



In the Matter of Colwell Common, Totland,  
Isle of Wight

DECISION

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This reference relates to the question of the ownership of land known as Colwell Common, Totland, being the part of the land comprised in the Land Section of Register Unit No. CL 3 in the Register of Common Land maintained by the Isle of Wight 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 no person claimed to be the freehold owner of the land in question and no one 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 Newport on 17 November 1977.

At the hearing the Totland Parish Council was represented by Mr F Chapman, its Clerk. Mr Chapman informed me that he believed that the land in question was in the ownership of the former Isle of Wight Rural District Council. However, in the absence of any evidence as to this 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 20th day of December 1977

Chief Commons Commissioner