

COMMONS REGISTRATION ACT 1965

Reference No. 13/U/105

In the Matter of Recreation Allotment,  
Elmstone Hardwicke, Tewkesbury BC

DECISION

This reference relates to the question of the ownership of land known as Recreation Allotment, Elmstone Hardwicke, Tewkesbury BC, being the land comprised in the Land Section of Register Unit No VG 103 in the Register of Town or Village Greens 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 Elmstone Hardwicke 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 14 October 1976.

Mr P J Morris chairman of the Elmstone Hardwicke Parish Council appeared and stated that the land in question had been donated to the Parish for use as allotments but that for approximately the last 25 years there had been no demand for allotments and the land had been let for grazing by the Parish Council which had applied the rents received for Parish purposes.

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

29<sup>th</sup>

day of

October

1976

C. A. Little

Commons Commissioner