



In the Matter of Extension of Okehampton
Common, Okehampton Hamlets, Devon

DECISION

This reference relates to the question of the ownership of an extension of Okehampton Common, Okehampton Hamlets being the land comprised in the Land Section of Register Unit No. CL 263 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 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 Exeter on 29 November 1979.

At the hearing, Mr F J Woodward, Solicitor appeared for Mr J A T Hodge.

The land the subject of the reference forms part of an area formerly known as "Sternants Common". Sternants Common with other land was conveyed by an indenture made 25 October 1873 between (1) George Hirtzel (2) John Brook. The property so conveyed to John Brook passed under his will and the wills of several of his descendants until it was conveyed to Mr Hodge by a Conveyance made 5 September 1960 between (1) Albert Southcombe Hodge (2) John Albert Thomas Hodge, Mr J A T Hodge has been in possession of the land in question by grazing sheep and cows on it.

On this evidence I am satisfied that Mr Hodge is the owner of the land, and I shall accordingly direct the Devon 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

7th

day of

December

1979

Chief Commons Commissioner