



COMMONS REGISTRATION ACT 1965

Reference No. 9/U/9

In the Matter of The Village Green
Bishops Nympton, Devon

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Bishops Nympton, being the land comprised in the Land Section of Register Unit No. V.G.2 in the Register of Town or Village Greens maintained by the Devon County Council, of which no person is registered under section 4 of the Commons Registration Act as the owner.

Following upon the public notice of this reference the Bishops Nympton 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.

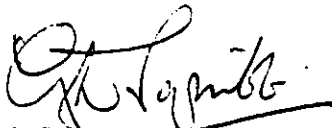
I held a hearing for the purpose of inquiring into the question of the ownership of the land at Barnstaple on 28th March 1972.

Mr. F.H. Stacey, the Clerk of the Parish Council, told me that it was generally believed that the Green had been given to the parishioners of Bishops Nympton by Bishop Phillpotts when he sold the manor to Joseph Andrew Keates in the 18th century. Mr. Stacey was, however, not able to produce any evidence of this transaction, and indeed, if it took place at all, it cannot have been exactly as he stated it, for Bishop Phillpotts's tenure of the see of Exeter did not begin until 1830.

There was evidence of a somewhat nebulous character that the Parish Council might have acquired a possessory title to the land, but I feel on safer ground in directing that the Parish Council should be registered as the owner of the Green under s.8(3) of the Act, rather than under s.3(2). I shall accordingly direct the Devon County Council as registration authority, to register the Bishops Nympton Parish Council as the owner of the land.

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 24th day of April 1972


Chief Commons Commissioner