



COMMONS REGISTRATION ACT 1965

Reference No. 210/U/43

In the Matter of Hardown Hill (part),
Whitechurch Canonicoꝝ and Chideock,
Dorset

DECISION

This reference relates to the question of the ownership of land known as Hardown Hill (part), Whitechurch Canonicoꝝ and Chideock, being the part of the land comprised in the Land Section of Register Unit No. CL.45 in the Register of Common Land maintained by the Dorset 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 National Trust 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 Dorchester on 6 March 1980. At the hearing the National Trust was represented by Mr S C Garnier its agent.

With the exception of two small areas, the land in question was conveyed to the National Trust by a deed of gift made 5 April 1967 between (1) Angela Scott-Nicholson (2) The National Trust for Places of Historic Interest or Natural Beauty. This land, with other land, is described in the parcels as the donor's estate, title and interest in those parts of the manor or lordship or reputed manor or lordship of Berne and Morcomblake which are identified on the plan attached to the deed. Mrs Scott-Nicholson had a good root of title to the lordship of the manor in a conveyance made 6 February 1914 between (1) George Thomas Moor Alphonse Horsford (2) George Tolley.

On this evidence I am satisfied that the National Trust is the owner of the land, shown on the plan attached to the deed of gift and I shall accordingly direct the Dorset County Council as registration authority, to register the National Trust as the owner of the land under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the two small areas not included in the deed of gift and it will therefore remain subject to protection under section 9 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 24th day of March

1980

Chief Commons Commissioner