



COMMONS REGISTRATION ACT 1965

Reference No.29/U/78

In the Matter of Church Green and Langel Common,Witney, Oxfordshire.DECISION

This reference relates to the question of the ownership of land known as Church Green and Langel Common, Witney, being the land comprised in the Land Section of Register Unit No.V.G.55 in the Register of Town or Village Greens maintained by the Oxfordshire 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 Blenheim Settled Estate claimed to be the freehold owners 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 Oxford on 31st January 1974.

At the hearing Mr. H. Hallam, solicitor, appeared on behalf of the Trustees of the Blenheim Settled Estate.

Mr. Hallam based the Trustees' claim on their ownership of the lordship of the manor of Witney. The title to the manor was proved by a series of deeds commencing with a vesting deed made 30th October ~~1897~~ ¹⁹²⁶ between (1) Ivor Churchill, Viscount Wimborne and Herbert Haynes Twining (2) Charles Richard John, Duke of Marlborough. The present Trustees were appointed by a conveyance made 30th December 1961 between (1) John George Vanderbilt Henry Spencer Churchill (commonly called the Marquess of Blandford) (2) Athina Mary Spencer Churchill (commonly called the Marchioness of Blandford) (3) Arthur James Robert Collins, Charles Hugo Waterhouse, Charles Robert Muir, and Gerard Wilfred White. Mr. C.R. Muir died on 24th March 1972 and Mr. Rupert Nicholas Hambro was appointed a Trustee in his place by a deed of appointment made 22nd October 1972 between (1) John George Vanderbilt Henry, Duke of Marlborough (2) A.J.R. Collins, C.H. Waterhouse and G.W. White (3) R.N. Hambro.

Both Church Green and Langel Common were the subjects of schemes made under the Commons Act 1899 on 12th April 1901 and approved on 19th April 1901. These schemes were replaced by a single scheme relating to both pieces of land made on 22nd December 1948 and approved on 1st February 1949. In order to be the subject of such a scheme each piece of land would have to be subject to be inclosed under the Inclosure Acts 1845 to 1882 or be a town or village green. This is prima facie evidence that the land belonged to the lord of the manor. In the absence of any rebutting evidence I am satisfied that the Trustees are the owners of the land, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register them as the owners 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 18th day of February 1974

A handwritten signature in black ink, appearing to read "E. D. Lumbis", with a horizontal line underneath.

Chief Commons Commissioner