



COMMONS REGISTRATION ACT 1965

Reference No. 239/U/101

In the Matter of The Site of the Village
Hall and Recreation Green, Lapworth,
Warwickshire

DECISION

This reference relates to the question of the ownership of land forming the site of the Village Hall and Recreation Ground, Lapworth, being the land comprised in the Land Section of Register Unit No. VG.116 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 the Lapworth Parish Council claimed to be the freehold owner 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 Leamington Spa on 8 December 1982. At the hearing the Parish Council was represented by Mrs F M Baxter, its Clerk.

On 3 October 1960 the Parish Council granted to three trustees a lease of the land in question for 99 years at a rent of £1 a year for the purpose of the erection of a village hall. The village hall was erected and the rent has been received by the Parish Council ever since. Before the lease was granted there were three statutory declarations directed to proving that the Parish Council had a possessory title to the land, but the receipt of rent has continued long enough for the Parish Council to have a possessory title irrespective of the statutory declarations.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register the Parish Council 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


 Chief Commons Commissioner