



## COMMONS REGISTRATION ACT 1965

Reference No. 209/U/106

In the matter of Land called Bagtor Common, IlsingtonDECISION

This reference relates to the question of the ownership of land known as Bagtor Common, Ilsington being the land comprised in the Land Section of Register Unit No. CL 26 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 Herbert Hugh Whitley 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 5 July 1989. At the hearing Mr Herbert Hugh Whitley appeared in person. He produced a conveyance on sale dated 24 December 1958 whereby Lloyds Bank Limited conveyed to Herbert Hugh Whitley land identified by a plan and including the whole of the unit land.

On this evidence I am satisfied that Herbert Hugh Whitley 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

19<sup>th</sup>

day of

July

1989

Chief Commons Commissioner