



In the Matter of Hares Moor, Knowstone

DECISION

This reference relates to the question of the ownership of land above mentioned being the part of the land comprised in the Land Section of Register Unit No. CL 127 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 several persons claimed to be the freehold owner of the land in question or 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 Barnstaple on 8 December 1983.

Mr Jason Spurway appeared for his father, Mr Richard Spurway, Mrs Sheila Campbell appeared for her husband, Mr Ivor Campbell and Mr William Norman, a member, appeared for Knowstone Parish Council.

In each case the claim was for the whole of the unclaimed land.

Mr Spurway produced some correspondence between his father and the Parish Council and to 'The History of a Devon Parish' by E W Bartley, in which there was a reference in the Bibliography to the Spurway Papers. These papers cannot now be found but it was suggested that they would substantiate the family claim.

Mrs Campbell said that she was there to make a claim to any part of the land which for which an owner was not found. Her husband's claim to Hares Moor had failed at an earlier hearing.

Mr Norman produced a copy of a Tithe Award showing an Apportionment of Tithe Rent charge for Knowstone Parish dated 8 January 1842. Three Hares Down was apportioned to the Reverend John Fronde and others. The Parish Council granted permits to camp on the land.

In my view the effect of the award was that the apportionment was for the benefit of the Parish and the land is now held by the Parish Council.

On this evidence I am satisfied that Knowstone Parish Council is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the said 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

21st

day of

December

1983

(Signature)
Commons Commissioner