



COMMONS REGISTRATION ACT 1965

Reference No. 32/U/59

In the Matter of Dunkery Errish, Cutcombe,
and Land West of Spangate Lane, Wootton
Courtney, Somerset.

DECISION

This reference relates to the question of the ownership of land known as Dunkery Errish, Cutcombe, and land west of Spangate Lane, Wootton Courtney, being the land comprised in the Land Section of Register Unit No. CL.188 in the Register of Common Land maintained by the former Somerset 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 Badgworthy Land Co. Ltd 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 Taunton on 8th October 1974.

At the hearing Badgworthy Land Co. Ltd. was represented by Mr D.J. Orme, solicitor. The land in question was conveyed to Badgworthy Land Co. Ltd by a conveyance made 11th October 1957 made between (1) Alice Mawdesley Harriet Houlder, John Maurice Houlder, Frank Wainman Whittle, and John Murray Melville (2) Badgworthy Land Co. Ltd.

On this evidence I am satisfied that Badgworthy Land Co. Ltd is the owner of the land, and I shall accordingly direct the Somerset County Council, as registration authority, to register that Company 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 28th day of October 1974

Chief Commons Commissioner