



In the Matter of Additional Pieces of Land at
Leckhampton Hill, Leckhampton, Gloucestershire.

DECISION

This reference relates to the question of the ownership of additional land at Leckhampton Hill, Leckhampton, being the land comprised in the Land Section of Register Unit No. CL 173 in the Register of Common Land maintained by the former 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 the Cheltenham Borough 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 Cheltenham on 1 November 1977.

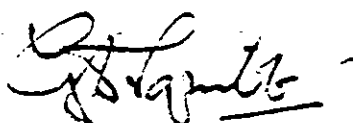
At the hearing the Borough Council was represented by Mr A D Chapman, solicitor.

The land the subject of the reference was conveyed to the former Cheltenham Corporation by a conveyance made 30 December 1927 made between (1) The Solicitor for the Affairs of H. M. Treasury (2) George Edward Fawcett (3) The Midland Bank Ltd (4) The Leckhampton Quarries Co. Ltd (5) The Mayor, Aldermen and Burgesses of the Borough of Cheltenham, and was transferred to the Borough Council by virtue of the provisions of the Local Government Act 1972.

On this evidence I am satisfied that the Cheltenham Borough Council is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register the Borough Council 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 22nd day of Nov. 1977


Chief Commons Commissioner