



COMMONS REGISTRATION ACT 1965

Reference No.9/U/31

In the Matter of Part of Westgate Hill,
Gittisham, Devon.

DECISION

This reference relates to the question of the ownership of land being part of Westgate Hill, Gittisham, being the land comprised in the Land Section of Register Unit No.C.L.185 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 Trustees of the Will of R.R.K. Marker, deceased, 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 19th July 1972.

The claimants were represented by Mr. K. Ridehalgh, of counsel. Mr. Ridehalgh produced a series of title deeds, commencing with a vesting deed dated 31st December 1926, which satisfied me that Mrs. Rosemary Grace Marker, Mr. Edward Michael Harrison, and Mr. Henry James Holt Wiseman, the present Trustees of the Will of Richard Raymond Kitchener Marker, who died on 25th October 1961, are the owners of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Trustees as the owners of the land.

I am required by regulation 30(1) of the Commons Commissioner 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 27th day of July 1972

Chief Commons Commissioner