



COMMONS REGISTRATION ACT 1965

Reference No.229/U/73

In the Matter of Chalk Pits, Chinnor Hill,
Chinnor South Oxfordshire D.

DECISION

This reference relates to the question of the ownership of land known as Chalk Pits, Chinnor Hill, Chinnor, South Oxfordshire D. being the land comprised in the Land Section of Register Unit No.CL.81 in the Register of Common Land maintained by the Oxfordshire 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 South Oxfordshire District Council claimed to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Oxford on 10th June 1975.

Mr.Latham Counsel appeared on behalf of the South Oxfordshire District Council and Mr.George Wilson, Chairman and Mr.Merrow-Smith Clerk appeared on behalf of the Chinnor Parish Council.

By an Award made in 1854 the land in question Nos 189 and 175 referred to in the said Award was awarded to the Surveyors of Highways. The land, if not exhausted ^{in 1894} ~~has at all times been held as land for highway purposes and would if not exhausted~~ ~~held as such by the South Oxfordshire District Council as the relevant Highway authority, as the successor to Bullingden R-DC~~

Mr.Wilson and Mr.Merrow-Smith were unable to say that these Chalk Pits were or indeed are exhausted. They have fallen into disuse because Chalk is no longer used for Highway purposes.

On this evidence I am satisfied that South Oxfordshire District Council is the owner of the land, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register South Oxford District Council as the owner of the land under section 8 (2) 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 27th day of June 1975

C. A. Lettle

Commons Commissioner

Corrected under Regulation 3

C. A. Lettle

27 June 1975