



COMMONS REGISTRATION ACT 1965

Reference No.9/U/7

In the Matter of Town Well,Ringmore, Devon.DECISION

This reference relates to the question of the ownership of land known as Town Well, Ringmore, being the land comprised in the Land Section of Register Unit No.V.G.57 in the Register of Town or Village Greens 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 Barry Gene Leger 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 18th July 1972.

Mr. A.J. Goddard, solicitor, appeared for Mr. Leger, and the Ringmore Parish Council was represented by its Chairman, Mr. J.L. Lutwyche.

It appears from the Ringmore tithe award made in 1841 that the land in question in this reference, together with a cottage at its north-eastern end, were described as "The Green and Cot" and were in the ownership of Henry Richard Roe and occupied by Peter Frowse. The "Cot" appears to have been on the site of, if not the same building as, the cottage now known as Dinah's Cottage. Dinah's Cottage (which is not included in the Register Unit) belongs to Mr. Leger, who is also the owner of the Journey's End Inn on the north side of the road opposite Dinah's Cottage.

There is no evidence that Mr. Leger is the successor in title of Mr. Roe in respect of either the land known as The Green in 1841 or Dinah's Cottage. On the other hand, there is no mention of this land in the parish records before 1954, when a seat to commemorate the coronation of Queen Elizabeth II was placed there by the Parish Council. It is a piece of waste land on the side of a hill on which children play. The grass has sometimes been cut by the licensees of the Journey's End and sometimes they have sought assistance from the Parish Council. Mr. H.C. Buck, the Clerk of the Parish Council, said that he had sometimes cut it himself and that in 1956 he had placed six bollards on the land.

On this evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Devon County Council, as registration authority, to register the Ringmore Parish Council as the owner of the land under section 3(3) 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 28th day of July 1972

A handwritten signature in black ink, appearing to read 'Cyril Quibb', written in a cursive style.

Chief Commons Commissioner