



COMMONS REGISTRATION ACT 1965

Reference No 13/U/165

In the Matter of Part Brake,
Condicote, Cotswold D

DECISION

This reference relates to the question of the ownership of land known as Part Brake, Condicote, Cotswold D being the land comprised in the Land Section of Register Unit No CL. 301 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 Condicote 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 Gloucester on 6 April 1978.

Mr J Malcolm and Mrs E F Wynn appeared for the Condicote Parish Council and claimed that the Council derived title from the Condicote Inclosure Award of 1778 but in my view on the true construction of the Award this claim is not well founded.

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 21st day of April

1978

G. A. Little

Commons Commissioner