



In the Matter of Three pieces of land adjoining the carriageways of Tysoe Road junction at the South and East of the Royal Oak Inn, Whatcote, Warwickshire

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DECISION

This reference relates to the question of the ownership of three pieces of land adjoining the carriageways of Tysoe Road junction at the south and east of the Royal Oak Inn, Whatcote, being the land comprised in the Land Section of Register Unit No. VG 79 in the Register of Town or Village Greens maintained by the Warwickshire 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 Mr R Matthews 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 Stratford-on-Avon on 3 February 1982.

At the hearing the Whatcote Parish Meeting was represented by Mr T G. its Chairman, who informed me that he had no evidence as to the ownership of the land in question. Mr Matthews, the tenant of the Royal Oak Inn with an option to purchase it, said that part of the land adjoining the Royal Oak was used by his customers and might belong to the owner of the Royal Oak. Mr Matthews said that the owner of the Royal Oak was a Mrs Sainsbury, who had been told of the hearing. Since Mrs Sainsbury has not sought to adduce evidence that she is the owner of any part of the land in question, I can only say that in the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register the Stratford-on-Avon District 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

11<sup>th</sup>

day of

February

1982

Chief Commons Commissioner