



In the Matter of The Old Clay Pit, Apsley Guise,
Bedfordshire

DECISION

This reference relates to the question of the ownership of land known as The Old Clay Pit, Apsley Guise, being the land comprised in the Land Section of Register Unit No. CL 27 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 Apsley Guise 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 Bedford on 7 July 1982.

At the hearing the Parish Council was represented by Mr H J A Astley, solicitor.

The land the subject of the reference was conveyed by a conveyance made 24 April 1974 between (1) Greenway Developments (Harpenden) Ltd (2) The Parish Council of Apsley Guise to the Parish Council to be held in pursuance of its powers under the Open Spaces Act 1906 in trust to allow and with a view to the enjoyment thereof by the public as an open space within the meaning of that Act. Greenway Developments (Harpenden) Ltd had a good root of title in a conveyance made 12 December 1929 between (1) Charles Pynsent Elliot and John Charnock Smith (2) Clement James Barnwell.

On this evidence I am satisfied that the Apsley Guise Parish Council is the owner of the land, and I shall accordingly direct the Bedfordshire 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

16th

day of

July

1982

Chief Commons Commissioner