



COMMONS REGISTRATION ACT 1965

Reference No. 241/U/14

In the Matter of Marlborough Common,
Marlborough

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL.62 in the Register of Common Land maintained by the Wiltshire 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 Marlborough Town 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 Marlborough on 24 November 1984.

Mr A W Skittrall, Town Clerk, appeared for Marlborough Town Council and Mr H C Caistor, Countryside Officer appeared for Kennet District Council.

Mr Skittrall made a Statutory Declaration dated 26 September 1984 alleging that the Council and its predecessors had since 1846 exercised powers of ownership over the common as detailed in Exhibit 'AWS' to his Declaration.

There were no other claimants and Mr Skittrall was not cross-examined.

On this evidence I am satisfied that Marlborough Town Council is the owner of the land, and I shall accordingly direct the Wiltshire County Council, as registration authority, to register Marlborough Town Council as the owner of the land under section 8 (2) of the Act of 1984.

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

6th

day of

November

1984

Commons Commissioner