



COMMONS REGISTRATION ACT 1965

Reference No 209/U/7

In the Matter of the Village Green,  
Woodbury, East Devon District, Devon

---

DECISION

This reference relates to the question of the ownership of land being part of that which is known as the Village Green, Woodbury, East Devon District and which is the land comprised in the Land Section of Register Unit No VG. 40 in the Register of Town or Village Greens maintained by the Devon County Council; of the said part no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference, as regards the land in question ("the Referred Land") Mr Alfred William Miles of No 2 The Green claimed ownership of part, Mrs M L Berry formerly of No 1 The Green objected and later withdrew her objection to this claim, and claimed and later withdrew her claim to the remaining part of the Referred Land, and Mrs Margaret Reid now of No 1 The Green, if her neighbour Mr Miles was successful in his claim to part, claimed the remaining part of the Referred Land. No other person claimed to be the freehold owner of the Referred Land 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 Referred Land at Exeter on 17 November 1977. At the hearing Mr Miles was represented by Mr D Morris solicitor of Anstey & Thompson, Solicitors of Exeter, and Woodbury Parish Council were represented by Mr M Caye, solicitor of Daw Roberts & Andrew, Solicitors of Exeter.

The land ("the Unit Land") comprised in this Register Unit contains (according to the Register) about half an acre. The Register map shows a footpath ("the Footpath") which crosses the Unit Land from east to west (perhaps more accurately from southeast to northwest). In the Ownership Section of this Register Unit, at one time the Parish Council were at Entry No 1 the registered owners of all the Unit Land and Mr Miles was at Entry No 2 the registered owner of a rectangular area ("the Rectangular Area") being the part of the Unit -and north of the Footpath and alongside the wall of the adjoining Phoenix Garage building (that is as owner of the east part of the Referred Land). The dispute resulting from these conflicting Entries, after a hearing on 22 October 1974 was resolved by two decisions dated 3 November 1974 of the Chief Commons Commissioner under which Entry No 2 was confirmed without any modification, he being satisfied that Mr Miles had a possessory title to the Rectangular Area and Entry No 1 was confirmed with the modification that it applied only to the land south of the Footpath (the Commissioner being ~~so~~ satisfied that the Parish Council never had any possessory or other title to any greater part of the Unit Land). So in the result the Referred Part is now the only part of the Unit Land of which no person is registered as the owner.