



COMMONS REGISTRATION ACT 1965

Reference No. 202/U/33

In the Matter of Land at Ruscombe, BerkshireDECISION

This reference relates to the question of the ownership of land at Ruscombe being the part of the land comprised in the Land Section of Register Unit No. CL.167 in the Register of Common Land maintained by the Berkshire 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 Ruscombe 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 Windsor on 12 December 1978.

At the hearing Mr Douglas Major claimed to be the owner of the land. Mr Major said that his father was the son and heir of the late Lord Gower, and that, although his father had registered his name as Major, he claimed to have inherited the land together with the title of Lord Gower. Mr Major said that Lord Gower died in 1962, leaving no will, and he knew of no letters of administration of Lord Gower's estate having been granted to anyone.

Mr Major appeared to be under the impression that Lord Gower's land would pass with his title. This is not so. The land would pass to his personal representatives and there is no evidence as to who the personal representatives are or indeed whether there are any personal representatives.

I can only say that Mr Major has failed to satisfy me that anyone 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 regulations 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 22nd day of February 1978

Chief Commons Commissioners.