



COMMONS REGISTRATION ACT 1965

Reference No.29/U/25

In the Matter of The Gissel Pond
and the land adjoining, Garsington,
Oxfordshire.

DECISION

This reference relates to the question of the ownership of land known as The Gissel Pond and land adjoining, Garsington, being the land comprised in the Land Section of Register Unit No.C.L.62 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 the Garsington Parish Council 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 Oxford on 20th November 1973.

At the hearing the Parish Council was represented by Mrs. E.O.Hodson, a member of the Council. The Gissel Pond is what Mrs. Hodson described as a "village splash". It was not allotted to anyone in the Inclosure Award, dated 23rd April 1823 made under the Garsington Inclosure Act of 1811 (51 Geo.III, c.lxxxv), from which it can be inferred that it was then regarded as open to use by anybody. The only action which the Parish Council has taken with regard to it has been to erect a chain link fence to prevent children from falling into the water.

In the absence of any other 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 19th day of December 1973


Chief Commons Commissioner