



COMMONS REGISTRATION ACT 1965

Reference No.1/U/39

In the Matter of Castle Hill,
Totternhoe, Bedfordshire.

DECISION

This reference relates to the question of the ownership of land known as Castle Hill, Totternhoe, being the land comprised in the Land Section of Register Unit No.C.L.16 in the Register of Common Land maintained by the Bedfordshire 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 Bedford on 13th February 1974.

At the hearing Mr. Dickinson appeared for the Bedfordshire County Council and Mr. S.T. Morris, the Assistant Secretary of the Bedfordshire Association of Parish Councils, appeared for the Totternhoe Parish Council.

There was no contest between Mr. Dickinson and Mr. Morris. The land in question consists of part of the Totternhoe Regulated Pastures by virtue of the Regulation and Inclosure (Totternhoe) Provisional Orders Confirmation Act 1886 and the award dated 14th January 1891 made under it. The land became vested in the Public Trustee by para.2 of Part V of the First Schedule to the Law of Property Act 1925. By an order of the Chancery Division made 25th July 1968 in the action Public Trustee v. Bedfordshire County Council 1966-T.2521 it was ordered that the Public Trustee should be at liberty to sell the land to the County Council for £2660. The land was accordingly conveyed to the County Council by a conveyance made 6th June 1969.

On this evidence I am satisfied that the County Council is the owner of the land, and I shall accordingly direct the County Council, as registration authority, to register itself 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 March 1974

Chief Commons Commissioner