



COMMONS REGISTRATION ACT 1965

Reference No. 202/U/39

In the Matter of Land at Riverside,
Datchet, Windsor and Maidenhead
District, Berkshire

DECISION

This reference relates to the question of the ownership of land containing about 0.3 of an acre and known as Land at Riverside, Datchet, Windsor and Maidenhead District being the land comprised in the Land Section of Register Unit No. VG23 in the Register of Town or Village Greens maintained by the Berkshire 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 Datchet Parish Council claimed (letter of 24 May 1975) ownership. No other person claimed to be the freehold owner of the land in question or 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 Windsor on 19 July 1978. At the hearing Datchet Parish Council were represented by Mr C W Criss one of their members.

Mr Criss who has lived in Datchet for 20 years and been a member of the Parish Council for 10 years in the course of his evidence said that the land was used as a landing stage for the use of River craft and was called "Datchet Water Front"; he gave me some information about it. On the following day he produced a lease dated 18 November 1970 by Eton Rural District Council to Datchet Parish Council of adjoining land (on the north) with plans attached, on which the land in question was marked "Datchet Parish Council"; he said that he could find no deeds relating to the land, although the members of the Parish Council he had consulted, said that the Council had always maintained and kept the area in good order. He did not say anything from which I could infer that the Parish Council are the owners.

There was some discussion as to whether it would advantage the Parish Council to incur the trouble and expense of attempting to prove that the land is in their reputed ownership, so that if I was satisfied as to this I would or might direct their registration as owners under sub-section (2) of section 8 of the 1965 Act: the alternative being that if I was not so satisfied I would direct their registration as owners under sub-section (3) of the said section. After the hearing the Parish Council requested me (letter of 5 August 1978) that this matter be determined under sub-section (3), a request which on the information put before me by Mr Criss, seems to me proper. In the absence of evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Berkshire County Council as registration authority, to register Datchet Parish Council as the owner of the land under section 8(3) 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 17th — day of October — 1978

a a Baden Fuller

Commons Commissioner