



COMMONS REGISTRATION ACT 1965

Reference No 13/U/117

In the Matter of Village Green,
Farmington, Cotswold D.

DECISION

This reference related to the question of the ownership of land known as Village Green, Farmington, Cotswold D, being the land comprised in the Land Section of Register Unit No VG163 in the Register of Town or Village Greens maintained by the 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 Capt J J D Barrow 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 13 October 1976.

There was no appearance at the hearing.

Capt Barrow in correspondence claimed that the land was conveyed to him by a conveyance dated 6 January 1910, and his solicitors sent to the Commons Commissioners a copy of the plan on that conveyance identifying the land in question as being comprised therein. Enquiries made by the Gloucestershire County Council and the Cotswold District Council have revealed that Capt Barrow was under the mistaken impression that he had registered his ownership of the land in question and that G F Houlton, J Norman and Mrs Lylord are trustees for the Parish. In the exceptional circumstances of this case I am willing to accept the documentary evidence. Capt Barrow may consider that the appropriate course will be to convey the land to the above mentioned Trustees.

On this evidence I am satisfied that Capt J J D Barrow is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register Capt J J D Barrow 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 14th day of January 1977

C. A. Settle

Commons Commissioner