



In the Matter of Carric Common, Brimpton, Berkshire.

DECISION

This reference relates to the question of the ownership of land known as Carric Common, Brimpton, being the land comprised in the Land Section of Register Unit No CL 104 in the Register of Common Land maintained by the Berkshire 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 B Hockley 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 Newbury on 1 February 1978.

At the hearing Mr Hockley was represented by Mr C J Fryer, solicitor.

The land the subject of this reference is mostly a birch coppice. From the time that he was about 18 years of age (he was born in 1943) Mr Hockley has treated this land as if it were his own. He has grown vegetables on part of it and has spent time at week-ends in keeping the land tidy, repairing the fences and hedges, and clearing rubbish which has been deposited on it. Nobody has sought to prevent his doing this.

In my view, Mr Hockley has been in adverse possession of this land for long enough to have acquired a possessory title to it.

I am therefore satisfied that Mr Hockley is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register him 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 20th day of February 1978


CHIEF COMMONS COMMISSIONER