



In the Matter of Morton Common, Brading,
Isle of Wight

DECISION

This reference relates to the question of the ownership of land known as Morton Common, Brading, being the land comprised in the Land Section of Register Unit No. CL 19 in the Register of Common Land maintained by the Isle of Wight 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 no person claimed to be the freehold owner of the land in question and no one 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 Ryde on 16 November 1977.

At the hearing Mr W J Eldridge, solicitor, appeared on behalf of Mr A R Aylett, whose application for the registration was noted under section 4(4) of the Act of 1965. Mr Eldridge, however, had no evidence as to the ownership of the land in question.

In the absence of any evidence I am not satisfied that any person is the owner of the land, 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 5th day of December 1977


Chief Commons Commissioner