



COMMONS REGISTRATION ACT 1965

Reference No. 229/U/47

In the Matter of The Village Green,
Fringford, Oxfordshire.

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Fringford, being the land comprised in the Land Section of Register Unit No. VG 80 in the Register of Town or Village Greens maintained by the former Oxfordshire 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 Trustees of the Will of John Francis Dewar-Harrison, deceased and Mr P. C. Rawlinson and Mrs L E Rawlinson claimed to be the freehold owners 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 Oxford on 21st May 1976.

At the hearing Mr D O Coxall, solicitor, appeared on behalf of the Trustees and Mr and Mrs Rawlinson.

The land the subject of this reference was in the ownership of members of the Harrison family in the early years of the present century, and it passed into the ownership of Mr Robert Charles Chester and Mr Edward Kenneth Truman as the trustees appointed by the will of Mr John Francis Dewar-Harrison, who died on 4th February 1957 and whose will was proved on 23rd April 1958. By a conveyance made 19th September 1971 the Trustees conveyed to Mr Mervyn Edward Walliker and Mrs Joan Lilian Walliker, his wife, the northern part of the land in question consisting of a pond (Ordnance Survey No. 23). The Trustees have not disposed of any of the remainder of the land comprised in the Register Unit.

By a conveyance made 5th March 1973 Mr and Mrs Walliker conveyed to Mr Eric Leonard Carver and Mrs Margaret Helen Carver, his wife, the pond, together with a house known as The Old Bakehouse, to the north and also all such right and interest as they had in a roadway lying between the pond and the curtilage of The Old Bakehouse. By a conveyance made 26th April 1976 Mr and Mrs Carver conveyed these three areas to Mr and Mrs Rawlinson.

Mr Coxall invited me to decide that Mr and Mrs Rawlinson are the owners of the roadway. The Register Map is on a small scale, but after considering it with the terms of the registration, I have come to the conclusion that the roadway is not comprised in the Register Unit and that I therefore have no jurisdiction to determine its ownership.

On this evidence I am satisfied that Mr and Mrs Rawlinson are the owners of the pond and that the Trustees are the owners of the remainder of the land comprised in the



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Register Unit, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register Mr and Mrs Rawlinson and the Trustees as the owners of their 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 28th day of June 1976.

A handwritten signature in cursive script, appearing to read 'J. P. Quibb'.

Chief Commons Commissioner