



In the Matter of The Pound, Kirtlington,
Oxfordshire

DECISION

This reference relates to the question of the ownership of land known as The Pound, Kirtlington, being the land comprised in the Land Section of Register Unit No. CL 121 in the Register of Common Land maintained by the former 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 Kirtlington 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 18 July 1978.

At the hearing the Parish Council was represented by Col. H M Shellard, its Clerk.

The land in question has not been used as a pound for many years. A tree was planted on it in commemoration of Queen Victoria's Diamond Jubilee in 1897. This tree was subsequently replaced by another tree, which is still there. For many years there was a notice bearing the words:-

"This tree is parish property.. Anyone damaging the same will be
"prosecuted.

"By Order

"Kirtlington Parish Council".

In my view, the Parish Council has been in possession of the land for a sufficient period to have acquired a possessory title.

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 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

3rd

day of

August

1978.

[Handwritten signature]