This reference relates to the question of the ownership of land known as Sutton Courtenay Village Green, Sutton Courtenay, being the land comprised in the Land Section of Register Unit No.V.G.2 in the Register of Town or Village Greens maintained by the Berkshire 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 Sutton Courtenay Parish 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 Reading on 5th October 1972.

At the hearing Mr. J.E.J. Francis, the Chairman of the Parish Council produced a letter dated 4th May 1940 from Mr. F.D. Lindsay, who was then the lord of the manor of Sutton Courtenay, to the then Clerk of the Parish Council stating that he would relinquish any rights which he had in the Village Green in favour of the Council. This was, of course, wholly ineffective as a conveyance of the ownership of the land. It appears from a copy in the Council's archives of a letter dated 6th May 1940 from the Clerk of the Council to the Secretary of the Commons, Open Spaces and Footpaths Preservation Society that the Clerk had considered the possibility of asking Mr. Lindsay to execute a formal conveyance, but decided not to do so, since he feared that the making of the request might result in a change of mind on the part of Mr. Lindsay.

Fortunately for the Parish Council, the matter does not rest there. It appears from evidence given by Mr. Francis and by Mrs. D.M. Newton, the present Clerk of the Council, that over the last 25 years at least the Council has treated the Green as if it were the Council's property. The Council keeps the Green cut and trimmed, prevents cars being parked on it, has put a seat and litter bins on it, and has let sites for stalls for the Corpus Christi Fair held on it, and has applied the money so received to keep the Green in order. On this evidence I find that the Council has acquired a squatter's title to the land.

For these reasons I am satisfied that the Sutton Courtenay Parish Council is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register the Parish Council as the owner of the land.

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



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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 October 1972

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

Chief Commons Commissioner