



COMMONS REGISTRATION ACT 1965

Reference Nos 215/D/217  
215/D/218

In the Matter of Common Wood, Aymestrey  
and Lucton, Leominster District, Hereford  
and Worcester

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DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and at Entry Nos 1, 2, 3 and 4 in the Rights Section of Register Unit No CL. 172 in the Register of Common Land maintained by the Hereford and Worcester County Council and are occasioned by Objection No 460 made by the Minister of Agriculture, Fisheries and Food and noted in the Register on 25 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Hereford on 10 November 1976. At the hearing Mr W D Turton solicitor of Lloyd & Son, Solicitors of Leominster attended on his own behalf (the Entry in the Land Section was made on his application) and as representing Mr G Withnall (he was one of the applicants for Entry Nos 1, 2 and 3 in the Rights Section), as representing Mr B Wilson (he was the only other applicant for the said Entry Nos 1 and 2), as representing Mr J A Rutledge (he is the only other applicant for the said Entry No 3) and as representing Mrs K V Gardiner (she was the sole applicant for Entry No 4 in the Rights Section); and Mr F Mallows solicitor attended as representing the Minister of Agriculture, Fisheries and Food.

The grounds of objection are: "The land was not common land at the date of registration. No common rights existed at the date of registration".

Mr Turton and Mr Mallows both requested me to refuse to confirm the registrations. Before the hearing there had been sent to the office of the Commons Commissioners a similar request signed on behalf of (among others) the County Council, Leominster District Council, Aymestrey Parish Council and Lucton Parish Council. There is no reason why I should not give effect to this request. Accordingly I refuse to confirm the registrations.

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 16<sup>th</sup> — day of November

1976

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*Briden Fuller*

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Commons Commissioner