



Reference No. 2/U/75

In the Matter of Land at Abingdon,
Oxfordshire (No. 2)

DECISION

This reference relates to the question of the ownership of land at Abingdon, being the land comprised in the Land Section of Register Unit No. CL 67 in the Register of Common Land maintained by the former Berkshire 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 former Abingdon Corporation 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 Oxford on 8th October 1975.

There was no appearance at the hearing.

In the absence of any evidence I was not satisfied that any person was the owner of the land, and I gave a decision accordingly.

After being notified of my decision as a concerned authority, the Vale of White Horse District Council applied to me to reopen the hearing and set aside my decision under reg. 21(1) of the Commons Commissioners Regulations 1971. Being satisfied that the District Council had sufficient reason for being absent from the hearing, I granted the application.

I reopened the hearing at Oxford on 21st May 1976. On this occasion the District Council was represented by Mr D D H Cameron, solicitor. By a conveyance made 5th November 1948 between (1) The King's Most Excellent Majesty (2) The Mayor, Aldermen and Burgesses of the Borough of Abingdon the land the subject of this reference was conveyed by the Duchy of Cornwall to the Corporation. Upon the coming into operation of the Local Government Act 1972 on 1st April 1974 the land in question was transferred to the District Council.

On this evidence I am satisfied that the Vale of White Horse District Council is the owner of the land, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register the District Council 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 24th day of June 1976


Chief Commons Commissioner