



COMMONS REGISTRATION ACT 1965
DECISION (UNCLAIMED LAND)

Reference No 13/U/124

In the Matter of Duck Pond
Driffield Cotswold D

DECISION

This reference relates to the question of the ownership of land known as Duck Pond Driffield Cotswold D being the land comprised in the Land Section of Register Unit No CL 128 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 Driffield Parish 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 7 February 1978. Mr C R Mullings and Messrs Mullings Ellett & Co appeared from the Driffield Parish Council.

This was an adjourned hearing consequent on my leaving adjourned a hearing held on 13 October 1976 in order to give E J Winterbotham and Mr C Gowar an opportunity to prove their title to the land in question. Mr Mullings produced a conveyance dated 7 December 1977 whereby the said Winterbotham and Gowar conveyed the land in question to the Driffield Parish Council the land being identified on the plan annexed to the said conveyance.

On this evidence I am satisfied that Driffield Parish Council is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register Driffield Parish 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

17th

day of February

1978

G A Settle

Chief Commons Commissioner