



In the Matter of Cranbrook Down and
The Castle, Moretonhampstead, Devon

DECISION

This reference relates to the question of the ownership of land known as Cranbrook Down and The Castle, Moretonhampstead, being the land comprised in the Land Section of Register Unit No. CL.220 in the Register of Common Land maintained by the Devon 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 Trustees of the Charities known as the Poor's Land Charity and the Sparkes Charity 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 Exeter on 28 November 1979. At the hearing, the Moretonhampstead Parish Council was represented by Mrs F G Palmer, its Vice-Chairman. There was no appearance on behalf of the Trustees, but in a letter dated 9 April 1979 addressed to the Clerk of the Commons Commissioners, the Solicitors for the Trustees stated that they did not wish to claim ownership of the land in question.

In the absence of any 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

10th

day of

December

1979

Chief Commons Commissioner