



COMMONS REGISTRATION ACT 1965

Reference No 15/U/9

In the Matter of Brook Green, Kingsland,
Leominster & Wigmore R.D., Herefordshire

DECISION

This reference relates to the question of the ownership of land known as Brook Green, Kingsland, Leominster & Wigmore Rural District, being the land comprised in the Land Section of Register Unit No VG 46 in the Register of Town or Village Greens 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 this reference no person claimed to be the freehold owner of the land in question and no 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 Hereford on 21 February 1973. The hearing was attended by Miss S.M. Wenham on whose application this registration had been made.

Miss Wenham said: The land is a small piece adjoining the road and bounded on one side by the brook, where children paddle and fish. It is a pleasant amenity. At one time it had been used as a lorry park: many inhabitants thought it should be registered so that sort of use could be prevented. She had no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Herefordshire County Council, as registration authority, to register Kingsland Parish Council as the owner of the land under section 8(3) 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 . 26th day of February 1973

a. a. Baden Fuller

Commons Commissioner