



COMMONS REGISTRATION ACT 1965

Reference Nos.15/U/40
15/U/98

In the Matters of (1) Green Hill and
(2) The Pound, Old Quarry, both in
Wigmore, Leominster & Wigmore R.D.,
Herefordshire

DECISION

These references relate to the question of the ownership of lands known as (1) Green Hill and (2) The Pound, Old Quarry, both in Wigmore, Leominster and Wigmore Rural District being the lands comprised in the Land Section of Register Units No. CL.70 and CL.218 in the Register of Common Land maintained by the Herefordshire 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 these references no person claimed to be the freehold owner of the lands in question and no person claimed to have information as to their ownership.

I held hearings for the purpose of inquiring into the question of the ownership of the lands at Hereford on 12 December 1973. At the hearings Wigmore Parish Council were represented by Mrs. M. Tonkin, their clerk.

Mrs. Tonkin said that she thought that the Parish Council had applied for the registration of Green Hill (CL.70) because it had always been common land and because they would like to treat it as such. It is an open piece of grass land extending (according to the Register) to about one acre, prominently situated between Wigmore Castle (the remains of) and the Village; at present it is regularly grazed with sheep from Green Hill Farm (a right to graze is registered in the Rights Section).

Mr. G. H. Holman who represented the County Council as registration authority, said that the County Council had applied for the registration of The Pound, Old Quarry (CL.218), it being known as the Old Pound, in accordance with the principles set out in a circular letter dated 17 December 1969 and sent to all registration authorities by the Ministry of Housing and Local Government. Mrs. Tonkin said that the land (according to the Register it extends to about $\frac{1}{4}$ of an acre) is now and has been for the last 10 years, derelict. There is another piece of land known as The Pound, on the other side of the Village (down by the Bury Farm).

Miss S. Hubbard who is the senior assistant to the County Archivist, said that the Tithe Award was available. She and Mrs. Tonkin were agreed, that the Award showed Green Hill (CL.70; on the Tithe map No.208) as Common Land with no owner or occupier and showed the Pound, Old Quarry (CL.218; on the Tithe map No.189) as being (together with Nos.190 and 191) privately owned land.



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No evidence was offered as to the present ownership of either of these lands.

In the absence of any evidence I am not satisfied that any person is the owner of the lands and they will therefore be 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 20th day of December 1973.

a. a. Baden Fuller

Commons Commissioner