



In the Matter of The Green, Blackwells End Green  
opposite Prestberries Farm, Hartpury, Gloucestershire.

## DECISION

This reference relates to the question of the ownership of land known as The Green, Blackwells End Green opposite Prestberries Farm, Hartpury, being the land comprised in the Land Section of Register Unit No CL 306 in the Register of Common Land maintained by the former 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 Mr F. Houldey and Mr W J Houldey each claimed to be the freehold owner of the land in question and Mr R D Smyly stated that the use of this land had gone with the land bordering it. 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 9 February 1977.

Mr R E Jellie, solicitor appeared on behalf of Mr W J Houldey and the Hartpury Parish Council was represented by Mrs S. Gough, its Chairman. Mr W J Houldey is the owner of Cox's Farm, which includes O.S. No. 192, which has a short common boundary with the land the subject of the reference. He acquired it in 1975 from his father, Mr E F V Houldey, who bought it from Mr F Cox in 1945. The land in question has been farmed with Cox's Farm continuously from about 1890, sometimes for grazing and sometimes for taking a hay crop, without any adverse claim. In my view Mr Cox acquired a possessory title which he transferred to Mr E F V Houldey.

For these reasons I am satisfied that Mr W J Houldey is the owner of the land, and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register him 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 Regulation 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

26<sup>th</sup>

day of

March

1977

Chief Commons Commissioner