



In the Matter of Princes Green, Cowes, Isle of Wight

DECISION

This reference relates to the question of the ownership of land known as Princes Green, Cowes, being the land comprised in the Land Section of Register Unit No. VG 11 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 the Medina Borough 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 Newport on 17 November 1977.

At the hearing the Medina Borough Council was represented by Mr J Matthews, solicitor.

The land the subject of the reference was conveyed to the former West Cowes Local Board of Health by a conveyance made 5 October 1863 between (1) Frederick John Butler and Maximilian Hodgson Geneste (2) James Anlaby Legard (3) John William Cunningham, Daniel Bennett, William Barrow Simmonds and the Rev. Thomas Butler (4) Robert Dambrill (5) the Local Board. The Local Board became the West Cowes Urban District Council by virtue of section 21 of the Local Government Act 1894, and its name was changed to the Cowes Urban District Council on 17 August 1895. The Urban District became part of the Borough of Medina by virtue of the English Non-Metropolitan Districts Definition Order 1972 and the English Non-Metropolitan Districts Names Order 1973.

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(3) 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 20th day of December 1977


Chief Commons Commissioner