



COMMONS REGISTRATION ACT 1965

Reference No.41/U/10

In the Matter of Lockeridge Dene,
West Overton, Wiltshire.

DECISION

This reference relates to the question of the ownership of land known as Lockeridge Debe, West Overton, being the land comprised in the Land Section of Register Unit No.C.L.18 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 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 Salisbury on 23rd October 1973.

At the hearing the Fyfield and Overton Parish Council was represented by Mr. L.H. Bulley, its Clerk, who called as a witness Mr. C.A. Cutforth, the Chairman of the Parish Council, who has lived at West Overton for the last 20 years. Mr. Bulley also produced the Council's minute-book, from which it appeared that on 1st May 1950 the Parish Council granted permission for the grazing of goats on the land in question. Since then the Parish Council has acted in various ways as if it were the owner of the land. It has granted wayleaves for sewers and telephone cables. It has planted trees and cut the grass. It has erected swings, and in the winter of 1963/64 it gave permission for a road to be made across the land. All this has been done without objection from anyone claiming to be the owner.

On this evidence I am satisfied that the 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