



COMMONS REGISTRATION ACT 1965

Reference No.13/U/19

In the Matter of Church Common,
Clifford's Mesne, Newent, Gloucestershire.

DECISION

This reference relates to the question of the ownership of land known as Church Common, Clifford's Mesne, Newent, being the land comprised in the Land Section of Register Unit No.CL.51 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 personal representatives of Caleb Warren, deceased, claimed to be the freehold owners 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 Gloucester on 9th July 1974.

At the hearing Mr.D.B.Evans, solicitor, appeared on behalf of Mrs.Nancy Hopkins, the surviving personal representative of Caleb Warren.

The land comprised in the Register Unit consists of two portions, Ordnance Survey No.1681 and Ordnance Survey No.1689.

O.S.No.1689 is the site of a disused quarry and was conveyed to the late Mr.Warren by a conveyance made 2nd October 1936 between (1) John Richard Glasson (2) Caleb Warren. Mr.Warren died on 1st April 1961 and probate of his will was granted to his son and daughter, Mr.Caleb Henry Warren and Mrs.Nancy Hopkins on 10th July 1962. Mr.C.H.Warren died on 1st December 1971.

On this evidence I am satisfied that Mrs.Hopkins is the owner of O.S. No.1689, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register her as the owner of O.S.No.1689 under section 3(2) of the Act of 1965.

There was no evidence as to the ownership of O.S.No.1681. I am therefore not satisfied that any person is the owner of that 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 19th day of July 1974


Chief Commons Commissioner