



COMMONS REGISTRATION ACT 1965

Reference No.29/U/26

In the Matter of Land on the South Side  
of High Street, Chalgrove, Oxfordshire.

DECISION

This reference relates to the question of the ownership of land on the south side of High Street, Chalgrove, being the land comprised in the Land Section of Register Unit No.C.L.67 in the Register of Common Land 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 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 Oxford on 20th November 1973.

At the hearing the Chalgrove Parish Council was represented by its Clerk, Mr. W.R.A. Penny. Mr. Penny informed me that it was believed that the land the subject of the reference was at one time a pound. There is, however, no evidence that it has been used as such within living memory and at the present time it has none of the physical characteristics of a pound. It has on it willow trees which have been pollarded by anyone who wished to use the "withys" for thatching. There is no evidence that the Parish Council ever concerned itself with the land until four years ago, when it let the land to the occupier of a nearby house at a rent of 25p a year, which rent the Council has received without any adverse claim. However, while it may well be that the Parish Council will at some future time acquire a possessory title by the receipt of the rent from the land, a period of four years is insufficient for that purpose.

In the absence of any better 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 December 1973

  
Chief Commons Commissioner