



In the Matter of Cromer Common (part)
Leominster Out

DECISION

This reference relates to the question of the ownership of the land above mentioned being the part of the land comprised in the Land Section of Register Unit No. CL.156 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 several persons claimed to be the freehold owners of a part of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Worcester on 6 November 1985.

Mr W D Turton of Lloyds and Cooper, Solicitors of Leominster appeared for all the claimants either as their solicitor or as agent for their solicitors.

Mr Turton produced a map of the area on which different parts of the land were shown with their respective boundaries edged in different colours. These plots are numbered 1, 2, 3, 4 and 5 and the map is marked on the back with the word 'KEY PLAN' written in red.

Plot 1 (edged red)

and hatched black

The area in the shape of a boomerang ~~Plot 1 (edged red)~~ at the eastern end of the plot was not claimed by any person and Mr Turton said that he could produce evidence to show who was the owner.

The remainder of Plot 1 was conveyed on 4 March 1985 by the Principal and Scholars of the King's Hall and College of Brasenose in Oxford to Barbara Winifred Jenkins and Lloyd John Jenkins.

Plot 2 (edged blue) was conveyed on 12 July 1924 by Richard Bright as executor of the will of Donald Jugh Tucker Molyneux to Robert Scandrett.

Plot 3 (edged green). The area hatched red is not part of the register unit. The area hatched green is the subject of the registration at Entry No. 1 in the Ownership Section.

That leaves two separate unhatched areas. The western area which adjoins part of plot 4 was conveyed by Brasenose College by way of exchange on 19 July 1984 to Richard Bright as executor of the will dated 17 January of Donald Hugh James Molyneux who died on 24 October 1983.



-2-

The eastern area which adjoins plot 2 is vested in Richard Bright as executor of the will of Donald Hugh Tucker Molyneux.

Plot 4 (edged orange) This plot is divided into two unequal parts by Plot 5. The whole plot is owned by Brasenose College as to the western part by virtue of the Deed of 19 July 1984 already mentioned and as to the eastern part by virtue of (a) a Conveyance made on 29 March 1944 between Mrs Veronica Corbett of the one part and the College of the other part and (b) a Conveyance made on 27 October 1908 between F R James and T Caint (1) F A Goodwin and J P Goodwin (2) Francis Evans (3) and the College (4).

Plot 5 (edged yellow) is owned by Slade Penoyre by virtue of an Assent made by him in his then name of Slade Stallard Penoyre as Executor of the will of the late Slade Barker Stallard-Penoyre in favour of himself.

On this evidence I am satisfied that the persons referred to above are the owners of those parts of the land to the extent I have indicated and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, each of them as the owners of such parts under section 8 (2) of the Act of 1965. I have signed the Key Plan for purposes of identification and it will be sent to the registration authority with a copy of this decision

I am not satisfied that any person is the owner of that part of Plot 1 which is hatched black as already mentioned and this will 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 20th day of November 1985
George H. H. H. H.
Commons commissioner