



COMMONS REGISTRATION ACT 1965

Reference No.9/U/28

In the Matter of Land near Birchill,
Langtree, Devon.

DECISION

This reference relates to the question of the ownership of land near Birchill, Langtree, being the land comprised in the Land Section of Register Unit No.CL 120 in the Register of Common Land maintained by the former 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 Messrs P.W. and R.W.Kelloway claimed to be the freehold owners 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 3rd July 1975.

At the hearing the Langtree Parish Council was represented by Mr E.J.Follard, one of its members. Messrs P.W. and R.W.Kelloway did not appear and were not represented.

Mr Follard called as a witness Mr A.E.Sovy, who has lived in the parish since 1907. Mr Sovy said that the land was neglected and that the Parish Council had never done anything to it.

On this 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 17th day of July 1975

Chief Commons Commissioner