



COMMONS REGISTRATION ACT 1965

Reference No. 209/U/133

In the Matter of Part Furzehill Common, Lynton

DECISION

This reference relates to the question of the ownership of Furzehill Common, Lynton, being the land now comprised in the Land Section of Register Unit No. CL.152 in the Register of Common Land maintained by Devon County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Lynton on 21 April 1994.

At the hearing Mr E J Duffy of Messrs. Furse Sanders, Solicitors, South Molton, appeared on behalf of Mr Deryck Henry Ford.

No other person appeared or made any claim to ownership

Mr Duffy produced a conveyance on sale dated 9th July 1973 made between John Gordon Willey (1) Frederick James Bowen (2) and Deryck Henry Ford and Agnes Stone Ford (3) by which the whole of the land became vested in Mr and Mrs Ford as beneficial joint tenants. Mr Duffy also produced a copy Deed of Gift dated 27th March 1981 by which Mr and Mrs Ford conveyed part of the land, namely O S enclosure No. 83 of 9.65 acres, to their son Derek Ross Ford. Mr Duffy also produced the Death Certificate of Mrs Ford showing that she died on 20 May 1992. Mr Ford therefore became by survivorship the owner of the remainder of the land comprised in the said conveyance dated 9 July 1973. On this evidence I am satisfied that Deryck Henry Ford is the owner of the land (except OS83) and that Derek Ross Ford is the owner of OS83.

I accordingly propose to direct the Devon County Council to register Deryck Henry Ford as the owner of the whole of the land comprised in this Register Unit except O S 83, and to register Derek Ross Ford as the owner of O S 83.

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

28th

day of

April

1994

Commons Commissioner