



In the Matter of Witheridge Moor, Witheridge

DECISION

This reference relates to the question of the ownership of land above mentioned being the land comprised in the Land Section of Register Unit No. CL 224 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 Mr I H Amory 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 Barnstaple on 8 December 1983.

Mr A N Benn, FRICS, Land Agent, appeared for the claimant, Ian Heathcoat-Amory.

The register unit is pt OS. 1189 191 acres. 1r 7p. which was purchased by the claimant's father William Heathcoat-Amory and transferred to him by a Conveyance in 1948.

By a Deed of Gift made 30 May 1972, Wm Heathcoat-Amory transferred the Register Unit together with other property to the Claimant. In the Deed of Gift the area is given as 185.543 acres. The difference is the triangle of land hatched violet on the register plan which was removed from the Register, having been sold off in 1956.

On this evidence I am satisfied that Mr I H Amory 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 21st day of December 1983

George Heathcoat-Amory

Commons Commissioner