



COMMONS REGISTRATION ACT 1965

Reference No 213/U/19

In the Matter of Donnywell,
Brockhampton, Sevenhampton,
Cotswold D

DECISION

This reference relates to the question of the ownership of land known as Donnywell, Brockhampton, Sevenhampton, Cotswold D being the land comprised in the Land Section of Register Unit No CL. 230 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 Sevenhampton Parish Council claimed to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Cheltenham on 8 February 1978.

Mr Hyatt and Miss M P Barnard appeared on behalf of the Sevenhampton Parish Council and produced a copy extract from the Sevenhampton Enclosure Award of 1815 whereby the land in question, which was identified, was allotted to Rebecca Lightbourne subject to the rights of the inhabitants to water their cattle and subject to a restriction in building. The allotment was to Rebecca Lightbourne, her heirs and assigns and not to or for the benefit of the Parish. The title to the land must be derived from Rebecca Lightbourne, and as to such a title there is no evidence.

In the absence of any evidence I am not satisfied that any person is the owner of the 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 2nd day of March 1978

L. A. Little

Commons Commissioner