



COMMONS REGISTRATION ACT 1965

Reference No.41/U/53

In the Matter of Common Pond, Middleton Road,
Parkmoor Pond (Middle Winterslow), Roche Court
Pond (East Winterslow), Pheasant Pond,
London Road, Old Rectory Pond, West Winterslow,
and Pincroft (Middle Winterslow), Winterslow,
Wiltshire.

DECISION

This reference relates to the question of the ownership of five ponds and a piece of land called Pincroft, Winterslow, being the land comprised in the Land Section of Register Unit No.CL 75 in the Register of Common Land maintained by the former 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 Major H.B.Trevor Cox claimed to be the freehold owner of part 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 Salisbury on 25th February 1975.

At the hearing Major Trevor Cox appeared in person and the Winterslow Parish Council was represented by Mr R.A.Titt, its Chairman.

Roche Court Pond was conveyed to Major Trevor Cox's father by a conveyance made 3rd January 1934 between (1) The Agricultural Mortgage Corporation Ltd (2) Charles Horace Cox. Mr C.H.Cox died 2nd August 1941 and on 2nd February 1942 his personal representative assented to the vesting of Roche Court Pond in Major Trevor Cox. Mr C.H.Cox and, since his death, Major Trevor Cox have been in undisputed possession ever since.

Mr Titt informed me that he had no evidence as to the ownership of any of the land the subject of the reference other than Roche Court Pond.

On this evidence I am satisfied that Major Trevor Cox is the owner of Roche Court Pond and I shall accordingly direct the Wiltshire County Council, as registration authority, to register him as the owner of that pond under section 8(2) of the Act of 1965. The remainder of the land comprised in the Register Unit 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 18th day of March 1975


Chief Commons Commissioner