



COMMONS REGISTRATION ACT 1965

Reference No. 209/U/39

In the Matter of Land by Huckworthy
Bridge, Walkhampton, Devon

DECISION

This reference relates to the question of the ownership of land by Hawkworthy Bridge, Walkhampton being the land comprised in the Land Section of Register Unit No. CL.250 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 Burrator 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 Exeter on 2 June 1981. Mr G R Soper (a member) appeared for the Parish Council. In evidence he said that he had known the land in question for over 40 years and the Parish Council had always maintained the land by cutting the grass, moving obstructions and rubbish and generally being responsible for its tidiness.

Shortly before 1969 a fence had been put round the land. This was removed at the insistence of the Parish Council.

For these reasons I am satisfied that Burrator 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 11 day of June 1981

George Harker

Commons Commissioner.