



COMMONS REGISTRATION ACT 1965

Reference No.13/U/66

In the Matter of Calcot Common,
Coln St.Dennis, Gloucestershire.

DECISION

This reference relates to the question of the ownership of land known as Calcot Common, Coln St.Dennis, being the land comprised in the Land Section of Register Unit No.VG.21 in the Register of Town or Village Greens 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 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 Gloucester on 11th July 1974.

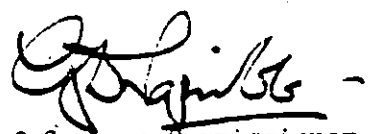
At the hearing I heard Mrs.T.Talbot Rice on behalf of her son, Mr.N.Talbot Rice. Mrs.Talbot Rice was, however, unable to produce to me more than an abstract of the title of a previous owner of property in the parish of Coln St.Dennis, which she claimed included the land the subject of the reference, so I deferred dealing with the matter until I had seen the deeds upon which the claim was founded.

Mr.Talbot Rice subsequently produced his deeds for my examination. He holds his property under a deed of gift from his father, the late Professor D.Talbot Rice, dated 6th July 1965. The plan on this deed makes it quite clear that the land the subject of the reference was not included in the deed. The property comprised in the deed was held by Professor Talbot Rice under several conveyances. The only one of these conveyances relevant to the present matter is a conveyance dated 3rd October 1942 from one Henry Thomas Beak. This conveyance likewise did not include the land the subject of the reference.

I am accordingly not satisfied on the evidence before me that any person is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register the Coln St.Dennis Parish Council as the owner of the land under section 8(3) 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 26th day of July 1974


Chief Commons Commissioner