



COMMONS REGISTRATION ACT 1965

Reference No.13/U/85

In the Matter of The Banks of the River Windrush,
Bourton-on-the-Water, Gloucestershire.

DECISION

This reference relates to the question of the ownership of land known as The Banks of the River Windrush, Bourton-on-the-Water, being the land comprised in the Land Section of Register Unit No.VG.2 in the Register of Town or Village Greens maintained by the former Gloucestershire 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 Bourton-on-the-Water 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 Gloucester on 11th July 1974.

At the hearing the Parish Council was represented by Mr.W.G.Davies, solicitor, who is also its Clerk.

The land comprised in the Register Unit consists of a number of small areas on either side of the River Windrush. The largest of these pieces of land, lying between the River and the High Street was conveyed to the Parish Council by a conveyance made 3rd April 1935 between (1) Roger Pilkington Young (2) the Parish Council. So far as the remaining areas are concerned, they have been maintained by the Council during the whole period of living memory. The Council has cut the grass and has repaired the banks of the River. These facts appear to me to be consistent with ownership by the Council and inconsistent with ownership by anyone else. I am therefore satisfied that the Parish Council is the owner of the whole of the land, and I shall accordingly direct the Gloucestershire 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 26th day of July 1974

Chief Commons Commissioner