



COMMONS REGISTRATION ACT 1965

Reference No 241/D/55

In the Matter of The Green,
North Tidworth, Kennet D

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No VG. 33 in the Register of Town or Village Greens maintained by the Wiltshire County Council and is occasioned by Objection No 60 made by Pewsey RDC and noted in the Register on 17 June 1971.

I held a hearing for the purpose of inquiring into the dispute at Trowbridge on 30 June 1977. The hearing was attended by Miss N B Morris who registered the land as a village green. Miss Morris had no evidence that the land in question was at the date of registration a Village Green as defined by the Act of 1965. She told me that houses were now built on the land and that before these houses were built the land was an open space on which children used to play but she conceded that the use which the children made of the land could not be regarded as a use by the inhabitants for lawful sports and pastimes. Miss Morris did not have any expectation that the buildings would be pulled down but she hoped that the effect of her registration would be to persuade the local authority to provide an alternative open space for recreational purposes. This is not a matter within my jurisdiction and the only course which I can take is to refuse to confirm the registration.

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 22nd day of August

1977

G. A. Little

Commons Commissioner