



COMMONS REGISTRATION ACT 1965

Reference No.29/U/2

In the Matter of Furzemoor Pond,
Goring Heath, Oxfordshire.

DECISION

This reference relates to the question of the ownership of land known as Furzemoor Pond, Goring Heath, being the land comprised in the Land Section of Register Unit No.C.L.5 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 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 Oxford on 21st November 1973.

Mr. H.C. Rivers, a member of the Goring Heath Parish Council, appeared at the hearing.

Mr. Rivers informed me that he believed that the land in question belonged to Mr. Sidney E. Lay of Spenford House, Loppington, Shrewsbury. A letter to Mr. Lay from the Clerk to the Commons Commissioners elicited the following reply:-

"My Agents tell me the chances are so slim and the costs so great that we had better cancel. If you can give me a 50/50 hope I would certainly go on".

It is, of course, impossible to assess Mr. Lay's prospect of success in the absence of any evidence.

In these circumstances 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 1st day of February 1974

Chief Commons Commissioner