



In the Matter of Cassiot Green, Ryde,
Isle of Wight

DECISION

This reference relates to the question of the ownership of land known as Cassiot Green, Ryde, being the land comprised in the Land Section of Register Unit No. VG 6 in the Register of Town or Village Greens maintained by the Isle of Wight 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 no person claimed to be the freehold owner of the land in question and no one 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 Ryde on 15 November 1977.

At the hearing Mr J Matthews, solicitor, appeared on behalf of the Medina Borough Council.

It appears from the minute book of the former St Helen's Board of Health that by a letter dated 2 March 1878 Mr A H Estcourt offered on behalf of Sir B Simeon to give up the land in question to the Board and that by a resolution passed five days later the Board accepted the land. There is, however, no evidence that the land was ever conveyed to the Board by Sir B Simeon, but it appears that the Board went into possession, since at a meeting held on 21 March 1881 the Board's Surveyor was instructed to arrange for the purchase of sufficient hurdles for enclosing it.

The Board of Health became an Urban District Council by virtue of section 21 of the Local Government Act 1894 and its area became part of the Borough of Ryde under the Isle of Wight Review Order 1933. Now it is within the Borough of Medina.

These respective authorities have remained in possession of the land and, even if there was no conveyance in 1878, the Medina Borough Council now has a possessory title to the land.

On this evidence I am satisfied that the Medina Borough Council is the owner of the land, and I shall accordingly direct the Isle of Wight County Council, as registration authority, to register the Borough 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 5th day of December 1977


Chief Commons Commissioner