



COMMONS REGISTRATION ACT 1965

Reference No. 213/U/111

In the Matter of Two tracts of land known as
The Hudnalls in the parish of St.Briavels in the
 County of Gloucestershire

DECISION

This reference relates to the question of the ownership of land known as the Hudnalls in the parish of St.Briavels being the land comprised in the Land Section of Register Unit No.CL.333 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 I held a hearing for the purpose of inquiring into the question of the ownership of the land at Gloucester on 9 December 1980.

The hearing was attended by Mr Gilbert Davis of ^{Le}~~the~~ Brasseur Davis and Son Solicitors of Newport Gwent representing Brigadier J C O Hopkinson, Miss Creswick and Mrs J Lane who are respectively chairman and Secretary of Hudnalls Wood Commoners Association and Mr J B Bennett.

Mr Davis produced an Abstract of Title starting with an Indenture of Mortgage dated 7 March 1848 and terminating with an Assent dated 16 February 1963 and I am satisfied after examining the ~~Abstract~~ ^{Abstract} in detail that his client is the owner of the land comprised in ~~the~~ register unit~~s~~ other than parcels Nos. 1067, D70, 1103, 1126, 1131 and 1132 in the 1921 Ed. of the Ordnance Survey Map.

Mr R G Gaunt of Fir Tree Cottage St.Briavels had written making a tentative claim to the small detached piece of land at the Eastern end of the more northerly of the two parcels of land which make up the Register Unit. He stated that he had no documents of title and that he would withdraw his claim if, as was the case any one put forward a valid claim.

On this evidence I am satisfied that Brigadier John Charles Oswald Rooke Hopkinson is the owner of the land, except for the six parcels whereby mentioned I, shall accordingly direct the Gloucestershire County Council, as registration authority, to register him as the owner of that land under Section 8 (2) of the Act of 1965. I am not satisfied that any person is the owner of the remainder of the land which 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

2nd

day of

April

1981

Levy Hermett
 Commons Commissioner