



COMMONS REGISTRATION ACT 1965

Reference No.29/U/22

In the Matter of The Brook,
Bladon, Oxfordshire.

DECISION

This reference relates to the question of the ownership of land known as The Brook, Bladon, being the land comprised in the Land Section of Register Unit No.C.L.59 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 the Bladon Parish Council 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 31st January 1974.

At the hearing Mr. J.G. Ramsdale, solicitor, appeared for the Parish Council.

For many years the land in question consisted of a brook and fresh water spring. In the early 1950's it ceased to be used as a water supply and about 1957 a Mr.Perry, who owned some warehouses on the adjoining land to the west, applied to the Parish Council for permission to fill in the brook and spring and to use the land in question as a vehicular access to his warehouses. The Parish Council granted this permission and Mr.Perry turned the land into a gravelled driveway. About 1970 Mr.John Smith, who owned a garage to the north, applied to the Parish Council for permission to use the driveway for access to his garage. This permission was granted subject to a yearly payment of 25p., which the Parish Council has since received. Also about 1970 the congregation of Bladon Methodist Chapel applied to the Parish Council for permission to use the driveway for access to land at the rear which was to be used for car parking. This permission was also granted subject to a yearly payment of 25p.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register the Bladon Parish 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 11th day of February 1974

Chief Commons Commissioner