



In the Matter of Burton Green Common Land,
Kenilworth, Warwickshire

DECISION

This reference relates to the question of the ownership of land known as Burton Green Common Land, Burton Green, Kenilworth, being the part of the land comprised in the Land Section of Register Unit No. CL 31 in the Register of Common Land maintained by the Warwickshire 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, but the Warwick District Council 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 Leamington Spa on 8 December 1982.

At the hearing the Kenilworth Town Council was represented by Mr H L G Sunley, the Town Clerk, and Mr R Rowley, Solicitor, appeared for Mr G E Tisdale and Mr R R Tisdale.

The land in question was conveyed to the late Mr G Tisdale by an indenture made 24 March 1922 between (1) Leonard John Aubrey Hughes (2) Frederick Sewell Barnacle (3) George Tisdale. Mr G Tisdale died intestate on 10 January 1952 and letters of administration of his estate were granted to Minnie Sarah Tisdale, George Edward Tisdale and Raymond Ralph Tisdale on 25 April 1952. Mrs M S Tisdale died on 24 December 1961, and Mr G E Tisdale and Mr R R Tisdale have executed no assent or conveyance in respect of the land in question.

On this evidence I am satisfied that Mr G E Tisdale and Mr R R Tisdale are the owners of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register them as the owner 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

15th

day of

December

1982

[Handwritten Signature]

Chief Commons Commissioner