



COMMONS REGISTRATION ACT 1965

Reference No. 239/U/15

In the Matter of The Green, Little Kineton, Kineton,
Warwickshire

DECISION

This reference relates to the question of the ownership of land known as The Green, Little Kineton, Kineton, being the land comprised in the Land Section of Register Unit No. VG.39 in the Register of Town or Village Greens 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 Mr Hall Parke claimed to be the freehold owner of part 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 Stratford-on-Avon on 2 February 1982. At the hearing, Mr Parke was represented by his wife, Mrs J Parke, who holds a power of attorney on his behalf.

The land the subject of the reference consists of ~~the~~ eight small areas. The two most south-westerly areas were conveyed to Mr Parke's father by an indenture made 7 February 1921 between (1) Richard Creville, Lord Willoughby de Broke (2) Sir Walter Raymond Greene, Samuel Clark Smith, and Vivian Hugh Smith (3) Ernest Parke. Mr Ernest Parke died on 21 June 1944 and probate of his will was granted to Mr Hall Parke on 18 September 1944.

On this evidence I am satisfied that Mr Hall Parke is the owner of the most south-westerly areas of the land and I shall accordingly direct the Warwickshire County Council, as registration authority, to register him as the owner of those parts of the land under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the other six areas of the land and I shall accordingly direct the County Council to register the Kineton Parish Council as the owner of those areas 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

11th

day of

February

1982

Chief Commons Commissioner