



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/39

In the Matter of Brownheath Common in the Parish
of Martin Hussingtree, Wychavon D.

DECISION

This reference relates to the question of the ownership of land known as Brownheath Common in the Parish of Martin Hussingtree Wychavon D., being the land comprised in the Land Section of Register Unit No. CL.60 in the Register of Common Land maintained by the former Worcestershire 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 one 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 Worcester on 12 November 1974.

Mr J. Broderick of the Hindlip and Martin Hussingtree Parish Council and Mr W.J. Hill of Saints Farm, Brownheath appeared but neither of them was able to give any information as to the ownership of the land in question.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it 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 19th day of November 1974

C. A. Sebble

Commons Commissioner