



COMMONS REGISTRATION ACT 1965

Reference No.9/U/40

In the Matter of Lapford Green,Lapford, Devon.DECISION

This reference relates to the question of the ownership of land known as Lapford Green, Lapford, being the land comprised in the Land Section of Register Unit No.VG.48 in the Register of Town or Village Greens maintained by the former Devon 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 Lapford 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 Exeter on 14th May 1974.

At the hearing the Lapford Parish Council was represented by Mr. P.M. Willoughby, solicitor.

By a conveyance dated 13th September 1909 the Revd Cornelius William Wilson conveyed the land the subject of this reference to the Rector and Churchwardens of the parish of Lapford to be held by them as public grounds for the purposes of the Recreation Grounds Act 1859. By a conveyance made 4th February 1974 between (1) the Revd Norman Edward William Adcock, Frederick Victor Elworthy and Henry Howard Partridge and (2) the Parish Council the then trustees conveyed the land in question to the Parish Council.

On this evidence I am satisfied that the Lapford Parish Council is the owner of the land, and I shall accordingly direct the Devon 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 5th day of June 1974

Chief Commons Commissioner