



In the Matter of Lydiard Plain, Lydiard Millicent,
Wiltshire.

DECISION

This reference relates to the question of the ownership of land known as Lydiard Plain, Lydiard Millicent, being the land comprised in the Land Section of Register Unit No. CL 68 in the Register of Common Land maintained by the former Wiltshire County Council of which no person is registered under section 4 of the Common 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 Trowbridge on 10 December 1976.

At the hearing the Lydiard Millicent Parish Council was represented by Mr A E Wicks, one of its members.

The management of the land in question was vested in the former Cricklade and Wootton Bassett Rural District Council by a scheme made under the Commons Act 1899 and approved by the Board of Agriculture and Fisheries on 8 August 1913. By virtue of the Local Government Act 1972 and the Local Authorities (England) (Property etc.) Order 1973 the North Wiltshire District Council became the successor authority to the former Rural District Council. By an agreement made 22 March 1976 between the District Council and the Parish Council the functions of the District Council under the scheme are now discharged by the Parish Council.

The scheme and the agreement have no relevance to the ownership of the land, and in the absence of any other evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

14th

day of February 1977

Chief Commons Commissioner