



COMMONS REGISTRATION ACT 1965

Reference No. 209/U/78

In the Matter of Chimney Down, Hockworthy Devon

DECISION

This reference relates to the question of the ownership of land known as Chimney Down, Hockworthy, being the land comprised in the Land Section of Register Unit No. CL.12 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 Mr C M K Bruton 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 Exeter on 27 November 1979. At the hearing the Hockworthy Parish Meeting was represented by Mr D J Thomas, its Chairman, and the Bordon Gate Parish Council by Mr J Daniell, its Clerk. There was no appearance by or on behalf of Mr Bruton or any other person claiming to be the owner of the land in question. Neither Mr Thomas nor Mr Daniell had any evidence as to the ownership of the land.

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

11th

day of

December

1979

Chief Commons Commissioner