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COMMONS REGISTRATION ACT 1965



Reference No. 239/U/94

In the Matter of "The Paddock", Lowther Street,
Hilmorton, Rugby, Warwickshire

DECISION

This reference relates to the question of the ownership of land known as "The Paddock", Lowther Street, Hilmorton, Rugby, being the land comprised in the Land Section of Register Unit No. CL 41 in the Register of Common Land maintained by the Warwickshire 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 Rugby on 11 November 1982.

There was no appearance at the hearing, and I gave the appropriate decision. After my decision was published I granted an application by Mr P G Ayres to re-open the hearing.

I re-opened the hearing at Nuneaton on 13 October 1983, when Mr Ayres appeared in person.

The land in question is grass land, and Mr Ayres has been in possession of it since the 1930's and before that it had been in the possession of his parents. During the whole of the time that Mr Ayres has been occupying the land there has been no adverse claim by any other person.

On this evidence I am satisfied that Mr Ayres is the owner of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register him 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 2nd day of November 1983

Chief Commons Commissioner