



In the Matter of Nine Elms, Lydiard Millicent,
Wiltshire

DECISION

This reference relates to the question of the ownership of land known as Nine Elms, Lydiard Millicent, being the part of the land comprised in the Land Section of Register Unit No. CL 69 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 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 Trowbridge on 10 December 1976.

At the hearing the Lydiard Millicent Parish Council was represented by Mr A E Wicks, one of its members. Mr Wicks informed me that the Parish Council has looked after the land in question for some time and fenced it five or six years ago. No rent has been received by the Parish Council.

This evidence is insufficient to justify a finding that the Parish Council has acquired a possessory title to the land, and 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 14th day of February 1977

Chief Commons Commissioner