



COMMONS REGISTRATION ACT 1965

Reference No. 9/U/17

In the Matter of The Village Green
Cotleigh, Devon

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Cotleigh, being the land comprised in the Land Section of Register Unit No. V.G.29 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 1965 as the owner.

Following upon the public notice of this reference the Cotleigh 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 Axminster on 11th April 1972.


Mr. H.A. Combe, the Clerk of the Parish Council, produced a conveyance dated 25th April 1922 whereby the then Marquess of Northampton conveyed the land in question in this reference to Francis James Loosemore, the Chairman of the Cotleigh Parish Meeting, and Henry Loosemore, Kay Wills, Frederick Samuel Gage Griffin, and Eli John Broom, the Overseers of the Parish. The Chairman of the Parish Meeting and the Overseers were a body corporate by virtue of section 19 (6) of the Local Government Act 1894 and were collectively described in the conveyance as "the Local Authority". The land was conveyed for use for public pleasure grounds.

The Overseers were abolished by the Rating & Valuation Act 1925, and by articles 4 (4) and 6 (1) of the Overseers Order 1927 (S.R. & O. 1927, No. 55) the land in question was vested in the Parish Meeting or the Parish Council. I do not know whether the Parish Council had been established in 1927, but this point is immaterial, for the land is now vested in the Parish Council either immediately under the Order of 1927 or as successor to the Parish Meeting.

For these reasons I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Cotleigh 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