



COMMONS REGISTRATION ACT 1965

Reference No. 215/U/45

In the Matter of about 2½ acres on Great Doward, Whitchurch

DECISION

This reference relates to the question of the ownership of land known as land of about 2½ acres on Great Doward, Whitchurch being the land comprised in the Land Section of Register Unit No. CL.234 in the Register of Common Land maintained by the Hereford and Worcester 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 W Jenkins claimed to be the freehold owner of part of the land in question and Mr J Cronin claimed to be the freehold owner of another part of the said land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Hereford on 13 October 1994.

At the hearing Mr W Jenkins and Mr J Cronin appeared in person: Mr Robert Giles and Mr George Thompson represented the Registration Authority Hereford and Worcester County Council. The reference was originally in respect of the part of the land edged blue on the notice of reference plan, but at the hearing it was amended by consent to relate to the whole of the land in this Register Unit.

The land edged blue was purchased by Mr F Jenkins under a Conveyance on sale dated 24 June 1937. On his death it passed to his widow by an Assent dated 17 July 1967, and on her death it passed by an Assent dated 1 March 1994 to Messrs. Ian Frank Jenkins, Wilfred Malcolm Jenkins and Winston Martin Thomas Jenkins as joint tenants in trust for themselves in specified proportions. On this evidence I am satisfied that Messrs. Jenkins are the owners of the land edged blue and I shall accordingly direct the Hereford and Worcester County Council as registration authority to register them as the owners of the land under section 8(2) of the Act of 1965.

The land which I have hatched blue on the plan attached to the notice of reference forms part of a larger piece of land which was sold and conveyed to William James Thorne by a Conveyance on Sale dated 6 May 1939. W J Thorne sold and conveyed the land on 10 September 1948 to Ivor Cronin who died on 14 December 1971: by an Assent dated 8 May 1972 it was vested in his widow Lilly Cronin, who died on 4 January 1976. By an Assent dated 30 November 1976 the land became vested in Mr John Cronin the above named claimant. On this evidence I am satisfied that Mr John Cronin is the owner of the land hatched blue and I shall accordingly direct the Hereford and Worcester County Council as registration authority to register him as the owner of the land under section 8(2) of the Act of 1965.

There was no evidence as to the ownership of the remainder of the land comprised in this Register Unit and it will therefore remain subject to protection under section 9 of the Act.

Dated this

17

day of

October

1994


Commons Commissioner

