



COMMONS REGISTRATION ACT 1965

Reference No 209/U/74

In the Matter of Bradworthy Common,
Bradworthy, Torridge District, Devon

DECISION

This reference relates to the question of the ownership of land containing about 38 acres and known as Bradworthy Common, Bradworthy, Torridge District being the land comprised in the Land Section of Register Unit No CL 31 in the Register of Common Land maintained by the Devon 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 Mrs J B Sawrey Cookson of Honeywell House, Wheddon Cross, near Minehead said (letter of 3 April 1979) that the land used to be in the ownership of her father Mr C F C Luxmoore and as far as she could gather had never been disposed of. No person 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 purposes of inquiring into the question of the ownership of the land at Barnstaple on 11 May 1979. At the hearing (1) Bradworthy Parish Council were represented by Mrs L Elliot one of their members, and (2) Major E C Camilleri of High Park who claimed to be entitled to the benefit of the registration at Rights Section Entry No 4 (made on the application of Mrs F A Bouncy) attended in person.

Mrs Elliot said that the Parish Council could offer no evidence of ownership. In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 8th — day of June — 1979

a. a. Baden Fuller

Commons Commissioner