



COMMONS REGISTRATION ACT 1965

Reference No. 209/U/109

In the Matter of Sticklepath Common, Sampford Courtenay

## DECISION

This reference relates to the question of the ownership of the land comprised in the Land Section of Register Unit No. CL.53 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.

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 the Sticklepath Parish Council was represented by Mrs A Bowden (chairman) and Mr R Brindley (clerk).

Mr Brindley produced various extracts from the minute books of the former Sampford Courtenay Parish Council, the predecessors of the Sticklepath Parish Council, which recorded various matters affecting the unit land but admitted (rightly) that they did not amount to evidence of ownership. At his request I adjourned the case on the terms that unless I was informed by 1 September 1989 that further evidence had been discovered I would decide the case on the evidence then before me.

On 1 September 1989 Mr Brindley wrote to the Clerk to the Commons Commissioners stating that it had not been possible to discover any further evidence.

In the absence of any 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

19<sup>th</sup>

day of

September

1989

Peter Landon-Davis

Chief Commons Commissioner