



In the Matter of Cold Slad, Badgeworth,
Tewkesbury B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit no. CL.353 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, Gloucestershire County Council claimed to be the freehold owner of the land in question ("the unit land") 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 13 November 1985.

At the hearing Mr G D Limbrick, Solicitor, of the County Council appeared on its behalf. No other claimant appeared.

By a Conveyance dated 12 August 1974 the County Council purchased and acquired from Crickley Lime and Limestone (Gloucester) Ltd land which included part of the unit land. That Company had itself acquired part of the unit land and land adjoining it to the south by virtue of two Conveyances each dated 30 January 1943. The land as required by the Company is shown hatched blue on the plan attached to this Decision.

I am satisfied in the evidence that the County Council is the owner of the part of the unit land included in the area hatched blue on the plan and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register itself as such owner under section 8 (2) of the Act of 1965. The remainder of the unit land, as to which I am not satisfied that any person is the owner, will 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 this decision is sent to him, require me to state a case for the decision of the High Court.

Dated

12 December

1985

L. J. Davis Smith

COMMONS COMMISSIONER