



COMMONS REGISTRATION ACT 1965

Reference No 13/U/177

In the Matter of The Green at  
Quarhouse, Thrupp, Stroud D

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DECISION

This reference relates to the question of the ownership of land known as The Green, at Quarhouse, Thrupp, Stroud D being the land comprised in the Land Section of Register Unit No CL. 341 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 Mr E J Mayo 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 12 October 1977.

Mr J M Green of Messrs Lapage Norris & Sons and Saleby appeared for Mr JM Mayo.

This Unit comprises three plots of land, two triangular island sites at road junctions and a plot to the west of the south island site.

As regards the south island plot Mr Green produced an assent dated 31 July 1963 with plan attached vesting Quarhouse Farm including the south island plot in E J Mayo and L S Mayo as the Personal Representatives of C F Mayo deceased and a conveyance dated 1 August 1963 whereby Quarhouse Farm was conveyed to E J Mayo by L S Mayo. Mr Green also produced a conveyance dated 5 October 1921 whereby A W Stanton conveyed land comprising the south island plot to I Mayo. On this evidence I am satisfied that E J Mayo is the owner of the south island plot.

As regards the North Island plot Mr Mayo aged 75 gave evidence that throughout the period of over 50 years during which he and his father and grandfather before him had farmed Quarhouse Farm they had placed milk churns on this plot for the collection of milk and that they had erected and from time to time renewed a stand on which the churns were placed. I have come to the conclusion that this use of this plot for the purpose of the Mayo farming business and in particular the erection and maintenance of a permanent structure does entitle Mr Mayo to a possessory title.

I shall accordingly direct the Gloucester County Council to register E J Mayo as the owner of the two said triangular plots.

As regards the remaining plot Mr Mayo had no evidence that he owned that plot and it will therefore remain subject to protection under Section 9 of the Act of 1965.



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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 23<sup>r</sup> day of March

1978

*C. A. Little*

Commons Commissioner