



COMMONS REGISTRATION ACT 1965

Reference No. 239/U/14

In the Matter of The Green at the Eastern End
of the Village, Stourton, Warwickshire (No. 1)

DECISION

This reference relates to the question of the ownership of land known as The Green at the Eastern end of the Village, Stourton, being the land comprised in the Land section of Register Unit No. VG.5 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 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 Stratford-Upon-Avon on 1 November 1978.

At the hearing Mr D C Wynn, Solicitor, appeared on behalf of Mr L P Gasson, Mr E Gasson, and Mr R W Gasson.

Mr Wynn's clients are the tenants of a farm known as Stourton Farm, which they hold under a tenancy agreement dated 9 December 1950. The previous tenant of the farm was their mother, who went there in 1935.

The land the subject of the reference is a triangular area, bounded on two sides by roads and on the third by the garden of the farm house. There is a gate in the garden fence giving access from the garden to the triangular area.

The triangular area is not included in the schedule of the land comprised in the letting of the farm, but during the whole of the period since 1935 it has been used regularly in connection with the farm. Sometimes it has been used for grazing sheep and horses, which have been kept in by temporary fences of hurdles. Sometimes chickens in coops have been put on the land. Sometimes agricultural machinery has been put on it, mainly about harvest-time. No one else has used the land, but on two occasions the Gassons have given permission for harquees to be erected on it in connection with sales of the contents of the manor house.

It may be that the late Mrs Gasson acquired a possessory title to the land, but if she did, it appears to me that title has been extinguished by her sons having taken possession of the land and themselves acquiring a possessory title.

On this evidence I am satisfied that Mr L P Gasson, Mr E Gasson and Mr R W Gasson are the owners of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register them as the owners of the land under section 8 (2) of the Act of 1965.



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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 of this decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 8th day of November 1978

A handwritten signature in cursive script, appearing to read 'C. J. Quibb', with a horizontal line underneath.

Chief Commons Commissioner