



In the Matter of The Swan Car Park,  
Islip, Oxfordshire.

DECISION

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This reference relates to the question of the ownership of land known as The Swan Car Park, Islip, being the land comprised in the Land Section of Register Unit No. CL 109 in the Register of Common Land maintained by the former 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 18 July 1978.

At the hearing the Islip Parish Council was represented by Mr R Gilman, its Chairman.

Although the land comprised in the Register Unit is described as "The tract called The Swan Car Park", it includes land which is not part of the car park of the Swan Inn. Between about 1947 and 1955 the whole of the land was used for fairs and the Parish Council used to collect rents from the fairground people. In 1962 Morrells Brewery Ltd, the owners of the nearby Swan Inn, agreed to lay hard core on the part of the land opposite the inn and to pay 1/- a year for the use of this part of the land as a car park. This rent (now 5p) has been received by the Parish Council since that time. Another small area was leased to the Southern Electricity Board for a substation in 1965.

On this evidence I am satisfied that the Parish Council is the owner of the parts of the land now used as a car park and substation, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register the Parish Council as the owner of those parts of the land under section 8(2) of the Act of 1965.

Since there is no evidence that the Parish Council has been in possession of the remainder of the land to acquire a possessory title, that part will 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

3<sup>rd</sup>

day of

August

1978

CHIEF COMMONS COMMISSIONER