



COMMONS REGISTRATION ACT 1965

Reference No.41/U/15

In the Matter of Land on the Eastern Bank of the
River Bourne, Winterbourne, Wiltshire.

DECISION

This reference relates to the question of the ownership of land on the eastern bank of the River Bourne, Winterbourne, being the land comprised in the Land Section of Register Unit No.C.L.26 in the Register of Common Land maintained by the Wiltshire 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 Winterbourne Parish Council claimed to be the freehold owner of the land in question and Mr. B.F. White 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 Salisbury on 23rd October 1973.

At the hearing the Parish Council was represented by Mr. James Leever, solicitor, and Mr. H.M. Trethown, solicitor, appeared for Mr. White. Mr. Trethown informed me that he was instructed to make no claim to the ownership of the land in question on behalf of Mr. White.

The land in question is numbered 76A on the plan of an Altered Apportionment of Tithe Rent charge dated 31st March 1924, in the Second Schedule to which the landowner is stated to be the Parish Council. There is no evidence that any person has taken possession of the land adversely to the Parish Council since 1924.

On this evidence I am satisfied that the Winterbourne Parish Council is the owner of the land, and I shall accordingly direct the Wiltshire 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 28th day of November 1973

Chief Commons Commissioner