

In the Matter of Northam Burrows, NorthhamDECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.9 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 the County Council claimed to be the freehold owner of the land in question ("the unit land"). 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 8 July 1986. At the hearing Miss D Penrose, Solicitor, of the County Council appeared on its behalf. No other claimant was present or represented.

By a Conveyance on sale dated 21 February 1975 T.N. Allanson-Bailey and William W. Pulman conveyed the unit land to the County Council.

On this evidence I am satisfied that Devon County Council is the owner of the unit land, and I shall accordingly direct the County Council, as registration authority, to register itself as the owner 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 as the High Court.

Dated

16 October

1986

L. J. Morris Smith
COMMONS COMMISSIONER