



COMMONS REGISTRATION ACT 1965

Reference No. 1/U/26

In the Matter of the Green
East End, Houghton Regis,
Luton R.D., Bedfordshire

DECISION

This reference relates to the question of the ownership of land known as the Green East End, Houghton Regis, Luton Rural District being the land comprised in the Land Section of Register Unit No. C.L.43 in the Register of Common Land maintained by the Bedfordshire 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 Houghton Regis Parish Council wrote a letter dated 11 December 1972 to the office of the Commons Commissioners claiming as owners. No other person 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 Bedford on 13 December 1972. The hearing was attended by the Houghton Regis Parish Council who were represented by Mr. S.T. Morris, the Assistant Secretary of the Bedfordshire Parish Councils Association and by the Bedfordshire County Council who were represented by Mr. J.A. Kieran, one of their staff.

Mr. Morris submitted that the said letter (to which a picture of the land as it was many years ago was annexed) was sufficient evidence of ownership.

By Section 8 of the Act of 1965, I am required to decide whether I am "satisfied that any person is the owner of the land". To be "satisfied" I must I think be able to find facts from which ownership can properly be inferred e.g. that the claimant is in possession in circumstance in which it is practically certain that such possession will never be disturbed. The letter leaves me in too much uncertainty and doubt to make any such finding.

For these reasons I am not satisfied that any person is the owner of the land, and it will therefore be subject to protection under section 9 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

4/15

day of

January 1973

a. a. Baden Fuller

Commons Commissioner