



COMMONS REGISTRATION ACT 1965

Reference No 213/U/31

In the Matter of Village Pits,
Condicote, Cotswold D

DECISION

This reference relates to the question of the ownership of land known as Village Pits, Condicote, Cotswold D being the land comprised in the Land Section of Register Unit No CL. 299 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 the chairman of the Condicote Parish Council and Mrs E F Wynn the wife of the vice chairman appeared for their Council and produced copy extracts from the Inclosure Award of 1778 for the Parish of Condicote whereby the land in question was allotted to the Lord or Lady or Lords or Ladies of the Manor of Condicote for the time being in trust for the proprietors of lands and inhabitants of the said Parish for the use and purpose of the repair of the roads in Condicote. This was not an allotment to the Churchwardens and Overseers of the Poor and I am not satisfied that the legal estate is now vested in the Parish. However Mrs Wynn told me that the village hall paid for by the Parish has for very many years been standing on the land in question and I am therefore satisfied that the Parish Council has a prescriptive title to the land in question and I shall accordingly direct the Gloucestershire County Council, as registration authority, to register Condicote 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 21st day of April

1978

E. A. Selth

Commons Commissioner