



COMMONS REGISTRATION ACT 1965

Reference No.2/U/18

In the Matter of Village Greens,
Childrey, Berkshire.

DECISION

On its face this reference purports to relate to the question of the ownership of land known as Village Greens, Childrey, being the whole of the land comprised in the Land Section of Register Unit No.V.G.30 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. The Official Certificate of Result of Search furnished by the Gloucester District Land Registry to the Clerk of the County Council on 21st February 1972 showed that five small portions of land comprised in the Register Unit were registered freehold under Title numbers BK 53498, BK 54340, BK 28468, BK 53145 and BK 81408. Notwithstanding this certificate, the question of the ownership of the whole of the Register Unit was referred under section 8(1) of the Act of 1965 on 7th March 1972. Since under that provision it is not possible to refer the question of the ownership of land which is not registered under the Land Registration Acts 1925 and 1936, I must treat the reference as a nullity in so far as it relates to the five pieces of registered land. This decision is therefore concerned only with the major part of the Register Unit which is not registered under those Acts.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one 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 10th October 1972.

There was no appearance at the hearing.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register the Childrey Parish Council as the owner of the land to which this reference relates 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 6th day of November 1972


Chief Commons Commissioner