



COMMONS REGISTRATION ACT 1965

Reference No.9/U/34

In the Matter of The Marsh,
Aveton Gifford, Devon.

DECISION

This reference relates to the question of the ownership of land known as The Marsh, Aveton Gifford, being the land comprised in the Land Section of Register Unit No.C.L.209 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 Kingsbridge Rural District Council claimed to be the freehold owner of the land in question. 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 18th July 1972.

Miss Bridget Eccles, the Deputy Clerk of the Kingsbridge Rural District Council, produced a conveyance made 1st August 1931 between (1) William St James Henry Pitman and (2) the Rural District Council, whereby the lordship of the manor of Aveton Gifford and certain land, including the land the subject of this reference, were conveyed to the Council. Miss Eccles also produced the counterpart of a lease dated 2nd December 1967, whereby the Rural District Council let the land to the Aveton Gifford Parish Council for 20 years from 1st October 1968 at the yearly rent of £1.

On this evidence I am satisfied that the Rural District Council is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Kingsbridge Rural District Council as the owner of the land.

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 25th day of July 1972


Chief Commons Commissioner