



COMMONS REGISTRATION ACT 1965

Reference No.45/U/21

In the Matter of the Village Green,  
Church Fenton, Tadcaster R.D., Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Church Fenton, Tadcaster Rural District, being the land comprised in the Land Section of Register Unit No.V.G.6 in the Register of Town or Village Greens maintained by the West Riding 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 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 Wakefield on 18th May 1972.

On behalf of the Church Fenton Parish Council, evidence was given by Mr.C. Boddy, their chairman, who has known the land for more than 50 years. The land is grass and has been used for Village purposes such as the annual flower service (all the children congregate there in the summer for an open air "Church service") and the Christmas Carol service round the Christmas Tree. The residents (including Mr. Boddy) between them cut the grass and keep the green tidy. During the last two years the Parish Council have received a yearly rent of £1 from the owner of some adjoining land for permission granted to him by the Council to widen by about a yard the footpath on the north side of the green so that he could use it for his motor car.

I cannot, I think, on the above evidence (there was no other) properly find that the Parish Council is the owner. No person other than the Parish Council attended the hearing.

For these reasons I am not satisfied that any person is the owner of the land, and I shall accordingly direct the West Riding County Council, as registration authority, to register Church Fenton Parish Council as the owner of the land pursuant to section 8(3) of the Act.

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 12/5 day of June 1972

*A. A. Baden Fille*  
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Commons Commissioner