



COMMONS REGISTRATION ACT 1965

Reference Nos 213/U/40
213/U/41
213/U/43

In the Matter of (1) Burnt Ash verge,
(2) verge on the west side of Knapp Lane
and (3) Three pieces of Upper Hyde,
Minchinhampton, Stroud District, Gloucestershire

DECISION

This reference relates to the question of the ownership of land known as (1) Burnt Ash verge containing about 0.09 of an acre, (2) verge on the west side of Knapp Lane containing about 0.025 of an acre and (3) Three pieces of Upper Hyde containing about 0.237 of an acre in Minchinhampton, Stroud District and being the lands comprised in the Land Section of Register Unit (1) No CL 369, (2) No CL 373 and (3) No CL 376 respectively in the Register of Common Land maintained by the Gloucestershire 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 lands in question and no person claimed to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Gloucester on 21 November 1978. At the hearing Minchinhampton Parish Council were represented by Mr R Mills one of their members. The National Trust for Places of Historic Interest or Natural Beauty who own the land in the Parish, were represented by Mr W G Hopper legal executive with Winterbotham, Ball and Gadsden Solicitors of Stroud.

Mr Hopper said that the National Trust do not claim to own these lands. Mr Mills said that the Parish Council could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the lands, and they 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 11th — day of December 1978.

a. a. Baden Fuller

Commons Commissioner